

in which such lands are situated, by serving a notice of such appeal upon the county attorney of said county, and filing in the office of the county auditor of said county a copy of said notice of appeal with proof of service thereof on the county attorney. The county auditor shall certify a copy of the appraisal appealed from to the district court, within ten days after filing the notice of appeal in his office. Such appeal shall be taken within thirty days after the filing of the appraisal in the office of the county auditor.

SEC. 7. This act shall take effect on and after its passage. When act to take effect.

Approved March 6, 1871.

CHAPTER CXIX.

An Act to legalize the survey, location and establishment of the State Road running from a point near the mouth of Sauk River, to the western boundary of the State, at a point between Lake Traverse and Big Stone Lake.

March 6, 1871.

- SECTION 1. Survey and location legalized.
2. Commissioners appointed to ascertain damages.
 3. Damages sustained, how paid.
 4. When act to take effect.

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

SECTION 1. That the state road surveyed, located and established in pursuance of an act entitled An act to locate a state road from a point near the mouth of Sauk River to the western boundary of the state, at a point between Lake Traverse and Big Stone Lake, approved March fifth, one thousand eight hundred and sixty-eight, be and the same is hereby legalized and declared to be a valid, existing and established state road, and the plat of

Survey and location legalized.

the survey thereof on file in the register of deeds office, declared to be regular and prima facie evidence of the correctness of the same, and of the legal existence of so much of said road as said plat represents.

Commissioners appointed to ascertain damages. SEC. 2. That William Bohmer, Joseph Edelbrock and John Gaff, be and are hereby appointed commissioners to appraise the damages over and above the benefits if any, sustained by each owner of the land through which such road passes, and when such appraisal shall be made of the lands in any county, the same shall be filed with the county auditor of such county, and any person feeling himself aggrieved by said appraisal, may within thirty days after the filing thereof, appeal in writing, setting forth the grounds of such appeal, to the county commissioners, which said appeal shall be filed with the county auditor, and a copy thereof shall be served upon one of the commissioners appointed in this act, and the said county commissioners shall at their next annual session determine the said amount of damages as to them shall seem just.

Damages, how paid. SEC. 3. The damages assessed and determined according to the provisions of section two of this act, shall be paid by the county wherein the land is situated, for the taking of which such damage is assessed.

When act to take effect. SEC. 4. This act shall take effect from and after its passage.

Approved March 6, 1871.