

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.

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## 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 Kittson 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

of said road to be made and filed in the office of the county auditor of each county through which said road may pass.

SEC. 5. The expenses incurred in the surveying, locating and establishing said road shall be paid by the counties through which or in which said road shall run in proportion to the distance it shall run in said counties.

SEC. 6. It shall be the duty of said commissioners to appraise the damages that may accrue to the owner of any lands through which said road may be established, and on or before the first day of December next, to file such appraisal in the office of the county auditor in which such land is situate.

SEC. 7. Any owner of lands through which said road may pass may appeal from the appraisement made by said commissioners to the district court of the proper county within thirty days after the filing of said appraisement as aforesaid, but not afterwards.

SEC. 8. Such appeal shall be taken by the service of a notice in writing upon the county auditor of the county in which such lands are situated, and on the filing in the office of the clerk of district court a copy of such notice with proof of service, such appeal shall be prosecuted and determined in said court as other cases.

SEC. 9. All damages appraised by said commissioners or determined and awarded by the court shall be paid by the county in which the land is situate, except when the land is situated in an organized town, then and in that case the damage determined or awarded shall be paid by said town.

SEC. 10. This act shall be in force from and after its passage.

Approved March 6, 1879.

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## CHAPTER CCLVIII.

AN ACT TO LOCATE AND ESTABLISH A STATE ROAD FROM THE TOWN OF STEWART, IN McLEOD COUNTY, THROUGH SIBLEY COUNTY, TO THE NORTH LINE OF NICOLLET COUNTY, WITH A BRANCH LINE TO THE EAST LINE OF RENVILLE COUNTY.

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

SECTION 1. That James Bordnell, Jacob Otter, and Mr. Lindstrom, county commissioners, are hereby appointed commissioners to survey, locate and establish a state road from the town of Stewart, in McLeod county, across the town of Round Grove, in McLeod county, and the towns of Bismark and Cornish in Sibley county, to the north line of Nicollet county, with a branch line to Renville county line.

SEC. 2. Said commissioners shall meet at Stewart, in McLeod county, on or before the first day of May, eighteen hundred and seventy-nine, and proceed to discharge the duties imposed upon