

Damages, how ascertained.

SEC. 4 . Any damages for laying out or opening said road, shall be assessed and determined by said commissioners and shall be paid by the county in which such damages occur.

How expenses defrayed.

SEC. 5. The expenses of surveying, locating and establishing said road shall be paid by the regularly organized counties through which said road shall enter or pass. The said commissioners shall have power to apportion the amount to each of said counties, as in their judgment is just and equal to defray said expenses.

To file plat of road.

SEC. 6. Said commissioners shall as soon as practicable file an accurate plat of said road in the office of the register of deeds in each county it may enter or pass through, said plat shall be the legal evidence of the location of said road.

Who to appoint commissioners.

SEC. 7. Be it further enacted, that the above commissioners shall be named and appointed by the governor of the state.

When act to take effect.

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

Approved March 5, 1868.

CHAPTER CXXXIX.

An Act to locate a state road from St. Peter to Ottertail City in Ottertail county, Minnesota.

March 4, 1868.

- SECTION 1. To locate and establish a State Road.
2. When and where to meet.
 3. May employ surveyor, &c.—compensation.
 4. Damages sustained, how ascertained.
 5. How expenses of locating said road to be defrayed.
 6. Commissioners to file plat of road.
 7. Commissioners to be appointed by the Governor.
 8. When act to take effect.

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

SECTION 1. That

are hereby constituted commissioners to locate and establish a state road from St. Peter, Nicollet, county to Ottertail City, in Ottertail county, Minnesota, via of Whitefield in Kandiyohi county, Norway Lake in Monongalia county, Glenwood in Pope county, Chippewa Station in Douglas county, Lake Clithero, thence to Ottertail City, in Ottertail county.

To establish a
State road.

SEC. 2. Said commissioners shall meet at St. Peter on the third Monday in June, and proceed to discharge the duties imposed upon them by the provisions of this act. *Provided*, That in the absence of any one of these commissioners the other two shall have power to fill said vacancy, and the person so appointed shall have the same authority as by this act is conferred upon said commissioners.

When and
where to meet.

SEC. 3. The said commissioners are hereby empowered to employ one surveyor who shall be paid the sum allowed him by law as his compensation, said commissioners shall receive the same compensation as the surveyor, and one axeman and two chainmen, who shall each receive the sum of three dollars per day for said services.

May employ
surveyor, &c.—
compensation.

SEC. 4. Any damages by laying out or opening said road shall be assessed and determined by said commissioners and shall be paid by the county in which such damages occur.

Damages, how
ascertained.

SEC. 5. The expenses of surveying, locating and establishing said road shall be paid by the counties through which said road shall enter or pass. The commissioners shall have power to apportion the amount to each of the said counties as in their judgment is just and equal, to defray said expenses.

How expenses
defrayed.

SEC. 6. Said commissioners shall, as soon as practicable, file an accurate plat of said road in the office of the register of deeds in each county through which it may pass. Said plat shall be legal evidence of the location of said road.

To file plat of
road.

SEC. 7. The governor of the state shall have the appointment of the above commissioners.

Who to appoint
commissioners.

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

When act to take
effect.

Approved March 4, 1868.