

CHAPTER IX.

For an Act to Incorporate the La Crescent Gravel and Plank Road Company.

- SECTION 1. Incorporation—Privileges and Franchises.
 2. Purposes of said Incorporation.
 3. Capital Stock.
 4. Board of Directors—How elected.
 5. President—How elected, and duties.
 6. Powers of Directors.
 7. Willful obstructions—Penalty.
 8. Town may Purchase.

Be it enacted by the Legislative Assembly of the Territory of Minnesota:

SECTION 1. That S. T. Smith, J. O. Nanim, Theodore Rodolph, W. A. Draper, F. A. Moore, and Thomas McRoberts, and their associates, successors and assigns, be and they are hereby constituted a body corporate and politic, for the purpose hereinafter mentioned, under the name and style of the "La Crescent Gravel and Plank Road Company," and by that name shall be capable of suing and being sued, pleading and being impleaded, answering and being answered, defending and being defended, in all courts both of law and equity, in all manner of actions, suits, complaints, and all matters and causes whatever, may have a common seal and alter the same at pleasure, and by said name may be capable of purchasing, holding, and conveying any estate or property, real or personal, for the use and benefit of said corporation. Said Corporation may elect in such manner as they may determine, all necessary officers, fix their salary and define their duties, ordain and establish by-laws, for the proper government and regulation of the officers of said Company, and alter, amend or repeal the same at pleasure, and employ all such agents, mechanics and laborers, as they may deem proper.

SECTION 2. Said Corporation shall enjoy all the rights and privileges incident to a Corporation, for the purpose of constructing a road not less than sixteen (16) foot face, and covered with gravel or plank, to commence at the centre of Mississippi avenue and Sycamore street, in the town of La Crescent, in Houston county, in this Territory, and run with Sycamore street to Minnesota avenue, thence with Minnesota avenue to a point within one hundred feet of the bank of the Mississippi River.

SECTION 3. The capital stock of this Company shall not exceed Fifteen Thousand Dollars, and shall be divided into shares of Twenty-five Dollars each, and shall be deemed as personal property, and may be transferred in such manner as the by-laws of the Company may direct, and the said Com-

pany may commence work when fifty shares of the capital stock shall have been subscribed and ten per cent. thereon actually paid into the Treasury.

Board of Directors.

SECTION 4. The property and affairs of said Corporation shall be managed and conducted by a Board of Directors whose number shall be five, and who shall be elected annually, and who shall be stockholders in said Corporation, and who shall be elected as aforesaid by the stockholders at such time and place as shall be directed by the by-laws of said Corporation, each share of stock being entitled to one vote, which vote or votes may be cast by the holder of the share or shares, or by proxy duly authorized thereto, and all such elections shall be by ballot, and the persons having a majority of the votes cast, shall be Directors for the ensuing year, and until their successors are elected and duly qualified, and when any vacancy may happen, it shall be filled for the remainder of the year in such manner as provided by the by-laws of said Corporation. Said Directors shall have power to decide the time, place, manner, and proportion in which the stockholders shall pay assessment on their respective shares, and to make rules respecting the forfeiture of stock and shares, as they may deem advisable. *Provided*, That no stock or share of a stockholder in said Company shall be forfeited, without previous notice to the stockholders, by publication in some weekly newspaper in Minnesota for three successive weeks.

Powers.

President, &c.

SECTION 5. The Directors of said Company shall choose one of their number President, who shall preside at all meetings of said Directors in which he shall be present. They shall also elect one of their number Vice President, who shall preside in all meetings of said Directors, in the absence of the President. They shall also choose some suitable person to be Secretary, whose duty shall be defined by the by-laws of said Corporation.

Rates of Toll.

SECTION 6. The Directors of said Company shall have power to regulate tolls on their said road, not exceeding the following: For each horse, mare or mule, with or without a rider, five cents; each head of loose cattle, three cents; each sheep or swine, two cents; each single horse carriage, ten cents; each two horse carriage, twenty-five cents; each two horse or two ox wagon, forty-five cents; each additional pair of horses or oxen, ten cents; each single horse sleigh, ten cents; each double horse or ox sleigh, fifteen cents. And the toll gatherer on said road may detain and prevent from passing such road any vehicle, carriage, or animal subject to toll until the toll thereon is paid.

Wilful obstruction.

SECTION 7. If any person shall wilfully and knowingly obstruct, break, injure or destroy the Gravel and Plank Road to be constructed by said Company, or any part thereof, or any work, building or fixture attached to or in use upon the same, belonging to said Company, such person or persons so offending shall each of them, for every offence, be liable to a

civil suit for the recovery of damages by said Company, by an action of trespass in any court having competent jurisdiction in the county wherein the offence shall have been committed, and shall also be subject to indictment, and upon conviction shall be punished by fine and imprisonment, or either, at the discretion of the court.

SECTION 8. The town of La Crescent may at any time after the road has been completed and put in operation, purchase the same for a price not exceeding the whole cost and expense of the construction, and all of the expense incurred in and about the road at the time of such purchase, and it shall be lawful for a majority of the stock to transfer the same to the town of La Crescent. And whensoever the road shall be purchased or transferred as aforesaid, it shall become free to all travel and for all highway purposes. May purchase.

J. W. FURBER,
Speaker of the House of Representatives.
JOHN B. BRISBIN,
President of the Council.

APPROVED—March 7, one thousand eight hundred and fifty-seven.

W. A. GORMAN.

SECRETARY'S OFFICE, MINNESOTA, }
SAINT PAUL, March 10, 1857. }

I certify the above to be a true copy of the original on file in this office.

J. J. McCULLOUGH,
Acting Secretary.

CHAPTER X.

An Act authorizing Married Women to convey Real Estate by Power of Attorney.

- SECTION 1. May convey by lawful agent
2. Acknowledgment of Wife—how taken.
3. To take effect.

Be it enacted by the Legislative Assembly of the Territory of Minnesota :

1 A Husband and Wife may convey, by their lawful agent or attorney, any estate or interest in any lands situate within this Territory, and all deeds of conveyance of any such lands, whether heretofore, or hereafter made under a joint Power of Attorney from the Husband and Wife, shall be as binding, and have the same effect as if made and executed by the original parties. Convey by Agent.

2 When any Married Woman residing within this Territory Power of At-
torney.