

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 appraisement 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.

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## 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

appointed commissioners to locate, survey and establish a state road from Alexandria, in Douglas county; by way of lake Miltoona and lake Irene, in Douglas county, thence by the nearest and most practicable route to intersect the road leading from Parker's Prairie to Wadena, in Wadena county.

SEC. 2. Said commissioners shall meet in Alexandria, on or before the first day of May, 1874, and proceed to discharge their duties under this act, and if any of said commissioners shall from any cause be unable to perform the duties imposed by this act, he shall have power to appoint a substitute, which appointment shall be in writing and the person so appointed shall have the same authority as one of the commissioners named in this act.

SEC. 3. Said commissioners are hereby authorized to employ in locating said road, one surveyor, one axeman, and two chainmen; *Provided*, That said commissioners shall not receive more than two dollars and fifty cents per day, and the axeman and chainmen shall not receive more than one dollar and fifty cents per day each for their services.

SEC. 4. Said commissioners shall cause accurate plats of the survey and location of said road to be made, particularly describing the route thereof by courses and distances, one of which shall be filed in the office of the county auditor of each of said counties.

SEC. 5. At each angle in said road there shall be a good and substantial stake set and marked "angle," and at each mile station of the line of said road there shall be a good and substantial stake set and marked with the distance from the point of starting.

SEC. 6. The expense of locating said road shall be paid by the respective counties in which said road may pass in proportion to the distance it may run in each county.

SEC. 7. The said commissioners shall at the time of locating said road appraise the damages or compensation to be paid to each person through whose land the same may pass and shall file in the office of the county auditor of each county a statement of such appraisal of damages for lands therein taken for said road, at the time when they file the survey and plats of the same in the office of the county auditor, and upon the filing of said survey, plats and appraisal in the office of the said county auditor 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 upon the tax roll thereafter to be made and the amount of each appraisal shall be paid to the person or persons entitled thereto.

SEC. 8. Any person deeming himself or herself aggrieved by such appraisal of his or her compensation may appeal therefrom to

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 serving a copy thereof upon two of the commissioners appointed by this act 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 and said commissioners, the county auditor shall certify a copy of the appraisal appeal from the district court within ten days after filing the notice of appeal in his office. *Provided*, That all appeals shall be taken within thirty days after the filing of the appraisal in the office of the county auditor.

SEC. 9. The town supervisors of the towns through which said road shall pass shall cause the same to be opened on or before the first day of May, eighteen hundred and seventy-five.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved March 4, 1874.

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## CHAPTER XCIII.

AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A STATE ROAD FROM GRANITE FALLS, YELLOW MEDICINE COUNTY, TO THE WESTERN LINE OF THE STATE.

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

SECTION 1. That L. C. Laird, H. S. Berg and C. E. Clark are hereby appointed to survey and establish a state road from Granite Falls, Yellow Medicine county, as near as practicable on the section line, one mile north of the south boundary of township one hundred and sixteen, to the western line of the state.

SEC. 2. It shall be the duty of the said commissioners to meet at Granite Falls on or before the first day of June, A. D. one thousand eight hundred and seventy-four, and there make oath that they will faithfully discharge their 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 deposited with the person before whom it was taken.

SEC. 3. The said commissioners are hereby authorized to employ