

SEC. 4. The proceeds of said bonds shall be exclusively used and applied by the commissioners of said county of Saint Louis in opening and improving said road, and for no other purpose whatever. Proceeds to be used for benefit of said road.

SEC. 5. Any part of acts inconsistent with the foregoing, are hereby repealed. Repeal of inconsistent acts.

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

Approved March 6, 1869.

CHAPTER CVI.

An Act authorizing the survey and location of a State Road from a point on the main line of the St. Paul and Pacific Railroad, near the boundary of Stevens county, to Fort Ripley, in Morrison County. March 5, 1869.

SECTION 1. Commissioners appointed to locate, survey and establish said road.

2. When and where to meet.
3. Vacancy, how filled—may employ surveyor, &c.—compensation—expenses, how paid.
4. Commissioners to file plat of road.
5. When act to take effect.

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

SECTION 1. That Henry Blackwell, James S. Brower and N. Richardson are hereby appointed commissioners to locate, survey and establish a state road, beginning at a point on the main line of the St. Paul and Pacific railroad near the boundary of Stevens county, by way of Holmes City and the town of Alexandria, in Douglas county, thence eastwardly by way of the St. Cloud and Fort Abercrombie road and the county road in Todd county, in township one hundred and twenty-nine, range thirty-four, Commissioners appointed—for what purpose.

thence by the most feasible route via Long Prairie River to Fort Ripley.

When and
where to meet.

SEC. 2. It shall be the duty of said commissioners to meet at the town of Osakis on the first Monday of April, one thousand eight hundred and sixty-nine, when they shall proceed to the discharge of their duties as herein specified.

Vacancy, how
filled—may employ
surveyor,
&c.—compensation—
expenses,
how paid.

SEC. 3. In case any one of the said commissioners shall refuse or neglect to discharge his duties as such commissioner, the other two commissioners shall have the power to appoint a substitute in his stead, and any two of said commissioners shall have the power to act in the absence of the third commissioner; and the said commissioners shall have power to employ one surveyor at four dollars per day, and two chainmen, one axeman and one flagman at two dollars per day each; and the said commissioners shall be paid at the rate of three dollars per day each, all of which expense shall be paid by the several counties through which the said road shall be located, except that whatever expense shall be incurred in locating said road in Stevens county shall be paid by Douglas county; and the county auditors of the counties of Todd and Douglas and Morrison, are hereby authorized and required to issue the orders of their several counties in payment of such accounts as the said commissioners shall certify on oath to be properly due from the said several counties under the provision of this act.

To file plat of
road.

SEC. 4. At each end and at every angle of the line of said road a good and substantial stake shall be set, and a profile of said road shall be made by the surveyor, and shall be filed in the office of the register of deeds of each of the organized counties through which the said road shall be located, and the said profile of said road, or of any part of said road, with the proper notes as to courses and distances attached, shall be prima facie evidence of the correctness of the same, and of the legal existence of so much of said road as the said profile represents.

When act to
take effect.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 5, 1869.