

CHAPTER LX.

An Act to provide for the location and construction of a State Road from the vicinity of St. Cloud to Lake Superior.

- SECTION 1. Commissioners appointed—for what purpose.
2. When and where to meet—may fill vacancies.
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 6. Town of St. Cloud authorized to expend money on said road—in what sum.
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 8. County of St. Louis authorized to expend money on said road—in what sum.
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Be it enacted by the Legislature of the State of Minnesota :

For what purpose
commissioners ap-
pointed

SECTION 1. That George W. Sweet, William F. Hicks and Charles A. Gilman be and they are hereby appointed commissioners to survey and locate a State road, commencing on the east bank of the Mississippi river, at some point between the south line of the county of Benton and the east and west section line, two miles north from the said county line, and running from the place of commencement, which shall be selected by the said commissioners, in a northeasterly direction, by the shortest route which shall be deemed feasible by the said commissioners, to some point at or near the head of Lake Superior, and within the State of Minnesota; or, if the said commissioners shall deem it expedient, to some point on the Saint Paul and Superior road, or, upon the Crow Wing and Superior road, but, in either case, making the point of junction with such road upon the east side of Kettle river.

When and where
to meet—may fill
vacancies

SEC. 2. That the said commissioners shall meet at the town of Sauk Rapids, in Benton county, on any day subsequent to the passage of this act, and proceed to the discharge of the duties imposed upon them by this act; and if either of the said commissioners shall neglect or refuse to act as such commissioners, the

other two shall have power to fill the vacancy by appointing some suitable person, who shall have the same authority as is by this act conferred upon the said commissioners above-named.

SEC. 3. That the location of the said road shall be completed within one year from the passage of this act; and prior to the time hereby fixed for the said completion, the said commissioners shall file in the office of the register of deeds of each organized county through which the said road shall be located, a plat of that part of said road lying in such county, and shall file, in the office of the register of deeds of Benton county, a plat of the whole of the said road, to the end that portions of the said plat may be copied therefrom, and filed in the several offices of register of deeds of counties which may hereafter be organized upon the line of said road; and the said plats shall each be legal evidence of the location and existence of that part of the said road which it represents.

When location of said road to be completed—to file plat of road

SEC. 4. That the said commissioners shall receive for their services in locating the said road, the sum of two dollars per day, and are hereby empowered to employ one surveyor at three dollars per day, and two chainmen and one axeman, at one and one half dollars per day each, and one man with a horse, to carry provisions, at two and one-half dollars per day; and the necessary expenses thus arising for the location of said road through organized counties, shall be paid by the several organized counties through which the said road shall be located, upon presentation to the several auditors of such counties the proper accounts of expenses incurred, which accounts the said commissioners shall certify on oath to be correct, and in conformity with this act. The expenses thus arising for the location of that part of the said road, running through any organized county or counties, to be paid by an appropriation by some town or county interested, as is hereinafter provided, or by private subscription.

Compensation of commissioners—may employ assistants—expenses, how paid

SEC. 5. That the said road shall be four rods wide, and, after it shall have been surveyed, it shall be opened and constructed without any expense to the counties or towns through which it shall pass, unless the said towns or counties or any of them, shall by a

To be constructed without expense to the counties thro' which it may pass

vote of the majority of the electors thereof, at a general election, or at a special election to be called therefor, appropriate money therefor, which they are hereby authorized to do. *Provided*, That twelve days' notice shall be given prior to such election, that the question of appropriating money for the purpose of building such road will be submitted to the electors of such town or county.

St. Cloud authorized to expend money—in what sum

SEC. 6. That the town of St. Cloud, in Stearns county, is hereby authorized and empowered to expend upon the location and survey of said road, a sum not exceeding two hundred dollars, and to expend upon the opening and construction of the said road a sum not exceeding two thousand dollars, but such sums shall not be expended except upon a vote of two-thirds of all the members of the common council, appropriating the same, or some part thereof, to be approved by the mayor.

Stearns county authorized to expend money—in what sum

SEC. 7. That the county of Stearns is hereby authorized and empowered to expend, in opening and constructing the said road, a sum not exceeding four thousand dollars, upon a vote of three-fifths of all the members of the board of county commissioners of said Stearns county, including the chairman thereof; or by a vote of a majority of the electors of said county, at any general or special election held in said county. *Provided*, That twelve days' notice shall have been given, as prescribed in the fifth section of this act.

St. Louis county authorized to expend money—in what sum

SEC. 8. That the county of St. Louis may expend in the opening and construction of the said road, a sum not exceeding four thousand dollars, upon a vote of a majority of the board of county commissioners of said county, including the chairman thereof, or upon a vote of a majority of the electors of said county, at any general election, or at any special election called therefor, such notice having been given, as prescribed in the fifth section of this act. *Provided*, That any of the appropriations hereby authorized, may be made at any time within four years from the passage of this act.

SEC. 9. That this act shall take effect from and after its passage.

Approved March 4, 1864.