

hundred and sixty-seven, be amended so as to read as follows :

To file plat of road in counties through which it passes. Sec. 4. The map or plat or survey of said road shall be filed by said commissioners in the office of the several registers of deeds of the counties through which the road may pass on or before the first day of May, A. D. one thousand eight hundred and sixty-eight.

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

Approved February 1, 1868.

CHAPTER CXLVI.

March 2, 1868.

An Act to locate a State Road from Millersburgh in the County of Rice, to Northfield in said county.

- SECTION 1. Commissioners appointed to locate State Road.
2. When and where to meet—vacancy, how filled.
 3. May employ surveyor, &c.—compensation.
 4. How expence of locating said road to be defrayed.
 5. Damages sustained, how ascertained.
 6. Commissioners to file plat of road.
 7. Duty of Board of Supervisors.
 8. Not to be vacated by Board of Supervisors or County Commissioners.
 9. When act to take effect.

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

To locate State road.

SECTION 1. That Samuel Bushnell, John T. Ames and George W. Miller, are hereby appointed commissioners to locate a state road, commencing at some point on the Dodd road north easterly of and near the town of Millersburgh in the county of Rice, and running thence by the most practicable route in a north easterly direction to the dutch road so called, and thence by the most practicable route to the town of Northfield in said county.

Sec. 2. Said commissioners shall meet at said Millersburgh, at a time not later than the first day of August next, and proceed to the discharge of their duties under the act, and if from any cause any one of said commissioners appointed under this act, shall be unable to perform the duties imposed by this act, he shall have the power to appoint a substitute, who shall have the same authority when so appointed as one of the commissioners appointed by this act.

When and where to meet—vacancy, how filled.

Sec. 3. Said commissioners are hereby authorized to employ in locating said road, one chainman, one axman and one surveyor; *Provided*, Said commissioners and axman shall not receive more than two dollars per day nor the surveyor more than three dollars per day for their services under this act.

May employ surveyor, &c.—compensation.

Sec. 4. The expense of locating said road shall be paid by the said county of Rice.

How expenses defrayed.

Sec. 5. It shall be the duty of said commissioners to appraise the damages sustained by each owner of land through which said road may pass, and in case any one shall feel aggrieved by such appraisal he may appeal to the county commissioners of his county at any time within thirty days after the filing of the plat of said road as hereinafter provided, and the said county commissioners shall at their next annual meeting hear and determine said appeal and decide the same as they shall deem just.

Damages, how ascertained.

Sec. 6. The said road commissioners shall on or before the first day of September next, file an accurate map and plat of said road in the town clerk's office of each of the towns in which the same or any portion of said road may be located, and also in the office of the register of deeds of said county of Rice, and there after said road shall be deemed established.

To file plat of road.

Sec. 7. After the filing of the map and plat as provided in the preceding section and the determinations of appeals if any, it shall be the duty of the board of supervisors and road overseers in each of the towns wherein any portion of said road may be located, to open and work the same in the same manner as other roads are worked in said towns.

Duties of board of Supervisors.

Sec. 8. After the said road is established neither the supervisors of the towns in which the same or any portion thereof is located, nor the commissioners of the said county shall have power to vacate the same or any part thereof.

Not to be vacated by Supervisors or Commissioners.

When act to take effect.

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

Approved March 2, 1868.

CHAPTER CXLVII.

March 5, 1868.

An act to locate a state road from Waseca, Waseca county, to Albert Lea, in the county of Freeborn.

- SECTION 1. Commissioners appointed to locate State Road.
2. When and where to meet.
 3. May employ surveyor, &c.—compensation.
 4. How expenses of locating said road to be defrayed.
 5. Damages sustained, how ascertained.
 6. Commissioners to file plat of road.
 7. When act to take effect.

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

To locate State road.

SECTION 1. B. A. Lowell, H. G. Mosher and Andrew Samson are hereby appointed commissioners to locate a state road, commencing about one mile east of the village of Waseca, in Waseca county, where the Winona and St. Peter Railway crosses the road leading from the centre of the town of Otisco in said Waseca county, to said village of Waseca, thence south through the towns of Otisco and Richland, Waseca county, one half of a mile east of the center of said towns of Otisco and Richland, as near as practicable to Albert Lea, in the county of Freeborn.

When and where to meet.

SEC. 2. Said commissioners, or a majority of them, shall meet at said village of Waseca at a time not later than the first day of August next, and proceed to discharge their duties under this act.

May employ surveyor, &c.—compensation.

SEC. 3. Said commissioners are hereby empowered to employ one chainman, one axman and a competent surveyor. *Provided*, That neither of said commissioners,