

ty four, be amended by striking out the word four, in the last of said section, line and inserting in lieu thereof the word eight.

SEC. 2. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved March 6, 1868.

CHAPTER CXLII.

An Act to locate and establish a State Road.

March 6, 1868.

- SECTION 1. Commissioners appointed to locate State Road.
2. Commissioners to hold meeting.
 3. May employ surveyor, &c.—duties of.
 4. Damages sustained, how ascertained.
 5. How expenses of locating said road to be defrayed.
 6. Persons feeling aggrieved may have the right of appeal.
 7. What to constitute a legal road.
 8. When road deemed established.
 9. When act to take effect.

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

SECTION 1. That O. E. Gursison, Moses Cambell, and Wm. F. Hicks, are hereby appointed commissioners to survey, locate and establish a state road, from the east end of the bridge across the Mississippi river opposite the incorporate town of St. Cloud, and now in process of construction, and running from thence by the most feasible route to some point on the east side of township number thirty-seven, range number twenty-eight, in Benton county. To locate State road.

SEC. 2. That said commissioners shall meet for the discharge of the duties imposed upon them by this act, at some time and place as shall be most convenient for them, and if either of said commissioners shall be unable to discharge said duties, he shall have power to substitute some one to To hold meeting.

act in his stead and the actions of such substitute shall be legal and binding the same as if appointed under this act.

May employ
surveyor, &c.—
duties of.

SEC. 3. Said commissioners are hereby authorized to employ a surveyor, axman, and two chainmen, and it shall be their duty to cause said road to be accurately surveyed and platted, and to file a copy thereof in the office of the register of deeds of Benton county, Minnesota.

Damages, how
ascertained.

SEC. 4. It shall also be the duty of said commissioners, to assess and determine all damages which may be sustained by reason of the laying out of said road, in the same manner as is now provided by law for the laying out of town roads, and to file a copy of the assessment of damages with the register of deeds of said Benton county.

How expenses
defrayed.

SEC. 5. That the expenses incident to the laying out of the said road, shall be borne by the county through which it runs. *Provided*, That said commissioners shall not receive more than three dollars per day, including their necessary expenses.

Persons aggrieved
may appeal.

SEC. 6. Any person aggrieved by the action of said commissioners, may have the right of appeal from their action in the manner provided by law in case of town roads, provided the appeal is taken within thirty days from the filing of the assessment of damages.

What to consti-
tute a legal road.

SEC. 7. Any part of said road surveyed and platted as aforesaid, and treated according to the terms of this act, shall constitute a legal road.

When road
deemed estab-
lished.

SEC. 8. Such road shall be deemed established and opened, upon the filing of the plat of the survey thereof as aforesaid, which plat shall be legal evidence of said road.

When act to take
effect.

SEC. 9. This act shall take effect and be in force from and after its passage. *Provided*, That Benton county shall not be liable or obliged to pay any portion of the expense in locating, opening, constructing or maintaining said road.

Approved March 6, 1868.