

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

discharge their duties as provided by this act and impartially assess the damages, if any, sustained by the owners of lands 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. That 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 commissioner[s], 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 commissioner[s].

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 plowed 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 plat of 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 statement of damages in any newspaper published in either of the counties through which 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. 7. This act shall take effect and be in force from and after its passage.

Approved March 5, 1874.

CHAPTER XCVI.

AN ACT TO PROVIDE FOR LAYING OUT A STATE ROAD FROM RUSH CITY, IN THE COUNTY OF CHISAGO, VIA RUSH LAKE, TO CAMBRIDGE, IN THE COUNTY OF ISANTI, AND TO APPROPRIATE MONEY THEREFOR.

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

SECTION 1. That P. A. Flynn and James Erickson, of Chisago county, and Daniel Anderson, of Isanti county, are hereby appointed commissioners to locate, survey and establish a state road from Rush City, Chisago county, via Rush Lake, to Cambridge, in Isanti county, said road to connect with the state road from Cambridge to Princeton, in Mille Lacs county.

SEC. 2. Said commissioners shall meet in Rush City on or before the fifteenth day of June, eighteen hundred and seventy-four, and proceed to discharge their duties under this act, and if any of the said commissioners appointed under this act shall from any cause be unable to perform the duties imposed by this act, he shall have the power to appoint a substitute, which appointment shall be in writing and the person so appointed shall have the same authority as one of the commissioners named in this act.

SEC. 3. Said commissioners are hereby authorized to employ in locating said road, one surveyor, one axeman and two chainman. *Provided*, That said commissioners shall not receive more than two dollars and fifty cents each per day, the axeman and chainman not more than one dollar and fifty cents each per day, and the surveyor nor more than four dollars per day, for their services.

SEC. 4. Said commissioners shall cause accurate plats of the survey and location of said road to be made, particularly describing the route thereof by courses and distances, one of which shall be filed in the office of the county auditor of each of said counties.

SEC. 5. At each end, at each angle, and at each mile station of