

CHAPTER 213.

AN ACT TO PROVIDE FOR THE LAYING OUT OF A STATE ROAD FROM A POINT ON THE ST. PAUL & SIOUX CITY RAILROAD ON THE WEST HALF ($\frac{1}{2}$) OF THE NORTH-WEST QUARTER ($\frac{1}{4}$) OF SECTION THIRTY-ONE (31), TOWNSHIP ONE HUNDRED AND THIRTEEN (113), AND RANGE TWENTY-FIVE (25), IN SCOTT COUNTY, TO HENDERSON, IN SIBLEY COUNTY, AND THENCE TO EAST HENDERSON, IN LE SUEUR COUNTY.

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

SECTION 1. That Jacob Frankenfield, of Sibley county, M. Hespenheide, of Scott county, and William Ney, of Le Sueur county, are hereby appointed commissioners to locate, survey and establish a State road from a point on the St. Paul & Sioux [City] Railroad, on the west half ($\frac{1}{2}$) of the north-west quarter ($\frac{1}{4}$) of section thirty-one (31), in town one hundred and thirteen (113), range twenty-five (25), in Scott county, to Henderson, in Sibley county, and thence to East Henderson, in Le Sueur county.

SEC. 2. Said commissioners shall meet at Henderson on or before the first (1st) day of June, one thousand eight hundred and seventy-seven (1877), and proceed to discharge their duties under this act, and if any of said commissioners appointed under this act shall from any cause be unable to perform the duties imposed by this act, he shall have power to appoint a substitute, which appointment shall be in writing, and the person so appointed shall have the same authority as one of the commissioners named in this act.

SEC. 3. Said commissioners are hereby authorized to employ in locating said road, one surveyor, one axman, and two chainmen. *Provided*, That said commissioners shall not receive more than two dollars (\$2) each per day; the axman and chainmen not more than one dollar and fifty cents (\$1.50) each per day, and the surveyor not more than four dollars (\$4) per day for their services.

SEC. 4. Said commissioners shall cause accurate plats of the survey and location of said road to be made, particularly describing the route thereof by courses and distances, one of which shall be recorded in the office of the register of deeds of each of said counties.

SEC. 5. The said commissioners shall, at the time of locating the said road, appraise the damages or compensation to be paid to each person 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 shall survey, and plats of the same in said

register of deed's office, and upon the filing of said appraisal in the office of the said county auditors, the said road shall be deemed established and said damages or compensation shall be deemed secured: *Provided*, that the amount of expenses incurred by the laying out of this road and damages assessed shall not exceed the sum of fifty dollars (\$50) each to the counties of Le Sueur and Scott, the balance, if any, shall be paid by the borough of Henderson. *And provided further*, that no damages shall be paid when the same is located on any part of a road already located.

SEC. 6. 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 situated, by serving a notice of such appeal upon the county attorney of said county, and serving a copy thereof upon two (2) 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 service thereof on the county attorney and said commissioners. The county auditor shall certify a copy of the appraisal appealed from to the district court within ten (10) days after filing the notice of appeal in his office. *Provided*, that all appeals shall be taken within thirty (30) days after the filing of the appraisal in the office of the county auditor.

SEC. 7. The town supervisors of the towns through which said road shall pass shall cause the same to be opened.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved March 5, 1877.

CHAPTER 214.

AN ACT TO LOCATE A STATE ROAD BEGINNING IN WADENA COUNTY AND TERMINATING IN TODD COUNTY.

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

SECTION 1. That L. S. Gardner, W. B. Hetherington, and J. M. Powell are hereby appointed commissioners to locate, survey and establish a State road, described as follows:

Beginning and intersecting with the Wadena and Parker's Prairie State road, at the south-west corner of section eight (8), in the town of Wadena, county of Wadena, thence south-east, south, and south-east upon the most direct and practicable route