

CHAPTER CCLVI.

AN ACT FOR THE LOCATION OF A ROAD FROM FERGUS FALLS TO HERMAN IN GRANT COUNTY.

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

SECTION 1. That S. Frognor and Charles Pullmar, of Grant county, and G. O. Dahl of Fergus Falls, Otter Tail county, are hereby appointed commissioners to locate, survey and establish a state road from the village of Fergus Falls in Otter Tail county to the village of Herman in Grant county.

SEC. 2. It shall be the duties of said commissioners to meet at Fergus Falls on or before the first day of July, A. D. eighteen 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 the 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 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 damage pertains as 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 sightly 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 said road may pass, together with an accurate statement of all damages awarded by them, the said commissioners, which said plat and statement of said damages shall be signed and certified to by 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 said lands through which

the said road may pass, and if any person feels aggrieved by such appraisement, he may; within thirty days after notice of such appraisement, by himself or agent, appeal to the district court of the county in which such road is located, in the manner provided for appeals from justices' courts; *Provided*, that the posting in three conspicuous places for the period of thirty days in each of the counties through which the 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 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. 8. This act shall take effect and be in force from and after its passage.

Approved March 6, 1879.

CHAPTER CCLVII.

AN ACT TO PROVIDE FOR SURVEYING, LOCATING AND ESTABLISHING A STATE ROAD FROM LAKE PARK, IN BECKER COUNTY, TO SAINT VINCENT, IN KITTSOON COUNTY.

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

SECTION 1. That James P. Nelson, of Warren, William Box, of Crookston, and D. J. Froshaug, of Lake Park, are hereby appointed commissioners to locate, survey and establish a state road from Lake Park, in Becker county, to St. Vincent in Kittsoon county.

SEC. 2. That said commissioners, or a majority of them, shall meet at the town of Lake Park, any time after the passage of this act and before the first day of November next, and then and there proceed to locate and survey said road.

SEC. 3. Said commissioners are hereby authorized to employ one surveyor, two chainmen, and one axman, who together with said commissioners shall receive the sum of two dollars per day, except the surveyor who shall receive three dollars per day.

SEC. 4. Said commissioners shall on or before the first day of December next, cause an accurate plat of the survey and location