

boomage in such case, shall not exceed one half the amount allowed under the provisions of this act for booming and rafting: *Provided*, That the said Boom Company shall not be held accountable for the loss of any logs or other timber, resulting from the so turning out of said logs or other timber.

M. E. AMES,

Speaker of the House of Representatives.

D. B. LOOMIS,

President of the Council.

APPROVED, February thirteenth, one thousand eight hundred and fifty-one.

ALEX. RAMSEY.

SECRETARY'S OFFICE, }

St. Paul, May 13, 1851. }

I hereby certify the foregoing to be a true copy taken from the original on file in this office.

C. K. SMITH,

Secretary of the Territory of Minnesota.

Feb. 7, 1851.

CHAP. IX.—*An Act to incorporate the Saint Croix Boom Company.*

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That Orange Walker, John McKusick, George B. Judd, Levi Churchill, Socrates Nelson, Daniel Mears, W. H. C. Folsom, William Kent, and their associates, successors and assigns, be, and they are hereby constituted a body corporate and politic, for the purposes hereinafter mentioned, by the name of the "Saint Croix Boom Company," for the term of fifteen years; and by that name, they and their successors, shall be and they are hereby made capable in law, to contract, and be contracted with, sue and be sued, plead and be impleaded, prosecute and defend, answer and be answered, in any court of record or elsewhere, and to purchase and hold any estate, real, personal, or mixed, and the same to grant, sell, lease, mortgage, or otherwise dispose of, for the benefit of said Company; to devise and keep a common seal, to make and enforce any By-Laws not contrary to the Constitution and laws of the United States, or of this Territory, and to enjoy all the privileges, franchises, and immunities incident to a corporation.

SEC. 2. The Capital stock of said Company shall be ten thousand dollars, in shares of one hundred dollars each; and the Board of Directors shall have power, at any time whenever a majority in value, of the stockholders, shall deem the same advisable, to increase the said capital stock, to an amount not exceeding in the whole, twenty-five thousand dollars, and the stockholders shall be individually liable for the debts of said Company.

SEC. 3. Any three of the individuals named in the first section of this act, shall be authorized to cause books to be opened at Stillwater, in the county of Washington, for the purpose of receiving subscriptions to the capital stock of said Company, first giving twenty days' notice, in any two newspapers published in this Territory, of the time and place of opening such books.

Corporate name and powers.

Capital stock—how divided, stockholders individually liable.

Books—how and where to be opened.

SEC. 4. Whenever five thousand dollars of capital stock shall have been subscribed, and five dollars upon each share so subscribed for, shall have been actually paid in, any number of the subscribers who shall represent a majority of the then subscription to said stock, shall be authorized to call a meeting of the several subscribers thereunto, by giving ten days' notice of the time and place of such meeting, in any two newspapers published in this Territory; and those of the subscribers who may be present at such meeting, so called, shall have the power and be authorized to elect a Board of five Directors from the stockholders of said Company.

Organization—
how effected.

SEC. 5. The Board of Directors, thus chosen, shall proceed to elect one of their number as President of said Company, and shall choose one person who shall act both as Treasurer and Secretary of said Company, and who shall give bonds, to be approved by the President and Directors, to the said President and Directors, in the penal sum of five thousand dollars, conditioned for the faithful and correct discharge of his duty as Treasurer and Secretary; and at such first meeting, said President and Directors, shall prepare and adopt a code of By-Laws for the regulation and government of the affairs of said Company, which may be altered or amended at any subsequent meeting of said Board of Directors.

President to be
chosen; to give
bond.

SEC. 6. The said President, Directors and Treasurer and Secretary, chosen according to the provisions of the two preceding sections, shall remain in their several offices, until the Wednesday immediately preceding the twenty-fifth day of December in the year of our Lord, one thousand eight hundred and fifty-one upon which said Wednesday, a meeting of the said stockholders, shall be held, and a Board of five Directors chosen, who shall remain in office for one year thereafter; and annually thereafter, on the Wednesday next preceding the twenty-fifth day of December, of each year, a meeting of the stockholders shall be held and a Board of five Directors shall be chosen for the ensuing year: *Provided*, That if any vacancy shall be created in any office, by reason of resignation, death or otherwise, the Board of Directors shall have power to fill such vacancy for the remainder of the term: *Provided*, also, That the President of said Company shall be chosen from the five Directors thereof, and a Treasurer and Secretary shall always be chosen by the said Board of Directors, according to the provisions of the fifth section of this act.

Term of office,
and choice of offi-
cers.

SEC. 7. The President of said Company shall have power to call a meeting of the stockholders at any time, by giving twenty days' notice of the time and place of said meeting in any two newspapers published in this Territory; and any three of the Board of Directors, or a majority in value of the stockholders, shall have the like power to call such meeting of the stockholders in like manner: *Provided*, That the duties and powers of the President, not in this act specifically set forth, shall be specified and prescribed in the By-Laws adopted by the Board of Directors, according to the provisions of the fifth section of this act.

Meetings; how
called.

SEC. 8. The Board of Directors shall meet at such times and places as they shall regulate by their By-Laws; they shall fix the compensation of all officers of the Company and define their duties, shall, by their By-Laws, regulate the government of all meetings of their own Board, and of the stockholders; and generally, shall have power to do all acts for the benefit, and purposes of the said Company.

The Board of Di-
rectors; their du-
ties.

The Secretary;
his duties.

