

APPROVED—May twenty-second, one thousand eight hundred and fifty-seven.

S. MEDARY.

SECRETARY'S OFFICE Minnesota, }
SAINT PAUL, July 22, 1867. }

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

CHAS. L. CHASE,
Secretary of Minnesota Territory.

CHAPTER LXXII.

An Act to Incorporate the Upper Minneapolis Bridge Company.

- SECTION 1 Incorporators and powers of Incorporation.
2 Capital Stock—Power to increase the same.
3 Authority to open Books of Subscription.
4 Provides for the election of a Board of Directors.
5 Officers of Board of Directors—Duties.
6 Term of Office—Annual Elections.
7 President may call meetings at any time.
8 Meetings of Board of Directors.
9 Relates to voting.
10 Authority to construct a Bridge—materials and manner of construction.
11 Bridge to be completed within three years.
12 Rates of toll.
13 Legislature may limit tolls after the expiration of five years.
14 Takes effect on passage.

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

Incorporators SECTION 1. That Alexander Moore, H. S. Plummer, O. D. Davison, John G. Sherburne, Stephen Cobb, Edward Patch, Wm. Dugas, Francis Morrison, John H. Spear, J. S. Demen, and their associates, successors and assigns be, and they are hereby, constituted a body corporate, for the purposes hereinafter mentioned, by the name of the Upper Minneapolis Bridge Company for the term of thirty 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,

Powers sue and be sued, plead and be impleaded, prosecute and defend, in any Court of Record, and elsewhere, and to purchase and hold any real estate, personal and 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 thirty 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 said capital stock to an amount not exceeding in the whole, the sum of fifty thousand dollars.

Capital stock

SEC. 3. Any three of the individuals named in the first section of this Act, shall have power and be authorized to cause books to be opened in Saint Anthony and Minneapolis, and such other place or places in Hennepin county as they shall designate, for the purpose of receiving subscriptions to the capital stock of said Company, first giving two weeks' notice in any two newspapers published in the Territory, of the time and place of opening such books.

Open books.

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

Notice of meeting to elect Directors

SEC. 5. The Board of Directors thus chosen shall proceed to elect one of their number as President of said Company, and shall also choose one person to act as both Treasurer and Secretary of said Company, and who shall give bonds to said President and Directors, to be approved by them, and in such sum as they may require, conditioned for the proper discharge of his duties as Secretary and Treasurer; and at such first meeting, or as soon thereafter as practicable, 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 by a majority thereof.

Election of officers

Power to make by-laws and ordinances

SEC. 6. The several officers chosen as above provided, shall remain in their several offices until the first Monday in January following such election, upon which said Monday a meeting of the stockholders shall be held, and a Board of seven Directors shall be chosen, who shall remain in office for one year thereafter, and until others are chosen in their stead, and annually thereafter on the first Monday of January

Term of office

Election of suc-
cessors

in each year, a meeting of the stockholders shall be held and a Board of seven Directors chosen for the year ensuing; *Provided*, that a majority of the Board of Directors shall have power to fill any vacancy that may occur for any cause in said Board for the remainder of the term; *Provided, also*, That the President of said Company shall be chosen from the seven Directors thereof, and a Treasurer and Secretary shall always be chosen by said Board of Directors according to the provisions of the fifth section of this Act.

President to
call meeting

SEC. 7. The President of said Company shall have power to call a meeting of the stockholders at any time, by giving not less than two weeks' notice of the time and place of holding such meeting, in any two newspapers published in this Territory, and any four of the Board of Directors, or a majority in value of the stockholders shall have like power to call such meeting in like manner; *Provided*, That the duties and powers of the President, Secretary and Treasurer, 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.

Powers of Di-
rectors

SEC. 8. The Board of Directors shall have power to fix the time and place of their meetings, the compensation of all officers of the Company, and to define their duties; to regulate the government of all meetings of their own Board, and generally shall have power to do all acts for the benefit of said Company, not inconsistent with the provisions of this act.

Voting

SEC. 9. Every share shall be entitled to one vote, and at any meeting for the choice of Directors, the seven 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 cast 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 four of the Board of Directors shall constitute a quorum to transact business.

Build bridge

SEC. 10. The said Company shall be, and are hereby, authorized and empowered to construct maintain and keep in repair, a bridge across the Mississippi River, of such materials as the stockholders shall deem expedient, to be erected across said River above the Falls of Saint Anthony, at a point where the south line of section ten, township twenty-nine, north of range twenty-four west, crosses said river, or within one mile north from said line; the location to be at such point between the above mentioned bounds, as a majority in value of the stockholders shall designate at a meeting regularly called for that purpose; said bridge to be constructed with a draw of at least one hundred and forty feet in width, or seventy feet clear on each side of the center; *Provided*, That nothing herein contained shall be so construed

as to authorize the said Company in any manner to obstruct the free passage of all water crafts, rafts or lumber; *Provided, also,* That said bridge Company or their agents shall be obliged on the tender of toll as prescribed by law, by any person or persons, at all times to permit said person or persons to pass, with or without teams or cattle, at the option of such person or persons, under the penalty of twenty dollars for every such refusal, and such damage as may be sustained by such person or persons in consequence of such refusal, said penalty to be recovered by any person suing therefor, before any court having jurisdiction of the same.

Sec. 11. The said bridge shall be commenced within two years, and finished within three years of the passage hereof, on failure whereof, all the privileges conferred by this act shall be forfeited. Completion

Sec. 12. The rates charged for crossing said bridge shall not exceed the following, for the first five years after the same is completed:

For each foot passenger, - - - - -	5 cents	
For each horse, mare, or mule, with or without rider, - - - - -	10 cents	
For each two horse, two mule, or two ox team, loaded or unloaded, with driver, - - - - -	20 cents	Rates of toll
For each single horse carriage, - - - - -	20 cents	
For each additional cow or ox, - - - - -	5 cents	
For each swine or sheep - - - - -	2 cents	

Sec. 13. The Legislature shall have the right of limiting the rates of toll after the expiration of five years after the completion of said bridge, so far as to admit of passage over it. Limit toll

Sec. 14. This Act shall take effect from and after its passage.

J. W. FURBER,
Speaker of the House of Representatives.

JOHN B. BRISBIN,
President of the Council.

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