

CHAPTER 257.

AN ACT TO AUTHORIZE THE PARTIAL DRAINAGE OF A CERTAIN
LAKE IN DOUGLAS COUNTY.

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

SECTION 1. That Daniel E. Robinson, William Hounsell, William H. Halstead, Charles E. Jenkins, William S. Moles, Henry Erickson and such other persons as they may associate with them, are hereby authorized to re-open and cause one of the natural outlets of Lake Mary, in said county, to be re-opened to its natural depth, so as to lower the water of said lake not to exceed four (4) feet.

SEC. 2. That in order to carry out the provisions of this act, the persons named in section one (1) are authorized to employ a competent surveyor or civil engineer, who shall proceed under the direction of a majority of the persons named in section one (1) of this act, to ascertain as near as possible the old natural outlet and water course of said Lake Mary from the outlet to the terminus, which outlet and water course is situated in the southwest quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) and lot four (4), in section thirty-three (33), in township one hundred and twenty-eight (128), of range thirty-eight (38), in said county. And such surveyor or civil engineer shall cause stakes to be set along said outlet and water course numbered progressively down stream at each one hundred (100) feet, each stake showing in figures marked thereon the grade, fall or level from one stake to the other, and also make a computation of the total number of cubic yards of earth to be excavated and moved from said outlet and water course, and estimate the total cost of construction of the whole work.

SEC. 3. That the total cost and expense of reopening the outlet and water course of said Lake Mary, including the costs of a surveyor or civil engineer and his assistants, shall be paid by all the owners of lands whose lands shall be benefited by such drainage of said lake.

SEC. 4. That upon the commencement of any work for the drainage of said lake, any one of the persons named in section one (1), shall first obtain the written consent for such drainage from all persons owning lands on the shore of said lake, and whoever shall be affected by such drainage of said lake, and such person shall further ascertain that such draining of said lake does not in any manner damage or destroy any improved or utilized mill power upon any water course or outlet of said lake, in which event any work to drain and lower said lake shall immediately stop, unless the owner of lands to be benefited by such drainage shall be willing to pay for any and all damages resulting to any such mill power, to the person or persons owning any such mill power, before any draining of such lake shall be commenced.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved February 27, 1883.