

CHAPTER 175,

[H. F. No. 238.]

AN ACT AUTHORIZING THE COUNTY SURVEYORS TO ESTABLISH THE BOUNDARY LINES OF HIGHWAYS.

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

SECTION 1. It is the duty of the county surveyor, when requested by the supervisors of any town in his county, as hereinafter provided, to survey, plat and fix the boundaries of any highway situate in such town.

Highways,
boundary lines.

SEC. 2. It shall be the duty of the supervisors of the several towns, whenever requested by any freeholder or freeholders whose lands are intersected by or adjoins any highway, to notify the county surveyor to make an accurate survey and establish the true boundaries of any highway in such town; provided that all the costs and expenses thereof, except the fees of such supervisors, shall be paid by such applicant or applicants.

County
surveyor to
make survey.

SEC. 3. Notice of the time and place of making such survey, and of establishing such boundary lines, shall be given by such supervisors to all persons the boundaries of whose lands may be thereby affected, at least ten (10) days before the time fixed for making the same, by serving said notice upon such persons, and all occupants of lands affected, in the manner provided by section one hundred and twenty-one (121) of chapter eleven (11) of the general statutes of one thousand eight hundred and seventy-eight (1878), except that such service, and all affidavits and returns therein provided, may be made by any person competent to serve a summons in a civil action.

Notice of time
and place to be
given.

SEC. 4. When such survey is made, the surveyor shall, within twenty (20) days thereafter, complete and file with the register of deeds a correct plat of such survey, showing courses and distances, duly certified by him, together with said notice of time and place of making the same, and proof by affidavit of the service thereof.

Plat to be filed
with register
of deeds.

SEC. 5. The register of deeds shall file the same in his office, and make entry thereof in the reception index of deeds, and the same when so filed and entered, shall be notice to all persons of the contents thereof, for which service the register shall be entitled to a fee of fifty (50) cents.

Entry to be
made in recep-
tion index.

SEC. 6. Any person feeling himself aggrieved by such survey, plat or boundary lines so established, may appeal therefrom to the district court of the proper county within thirty (30) days from the filing of such plat, by serving a notice of such appeal on the chairman of the supervisors of the town, and by giving bond with sufficient sureties to such supervisors, conditioned to pay all costs and disbursements, in case the accuracy of such plat be affirmed.

Appeal
taken.

Appeals, how
tried.

SEC. 7. Such appeal shall be tried and determined at the next term of such district court, in the same manner and subject to the same rules as those applicable to appeals in the location of public highways from judgments of a justice of the peace, except that the clause limiting appeals to causes where the damages claimed exceed one hundred (100) dollars, shall not apply.

SEC. 8. Unless such appeal be so taken, and such survey set aside, such plat shall be conclusive evidence that the boundaries so established are true and correct.

When act to
take effect.

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

Approved March 19, 1889.

CHAPTER 176.

[H. F. No. 489]

AN ACT TO LEGALIZE THE ORGANIZATION OF CERTAIN TOWNSHIPS.

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

Legalizing
organization of
townships.

SECTION 1. That all townships in this state heretofore organized or attempted to be organized, under the general laws of this state and now exercising the powers of bodies corporate, are hereby legalized as towns with all the powers, franchises and liabilities of such bodies corporate as provided by chapter ten (10) of the general laws of one thousand eight hundred and seventy-eight (1878) and subsequent laws of this state, with their boundaries as now actually organized, whether the same comprise one (1) or more congressional townships, or fractional part or parts thereof; and all the acts performed by any officer or officers of such town or towns within the scope of the laws of this state, are hereby legalized. Provided, that nothing herein contained shall in any way affect any action or proceeding now pending.

When act to
take effect.

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

Approved April 17, 1889.