

may pass, and if any person feels aggrieved by such appraisement, 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 publication for three successive weeks of a statement of the damages awarded by the said commissioners, in the "Sauk Rapids Sentinel" and the "Little Falls Courier," 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 said commissioners cannot be found to act, then upon the notification of such fact by either of 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 26, 1876.

CHAPTER CXIV.

AN ACT TO PROVIDE FOR THE LAYING OUT A STATE ROAD FROM MELROSE, STEARNS COUNTY, TO WILLMAR, IN KANDIYOHI COUNTY.

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

SECTION 1. That Daniel Peterson, Michael Collins and M. A. Taylor, of Stearns county, are hereby appointed commissioners to locate, survey and establish a state road from Melrose, in Stearns county, to a point where the range line between townships number one hundred and twenty-four, ranges thirty-four and thirty-five, crosses Crow river, thence by the nearest and most practicable route to Willmar, in Kandiyohi county.

SEC. 2. 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 power to substitute some person to act in his place, and such action by such substitute shall have the effect as if he were appointed commissioner by this act.

SEC. 3. Said commissioners are hereby authorized to employ in locating said road, one surveyor, one axeman and two chainmen. *Provided*, That said commissioners shall not receive more than three dollars per day, and the axeman and chainmen shall not receive more than two dollars per day each, and the surveyor shall not receive 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 angle in said road there shall be a good and substantial stake set and marked with the number from the point of starting.

SEC. 6. The expense of locating said road shall be paid by the respective counties in which said road may pass, in proportion to the distance it may run in each county.

SEC. 7. The said commissioners shall at the time of locating said road appraise the damages or compensation to be paid to each person through whose land the same may pass, and shall file in the office of the county auditor of each county a statement of such appraisal of damages for lands therein taken for said road, at the time when they file the survey and plats of the same in the office of the county auditor, and upon the filing of said survey, plats and appraisal in the office of the said county auditor, the said road shall be deemed established, and said damages or compensation shall be deemed secured, and the amount of such appraisal in each county shall be levied upon the taxable property of said county, and be entered and extended upon the tax roll thereafter to be made, and the amount of each appraisal shall be paid to the person or persons entitled thereto.

SEC. 8. Any person deeming himself or herself aggrieved by such appraisal of his or her compensation, may appeal therefrom to the district court of the county in which such lands are situated, by serving a notice of such appeal upon the county attorney of said county, and serving a copy thereof upon two of the commissioners appointed by this act, 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 and said commissioners, the county auditor within ten days after filing the notice of appeal in his office; *Provided*, That all appeals shall be taken within thirty days after the filing of the appraisal in the office of the county auditor.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved March 1, 1876.

CHAPTER CXV.

AN ACT TO EXTEND THE TIME FOR THE COMPLETION OF THE UNFINISHED LINE OF RAILROAD OF THE HASTINGS AND DAKOTA RAILROAD COMPANY.

WHEREAS, The said railroad company hath failed and neglected to construct and put in operation that portion of its line of railroad extending from Glencoe, in the county of McLeod, to the western