

CHAPTER XCI.

AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A STATE ROAD FROM BENSON TO LAC QUI PARLE AND THENCE TO WINONA AND SAINT PETER RAILROAD THROUGH SWIFT, CHIPPEWA LAC QUI PARLE AND YELLOW MEDICINE COUNTIES.

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

SECTION 1. That L. C. Laird, Wm. M. Mills and Charles A. Gould are hereby appointed to survey, locate and establish a state road from Benson, Swift county, Minnesota, through Chippewa and Lac qui Parle counties, to Lac qui Parle, and thence to the line of the Winona and St. Peter railroad in Yellow Medicine county, striking said railroad at a point at or near the northeast corner of section No. 22 township No. 115 north of range No. 46 west, 5th principal meridian, by the shortest advisable route.

SEC. 2. It shall be the duty of said commissioners to meet at Lac qui Parle on or before the first day of June, A. D. 1874, and there make oath that they will faithfully discharge the duties as provided by this act, and impartially assess the damages if any, sustained by the owners of land through which said road may pass, which oath shall be subscribed by each of the commissioners and be deposited with the person before whom it was taken.

SEC. 3. The said commissioners are hereby authorized to employ all necessary help and all reasonable expenses incurred by them shall be paid by the counties through which the said road may pass in proportion to the length of said road in each of the counties respectively, as certified to by the said commissioners, and all damages awarded by said commission, shall be paid by the counties in which the land is located to which the damages pertain as certified to by the said commissioners.

SEC. 4. The said commissioners shall cause a substantial stake properly marked to be set at each angle of said road, and stakes or monuments to be erected upon all slightly elevations and such other places on said road as they may deem advisable, and one or more furrows to be ploughed upon said road in the unsettled parts of the country, and in such other places as they may determine, and the said commissioners shall cause accurate plats of said road to be filed in the office of "register of deeds," in each of the counties through which said road may pass, together with an accurate state-

ment of all damages awarded by them, the said commissioners, which said plat and statement of damages shall be signed and certified to by the said commissioners.

SEC. 5. The making and filing of the plats of said road in the manner prescribed by section four of this act shall be sufficient to establish the said road without any further orders or instrument whatever.

SEC. 6. It shall be the duty of the commissioners to appraise the damages sustained by each owner of lands through which said road may pass, and if any person feel aggrieved by such appraisal he may, within thirty days after notice of such appraisal, by himself or agent, appeal to the district court of the county in which such lands are located, in the manner provided for appeals from justice court. *Provided*, That the posting in three conspicuous places for the period of thirty days in each of the counties through which the said road may run, a statement of the damages awarded by the said commissioners, or the publication for three weeks of said statement of damages in any newspaper published in either of the counties through which the said road may run, shall be sufficient notice as required by this act.

SEC. 7. A majority of the commissioners named in this act shall have full authority to act as required herein, and in case a majority of said commissioners cannot be found to act, then upon the notification of such by either of said commissioners the governor of the state may appoint to fill vacancies.

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

Approved March 4, 1874.

CHAPTER XCII.

AN ACT TO PROVIDE FOR LAYING OUT A STATE ROAD FROM ALEXANDRIA, IN DOUGLAS COUNTY, TO PARKER'S PRAIRIE, IN OTTER TAIL COUNTY.

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

SECTION 1. That E. A. Williams and Robert Coats, of Douglas county, and S. W. McLogan, of Otter Tail county, are hereby