

CHAPTER CX.

An Act to relocate the Dubuque and St. Paul State Road from the City of Rochester to the north line of Fillmore County. January 22, 1866.

- SECTION 1.** Nominates certain persons to locate State Road.
2. Time and place of meeting—How vacancies filled.
 3. Commissioners to designate time of commencing, &c.
 4. Commissioners may employ Surveyor, &c.
 5. How expenses to be paid—Salaries.
 6. Damages to be appraised by Commissioners.
 7. Plat to be filed.
 8. How damages to be paid.

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

SECTION 1. That Prescott Patridge, Cyrus Curtice and Jacob Ostrander are hereby appointed commissioners to make such alteration as they may deem necessary for the public good, in the Dubuque and St. Paul State road, commencing at the southwest corner of the northwest quarter of section one, in township one hundred and six north, of range fourteen west, running southeasterly through the village of Pleasant Grove to the north line of Fillmore county. Appoints Commissioners.

SEC. 2. That said commissioners shall meet at Pleasant Grove, on or before the first Monday in March, one thousand eight hundred and sixty-six, and in case any of the said commissioners neglect or refuse to act, the remaining commissioner or commissioners shall appoint some suitable person or persons from the neighborhood of such absentees to fill such vacancy. Place of meeting.

SEC. 3. At the first meeting of said commissioners they shall designate the time when, and the place where they will commence the alteration of said road, and they may adjourn from time to time as they, in their judgment, may deem necessary. Duties.

May appoint officers.

SEC. 4. The said commissioners are hereby empowered to employ in making alterations in said road one surveyor, two chainbearers and one axeman.

Expenses—how defrayed.

SEC. 5. The necessary expenses incurred in making such alterations in said road shall be paid by the county of Olmsted: *Provided*, That said commissioners shall not be paid each more than two dollars per day, and said surveyor not more than four dollars per day, and the said chainmen and axeman not more than two dollars per day each for the time they are necessarily employed in making the alterations in said road.

Commissioners to appraise damages.

SEC. 6. It shall be the duty of said commissioners to appraise the damage that may accrue to the owners of the land through which said road shall pass, by reason of such alterations: *Provided*, That if in any case any of the owners shall feel themselves aggrieved by said appraisement, they may, within thirty days after such appraisement, appeal in writing to the chairman of the board of supervisors of the town in which the land through which said road may run is located, and said chairman of supervisors shall cause a constable of said town to summon a jury of twelve freeholders, residents of said town, who shall proceed to examine said road, and a majority of said jury shall determine the amount of damages, if any, sustained by such owners, on the account of laying out said road through their lands, which appraisement shall be final.

Plat to be filed.

SEC. 7. Said commissioners shall cause an accurate plat of the survey and location of said road to be made and filed in the office of the register of deeds in said county of Olmsted, an exemplification of which shall be legal evidence of the opening and existence of said road as altered and established by said commissioners.

Damages—How paid.

SEC. 8. All damages appraised to the owners of lands in accordance with the provisions of this act, shall be paid by the towns in which such alterations shall have been made.

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

Approved January 22, 1866.