

any person or persons in this state, which amount shall be paid to the person or persons entitled thereto on the presentation of a certificate, issued as hereinafter provided, from the clerk of the court of the county where such conviction was had, setting forth the object for which the same was issued, to the treasurer of the proper county; and such county treasurer shall take a receipt for the same, setting forth the object for which the same was paid; which certificate and receipt shall be forwarded to the state auditor, who shall, at the next settlement, place a warrant for such amount into the hands of the state treasurer, to be credited on the settlement with said county treasurer."

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

Approved April 10, 1901.

CHAPTER 213.

H. F. No. 246.

An act to amend sections 1883, 1884, 1885 and 1888 of the General Statutes of 1894, and section 1887 of the General Statutes of 1894, as amended by chapter 47 of the General Laws of 1895, relating to the laying out of judicial highways, and providing for the alteration and discontinuance of highways in certain cases.

Amendment.
Judicial
highways.

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

SECTION 1. That section 1883 of the General Statutes of 1894 be and the same hereby is amended so as to read when amended as follows:

Sec. 1883. Whenever a petition praying for the location, alteration or vacation of any highway running into or through two or more counties, or on or partly on the line dividing two or more counties in any judicial district in this state, signed by twenty legal voters and taxpayers resident in said counties, shall be presented to a judge of the district court in said district, or whenever a petition praying for the location, alteration or vacation of any highway running into or through two or more counties or partly on the line dividing two or more counties in two or more judicial districts in this state, signed by twenty legal voters and taxpayers, resident in said counties, shall be presented to a judge of the district court of one of said districts, the said judge is hereby authorized to appoint three commissioners, whose duty it shall be to meet at such times and places as may be necessary, and to immedi-

Highways
in two or
more coun-
ties.

ately proceed to lay out, alter or vacate such road as directed by the judge in accordance with the prayer of the petition; *provided*, that no road shall be ordered by the judge to extend more than six miles outside of the judicial district in which the application is made, and such road shall be extended beyond the district only for the purpose of *commencing or ending at some village or public road*.

Provided, further, that in cases where said road, if a new road, or if an old road, the part thereof to be altered or vacated runs through or into two or more counties situated in two or more judicial districts, the judges of said districts shall act in conjunction with each other on said petition, and if the proposed new road or the alteration or vacation of such old road is deemed a public necessity or for the best interest of the public, it shall be their duty to appoint commissioners from each of the counties affected by said road, not exceeding five in all, and to direct them to lay out, alter or vacate said road accordingly; and it shall be the duty of said commissioners to meet at such times and places as may be necessary and to proceed to lay out, alter or vacate said road in like manner as provided herein in other cases.

SEC. 2. That section 1884 of the General Statutes of 1894 be and the same hereby is amended so as to read when amended, as follows:

Notice of
petition.

Sec. 1884. Notice of the presentation of any such petition as that mentioned in the preceding section to any district judge shall be posted at least thirty days prior to such presentation in at least three of the most public places in said judicial district, and there shall be one of said notices posted at each county seat of the counties through or into which the road is to pass or passes, as the case may be.

SEC. 3. That section 1885 of the General Statutes of 1894 be and the same hereby is amended so as to read when amended as follows:

Survey
of road.

Section 1885. The commissioners shall appoint a surveyor, one axeman and two chainmen to make a survey of such road, if so directed by the court. The compensation of the commissioners shall be three dollars each per day, the surveyor four (\$4.00) dollars per day and the axemen and chainmen shall each receive two dollars per day and fifteen (15) cents per mile one way necessarily traveled from their place of residence to the place of commencing such survey or the location, vacation or alteration of such highway, such compensation to be paid only for

the time actually engaged in making such survey. The damages incurred and compensation to be paid to the persons over whose land such roads shall be laid out, altered or vacated by reason of the laying out, alteration or vacation of the same shall be assessed and determined by said commissioners, and the expense of such survey and the damages and expenses which are incurred by the laying out, alteration or vacation thereof, including compensation for right of way, shall be paid by the counties through, into or between which said road passes, each county paying therefor its just proportion.

SEC. 4. That section 1888 of the General Statutes of 1894 be and the same hereby is amended so as to read, when amended, as follows:

Sec. 1888. The commissioners appointed under and by virtue of section 1883 of this act shall appraise and fix the amount of damages to be paid to each landowner by reason of the laying out, alteration or vacation of said road over and across his lands, unless such right of way shall be by the owners duly and voluntarily released to the board of county commissioners of the county in which such land is situated, and in their report said commissioners shall include and set forth separately each appraisal of such damages or compensation made by them and all voluntary releases of the right of way taken by them.

Appraisal
of damages.

SEC. 5. That section 1887 of the General Statutes of 1894, as amended by chapter 47 of the General Laws of 1895, be and the same hereby is amended so as to read, when amended, as follows:

Section 1887. The commissioners appointed as herein provided shall make a report of all proceedings had by them under this act to the term of the district court held in the county where such proceedings were commenced next after the completion of their duties, and any person feeling aggrieved by their action in laying out such road, if the same be a new road, or in altering or vacating such old road, may appear and be heard upon such report at such term of court; and the court upon such hearing may consider the propriety of laying out, altering or vacating such road, and may make such changes in the same as may be just and proper, and may affirm or reject such report. The confirmation of the report of the commissioners by the court shall be final, and the order of confirmation shall direct the time and manner of opening said road for public use; and it shall be the duty of the clerk of said court, when the order of

Report of
commission-
ers.

confirmation is filed, to transmit within thirty days after receiving the same a certified copy thereof to the town clerk of each of the towns through or into which such road passes, and in case of any judicial highway laid under any law prior to the passage of this act, and where the clerk of the district court has failed to make and transmit a certified copy of the order laying out said highway and road to the town clerk of each of the towns through which or into which, said highway or road passes, it shall be the duty of the clerk of said court, within thirty (30) days after the passage of this act, to transmit a certified copy of the order laying said road to the town clerk of each of the towns through which, or into which, said road passes, and upon receipt of any such certified copy the said town clerk shall notify the supervisors of his respective town thereof, and it shall be the duty of such supervisors, upon receiving such notice, to proceed to open such road in their respective towns in accordance with the terms and provisions of such order. This act shall not apply to actions now pending.

SEC. 6. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved April 10, 1901.

H. F. No. 263.

CHAPTER 214.

Barber
schools and
colleges.

An act to provide for the regulation and supervision of barber schools and colleges in the State of Minnesota.

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

Must hold
certificate.

SECTION 1. No person, co-partnership or corporation shall be permitted to open or conduct any school for the instruction of students or apprentices in the trade or art of a barber and hair dresser, or either of said trades or arts, unless said person holds a certificate from the Barbers' State Board of Examiners; or, if a co-partnership, that at least one of the members thereof holds a certificate from the Barbers' State Board of Examiners; or, if a corporation, that its manager, superintendent or person having charge of said school for said corporation holds a certificate from the Barbers' State Board of Examiners.

Agent for
non-resident.

SEC. 2. Each and every person or persons, not residents of the State of Minnesota, who shall desire to open or conduct any school for the instruction of students or appren-