

in the office of the register of deeds of the county of Houston, and thereafter said road shall be deemed established.

SEC. 6. After the filing of the plat, as provided for in the fifth section of this act, and the determination of appeals, if any, it shall be the duty of the board of supervisors and the road overseers of the towns through which the said road may run, to open and work the same in the same manner as other roads are worked in the said towns.

Duty of the board
of supervisors

SEC. 7. The expense of laying out and locating said road shall be paid by each of the towns through or in which said road may pass, in proportion to the distance it may run in each town.

Expenses, how
paid

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved March 4, 1864.

CHAPTER LIII.

An Act to provide for the location of a State Road from Hastings, in Dakota County, to Shakopee, in Scott County.

- SECTION 1. Commissioners appointed—for what purpose.
 2. When to meet—fill vacancies.
 3. May employ assistants—compensation.
 4. Damages sustained—how ascertained.
 5. Expenses, how paid.
 6. To file plat of said road.
 7. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That John H. McKay, K. N. Guitau and Lewis R. Hawkins are hereby appointed commis-

For what purpose
commissioners ap-
pointed

sioners to locate, survey and establish a State road from the city of Hastings, in Dakota county, by the way of Dakota, in Dakota county, through Lakeville, to the town of Shakopee, in Scott county.

When to meet—fill
vacancies

SEC. 2. The commissioners shall meet at Lakeville, in Dakota county, on the fifteenth day of March, one thousand eight hundred and sixty-four, and proceed to discharge the duties imposed on them by the provisions of this act. *Provided*, That in the absence of any one of said commissioners, the other two shall have the power to fill said vacancy by the appointment of some suitable person who shall have the same authority as is by this act conferred upon the said commissioners above-named.

May employ assist-
ants—compensa-
tion

SEC. 3. The said commissioners are hereby empowered to employ one surveyor, two chainmen and one axeman. Said commissioners shall be entitled to receive the sum of three dollars per day for their services, and ten cents per mile for every mile traveled in surveying and locating said road, said surveyor shall be entitled to the sum of three dollars, and said chainmen and axeman the sum of one dollar and fifty cents per day, during the time they are employed in said survey.

Damages sustained
—how ascertained

SEC. 4. That it shall be the duty of the said commissioners to appraise the damages sustained by each owner of land through which the road shall pass, and in case any one shall feel aggrieved by said appraisal, he may, within thirty days, appeal, in writing, to the chairman of the board of supervisors of the town wherein said owner may reside; and the said supervisor shall cause a constable of his town, in which said appellant lives, to summon a jury of six men to examine said road, a majority of whom shall determine the amount of damage, if any, the said appellant has sustained.

Expenses, how
paid

SEC. 5. That each county through which said road shall pass, shall pay the expenses incurred in the location and construction of the same through said county.

To file plat of road

SEC. 6. That said commissioners shall cause to be deposited and filed, in the office of the county surveyor of the counties through which the said road may pass, a copy of the plat of said road, together with

their appraisal of damages, an exemplification of which shall be legal evidence of the opening and existence of said road.

SEC. 7. This act shall take effect from and after its passage.

Approved, March 3, 1864.

CHAPTER LIV.

An Act to locate a State road from Stillwater, in Washington County, to Brunswick, in Kanabec County.

- SECTION 1. Commissioners appointed—for what purpose.
2. When to meet.
 3. When Commissioners to appoint substitutes.
 4. Expenses, how paid.
 5. Compensation of Commissioners and assistants.
 6. To file plat of road.
 7. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That Robert Rich, Benjamin J. Masterman and George Walker be and are hereby appointed commissioners to locate, mark, survey and establish a State road from Stillwater, in Washington county, by way of Grant, Rice Creek, Brown's Lake, Wyoming and Cambridge, to Brunswick, in Kanabec county. For what purpose commissioners appointed

SEC. 2. The said commissioners, or a majority of them, shall meet in the city of Stillwater, on the last Monday in March next, and then proceed to locate and survey said road. When to meet

SEC. 3. In case a majority of the above-named commissioners should fail to convene on the day as provided in section two of this act, it shall be the duty May appoint substitutes