

## CHAPTER LXVI.

*An Act to authorize the Rice Lake and Zumbro river Manufacturing Company to improve the eastern outlet of Rice Lake for manufacturing purposes.*

January 31, 1865.

- SECTION 1. Authorized to open a channel as an outlet to said lake—for what purpose.  
 2. Authorized to enter upon the lands through which said outlet may run.  
 3. Damages—how ascertained.  
 4. Right of appeal.  
 5. When act to take effect.

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

SECTION 1. It shall be lawful for the Rice Lake and Zumbro river Manufacturing Company to open a channel through the marsh, at the eastern outlet of Rice Lake, in the county of Dodge, and widen and deepen the Rice Lake branch of the Zumbro river, and put a dam and gate across said outlet for the purpose of securing and using the water of said Rice Lake as a reservoir from which to obtain an increase of water power, to run the mills of said company, on the south middle branch of the Zumbro river, in the counties of Dodge and Olmsted; *Provided*, That the water of said Lake shall not be raised more than four feet above the usual level.

Authorized to open a channel as an outlet to said lake—for what purpose.

SEC. 2. For the purpose of carrying out the provisions of the preceding section of this act, it shall be lawful for said company to enter upon the premises at said outlet and the said marsh and the lands through which said Rice Lake branch runs, and to dig and open such ditches as shall be necessary for the accomplishment of the objects of said improvement.

May enter upon the lands through which said outlet may run.

SEC. 3. The said company shall cause a plot of said projected works to be prepared in which shall be specified the lands on which said improvements are to be made, and on presenting the same to the judge of the district court of the judicial district in which said improvements are to be made, the said judge

Damages—how ascertained.

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shall appoint three commissioners to appraise the damages which the said improvements will cause to the respective owners of the said lands; and it shall be the duty of said commissioners to proceed within a reasonable time, to the said premises and appraise and assess the damages, and file a report of the same in the office of the clerk of the district court of the county where said lands are situated, and the said company shall pay the said damages to the respective owners of said lands; *Provided*, That if the said company fail to have the said damages assessed, the owners of said lands shall have power to have the said damages assessed at any time within one year after the said improvements are made, by proceeding therein as the said company is authorized to proceed to have said commissioners appointed. The said commissioners shall be allowed a reasonable compensation for their services, to be paid by the said company.

Right of appeal.

SEC. 4. Any party aggrieved by the action or finding of said commissioners, may appeal from their action to the district court.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved January 31, 1865.