

in the office of register of deeds in said county of St. Louis.

SEC. 3. The expense of the location and survey of this road shall be paid by the counties of St. Louis and Carlton, in proportion to the distance of said road in each county. Expenses—how defrayed.

SEC. 4. If any of the commissioners hereby appointed shall refuse or neglect to act, after being notified of the time appointed for the commencement of the location of the road, then his associated commissioners may appoint some other person to act on said board, and said person so appointed shall perform the duties with all the powers, and shall be entitled to the same pay as if he had been named in this act. Vacancies—How filled.

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

Approved March 1, 1866.

## CHAPTER C.

*An Act to provide for the location of a State Road from Winnebago Agency, in Blue Earth county, to White Walnut Lake, in Faribault county.* March 2, 1866.

- SECTION 1.** Nominates Commissioners to lay out State Road from Winnebago Agency to White Walnut Lake.
2. Place and time of meeting of Commissioners—vacancies how filled.
  3. Commissioners may appoint Surveyor, etc.
  4. Expense of location—how defrayed.
  5. Plat to be filed with Register of Deeds.
  6. Damages—how to be paid.
  7. When act to take effect.

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

**SECTION 1.** Nicholas J. Kremer, John A. Ellsworth,

Appoints Com-  
missioners.

and George Andrews, are hereby appointed commissioners to locate, survey and open a state road from Winnebago Agency, in the town of McPherson, county of Blue Earth, via the Big Cobb River, crossing said river between section thirty-five and thirty-six, township 105, range 25, w., to White Walnut Lake, in the county of Faribault, in this State.

Meetings to be  
held.

SEC. 2. Said commissioners shall meet at the store of Henry Foster, in said town of McPherson, at such time as they shall deem convenient, and proceed to discharge the duties imposed upon them by the provisions of this act. *Provided*, That in the absence of any one of said commissioners, the other two shall have power to fill said vacancy, and the person so appointed shall have the same authority as by this act is conferred upon the said commissioners above named.

Commissioners  
to employ offi-  
cers.

SEC. 3. The said commissioners are hereby empowered to employ one surveyor, two chainmen, and one axeman, to assist in laying out said road.

Expenses—How  
defrayed.

SEC. 4. Each county through which said road shall pass, shall pay the reasonable expenses incurred in surveying and laying out the same in such county.

Plat to be filed.

SEC. 5. The said commissioners shall file a plat of the survey of said road in the office of the register of deeds of each of the counties through which said road may pass, which said plat shall be legal evidence of the location and existence of said road.

Damages—How  
ascertained.

SEC. 6. All damages sustained by laying out and opening said road shall be ascertained and determined by the supervisors of each town through which said road may pass, and shall be paid by each town where such road is located, in the same manner as though the road was laid out by such supervisors.

SEC. 7. This act shall be in force and effect from and after its passage.

Approved March 2, 1866.