

## CHAPTER VIII.

*An Act to Provide for the Location of a State Road from Beaver to Rochester.*

- SECTION 1.** Commissioners appointed.  
 2. Meeting of commissioners—power to fill vacancies.  
 3. May employ assistance.  
 4. Commissioners to procure right of way.  
 5. Expenses of said road—how paid.  
 6. To deposit plat of road.  
 7. Act, when to take effect.

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

- SECTION 1.** That Frederick Johnson, John Rogers and J. Q. Spalding are hereby appointed commissioners to locate, survey and establish a State road from the town of Beaver in Winona county to the city of Rochester in Olmstead county, by the way of Johnson's mills on the middle branch of the White Water river.
- SEC. 2.** The commissioners shall meet at such place as may be most convenient, on any day subsequent to the passage of this Act and proceed to discharge the duties imposed on them by the provisions of this Act; *Provided*, That in the absence of any one of said commissioners, the other two shall have the power to fill said vacancy, by the appointment of some suitable person who shall have the same authority as is by this Act conferred upon the said commissioners above named.
- SEC. 3.** The said commissioners are hereby empowered to employ one surveyor, two chain men and one axeman.
- SEC. 4.** That it shall be the duty of the said commissioners to appraise the damages sustained by each owner of land through which the said road shall pass; and in case any one shall feel aggrieved by said appraisal, he may within thirty days, appeal in writing to the chairman of supervisors of the town wherein said owner may reside; and the said supervisors shall cause a constable of his town to summon a jury of twelve freeholders, who shall

Commissioners appointed

Meeting of commissioners—power to fill vacancies

May appoint assistance

Commissioners to procure right of way

proceed to examine said road, a majority of whom shall determine the amount of damages if any, the said owner has sustained.

SEC. 5. That each county through which said road shall pass, shall pay the expenses incurred in the location of the same in proportion to the length of said road in each county; *Provided*, That no county shall be required to pay for the expense of survey of any portion of said road which may be laid upon any state or county road already laid out and established. Expenses of said road—how paid

SEC. 6. That the said commissioners shall cause to be deposited and filed in the office of the county auditor of the counties through which the said road may pass, a copy of the plat of said road, together with their appraisal of damages, an exemplification of which shall be legal evidence of the opening and existence of said road. To deposit plat of road

SEC. 7. This act shall take effect from and after its passage. Act, when to take effect

Approved February 16th, A. D. 1861.

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## CHAPTER IX.

### *An Act to Provide for Laying out a State Road from Fairhaven via Kingston, to a point at or near Round Lake, in Meeker County.*

- SECTION 1. Commissioners appointed.  
 2. Meeting of Commissioners.  
 3. To file plat of road.  
 4. Authorized to employ surveyor—compensation.  
 5. Power to fill vacancies.  
 6. Damages—how ascertained.  
 7. Act—when to take effect.

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

SECTION 1. That Ephriam H. Whitney, Francis V. Decaster and Edwin Chapin are hereby appointed commissioners to locate a State road from Fair Haven in Commissioners appointed