

cents per day for their services, nor the surveyor more than three dollars per day.

SEC. 4. Said commissioners shall cause an accurate plat of the survey and location of said road to be made and filed in each county through which such road may pass. To file plat of road

SEC. 5. Any damage sustained by reason of laying out and opening said road, as well as the expenses of surveying, locating, and establishing the same, shall be paid by the towns through which the same passes, rateably in proportion to the length of road in each. Damages sustained—how paid

SEC. 6. The commissioners are authorized to enter upon and cross the lands necessary to be used for such road, and, no objections thereto being interposed within thirty days after the survey thereof, the right of way not exceeding four rods in width, shall thereafter be deemed established. Right of way—when deemed to be established

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

Approved March 4, 1864.

CHAPTER LI.

An Act to provide for the survey, location and establishment of a State Road from New Ulm, in Brown County, to Carver, in Carver County.

- SECTION 1. Commissioners appointed—for what purpose.
 2. May employ assistants—compensation.
 3. Expenses, how paid.
 4. Power of Commissioners.
 5. Where Commissioners to meet.
 6. To file plat of said road.
 7. Damages sustained—how ascertained.
 8. Right of way—when deemed to be established.
 9. When act to take effect.

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

SECTION 1. That William Babcock, Lemuel Casby

For what purpose
commissioners ap-
pointed

and J. W. Green are hereby appointed commissioners to survey, locate and establish a State road from New Ulm, in Brown county, by the way of Dryden, New Auburn and Green Isle, in Sibley county, to Carver, in Carver county.

May employ assist-
ants—compensa-
tion

SEC. 2. The commissioners appointed by this act are hereby authorized to employ, in discharging their duties under this act, one chainman, one axeman and one surveyor. *Provided*, That said commissioners, chainman and axeman shall not receive more than one dollar and fifty cents per day each, nor the surveyor more than three dollars per day for their services under this act.

Expenses, how
paid

SEC. 3. The expenses of surveying, locating and establishing said road, shall be paid by the counties through or in which such road shall run, in proportion to the distance it may run in such counties. *Provided*, That no county shall be liable to pay any of the expenses for surveying, locating and establishing said road, unless the board of commissioners thereof shall signify their assent in writing to the survey, location and establishment of such road, previous to the said survey, location and establishment.

Power of commis-
sioners

SEC. 4. If any commissioner shall, from any cause, be unable to perform the duties prescribed by this act, he shall have the power to appoint a substitute.

Where commis-
sioners to meet

SEC. 5. It shall be the duty of the commissioners to meet at New Auburn, and proceed to the discharge of their duties under this act, as soon after the passage thereof as is practicable.

To file plat of road

SEC. 6. Said commissioners shall, after the survey of said road, cause an accurate plat of the survey and location thereof, to be made and filed in the office of the register of deeds of each of the counties through which the road may pass.

Damages sustained
how ascertained

SEC. 7. Any damage sustained by reason of laying out and opening said road, shall be assessed and determined by said commissioners, in the manner now provided by law, in case of roads laid out by supervisors.

Right of way—
when deemed to
be established

SEC. 8. The commissioners are authorized to enter upon and cross the lands of any party or parties, and take any lands necessary to be used for such road, and no objection thereto being interposed within thirty days

after the survey thereof, the right of way, not exceeding four rods in width, shall thereafter be deemed established.

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

Approved March 3, 1864.

CHAPTER LII.

An Act to locate a State Road from Hokah to Riceford, by way of Sheldon, in Houston County.

- SECTION 1. Commissioners appointed—for what purpose.
2. When Commissioners to meet—vacancies how filled.
 3. May employ assistants—compensation.
 4. Damages sustained—how ascertained.
 5. To file plat of said road.
 6. Duty of the Board of Supervisors.
 7. Expenses, how paid.
 8. When act to take effect.

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

SECTION 1. Henry Smere, John Brown and Milton Fellows are hereby appointed commissioners to locate a State road from the village of Hokah, in the county of Houston, by way of the village of Sheldon, to Riceford, in the same county, to intersect the Caledonia and Preston road at the last-mentioned place.

For what purpose
commissioners ap-
pointed

SEC. 2. Said commissioners shall meet at Hokah, in said county of Houston, at a time not later than the first day of August next, and proceed to the discharge of their duties under this act; and if, from any cause, any one of the said commissioners, appointed under this act, shall be unable to perform the duties imposed by this act, he shall have the power to appoint a sub-

When to meet—va-
cancies how filled