SEC. 9. The Secretary shall attend all meetings of the Board of Directors and of the stockholders, and shall keep a just and true record of all the proceedings at such meetings, and as Treasurer and Secretary, shall perform such duties as the Board of Directors shall by their By-Laws prescribe.

Meetings of stock-
holders, their privi-
leges.

SEC. 10. Every share shall be entitled to one vote, and at any meeting for the choice of Directors, the five stockholders having the highest number of votes cast, shall be elected Directors; and at every meeting of the Board of Directors for the choice of President, the Director having the highest number of votes, shall be elected President: *Provided*, That at any meeting of the stockholders, a majority in value, shall constitute a quorum, with power to transact all business; and at any meeting of the Board of Directors, any three of the Board of Directors, shall constitute a quorum, with power to transact business.

Booms to be con-
structed and main-
tained.

SEC. 11. The said Company shall be, and are hereby authorized and empowered, to construct, maintain and keep a Boom upon the River St. Croix, at such point between Osceola Mills, so called, and Rock Island, so called, as they may select; in which Boom, all logs and hewn timber coming down the said river, shall be gathered by the said Company, and such logs or timber, shall not be retained in such Boom, by the said Company, for a longer period than twenty days, unless otherwise agreed by and between the owner or owners of such logs or timber and the said Boom Company, and the said Company shall be held accountable for all neglect to keep said Boom in good order and repair, and pay all damage which may occur on failure of the same.

Logs to be sorted
out, rafted and de-
livered.

SEC. 12. The said Company shall sort out the said logs and timber according to their several marks; shall raft the same out of the said Boom, sufficiently securely to run to the head of Lake St. Croix, so called, and shall deliver the same to the several owners thereof, at such points between the said Boom and the said head of the Lake St. Croix, as the said owner or owners of any particular mark or marks of logs or timber shall direct such logs or timber, so marked, to be delivered: *Provided*, That the said Boom Company shall not be obliged to retain any logs or timber at the foot of said Boom, for a longer period than five days after notice has been [given] to the owner or owners of such logs or timber, or his, or their agent, that such logs or timber are ready for delivery.

Compensation.

SEC. 13. The said Company shall demand and receive, and are hereby authorized by law, to collect the sum of forty cents per thousand feet, for every thousand feet of logs or timber, sorted out and rafted and ready for delivery, as aforesaid, at the foot of said Boom, exclusive of the charges for scaleage of such logs or timber; and for all logs sorted out, rafted and delivered, as aforesaid, at any point between the foot of said Boom, and the said Lake St. Croix, the said Company shall demand and receive, and are hereby authorized by law, to collect the sum of fifty cents per thousand feet, for every thousand feet of logs or timber so sorted, rafted, and delivered, exclusive of charges for scaleage: *Provided*, That if any logs or timber, shall not be taken away from the foot of said Boom within the five days in the preceding section mentioned, and the owner or owners of such logs or timber, shall not direct the said Boom Company within the said five days, at what point the same are to be delivered, then the said Boom Company are authorized to secure such logs or timber, at any point above the head of

Lake St. Croix, and to demand, receive, and collect therefor, the same compensation as is by this section, provided for the delivery of logs or timber at any point between the foot of said Boom and the said head of Lake St. Croix: *Provided*, That rafts of sawed lumber or timber of any kind which may by accident or otherwise, float into said Boom, shall only be charged such reasonable compensation as will indemnify the owners of said Boom for the safe delivery thereof.

Charges for scaleage, and boom charges, when due.

SEC. 14. The charges for scaleage, and the Boom charges aforesaid, shall be deemed due and shall be paid to the said Company when the said logs are scaled and are ready for delivery as aforesaid; and the said Company shall be responsible to the Surveyor for the scaling of such logs or timber.

Rafts and vessels to be passed freely.

SEC. 15. The said Boom Company shall always give passage, by or through their said Boom, at all times, to any raft running down the said River St. Croix, and to all steamboats, keel boats, or flat boats running either up or down the said river, without any let, hindrance or delay, by reason, or on account of said Boom.

Legislature reserves the right to alter or amend.

SEC. 16. The Legislature of this Territory shall have the right to alter or amend this act, at any time after the period of ten years from the passage of this act.

M. E. AMES,
Speaker of the House of Representatives.
D. B. LOOMIS,
President of the Council.

APPROVED, February seventh, one thousand eight hundred and fifty-one.

ALEX. RAMSEY.

SECRETARY'S OFFICE,
St. Paul, Feb. 20, 1851. }

I hereby certify the foregoing to be a true copy from the original on file in this office.

C. K. SMITH,

Secretary of the Territory of Minnesota.

CHAP. X.—An Act to authorize the Establishment and Regulation of Ferries.

Feb. 19, 1851.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, The Board of Commissioners, of any county in this Territory, may grant a license to any person applying therefor, to keep a Ferry across any stream within their respective counties, upon being satisfied that a Ferry is necessary at the point applied for; but no Ferry shall be established within one-half mile of any Ferry already established, unless when the County Commissioners think it necessary.

The Board of Commissioners of any county may grant licenses.

SEC. 2. The Board of Commissioners shall tax such sum as may appear reasonable, not less than five, nor more than fifty dollars per annum; and the person to whom such license shall be granted, shall pay to the County Treasurer, the tax for one year in advance, and file the receipt therefor with the Register of Deeds; and shall also pay to the said Register one dollar, as fees for issuing said license.

Tax for licenses.