

CHAPTER CIV.

An Act to provide for the location of a State road from Lake City, in the county of Wabashaw, to Zumbrota, in the county of Goodhue. February 23, 1866

- SECTIONS 1.** Nominates Commissioners to locate State road from Lake City to Zumbrota.
2. Time and place of meeting.
 3. Commissioners may employ surveyor, etc.
 4. Commissioners to assess damages.
 5. How expense of location to be defrayed.
 6. Right of appeal.
 7. Plat to be filed.
 8. When act to take effect.

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

SECTION 1. That Benj. O. Baldwin, C. W. Hackett, Nominates Commissioners. of the town of Lake city, in Wabashaw county, and J. A. Thacher, of the town of Zumbrota, Goodhue county, are hereby appointed commissioners to survey, locate and establish a State road from some point, to be by them selected, in the village of Lake City, running thence by the most feasible route, to Zumbrota, in the county of Goodhue.

SEC. 2. That said commissioners shall meet at such time and place as shall be convenient to them, and proceed to discharge the duties imposed upon them by this act; *Provided*, That if either of said commissioners shall be unable to discharge said duties, he shall have power to substitute some person to act in his place, and such action by such substitute shall have the same effect as if he were appointed commissioner by this act. Commissioners to meet.

SEC. 3. That said commissioners are hereby authorized to employ a surveyor, axeman and chainman, and it shall be their duty to cause said road to be accurately surveyed and platted, and file a copy thereof in the office of the register of deeds in each county. May appoint officers.

through which or into which said road may pass.

Duty of Commissioners.

SEC. 4. It shall also be the duty of said commissioners to assess and determine all damage that may be sustained by the laying out and opening said road, in the same manner as is now provided by law for laying out town roads, and file a copy of such assessment of damage with the town clerk of each town through or into which said road shall pass.

Expenses—How paid.

SEC. 5. That each county through or into which said road shall pass shall pay the expense of the location thereof, in proportion to the distance it may run in each county; *Provided*, That the commissioners shall not receive more than three dollars per day and their necessary expenses.

Appeals allowed.

SEC. 6. That any person feeling aggrieved by the assessment of damage by said commissioners, may appeal therefrom in the same manner as is now provided by law for laying out town roads; *Provided*, Said appeal shall be taken within thirty days from the filing of such assessment of damage by said commissioners, and a notice of such appeal be served on said commissioners within five days after the taking thereof.

When road opened.

SEC. 7. That such road shall be deemed established and opened upon the filing the survey and plat thereof, which plat shall be legal evidence of the location and existence of said road.

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

Approved February 28, 1866.