

the provisions of this act: *Provided*, That in the absence of any one of said commissioners, the other two shall have the power to fill said vacancy by the appointment of some suitable person, who shall have the same authority as is by this act conferred upon the said commissioners above named.

Organization

SEC. 3. The commissioners are hereby empowered to employ one surveyor, one flagman, one axman and two chainmen.

May employ assistants

SEC. 4. The expenses incurred in the establishing and surveying of said road shall be paid by the several counties through which the road may pass.

How expenses defrayed

SEC. 5. The said commissioners shall file a plat of the survey of said road in the office of the register of deeds of each of the counties through which said road may pass; which said plat shall be legal evidence of the location and existence of said road.

Plat to be filed

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved March 7, 1867.

CHAPTER CXXI.

An Act to provide for the location of a state road from Osakis in Douglas county, to Otter Tail City in Otter Tail county.

March 9, 1867.

SECTION 1.—Nominates three commissioners to lay out state road.

2.—Provides for meeting of commissioners—quorum.

3.—How expenses of survey to be defrayed.

4.—Commissioners to file plat of survey.

5.—When act shall take effect.

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

SECTION 1. That Warren Adley, H. S. Parker and

Commissioners J. Stillman, are hereby appointed commissioners to survey, locate and lay out a state road, commencing at the west end of Main street in the town of Osakis in Douglas county, according to the survey of said town by D. Stevenson, running thence through townships 128 and 129 of range 36 west, townships 130 and 131 of range 37 west, townships 132 and 133 of range 38 west and township 134 of range 39 west, to Otter Tail City in Otter Tail county, by the most practicable route.

Organization SEC. 2. Said commissioners may meet at Osakis on any day subsequent to the passage of this act and proceed to the discharge of the duties imposed on them by the provisions of this act: *Provided*, That in the absence of any one of said commissioners the other two shall have power to fill said vacancy by the appointment of some suitable person, who shall have the same authority as is by this act conferred upon said commissioners above named.

Expense. SEC. 3. Each county through which such road passes shall pay the reasonable expense of survey and 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 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 county auditor of each of the counties through which any portion of said road shall pass; which plat shall be legal evidence of the location and existence of said road.

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

Approved March 9, 1867.