

CHAPTER LI.

March 2, 1905.

An Act to locate a State road from the village of La-Crescent, in Houston county, to connect with the Centreville and Richmond road, in Winona county.

- SECTION 1.** Commissioners appointed—for what purpose.
 2. When and where to meet—may appoint substitutes.
 3. May employ assistants.
 4. Damages sustained—how ascertained.
 5. To file plat of said road.
 6. When road may be opened and worked.
 7. Expenses, how paid.
 8. When act to take effect.

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

Commissioners appointed—for what purpose.

SECTION 1. William E. Potter, William H. Merrick and Aaron H. Brayton, are hereby appointed commissioners to locate a State road from the village of LaCrescent, in Houston county, to intersect with the Centreville and Richmond road, in Winona county, near the farm called "Little's farm." *Provided, That the location of said road shall not interfere with or discontinue any road heretofore established under the laws of the State.*

When and where to meet—may appoint substitutes.

SEC. 2. Said commissioners shall meet at LaCrescent, 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 commissioners appointed under this act, shall be unable to perform the duties imposed by this act, he shall have power to appoint a substitute, who shall have the same authority, when so appointed, as one of the commissioners named in this act.

May employ assistants.

SEC. 3. Said commissioners are authorized to employ in locating said road, one chainman, one axeman and one surveyor.

SEC. 4. It shall be the duty of the commissioners acting under the provisions of this act to appraise the damages sustained by each owner of land through

which said road may pass, and in case any person or persons shall feel himself or themselves aggrieved by such appraisal, he or they may appeal to the county commissioners of Houston county, at any time within thirty days after the filing of the plat of the said road, as hereinafter provided in this act, and the said county commissioners shall at their next meeting after such appeal shall have been taken, proceed to hear and determine said appeal as they may deem just.

Damages—how ascertained.

Sec. 5. Said commissioners shall, as soon as the said road is located, or at a period not later than the first day of November next, file an accurate map and plat of said road, together with their appraisal of damages in the office of the town clerk of the township of LaCrescent, in Houston county, and thereupon the said town clerk shall post up three notices in said township, stating the date when such map and plat was filed in his office with the appraisal of the damages as assessed by the said road commissioners.

To file plat of road

Sec. 6. After the filing of the map, survey and appraisal of damages as provided in the preceding section, and the determination of appeals, if any, it shall be the duty of the board of supervisors and the road overseers of the township of LaCrescent, as aforesaid, to open and work the said road in the same manner as other roads are required to be worked by law. *Provided*, That the damages assessed by the said commissioners, or as modified by the county commissioners, shall first have been paid or secured in a satisfactory manner to the person or persons entitled to the same.

When road may be opened and worked.

Sec. 7. The expense of laying out, locating, and all damages assessed by the road commissioners, shall be paid by the township of LaCrescent, the accounts to be audited by the board of auditors of said town in the same manner as other accounts and claims against said township are audited.

Expenses, how paid.

Sec. 8. This act shall take effect and be in force from and after its passage.

Approved March 2, 1865.