

CHAPTER 272.

AN ACT to locate a State road from Alexandria, Douglas county to Herman in Grant county.

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

SECTION 1. Henry H. Brown and Christen Olson of Douglas county and Wm. H. Hazzard of Grant county are hereby appointed commissioners to locate, survey and establish a state road four (4) rods wide from Alexandria, Douglas county, to the village of Herman, in Grant county, by the shortest and most practicable route.

SEC. 2. It shall be the duty of said commissioners to meet at the village of Alexandria, on or before the fifteenth (15th) day of June, A. D. eighteen hundred and eighty-one (1881) and there make oath that they will faithfully discharge their duties, as provided by this act, and impartially assess the damages, if any, sustained by the owners of land through which said road may pass, which oath shall be subscribed by each of said commissioners, and deposited with the person before whom it was taken.

SEC. 3. That said commissioners are hereby authorized to employ all necessary help, and all reasonable expenses incurred by them, including their own compensation, shall be paid by the counties in which the same was caused, and all damages awarded by said commissioners shall be paid by the respective towns in which the same occur.

SEC. 4. The said commissioners shall cause a substantial stake, properly marked, to be set in such places as they shall determine, and said commissioners shall cause accurate plats of said road to be filed in the office of the town clerk of each of said towns in which said road shall be situated, together with an accurate statement of all damages awarded by them, which said plat and statement of damages shall be signed and certified by said commissioners before the first (1) day of July, A. D. eighteen hundred and eighty-one (1881).

SEC. 5. The making and filing of the plat of said road in the manner and within the time prescribed by this act, shall be sufficient to establish the said road, without any further 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, but no damages shall be allowed to land over which a public highway now exists on said route, and if any person shall feel aggrieved by such appraisement or if either of said towns feels aggrieved thereby, he or it may within thirty (30) days after the filing of said plats and appraisement of damages, by himself, agent or attorney, appeal to the district court of the county in which the town or premises to which the damages relate, is situ-

ated, with like effect and in the same manner as appeals from location of roads by town supervisors.

Sec. 7. The said commissioners named in this act shall have full power and authority to act as required herein, and in case either of them can not be found to act, then, upon the notification of such fact, or of his neglect to act, the commissioner or commissioners who do act, shall fill the vacancy.

Sec. 8. Said commissioners shall receive the sum of two dollars per day for their services under this act.

Sec. 9. This act shall take effect and be in force from and after its passage.

Approved February 23, 1881.

CHAPTER 273.

AN ACT making the expense of locating and establishing county roads in Le Sueur county a county charge.

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

SECTION 1. That all compensation for the right of way for roads which may have been heretofore or shall hereafter be laid out, located and established by the board of county commissioners of Le Sueur county and all the expenses of viewing such roads by order of said county board, and all costs and disbursements, paid out, incurred or expended in any and all appeals taken from the action of the county board of said county, including the costs and disbursements of any appellant, when such appeal is decided in his favor, shall be a charge against said county, and be paid out of the county treasury thereof.

SEC. 2. At the first session of the board of county commissioners of said county of Le Sueur after the passage of this act the said board shall cause to be issued to the persons entitled to the same, county orders in payment for all damages for the right of way for all roads heretofore laid out by said board and for all the costs and other expenses, as provided for in the preceding section, and the issuing and depositing the same in the office of the county auditor of said county for the persons entitled thereto, shall be deemed to be sufficient security for the payment of said damages.

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

Approved March 7, 1881.