

which the road may pass, on or before the first day of November, eighteen hundred and sixty-five.

SEC. 6. This act shall take effect from and after its passage.

Approved March 3, 1865.

### CHAPTER XLVIII.

*An Act to locate a State road from Cambridge, in Isanti county, to Elk River, in Sherburne county.*

March 2, 1865.

- SECTION 1. Commissioners appointed—for what purpose.  
 2. When and where to meet.  
 3. Power to appoint substitutes.  
 4. Expenses—how paid.  
 5. May employ assistants—compensation.  
 6. To file plat of road.  
 7. Damages sustained—how ascertained.  
 8. Right of way—when deemed established.  
 7. When act to take effect.

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

SECTION 1. That Barton A. Latta, Moses N. Emerson and Benjamin N. Spencer are hereby appointed commissioners to locate, mark, survey and establish a State road from Cambridge, in Isanti county, by way of Spencer Brook to Elk river, in Sherburne county.

Commissioners  
appointed—for  
what purpose.

SEC. 2. That said commissioners, or a majority of them shall meet on the first day of May next, at Elk river, and then proceed to locate and survey said road, commencing at or near the railway depot in said town, running thence upon the present travelled road, north, about six miles, thence bearing a northeast course until striking the government road near to Spencer brook, and thence by the most feasible route to Cambridge.

When and where  
to meet.

Power to appoint substitutes.

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 of the commissioners that may be in attendance on the day so specified, to appoint substitutes.

Expenses, how paid.

SEC. 4. The expenses incurred in the establishing and surveying of said road, shall be paid by the several counties through which the road may pass, in proportion to the length of road running therein.

May employ assistants—compensation.

SEC. 5. The said commissioners are hereby authorized to employ two chainmen and one axeman, who, together with the commissioners shall receive not more than two dollars and fifty cents per day, and the surveyor the amount allowed by the statutes.

To file plat of road

SEC. 6. Said commissioners shall, after the survey of said road, cause an accurate plat of the survey and location thereof to be made and filed in the office of the register of deeds of each of the counties through which the road may pass.

Damages—how ascertained.

SEC. 7. Any damage sustained by reason of laying out and opening said road, shall be assessed and determined by said commissioners, in the manner now provided by law, in case of roads laid out by supervisors.

Right of way—when deemed established.

SEC. 8. The commissioners are authorized to enter upon and cross the lands of any party or parties, and take any lands necessary to be used for such road, and no objection thereto being interposed within thirty days after the survey thereof, the right of way, not exceeding four rods in width, shall thereafter be deemed established.

SEC. 9. This act shall take effect from and after its passage.

Approved March 2, 1865.