

and prosecute in their official capacity all violations of the provisions of this act."

When act to take effect.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 29, 1876.

CHAPTER XXVI.

AN ACT TO AMEND CHAPTER FIVE OF THE GENERAL LAWS OF 1873, RELATING TO ROADS, CARTWAYS AND BRIDGES.

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

SECTION 1. That section twenty-six of chapter five of the general laws of eighteen hundred and seventy three, be and the same is hereby amended to read as follows:

Overseer of highways.

Sec. 26. Every overseer of highways shall deliver to the town clerk of his town, on or before the first day of October in each year, the list furnished by the supervisors containing the land road tax, with his certificate thereon, that on all tracts of land in said list opposite which the word "paid" is not written, such tax is due and remains unpaid, according to the best of his knowledge and belief.

SEC. 2. That section twenty-eight of said chapter five be and the same is hereby amended to read as follows:

Duty of town clerk.

Sec. 28. The town clerk of each of the several towns shall receive the lists returned by the overseers of highways pursuant to section twenty-six, and keep the same on file in his office, and shall make out and deliver to the auditor of the county, on or before the first day of November in each year, a list containing a description of each tract or parcel of land on which the tax is delinquent, together with the name of the owner if known, and if unknown, so stated, and the amount of tax due and remaining unpaid on each, and shall attach his certificate thereto to the effect that the same is a correct list of delinquent road taxes for the year therein stated, as appears from the several lists returned by the overseers of highways and on file in his office; and it is hereby made the duty of the county auditor to levy the amount of such arrearages of road tax upon the lands so returned, which arrearages shall be collected in the same manner as contingent charges of the county are levied and collected. Such road tax, when collected, shall be paid to the town treasurer of the proper town upon the certificate of the auditor of the county, and shall be applied by the supervisors of the town in the construction or

Duty of county auditor.

Tax—application of.

repair of roads and bridges, to be paid by the town treasurer upon the order of the supervisors.

SEC. 3. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved February 26, 1876.

CHAPTER XXVII.

AN ACT TO AMEND SECTION SIXTY-THREE (63) OF CHAPTER FIVE^F(5) OF THE GENERAL LAWS OF THE YEAR 1873, ENTITLED AN ACT RELATING TO ROADS, CARTWAYS AND BRIDGES.

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

SECTION 1. That section 63 of chapter 5 of the general laws of the year 1873, be and the same is hereby amended by adding thereto the following words, viz.:

The amount of damages as finally settled by the county commissioners, or as agreed on by the supervisors, together with all the charges of officers and other persons employed in laying out, altering or discontinuing any road shall be audited by the supervisors, with the amount of damages and charges due each individual, which amount shall be certified to and deposited with the town clerk, and paid by the town; and before any road shall be opened or used an amount of town orders equal to the damages assessed to each individual shall be duly issued and deposited with the said clerk for the use of said individual, and shall be by said clerk delivered to him upon demand. The issuing and depositing of said orders as aforesaid shall be deemed to be sufficient security for the payment of said damages. Damages.
Town orders.

SEC. 2. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved March 2, 1876.