

## CHAPTER CCXLVI.

## AN ACT TO LEGALIZE CERTAIN ROADS OR HIGHWAYS IN THE COUNTY OF GRANT.

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

SECTION 1. That all roads or highways laid out and opened prior to the year A. D. one thousand eight hundred and seventy-nine, in the county of Grant and state of Minnesota, by the commissioners of said county, are hereby declared to be public roads or highways and confirmed and established as such, whether the same have been lawfully laid out, established and opened or not.

SEC. 2. Any person having an unsettled claim for damages against said county by reason of the laying out and opening said roads or any of them, shall, before the regular meeting of the commissioners of said county, in the month of July, A. D. one thousand eight hundred and eighty, present such claim in writing to the auditor of said county, who shall lay the same before said commissioners at said meeting for their action thereon. And if any person having such claim shall fail to present it as aforesaid, he shall forever be debarred from further redress for said damages. *Provided*, that nothing in this act shall be so construed as to revive any right or claim for damage now barred by law or the statute of limitations.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 25, 1879.

## CHAPTER CCXLVII.

## AN ACT TO LOCATE AND ESTABLISH A STATE ROAD FROM THE VILLAGE OF HERMAN IN GRANT COUNTY, TO THE VILLAGE OF GRACEVILLE IN BIG STONE COUNTY.

*Be it enacted by the Legislature of the State of Minnesota.*

SECTION 1. That J. R. King, of Big Stone county, Geo. Eggleston, of Stevens county, and C. F. Washburn, of Grant county, are hereby appointed commissioners to locate and establish a state road from the village of Herman, Grant county, to the village of Graceville in Big Stone county, by the shortest practicable route.

SEC. 2. It shall be the duty of said commissioners to meet at Herman on or before the second day of June, A. D. one thousand eight hundred and seventy-nine, 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 the 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 is taken.

SEC. 3. That said commissioners are hereby authorized to employ all necessary help, and all reasonable expense 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 by the said commissioners, and all damages awarded by said commissioners shall be paid by the county in which the land is located to which the damaged parties are certified to by the said commissioners.

SEC. 4. The said commissioners shall cause a substantial stake properly marked, to be set at each angle of said road and stakes and monuments to be erected upon all slightly elevations, and such other places on said road as they may deem advisable, and 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 said commissioners to appraise the damages sustained by each owner of lands through which the said road may pass, and if any person feels 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 justices' courts.

*Provided,* That posting in three conspicuous places for a period of thirty days in each of the counties through which the said road may run, a statement of the damages awarded by 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 herein required, 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. 8. This act shall take effect and be in force from and after its passage.

Approved March 6, 1879.