

CHAPTER CXIII.

AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A STATE ROAD FROM SAUK RAPIDS, IN BENTON COUNTY, TO PIERZ, IN MORRISON COUNTY.

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

SECTION 1. That Charles Gilman, F. A. Fogg and Edwin Teller, of Benton county, are hereby appointed commissioners to locate a state road from the town of Sauk Rapids, Benton county, to the town of Pierz, in Morrison county, to connect, if practicable, with the road leading from said town of Pierz to the town of Little Falls, in said Morrison county.

SEC. 2. It shall be the duty of said commissioners to meet at Sauk Rapids, on or before the 16th day of May, eighteen hundred and seventy-six, 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 the lands 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. Said commissioners are hereby authorized to employ in locating said road, one surveyor, two axemen, and two chainmen; *Provided*, That said commissioners shall not receive more than three dollars each per day, the axemen and chainmen, not more than two dollars each per day, and the surveyor not more than four dollars per day for their services, and the expense incurred by them shall be paid in the proportion to the length of said road in each county respectively, as certified to by 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 said commissioners.

SEC. 4. The said commissioners shall cause a substantial stake, properly marked, to be set at each angle of said road, 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 said plat of said road in the manner, prescribed by section four of this act, shall be sufficient, together with the payment of all costs and damages incurred or full provisions therefor, to establish the said road without any further orders or instruments whatever.

SEC. 6. It shall be the duty of 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 publication for three successive weeks of a statement of the damages awarded by the said commissioners, in the "Sauk Rapids Sentinel" and the "Little Falls Courier," 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 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 February 26, 1876.

CHAPTER CXIV.

AN ACT TO PROVIDE FOR THE LAYING OUT A STATE ROAD FROM MELROSE, STEARNS COUNTY, TO WILLMAR, IN KANDIYOHI COUNTY.

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

SECTION 1. That Daniel Peterson, Michael Collins and M. A. Taylor, of Stearns county, are hereby appointed commissioners to locate, survey and establish a state road from Melrose, in Stearns county, to a point where the range line between townships number one hundred and twenty-four, ranges thirty-four and thirty-five, crosses Crow river, thence by the nearest and most practicable route to Willmar, in Kandiyohi county.

SEC. 2. Said commissioners shall meet at such time and place convenient to them as they may select, and proceed to discharge the duties imposed upon them by this act. *Provided*, That if either of said commissioners shall be unable to discharge the duties imposed upon them by this act, the others shall have power to substitute some person to act in his place, and such action by such substitute shall have the effect as if he were appointed commissioner by 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 three dollars per day, and the axeman and chainmen shall not receive more than two dollars per day each, and the surveyor shall not receive more than four dollars per day, for their services.