

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

to an intersection with the Long Prairie and Spruce Creek road, in town number one hundred and thirty (130), range thirty-five (35), in the county of Todd, and terminating at that point, being a distance of about thirty-three (33) miles.

SEC. 2. It shall be the duty of the commissioners to meet at Wadena 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 the damages 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, one axman, and two chainmen. *Provided*, That said commissioners shall not receive more than three dollars (\$3) each per day, the axman and chainmen not more than two dollars (\$2) each per day, and the surveyor not more than four dollars (\$4) per day for each day's services, and the expense incurred by them shall be paid by the counties through which the said road may pass, in proportion to the length of the road in each of the counties 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 the said commissioners.

SEC. 4. 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 the register of deeds in each of the counties through which 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 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 or ample provision therefor as herein prescribed, to establish said road without any further notice or order, or instrument 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 appraisal, he may within thirty (30) days after notice of such appraisal, by himself or agent, appeal to the district court of the judicial district in which said county is located and in which said land is located, in the manner provided for appeals in justice court. *Provided*, That the publication of a statement of the damages awarded by the said commissioners for three (3) successive weeks in the Todd county Argus, which 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, thereupon 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 March 5, 1877.

CHAPTER 215.

AN ACT TO PROHIBIT THE KILLING OF PIGEONS IN THE COUNTIES OF DODGE AND OLMTED, DURING CERTAIN SEASONS OF THE YEAR.

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

SECTION 1. It shall be unlawful for any person or persons to shoot or kill in any manner, any pigeon within eighty (80) rods of any pigeon roosts, while nesting. *Provided*, that this act shall only apply to the counties of Dodge and Olmsted, in this State.

SEC. 2. Any person violating the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than twenty-five dollars (\$25) nor less than five dollars (\$5), or by imprisonment in the county jail, not more than twenty (20) days nor less than five (5) days, or both, in the discretion of the court.

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

Approved February 28, 1877.