

Creek, in the county of Renville, or as near that place as the county commissioners of said Renville county may find practicable for the building of said bridge. Said bridge when erected shall be kept in repair by the county of Renville, and be forever free from toll.

SEC. 2. That said bridge shall be built under the direction of the board of county commissioners of said Renville county, and no part of said appropriation shall be paid out of the state treasury until said bridge shall have been completed and ready for travel.

SEC. 3. That Ole Dahl, Hans Gunderson and Lewis Corepp, are hereby appointed a committee on the part of the state to view said bridge when completed, and examine all contracts, vouchers and accounts respecting its construction, and the cost thereof, and to ascertain, compute and fix upon the cost of building said bridge, and make report of such cost to the state auditor. Any two of said committee may act in the premises.

SEC. 4. That upon receipt of said report by the state auditor he shall, upon demand of the treasurer of said Renville county, draw his order or orders in favor of said county treasurer, on the state treasurer for moneys belonging to said funds to the amount of the cost of said bridge as reported by said committee, in case the entire cost shall not exceed the sum of eight hundred (800) dollars, and the state treasurer shall pay over such moneys to said county treasurer upon said orders, and such moneys shall be disbursed by said county treasurer upon the orders of said board of county commissioners, to pay off the costs of the construction of said bridge.

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

Approved March 11, 1873.

CHAPTER CXL.

AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A STATE ROAD FROM MINNESOTA FALLS, YELLOW MEDICINE COUNTY, TO MARSHALL, LYON COUNTY, AND THENCE BY WAY OF LAKE BENTON TO THE STATE LINE.

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

SECTION 1. That Charles Marsh, O. S. Reishus and John Ward are hereby appointed to survey, locate and establish a state road

from Minnesota Falls, Yellow Medicine county, to Marshall, Lyon county, and thence by way of Lake Benton to the state line by the shortest advisable route.

SEC. 2. It shall be the duty of the said commissioners to meet at Marshall on or before the first day of June, A. D. one thousand eight hundred and seventy-three, and there make oath that they will faithfully discharge their duties as provided by this act, and impartially assess the damages, if any, sustained by the owners of land through which said road may pass, which oath shall be subscribed by each of the commissioners and deposited with the person before whom it was taken.

SEC. 3. The said commissioners are hereby authorized to employ all necessary help, and all reasonable expenses incurred by them shall be paid by the counties through which the said road may pass, in proportion to the length of said road in each of the counties respectively, as certified to the said commissioners, and all damages awarded by said commissioners shall be paid by the county in which the land is located to which the damages pertain, as certified to by the said commissioners.

SEC. 4. The said commissioners shall cause a substantial stake properly marked to be set at each angle of said road, and stakes or monuments to be erected upon all slightly elevations, and such other places on said road as they may deem advisable, and one or more furrows to be ploughed upon said road in the unsettled parts of the country, and in such other places as they may determine. And the said commissioners shall cause accurate plats of said road to be filed in the office of register of deeds, in each of the counties through which the said road may pass, together with an accurate statement of all damages awarded by them, the said commissioners, which said plat and statement of damages shall be signed and certified to by the said commissioners.

SEC. 5. The making and filing of the plats of the said road, in the manner prescribed by section four of this act, shall be sufficient to establish the said road without any further orders or instruments whatever.

SEC. 6. It shall be the duty of the said commissioners to appraise the damages sustained by each owner of lands through which the said road may pass, and if any person feel aggrieved by such appraisal he may, within thirty days after notice of such appraisal, by himself or agent, appeal to the district court of the county in which such land is located, in the manner provided for appeals from justice court. *Provided*, That the posting in three conspicuous places for the period of thirty days in each of the counties through which the said road may run, a statement of the damages awarded by the said commissioners, or the publication for three weeks of the said state-

ment of damages in any newspaper published in either of the counties through which the said road may run, shall be sufficient notice as required by this act.

SEC. 7. A majority of the commissioners named in this act shall have full authority to act as required herein, and in case a majority of the said commissioners cannot be found to act, then, upon the notification of such fact by either of the said commissioners, the governor of the state may appoint to fill vacancies.

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

Approved February 27, 1873.

CHAPTER CXLI.

AN ACT TO VACATE A PORTION OF THE TERRITORIAL ROAD RUNNING FROM POINT DOUGLAS TO FORT RIPLEY WHICH WAS CONSTRUCTED UNDER THE AUTHORITY OF THE GOVERNMENT OF THE UNITED STATES.

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

SECTION 1. That all that portion of the territorial road running from Point Douglas to Fort Ripley which was constructed under the authority of the United States Government that lies in section thirty-one (31), of township twenty-eight (28) north, of range twenty-two (22) west, in Ramsey county be, and the same is hereby declared vacated.

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

Approved March 6, 1873.