

## CHAPTER 210.

AN ACT TO REPEAL CHAPTER ONE HUNDRED AND NINETY-SEVEN (197) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO (1873), RELATING TO THE FEES OF CERTAIN OFFICERS IN RAMSEY COUNTY.

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

SECTION 1. That chapter one hundred and ninety-seven (197) of the Special Laws of one thousand eight hundred and seventy-two (1872), being an act entitled "An act limiting the compensation of certain officers of Ramsey county therein named, and prescribing their duties," be and the same is hereby repealed.

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

Approved February 20, 1877.

## CHAPTER 211.

AN ACT TO LOCATE AND ESTABLISH A STATE ROAD FROM THE CITY OF SAINT PAUL, IN RAMSEY COUNTY, VIA MENDOTA AND HAMILTON, TO SHAKOPEE, IN SCOTT COUNTY, MINNESOTA.

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

SECTION 1. That D. N. Bryant, of Mendota, and James Callan, of Egan town, in Dakota county, in the State of Minnesota, and George Allen, of Glendale town, in Scott county, in the State aforesaid, are hereby appointed commissioners to survey, locate, and establish a State road from a point on the south line of the city of Saint Paul, in Ramsey county, where the said line is intersected by the present traveled river road to Mendota; thence following, as near as practicable, the present traveled road to Mendota, and through the county of Dakota, in the direction of Shakopee, to Hamilton, in Scott county; thence in the most direct practicable line or route, to Shakopee, in Scott county, and in the State aforesaid.

SEC. 2. It shall be the duty of said commissioners, or a majority of them, to meet at the county auditor's office, in said city of Saint Paul, on or before the first (1st) day of May, A. D. one thousand eight hundred and seventy-seven (1877), and there make oath that they will faithfully discharge their duties as provided by this act, and impartially assess damage, if any they find to be sustained by the owners of lands through which said road may run, which oath shall be filed in said auditor's office, and then proceed to the discharge of their duties.

SEC. 3. The said commissioners are hereby authorized to employ, in discharging said duties, one surveyor and two chainmen. The said commissioners shall receive for their services two dollars and fifty cents (\$2.50) per day while actually employed. The said surveyor shall receive five dollars (\$5) per day, and said chainmen no more than one dollar and fifty cents (\$1.50) per day.

SEC. 4. The said commissioners shall cause the surveyor so employed, to make an accurate plat of said road, showing its survey and location, particularly describing the line thereof by metes and bounds, courses and distances, which plat shall be filed in the office of the register of deeds of said counties of Dakota and Scott, and shall be *prima facie* evidence in all the courts of this State, of the location, survey, and establishment of said road, and every part thereof.

SEC. 5. The said commissioners shall assess such damages sustained by the owners of lands through which said road may be located as they may deem just, taking the advantages and benefits derived therefrom into consideration, and shall file a statement of such assessment of damages, within three months after the filing of the plats, as provided in section four (4) of this act, with the county commissioners of the said counties of Dakota and Scott.

SEC. 6. The expenses incurred in the surveying and location of said road shall be paid by the said counties of Scott and Dakota, in proportion to the length of such road lying in said counties respectively; and said road commissioners shall file a statement of such expenses at the time of filing the statement of assessments of land damages, with the county commissioners of the counties of Dakota and Scott.

SEC. 7. The said county commissioners of the counties of Dakota and Scott, when the filing of the plats and assessments of damages and the statement of expenses shall have been performed by the said road commissioners, as provided in this act, shall, at their first regular or special session held thereafter, cause the orders of the county of Dakota and of the county of Scott to be issued in payment of the expenses of said location and survey, as provided for in section six (6) of this act, and shall also issue the orders of said counties in payment of the damages to the owners of lands sustaining damage, in such amounts as shall be assessed by said road commissioners, and within the limits of their respective counties.

SEC. 8. Any person aggrieved by such assessment of damages, or by reason of neglect and refusal to allow in the location of said

road, may appeal from the action of said commissioners and county commissioners to the district court of said Dakota or Scott. Said appeal shall be taken within ten (10) days after the session of said board of county commissioners at which said plat and report are presented, by serving on the county attorney of said Dakota and Scott county a notice of said appeal, and a copy of the appellant's complaint therein. Like pleadings and proceedings shall then be had as in actions originally commenced in said district court.

SEC. 9. The said commissioners, in assessing damages to owners of lands through which said road may be located, shall omit to make any such assessment on the cause of lands lying adjacent to such parts of such road as has been used and worked upon by the public for the period of five years past.

SEC. 10. This act shall take effect and be in force from and after its approval by the Governor.

Approved February 20, 1877.

## CHAPTER 212.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE THE CITY OF LAKE CITY TO GRANT AID TO THE ADJOINING TOWNSHIPS TO CONSTRUCT A CERTAIN ROADWAY," APPROVED FEBRUARY TWENTY-FOURTH (24TH), ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FIVE (1875), BEING CHAPTER ONE HUNDRED AND SIXTY-TWO (162) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FIVE (1875).

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

SECTION 1. That section three (3) of chapter one hundred and sixty-two (162) of the Special Laws of one thousand eight hundred and seventy-five (1875), approved February twenty-fourth (24th), one thousand eight hundred and seventy-five (1875), be amended so as to read as follows:

Sec. 2 [3.] That the expenditure in any one (1) year after the first (1st) year, shall not exceed the sum of five thousand dollars (\$5,000), and shall be subject to a vote had thereon, at any ensuing city election after said first (1st) year; at which election a majority of the legal votes cast shall be in favor of said expenditure.

SEC. 3 [2.] This act shall take effect and be in force from and after its passage.

Approved February 28, 1877.