

shall be assessed and an appeal had in the same manner as in the case of other public roads, and the town clerk shall record any cartway so laid out in the same manner and with like effect as other roads are required to be recorded by him. *Provided, however,* that when the petitioners, or any of them, propose in the petition, their willingness to dedicate any land to which such petitioner has title for the purposes of such cartway, such lands shall be deemed as so dedicated, and no damages shall be assessed therefor. That such cartway, when laid out and established, shall be deemed a public cartway for public use.

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

Approved February 26, 1877.

CHAPTER 51.

AN ACT TO AMEND SECTION THIRTY-THREE (33) OF CHAPTER FIVE (5) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-THREE (1873), RELATING TO ALTERING, LAYING OUT OR DISCONTINUING OF HIGHWAYS.

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

SECTION 1. Section thirty-three (33) of chapter five (5) of the General Laws of one thousand eight hundred and seventy-three (1873), is hereby amended so as to read as follows:

Sec. 33. The supervisors of the town may alter or discontinue any road, or lay out any new road, upon the petition of not less than six (6) legal voters who own real estate, or who occupy real estate under the homestead or pre-emption laws of the United States, within one (1) mile of the road to be altered, discontinued or laid out; said petition shall set forth, in writing, a description of the road, and what part thereof is to be altered, or discontinued, and, if for a new road, the names of the owners of the lands, if known, over which the road is to pass, the point at which it is to commence, its general course, and the point where it is to terminate. How roads may be altered or discontinued.

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

Approved February 15, 1877.