

the commissioners shall not receive more than two dollars and fifty cents per day, and their necessary expenses.

SEC. 5. That such road shall be deemed established and opened, upon filing the survey and plat thereof, which plat shall be legal evidence of the location and existence of said road.

Commissioners
to file plat of
road.

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

When act to take
effect.

Approved February 18, 1868.

CHAPTER CXXXV.

An Act to amend an act entitled an act to locate, survey and establish a state road from Belle Plaine to Young America, Carver county, and Washington Lake, in Sibley county.

March 8, 1868.

- SECTION 1. In whom authority vested to appraise damages sustained—appeal may be taken—how damages paid.
2. By whom damages paid.
 3. When road shall be deemed established.
 4. Persons claiming damages to notify appraisers—when deemed to have waived such claim.
 5. When and where appraisers to meet.
 6. What to constitute a quorum—in case of refusal to serve, the acts of those serving deemed valid—compensation.
 7. When act to take effect.

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

SECTION 1. In case any person owning any lands through which the state road surveyed, located and laid out under and by virtue of the act entitled “an act to locate, survey and establish a state road from Belle Plaine to Young America, in Carver county, and Washington Lake, in Sibley county,” approved March ninth, one

Who to appraise
damages—ap-
peal may be
taken—how
damages paid.

thousand eight hundred and sixty-seven, shall claim damages for the right of way for the said road through such land. Such damages shall be estimated and appraised by Sandford A. Hooper of Belle Plaine, Henry Pœhler of Henderson and John Flynu of Faxon, who shall make and sign a statement in writing, containing a description of each parcel of land for which such damages or compensation is claimed, the name of the owner claiming the same and the amount of damages awarded to each, and file such statement in the office of the county auditor of the county in which such lands are situated, and the amount of such appraisal or award shall be included in the amount levied upon said county in the tax roll or list next thereafter to be made. *Provided however,* That any person deeming himself or herself aggrieved by such appraisal or award, may appeal therefrom within the time and in the manner provided by law for appeals from like appraisals or assessments made by town supervisors upon laying out a highway, and the amount which shall be finally awarded upon such appeal shall, instead of the amount of the award appealed from, be included in the amount to be levied upon said county in the tax roll or list next to be made after the determination of such appeal.

By whom damages paid.

SEC. 2. When the tax containing such award shall have been collected, the amount awarded to each person either by the said appraisers or upon appeal as aforesaid, shall be paid by the county treasurer to him or her or their heirs or assigns.

When road to be deemed established.

SEC. 3. When such statement of the said appraisers shall have been filed in the office of the county auditor as aforesaid, the said damages or compensation shall be deemed secured, and the said road established and confirmed as a public highway.

Claimants to notify appraisers — when deemed to have waived such claim.

SEC. 4. Any person claiming damages or compensation for the right of way for said road through his or her land shall notify the said appraisers, or one of them, of the fact that he or she makes such claim within three months after the passage of this act, or be deemed to have waived such claim, and be forever barred thereof.

Appraisers when and where to meet.

SEC. 5. The said appraisers shall meet at the post office at Faxon, in said county of Sibley, on the tenth day of May, A. D. one thousand eight hundred and sixty eight, and thence proceed to examine the premises for which damages shall be claimed, and to appraise such damages and make their awards thereof as by this act is directed and required.

SEC. 6. Any two of said appraisers shall be a quorum, whose acts shall be valid, and in case any of said appraisers shall neglect or refuse to act, the proceedings or awards of the one or two who shall act shall be of the same force and effect as if all of them joined therein. The compensation of said appraisers shall be three dollars per day for each day necessarily engaged in the discharge of the above and foregoing duties, which sum shall be paid out of the county treasury of said county of Sibley.

Quorum—when deemed valid—compensation.

SEC. 7. This act shall take effect from and after its passage and approval by the governor.

When act to take effect.

Approved March 6, 1868.

CHAPTER CXXXVI.

An Act to locate a State Road from Richmond in Stearns County, to near Fort Abercrombie. D. T.

March 6, 1868.

- SECTION 1. To locate and establish a State Road.
2. Where and when Commissioners to meet—vacancy, how filled.
 3. Commissioners may employ surveyor, &c.—compensation.
 4. When expense of surveying may be chargeable to the counties through which it passes.
 5. How expenses of locating said road to be defrayed.
 6. Commissioners to file plat of road.
 7. Commissioners to be appointed by the Governor.
 8. When act to take effect.

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

SECTION 1. That _____ are hereby appointed commissioners to locate and establish a state road from Richmond, in Stearns county via Lake George, Crow River crossing, Grove Lake, Glenwood, in Pope county, and Lightning Lake, in Andy Johnson county, thence to the _____

To locate State road.