

CHAPTER XCIV.

AN ACT TO PROVIDE FOR LAYING OUT AND OPENING A STATE ROAD FROM BRAINERD, IN CROW WING COUNTY, TO WHITE OAK POINT IN SAME COUNTY.

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

SECTION 1. That Edward Morse and Narcisse Gravelle of Crow Wing county, and Wm. H. Lawrence of Hennepin county in the state of Minnesota are hereby appointed commissioners to survey, locate and establish and open a state road from Brainerd, in the county of Crow Wing and state aforesaid, to White Oak point, on the Mississippi river in the northern part of said county, by the most direct and practicable route.

SEC. 2. That said commissioners shall meet at such time and place convenient to them, as they may select, and proceed to discharge the duties imposed upon them by this act; *Provided*, That if either of said commissioners shall be unable to discharge the duties imposed upon them by this act, the others shall have the power to substitute some person to act in his place, and such action by such substitute shall have the same effect as if he were appointed commissioner by this act.

SEC. 3. That said commissioners are hereby authorized to employ a surveyor, axeman and chainman, and it shall be their duty to cause said road to be accurately surveyed and platted, and file a copy thereof in the office of the county auditor of said Crow Wing county.

SEC. 4. That the expense of viewing, locating and opening said road shall be paid by said county of Crow Wing; *Provided*, That said commissioners shall not receive more than four dollars per day, the surveyor not more than five dollars per day and the axeman and chainman not more than two dollars per day, for every day they shall be actually employed on said road.

SEC. 5. The said commissioners shall at the time of locating said road, appraise the damages or compensation to be paid to any person through whose land the same shall pass, and shall file in the office of the county auditor of each county a statement of such appraisals of damages for lands therein taken for said road at the time when they shall file the survey and plats of the same in said auditor's office, and upon the filing of said survey, plats and appraisal in said auditor's office, the said road shall be deemed established and

said damages or compensation shall be deemed secured, and the amount of such appraisal shall be levied upon the taxable property of said county, and be entered and extended on the tax roll thereof next thereafter to be made, and the amount of each appraisal shall be paid to the person or persons entitled thereto.

SEC. 6. Any person deeming himself or herself aggrieved by such appraisal of his or her compensation, may appeal therefrom to the district court of said county by serving a notice of 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. Said commissioners are hereby authorized to procure from the owners of lands through which said road shall pass, the gratuitous right of way, or releases from all damages or compensation for opening said road, and file the same with the auditor of said county.

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

Approved March 9, 1874.

CHAPTER XCV.

AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A STATE ROAD FROM HANCOCK, IN STEVENS COUNTY, VIA APPLETON TO THE MINNESOTA RIVER.

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

SECTION 1. That L. C. Laird, A. W. Lathrop and C. A. Anderson are hereby appointed to survey, locate and establish of state road from Hancock, in Stevens county via Appleton to the Minnesota river by the shortest practicable route.

SEC. 2. It shall be the duty of the said commissioners to meet at Hancock on or before the first day of June, A. D. eighteen hundred and seventy-four, and there make oath that they will faithfully