

Re-survey to be made of all state and county roads—for what purpose, &c.

empowered to cause to be re-surveyed and plats thereof made of all state and county roads in said county, the record and other evidence of the laying out of which has been destroyed by fire, and cause a record thereof to be made in the same manner as is prescribed in laying out new highways; which records, and also the records of any re-surveys that have made by said county commissioners of any such roads since the destruction of the original records by fire, shall be conclusive evidence of the continued existence of all such roads. No person shall be entitled to any damages by reason of such re-survey and location.

When act to take effect.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 3, 1869.

## CHAPTER CXIII.

*An Act to change that portion of the state road running from Minneapolis, in Hennepin County, to Fort Ridgely, lying between Faxon and Highland Creek, in the county of Sibley.*

March 3, 1869.

- SECTION 1. Commissioners appointed—for what purpose.
2. When and where to meet—expenses, how paid.
  3. May employ a surveyor, &c.—compensation.
  4. Damages sustained, how ascertained.
  5. Commissioners to file plat of said road—to be deemed a public highway.
  6. Former changes made on the road lying between Faxon and Highland Creek, are hereby declared null and void.
  7. When act to take effect.

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

SECTION 1. That Henry Poehler, James Clark and Michael Egan of Sibley county, are hereby appointed

commissioners to change that part of the Minneapolis and Fort Ridgely State Road which runs between the town of Faxon and Highland Creek in the county of Sibley, and establish and survey a road between the said town of Faxon and Highland Creek, connecting with the Minneapolis and Fort Ridgely State Road at the said town of Faxon, and at said Highland Creek in said Sibley county.

Commissioners appointed—for what purpose.

SEC. 2. That said commissioners or a majority of them shall meet at Henderson on or before the fifteenth day of April, A. D. one thousand eight hundred and sixty-nine, and shall lay out, alter and survey and open said part of said state road, and the expense for laying out, altering and surveying said state road, shall be paid by the county of Sibley on presentation of certificate of an account of said expenses, signed by two or all of said commissioners.

When and where to meet—expenses, how paid.

SEC. 3. The said commissioners are hereby authorized to employ one surveyor, on flagman, one chainman and one axman, to assist in the survey of the change or alteration of said road, and said commissioners, surveyor, flagman, chainman and axman, shall receive such compensation as shall be allowed and agreed upon by the board of commissioners of Sibley county.

May employ a surveyor, &c.—compensation.

SEC. 4. The damages sustained by the owner of any land over which said road shall run, may be determined by agreement between said commissioners and the owner of such land claiming such damages, and if not so determined nor released by such owner, shall be assessed by the said commissioners, and shall be paid by the said county of Sibley, and any person aggrieved by any such assessment may appeal therefrom to the county commissioners of said county of Sibley, at any time within three months after the filing of their plat, survey, and report as hereinafter provided.

Damages, how ascertained.

SEC. 5. The said commissioners shall on or before the first day of June next, make or cause to be made and filed in the office of the county auditor of said Sibley county, a plot of the survey and field notes of said road, if any made, as also a report of the damages assessed by them or determined by agreement as provided in section four of this act, sustained by the owner of any lands in said county of Sibley, over which said road shall be located, which said report shall be subscribed by said commissioners or a majority of them, and upon the filing of such plat, field notes and report, so much of said road as included in said plat, shall be deemed to be located and established as

To file plat of road—deemed a public highway.

therein prescribed, and be deemed a public highway, and shall thereafter be improved and repaired in same manner as county roads are improved and repaired by the county and towns in which said road is located.

Former changes  
in road declared  
null and void.

SEC. 6. All proceedings had and changes or alterations made in that portion of said road lying between Faxon and Highland Creek in said Sibley county, under and pursuant to an act entitled an act to change a part of the state road running from Minneapolis in Hennepin county to Fort Ridgely, are hereby declared null and void, and any road located or surveyed under said act is hereby declared vacated.

When act to  
take effect.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 3, 1869.

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## CHAPTER CXIV.

### *An Act to establish a State Road from Sauk Rapids to the Lake Superior Railroad.*

Feb'y 19, 1869.

- SECTION 1. Commissioners appointed to locate, survey and establish said road.
2. When and where to meet.
  3. May employ a surveyor and other assistance.
  4. How expenses of locating said road to be defrayed.
  5. When act to take effect.

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

SECTION 1. That Ira Congor, Bengtz Franklin and Thomas Core are hereby appointed commissioners to lay out and establish a state road from Sauk Rapids, in Benton county, via Princeton, in Mille Lac county; Cambridge post office, in Isanti county; Fish Lake, in Chisago county; thence to Goose Creek, in Chisago county, at or near where the Lake Superior and Mississippi railroad crosses said Goose Creek.

Commissioners  
appointed—for  
what purpose.