

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

Approved March 5, 1874.

CHAPTER LXXXIX.

AN ACT TO CHANGE THE NAME OF HENRY ILLINGWORTH TO THAT OF JOHN CHEEVER, AND MAKE HIM HEIR-AT-LAW OF CATHERINE CHEEVER.

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

SECTION 1. The name of Henry Illingworth, a minor now under [under] charge of and in the custody of Catherine Cheever, be and the same is hereby changed to that of John Cheever; and that said minor be and he is hereby declared to be the heir-at-law of the said Catherine Cheever, as fully and to all intents and purposes as if he was the natural born son of said Catherine Cheever.

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

Approved March 9, 1874.

CHAPTER XC.

AN ACT TO PROVIDE FOR SURVEYING, LOCATING AND ESTABLISHING A STATE ROAD FROM THE TOWN OF HINCKLEY, IN PINE COUNTY, TO SNAKE RIVER IN AITKIN COUNTY.

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

SECTION 1. That W. H. Grant [and] H. B. Gordon, of Hinckley, and Hiram Brackett, of Pine City, are hereby appointed commissioners to locate, mark, survey and establish a state road from Hinckley, in the county of Pine, through the counties of Pine, Kan-

abec and Aitkin, to a point on Snake River, in said county of Aitkin, in township forty-three (43) of range twenty-three (23.)

SEC. 2. That said commissioners or a majority of them shall meet at the town of Hinckley aforesaid, at any time after the passage of this act, and before the first day of October next, and then and there proceed to locate and survey said road, commencing at such point on the present county road leading from Hinckley to Grindstone Lake, as they may think proper.

SEC. 3. That said commissioners are hereby authorized to employ one surveyor, two chainmen, two axemen, one cook and one packer, who together with said commissioners shall receive the sum of three dollars per day for their services, except the surveyor, who shall receive five dollars per day for his services.

SEC. 4. Said commissioners shall, on or before the first day of November next, cause an accurate plat of the survey and location of said road to be made and filed in the office of the county auditor of such [each] county through which said road shall pass.

SEC. 5. The expenses incurred in the surveying, locating and establishing said road, shall be paid by the counties through which or in which said road shall run, in proportion to the distance it shall run in said counties.

SEC. 6. It shall be the duty of said commissioners to appraise the damage that may accrue to the owner of any lands through which said road may be established, and on or before the first day of November next, to file such appraisement in the office of the county auditor of the county in which such land is situate.

SEC. 7. Any owner of any lands through which said road may pass, may appeal from the appraisement of damages made by said commissioners to the district court of the proper county, within six months after the filing of said appraisement as aforesaid, but not afterwards.

SEC. 8. Such appeal shall be taken by the service of a notice in writing upon the county auditor of the county in which such lands are situated, and the filing in the office of the clerk of the district court a copy of such notice with proof such service, and such appeal shall be prosecuted and determined in said court as other cases.

SEC. 9. All damages appraised by said commissioners or determined and awarded by the court, shall be paid by the county in which the land is situated.

SEC. 10. This act shall take effect from and after its passage.

Approved March 9, 1874.