

application, or had assented thereto; *Provided further*, That whenever in the judgment of the Court, the parties resisting such vacation or alteration, will sustain by the same, damages greater than the benefits resulting therefrom, the Court is empowered to assess the said damages, or cause the same to be assessed, and require the payment of the same by the parties making such application, before the said vacation or alteration shall take effect.

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

Approved, February 28, 1863.

## CHAPTER XLVIII.

### *An Act to authorize Towns to Expend a part of their Road Tax in Adjoining Townships.*

- SECTION 1. Power of electors of towns.  
 2. Tax to be expended under direction of Supervisors.  
 3. When act to take effect.

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

Powers of town  
electors

SECTION 1. That the electors of towns shall have power at their annual town meeting, to direct such an amount of the poll and road tax of the town to be expended on the highways in an adjoining township as they may deem conducive to the interests of the town.

Tax to be expended under direction of Supervisors

Sec. 2. Said labor and tax shall be expended under the direction of the Supervisors of the town furnishing said tax and labor.

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

Approved, January 31, 1863.