

## CHAPTER 238.

AN ACT TO PROVIDE FOR THE ELECTION OF A COUNTY SUPERINTENDENT OF SCHOOLS IN AND FOR THE COUNTY OF RAMSEY, IN THE STATE OF MINNESOTA.

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

SECTION 1. At the general or annual election in the year one thousand eight hundred and seventy-eight (1878), and biennially thereafter, there shall be elected in Ramsey county, in the same manner that county officers are elected, a county superintendent of schools, who shall enter upon the discharge of the duties of said office on the first Monday of January next after his election, and he shall hold his office for two (2) years and until his successor is elected and qualified.

*Provided*, That the person holding said office shall not reside within the limits of the city of St. Paul; *and provided further*, that the electors residing within the limits of the city of St. Paul, in said county, shall take no part in the election of said officer.

SEC. 2. Until the person so elected shall enter upon the discharge of the duties of said office, the person now holding and performing the duties of the office of county superintendent in said county, shall continue in office and perform the duties thereof.

SEC. 3. All acts and parts of act so far as they are inconsistent with this act, are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 6, 1878.

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CHAPTER 239.

AN ACT TO LOCATE A STATE ROAD FROM LAKE WHIPPLE, IN POPE COUNTY, TO MORRIS, IN STEVENS COUNTY, MINNESOTA.

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

SECTION 1. That A. L. Brevig, of the county of Pope, in the State of Minnesota, K. J. Husevold, of the town of Framnas, in Stevens county, and Wm. Drago, of the town of Morris, in said county, are hereby appointed commissioners to survey, locate and establish a State road from the northeast corner of section two (2),

township number one hundred and twenty-four (124), range number thirty-nine (39), (near the south-end of Lake Whipple, in Pope county), running thence west as nearly as practicable on township line to the east bank of Morse Lake, in Stevens county, thence running westerly on the most practicable route to the village of Morris, Stevens county, and crossing the Pomme de Terre river at the Wadsworth Crossing, in said county and State of Minnesota.

SEC. 2. Said commissioners shall meet at Morris on the first Monday in June, A.D. one thousand eight hundred and seventy-eight, and proceed to discharge the duties imposed upon them by the provisions of this act; *Provided*, That in the absence of any one of these commissioners the other two shall have power to fill said vacancy, and the person so appointed shall have the same authority as by this act is conferred upon said commissioners.

SEC. 3. Said commissioners are hereby authorized to employ one surveyor and two chainmen. *Provided*, said commissioners shall receive three dollars per day for their services; the chainmen shall not receive more than two dollars (\$2.00) per day, nor the surveyor more than five (\$5.00) dollars per day for their services.

SEC. 4. Any damages by laying out or opening said road shall be assessed and determined by said commissioners, and shall be paid by the county in which said damages occur.

SEC. 5. The expense of surveying, locating and establishing said road shall be paid by the counties through which said road may pass or enter. The commissioners shall have power to apportion the amount to each of the said counties as in their judgment is just and equal to defray said expenses.

SEC. 6. Said commissioners shall, as soon as practicable, file an accurate plot of said road in the office of the register of deeds in each county through which it may pass. Said plot shall be legal evidence of the location of said road.

SEC. 7. That Sebastian Engel, of the county of Stevens, in the State of Minnesota, Thorer Evenson, of the county of Douglas, in said State, and Charles Pullman, of the county of Grant, in said State, are hereby appointed commissioners to survey, locate and establish a state road from Alexandria, in Douglas county, in as direct a line as practicable to Donnelly, in Stevens county, on the most practicable route. Said commissioners shall meet at the time and place provided in section two (2) of this act, and they shall have all the powers and rights, and be subject to all the provisions of this act, and they shall assess the cost of, said work as provided for in section five (5) of this act, upon the counties through which said road shall pass.

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

Approved March 11, 1878.