

ing in an unorganized county, the county to which the same is attached for record purposes, shall pay the same, and the amount so paid shall be reimbursed to the county paying the same, whenever such unorganized county shall become organized.

SEC. 9. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved March 6, 1871.

## CHAPTER CXVIII.

*An Act to locate and establish a State Road from Hancock, Carver County, Minnesota, to Blakeley, in Scott County.* March 6, 1871.

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

2. When and where to meet—vacancy, how filled.
3. To employ competent surveyor, etc.—to file plat of said road.
4. Expenses, how paid—compensation.
5. Damages sustained, how ascertained.
6. Parties feeling aggrieved to have the right of appeal.
7. When act to take effect.

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

SECTION 1. That John Shaughnacy, of the county of Sibley, in the state of Minnesota, J. N. Dean, in the county of Scott, in the state aforesaid, and Patrick Colbert, of the county of Carver, in the state aforesaid, are hereby appointed commissioners to survey, locate and establish a state road, from some point to be selected by them in the south half of section eighteen (18), in the township of Hancock, in the county of Carver, and state aforesaid, running thence through the county of Sibley to Blakeley, in the county of Scott aforesaid; *Provided*, That the owners of the land lying between the Minnesota river and said Blakeley, shall file with the county auditor of said Scott county, a release of the right of way for Commissioners appointed to locate said road.

said road over said land; *And provided further*, That the counties of Carver or Scott shall not be liable for any expense for right of way.

When and where  
to meet—vacan-  
cy, how filled.

SEC. 2. That said commissioners shall meet at such time and place convenient to them, as they may select, and proceed to discharge the duties imposed upon them by this act; *Provided*, That if either of said commissioners shall be unable to discharge the duties aforesaid, the others shall have the power to substitute some person to act in his place, and such action by such substitute shall have the same effect as if he were appointed commissioner by this act.

To employ sur-  
veyor, etc.—to  
file plat of road.

SEC. 3. That said commissioners are hereby authorized to employ a surveyor, axman and chainman, and it shall be their duty to cause said road to be accurately surveyed and platted, and file a copy thereof in the office of the county auditor of each county, through or into which said road may pass, to assess the damages and to secure a release of the right of way to said road.

Expenses, how  
paid—compensa-  
tion.

SEC. 4. That the expenses of viewing and locating said road shall be paid by said counties according to the distance of said road located in the counties respectively; *Provided*, That the said commissioners shall not receive more than two dollars per day, and the axman and chainmen not more than one dollar and fifty cents per day each.

Damages, how  
ascertained.

SEC. 5. The said commissioners shall at the time of locating the said road, appraise the damages or compensation to be paid to each person through whose land the same shall pass, and shall file in the office of the county auditor of each county, a statement of such appraisals of damages for lands therein taken for said road, at the time when they shall file the survey and plats of the same in said auditors office, and upon the filing of said survey, plats and appraisal in the offices of said county auditors, the said road shall be deemed established, and said damages or compensation shall be deemed secured, and the amount of such appraisal in each county shall be levied upon the taxable property of said county, and be entered and extended on the tax roll thereof next thereafter to be made, and the amount of each appraisal shall be paid to the person or persons entitled thereto.

Right of appeal.

SEC. 6. Any person deeming himself or herself aggrieved by such appraisal of his or her compensation, may appeal therefrom to the district court of the county

in which such lands are situated, by serving a notice of such appeal upon the county attorney of said county, and filing in the office of the county auditor of said county a copy of said notice of appeal with proof of service thereof on the county attorney. The county auditor shall certify a copy of the appraisal appealed from to the district court, within ten days after filing the notice of appeal in his office. Such appeal shall be taken within thirty days after the filing of the appraisal in the office of the county auditor.

SEC. 7. This act shall take effect on and after its passage. When act to take effect.

Approved March 6, 1871.

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## CHAPTER CXIX.

*An Act to legalize the survey, location and establishment of the State Road running from a point near the mouth of Sauk River, to the western boundary of the State, at a point between Lake Traverse and Big Stone Lake.*

March 6, 1871.

- SECTION 1. Survey and location legalized.
2. Commissioners appointed to ascertain damages.
  3. Damages sustained, how paid.
  4. When act to take effect.

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

SECTION 1. That the state road surveyed, located and established in pursuance of an act entitled An act to locate a state road from a point near the mouth of Sauk River to the western boundary of the state, at a point between Lake Traverse and Big Stone Lake, approved March fifth, one thousand eight hundred and sixty-eight, be and the same is hereby legalized and declared to be a valid, existing and established state road, and the plat of

Survey and location legalized.