

SECRETARY'S OFFICE,  
St. Paul, March 30th, 1854. }

I hereby certify the foregoing to be a correct copy of the original act on file in this office.

J. TRAVIS ROSSER,

Secretary of Minnesota Territory.

CHAPTER 3.

An Act to amend an Act entitled "An Act to Incorporate the St. Croix Boom Company.

March 8, 1854.

SECTION.

1. St. Croix Boom Company—Corporators—Term of duration—May hold property.
2. Capital Stock.
3. Books where opened.
4. Company, how organized.
5. Officers.
6. Elections.
7. Meetings how called—bys-laws.
8. Duties of Directors.
9. Of the Secretary.

SECTION.

10. Votes—quorum:
11. Company may construct and maintain a Boom—Proviso.
12. Logs, how sorted and delivered.
13. Compensation—proviso.
14. Compensation, when due and how paid—proviso.
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16. Amendment.
17. Logs may be turned through loose.
18. Report to Government.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That the Act entitled "an act to incorporate the St. Croix Boom Company," passed February 7th, 1851, be, and the same are hereby amended to read as follows :

St. Croix Boom Company.

SECTION 1. That Orange Walker, John McKusick, George B. Judd, Levi Churchill, Socrates Nelson, Daniel Meers, W. H. C. Folsom, and 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.

Corporators.

Term of duration.

May hold property.

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-

Capital stock.

five thousand dollars. And the stockholders shall be individually liable for the debts of said company.

Books, where  
opened.

SEC. 3. Any three of the individuals named in the first section of this act, shall be authorised 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 said books.

Company, how  
organised.

SEC. 4. Whenever five thousand dollars of the 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 authorised 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 authorised to elect a board of five directors from the stockholders of said company.

Officers.

SEC. 5. The board of directors thus chosen, shall proceed to elect one of their number as president of the 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.

Elections.

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 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 the 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.

Vacancies, how  
filled.

Meetings, how  
called.

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.

Bye-Laws.

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.

Duties of Directors.

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 of such meetings, and as treasurer and secretary, shall perform such duties as the board of directors, shall, by their by-laws prescribe.

Of the Secretary.

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, shall be elected directors, and at every meeting of the board of directors, for 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 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.

Votes.

Quorum.

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 or running down the said river, shall be gathered by the said company; and such logs or timber shall be sorted, rafted in rigging, and delivered as hereinafter provided, by said company within a period of 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 damages which may occur on failure of the same:

Company may construct and maintain a Boom.

*Provided*, That, if any logs which come into said boom, shall not be delivered within a period of twenty days, as before provided, the said boom company shall be liable to pay the owner or owners thereof, such damage as the said owner or owners may suffer in consequence of such failure so to deliver said logs or timber.

*Provided also*, That rafts of sawed lumber, or timber of any kind which may by accident float into said boom, shall only be charged such reasonable compensation as will indemnify the owners of said boom for the safe delivery thereof.

Proviso.

SEC. 12. The said company shall sort out the said logs and timber, according to their several marks; shall raft the same in rigging out of the said boom, sufficiently secured to run to the head of Lake St. Croix, so called, and shall deliver the same to the owner or owners thereof, at such points between the said boom and the head of 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 three days.

Logs, how sorted and delivered.

SEC. 13. 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 out and rafted, and made ready for delivery as aforesaid, at the foot of said boom; and fifty-five cents per thousand feet as aforesaid, for all logs sorted out, rafted as aforesaid, and delivered in the Cedar

Compensation.

Bend Sloughs; and sixty-five cents per thousand feet as aforesaid, for all logs or timber, sorted out and rafted as aforesaid, and delivered at any point between Cedar Bend Sloughs and Arcola; and seventy cents per thousand feet, as aforesaid, for all logs sorted out rafted as aforesaid, and delivered at any point between Arcola and the head of Lake St. Croix.

*Proviso.*

*Provided,* That if any logs or timber shall not be taken away from the foot of the boom within the three 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 three days, at what point the same are to be delivered, then the said boom company are authorised to secure such logs or timber at any point between the foot of said boom and the head of Lake St. Croix, and to demand, receive and collect therefor the same compensation as is hereinbefore provided, for the delivery of logs or timber at any point between the foot of said boom and the head of Lake St. Croix.

