

When to meet—
power to appoint
substitutes

SEC. 2. Said commissioners may meet at Glencoe, 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; and if any one of said commissioners shall be unable to act as such commissioner, the other two shall have power to appoint a substitute.

Expenses how paid

SEC. 3. Each county through which such road passes, shall pay the reasonable expenses of locating the same in such county. *Provided*, That no county shall be liable to pay such expenses, unless the board of commissioners of such county shall assent thereto before such location.

To file plat of road

SEC. 4. The commissioners hereby appointed shall, as soon as practicable after locating said road, file an accurate plat of the same in the office of the register of deeds in each county in which it may run, which said plat shall be the legal evidence of the location of said road.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 4, 1864.

CHAPTER LIX.

An Act to provide for the survey, location and establishment of a State Road from Carimonia, in Fillmore County, to intersect the Winona and Chatfield Road, east of Troy, in Winona County.

- SECTION 1. Commissioners appointed—for what purpose.
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 3. When and where to meet.
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 5. Expenses, how paid.
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 8. Right of way—when deemed established.
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Be it enacted by the Legislature of the State of Minnesota:

SECTION. 1. That William Davis, R. D. Larned

and John Long are hereby appointed commissioners to survey, locate and establish a State road, commencing at Carimonia, in Fillmore county, thence running in a northeasterly direction to intersect the Winona and Chatfield State road east of Troy, in Winona county.

For what purpose commissioners appointed

SEC. 2. 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.

Power to appoint substitutes

SEC. 3. It shall be the duty of the commissioners to meet at Carimonia, in Fillmore county, on the first day of May next, or as soon thereafter as practicable, and proceed to the discharge of their duties under this act.

When and where to meet

SEC. 4. 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.

May employ assistants—compensation

SEC. 5. 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 county.

Expenses how paid

SEC. 6. 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 said road may pass.

To file plat of road

SEC. 7. Any damages 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.

Damages sustained—how ascertained

SEC. 8. The commissioners are authorized to enter upon and cross 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 established

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

Approved February 24, 1864.