

son 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 the district court of the county in which such lands are situate, 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 such service as aforesaid; and the county auditor shall within ten days after the filing of such notice of appeal certify the same, together with a copy of the appraisal, to the district court of his county; *Provided*, That all appeals under this act shall be taken and perfected within thirty days after the filing of the appraisal of the commissioners, 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 in like manner as town roads are ordered opened, on or before the first day of November, eighteen hundred and seventy-five.

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

Approved March 4, 1875.

CHAPTER CLXXII.

AN ACT TO AUTHORIZE THE CITY OF SHAKOPEE TO MAINTAIN AND OPERATE A FERRY.

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

SECTION. 1. That there is hereby granted to the city of Shakopee, in the county of Scott, in said state, in its corporate capacity, the exclusive right and privilege of having, keeping and maintaining a ferry or ferries across the Minnesota river, within the corporate limits of said city.

SEC. 2. That the said city of Shakopee, by and through the common council thereof, may construct, maintain and operate said ferry

or ferries, and said common council may adopt such rules and regulations, to carry on and operate the same, not inconsistent with the provisions of this act, as they may deem necessary or proper, and may, if deemed best, contract with private persons to operate the same, but such contract shall not be for more than one year at a time, and entering into such contract shall not change the liability of said city as owners of such ferry or ferries for damage or loss to persons or property carried or conveyed upon the same; and when such a contract is entered into, said council shall require and take from the party so contracting to operate said ferry or ferries for said city, a bond running to said city, with two or more sufficient sureties, in such sum as they may deem sufficient, to indemnify said city, against liability or recovery for loss or damage to person or property conveyed thereon, in consequence of negligence or carelessness in the operation of said ferry or ferries; *Provided*, That all proceedings or actions to recover upon such bond, shall be commenced within two years from the time when such recovery was had against said city; but this proviso shall not be construed to prevent such proceedings or actions from being commenced before a final recovery has been had against said city for such loss or damage.

SEC. 3. That the said city of Shakopee, through its common council and mayor, may by ordinance determine and decide that such ferry or ferries, and without cost to the traveling public using the same, or in case such council should determine for the best interests of the said city, that said ferry or ferries, or either of them, should be operated altogether or in part for compensation, toll or pay, to control, fix and regulate the rates and charges for ferriage upon said ferry or ferries, not exceeding in any case the rates fixed by the general law of this state relating to ferries; and such council shall have power to determine and fix the place or places of location and landing of said ferry or ferries.

SEC. 4. The said common council shall have power to levy a special tax upon the taxable property of said city, for the purpose of defraying the expense of building a ferry or ferries, and of repairing, maintaining and operating such ferry or ferries, but such tax shall not exceed the sum of three mills upon the dollar of such taxable property, for any one year. Said tax shall be collected in the same manner as other city taxes of said city are collected, and the same shall be paid over to the city treasurer for the purposes aforesaid.

SEC. 5. All acts or parts of acts inconsistent with this act are hereby repealed.

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

Approved March 1, 1875.