*Provided,* That in all cases the rigging used in rafting and securing logs and timber as aforesaid, shall be and remain the property of the said boom company.

Compensation when due and how paid.

SEC. 14. All the aforesaid charges for booming, sorting out, rafting and delivering logs or timber as aforesaid, shall be deemed due, and shall be paid to the said company, when the said logs or timber are ready for delivery as aforesaid. And it is hereby further provided, that the said boom company shall have a complete lien upon and special property in said logs and timber so boomed and sorted out of each of the respective marks, for all boomage and charges that may be due to said company for logs of such several marks from the several owners thereof.

*Proviso.*

*Provided,* That whenever any sum or sums of money shall have accrued or become due to said company for the boomage of logs or timber as hereinbefore provided, which shall not be paid to said company, on demand from the owner or owners, after the same becomes due, the said company shall be, and are hereby authorised, to scale, or cause to be scaled, a sufficient quantity and amount of logs or timber of such particular mark or marks of logs for which such boomage is due, and take, and retain a sufficient amount and quantity of such mark or marks of logs so scaled, as the maximum, or highest market price at said boom, to pay such sum or sums so due.

Channel not to be obstructed.

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, flat boats, or other water crafts running up or down the said river, without any let, hindrance or delay, by reason or on account of said boom.

*Amendment.*

SEC. 16. The legislature of this Territory shall have the right to alter or amend this act at any time.

Logs may be turned through boom.

SEC. 17. That any owner or owners of logs or timber shall have the same turned through said boom by giving thirty days' previous notice, paying ten cents per thousand feet as compensation for handling, catching, marking and turning through said logs, to be collected as hereinbefore provided.

Report to Governor.

SEC. 18. The Treasurer of said Company shall on or before the first day of January annually, make a correct report of the financial condition of said company to the Governor of this Territory.

SEC. 19. This act shall take effect and be in force from and after its passage.

N. C. D. TAYLOR,  
*Speaker of the House of Representatives.*  
 S. B. OLMSTEAD,  
*President of the Council.*

APPROVED—March third one thousand eight hundred and fifty-four.

W. A. GORMAN.  
 SECRETARY'S OFFICE,  
 St. Paul, April 1st, 1854. }

I hereby certify the foregoing to be a correct copy of the original act on file in this office.

J. TRAVIS ROSSER,

*Secretary of Minnesota Territory.*

CHAPTER 4.

*An Act in relation to Ferries.*

March 3, 1854.

SECTION.

1. Ferries, how established.
2. Copy filed with Register of Deeds of adjoining county.

SECTION.

3. Annual Tax—Proviso.
4. Term of License.

*Be it enacted by the Legislative Assembly of the Territory of Minnesota:* That when any person or persons shall desire to establish a ferry across any stream in this Territory, the same being in two counties, said person or persons shall make application to the board of County Commissioners of the county in which he or they may reside, and the County Commissioners may grant a license upon being satisfied that a ferry is necessary at the point applied for.

*Ferries—how established.*

SEC. 2. And when any license is granted as aforesaid, the person or persons to whom the same shall be issued, shall within ten days file a certified copy of said license with the clerk of the board of County Commissioners of the county in which said ferry may be, other than the county granting said license, and from and after the filing of said certified copy of license as aforesaid, the County Commissioners of said county shall not license any ferry within one half mile of the point designated in said copy of license as the ferry landing.

*Copy filed with Register of Deeds of adjoining county.*

SEC. 3. In addition to the tax now provided by law, the person or persons to whom any license shall issue as aforesaid, shall pay into the county treasury of the county in which said copy of license is filed, on the first day of January next, succeeding the filing thereof, and annually thereafter the sum of five dollars; *Provided*, that if the person or persons shall neglect or refuse for the period of thirty days after the same shall have become due, the County Commissioners may declare said license forfeited, and proceed to license, on application, another in lieu thereof.

*Annual tax.*

*Proviso.*