

CHAPTER CLXIV.

March 4, 1872. *An Act to Establish a State Road from Faxon, in Sibley County, to Belle Plaine, in Scott County, and from there to a Junction with the Faxon and Glencoe State Road.*

- SECTION 1. Commissioners named to locate a state road.
2. Meeting of commissioners to enter upon their duties.
 3. Surveyor, axman and chainman to be employed, and compensation.
 4. Damages to be assessed, and paid by the county in which the land lies.
 5. Plat of the road to be filed, and report of proceedings to be made.
 6. When act to take effect.

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

Commissioners
to locate state
road.

SECTION 1. That William Henry, Jacob Frankenfield and William Murphy are hereby appointed commissioners to locate and establish a state road from the village of Faxon, in Sibley county, to the borough of Belle Plaine, in Scott county, and from there to a junction with the Faxon and Glencoe state road, not more than one mile from Washington Lake.

Meeting of
commissioners

SEC. 2. Said commissioners, or a majority of them, shall, on any day subsequent to the passage of this act, and prior to the first day of May, A. D. 1872, meet at Faxon and proceed to discharge the duties imposed by this act. Should any of said commissioners, after due notice has been given, be unable or refuse to attend and meet at said place, the balance of said commissioners are hereby authorized and empowered to substitute to fill vacancy.

Surveyor, &c.,
employed.

SEC. 3. Said commissioners are hereby authorized to employ one surveyor, one axman and one chainman. *Provided*, Said commissioners shall receive three dollars per day for their services, the chainman and axman shall not receive more than two dollars per day, nor the surveyor more than five dollars per day for their services, which compensation shall be paid by the respective counties through which said road shall pass.

SEC. 4. The damages sustained by any owner or owners of land over which said road shall run, may be determined by agreement between said commissioners and the owner or owners of such land claiming damages, and if not so determined and released by such owner or owners, shall be assessed by said commissioners and shall be paid by the county in which the land lies, and any person feeling aggrieved by any such assessment may appeal therefrom to the district court at any time within one month after filing their report of said assessment as hereinafter provided.

Damages—paid
by whom.

SEC. 5. The said commissioners shall, on or before the first day of June next, make or cause to be made, and file in the office of the auditor of each of the counties through which the said road shall be located, a plat of said road lying within said county, describing that portion of said road by place of beginning, courses and distances, and point of termination, which said plat shall be certified by the commissioners or a majority of them to be correct, and they shall also make and file therewith, on or before the date last aforesaid, a report of the damages assessed by them, or determined by agreement as provided in section four of this act, sustained by the owner of any lands in said county over which said road shall be located by means of the location of said road thereupon, together with any and all means of damages for lands in such county, which said report shall be subscribed by said commissioners or a majority of them, and upon the filing of such report and plat, so much of said road as is included in said plat shall be deemed to be located and established as therein described and a public highway, and shall thereafter be improved and repaired by the counties and towns in which it is located.

Plat of road to
be filed.

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

When act to
take effect.

Approved March 4, 1872.