

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

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 the said commissioners, and all damages awarded by said commissioners shall be paid by the county 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 plowed 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 the said road may pass, together with an accurate statement 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 the 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 instruments whatever.

SEC. 6. It shall be the duty of the said commissioners to appraise the damages sustained by each owner of lands through which the said road may pass, and if any person feels 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 land is 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 the 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 the said commissioners cannot be found to act, then upon notification of such fact 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 5, 1874.