

CHAPTER CLXXXIX.

AN ACT FOR THE FURTHER PROTECTION OF CEMETERIES WITHIN
THE COUNTY OF RAMSEY.*Be it enacted by the Legislature of the State of Minnesota :*

SECTION 1. That it shall be unlawful for any person to discharge any firearm, unless authorized to do so by the trustees, upon or over the grounds of any cemetery which is now established, or may be hereafter established within the county of Ramsey, or within one hundred yards of such cemetery, unless upon the land of the owner thereof, and any person so offending, shall upon conviction before any court or magistrate having jurisdiction, be fined any sum not exceeding twenty dollars and costs, or be imprisoned in the jail of the county for the period of ten days or shall be subjected to both of said punishments, in the discretion of the court or magistrate.

SEC. 2. This act shall take effect from and after the day of the passage thereof.

Approved February 26, 1876.

CHAPTER CXC.

AN ACT TO AUTHORIZE THE DRAINING OF A CERTAIN MARSH,
IN THE COUNTY OF HENNEPIN.*Be it enacted by the Legislature of the State of Minnesota :*

SECTION 1. That any person or persons owning lands bordering on the southeast quarter of section five (5), and the southwest quarter of section four (4), in township one hundred and nineteen (119), being in town of Brooklyn, county of Hennepin, state of Minnesota, may by complying with the requirements of this act, open such ditches and canals as may be necessary to prevent damage from said marsh to their lands, to the Mississippi River.

SEC. 2. Any person or persons who shall be desirous to open any ditch or canal under the provisions of this act, shall first execute his or their bond, with good and sufficient sureties, in such sum as the judge of the district court or court of common pleas of the county of Hennepin shall approve, running to the board of county commissioners of Hennepin county aforesaid, conditioned that all costs incurred and all

damages assessed as hereinafter provided shall be paid by the person or persons causing such ditch or canal to be opened, which bond shall be filed in the office of the county auditor of Hennepin county before any work shall be done on said ditch or canal.

SEC. 3. Before any work shall be done on said ditch or canal, the person or persons desiring the same opened or constructed shall cause a survey and map to be made, showing the location of said marsh and the canal or ditch from said marsh to the Mississippi River, and the names of the owners of lands adjoining such marsh and canal for the whole length of the same, and for the purpose of making such survey, the surveyor employed to make the same and his assistants shall have the right of entry upon such lands as may be necessary for that purpose, doing no unnecessary damage in accomplishing such object. Such survey and map, when completed, shall be filed in the office of the county auditor of Hennepin county, and be open to the inspection of all persons interested.

SEC. 4. The board of county commissioners of the county of Hennepin are hereby empowered and required to assess, and determine all damages, that may arise in consequence of the opening of any ditch or canal that may be opened by virtue of this act. Before they shall proceed to assess said damages, they shall cause a written or printed notice to be served on all persons owning lands adjoining said marsh and said ditch or canal, stating a time when and place where they will meet, to consider the matter of assessment of damages for said drainage or ditch and canal, describing the route of the same and the persons affected thereby. Said place shall be in the town of Brooklyn, and if convenient on the land bordering on said marsh or ditch and canal, and said notice shall be served personally, or at the last usual place of residence of the party to whom directed at least ten days before the time appointed for the place of meeting, if such persons reside in the county of Hennepin. If any of the owners of lands affected by said drainage or ditch and canal shall be non-residents of said county of Hennepin, and cannot be served personally, then such notice shall be served on such owners, by publishing the same once a week for three successive weeks before the day appointed in such notice for said meeting of commissioners, in some daily or weekly paper published in the city of Minneapolis. Upon satisfactory proof to the commissioners that such notice has been given, the commissioners may proceed to have the allegations of parties interested as to damages, and may proceed to assess the same as they shall deem just and proper. In estimating damages or compensation to be paid to any land owner affected by said improvement, the said commissioners shall take into consideration the benefits to accrue to said owner by the construction of such ditch and canal, and allow such benefits by way of reduction of any damages such owner may sustain thereby, and report only the balance of the damage, if any. The commissioners, as soon as their assessment of damages is made, shall make their report in writing, therein stating the amount of damages awarded to each person, and shall file the same in the office of said county auditor, which shall be subject to inspection of all parties affected thereby.

SEC. 5. The board of county commissioners shall be allowed the same compensation for services performed under the provisions of this

act as allowed by law for similar services performed for the county, and shall be paid by the person or persons requesting such assessment of damages to be made; *Provided*, That if the board of county commissioners deem it expedient a committee of said board consisting of not less than a majority of the whole board, shall be competent to perform the duties in this act prescribed, and their action shall have the same force and effect as if performed by the whole board, and the damages assessed shall be paid before work is commenced on said ditch or canal to open the same, as the same may be deposited with the county auditor for the use of the persons entitled thereto.

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

Approved February 25, 1876.

CHAPTER CXCI.

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE VILLAGE OF LAKE CRYSTAL, IN THE COUNTY OF BLUE EARTH, TO RAISE THE WATERS OF CRYSTAL LAKE, IN SAID COUNTY.

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

SECTION 1. The board of trustees of the village of Lake Crystal, in the county of Blue Earth, are hereby authorized and empowered to raise the waters of Crystal Lake, in said county, two feet above the present bed of the outlet thereof, by damming the outlet thereof, or otherwise as they shall see fit. *Provided*, That said board shall not be authorized to raise the waters of said lake, until they shall have procured the consent in writing of all of the owners of lands bordering on said lake, and shall have filed the same with the recorder of said village of Lake Crystal.

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

Approved March 2, 1876.