

CHAPTER L.

An Act to Authorize the Establishment and Regulation of Dams for Sluicing Logs, Timber and Lumber.

- SECTION 1. Duty of board of county commissioners.
2. When stream runs between two counties, either board of county commissioners may have full jurisdiction.
 3. Licenses to be sealed with the seal of the board of county commissioners—period for which licenses may be granted.
 4. How license to be applied for—how renewed.
 5. Applicant to file bond, conditioned that he will construct and maintain such dam.
 6. Board of county commissioners to establish rate of toll.
 7. Proceedings against persons refusing to pay toll.
 8. Act, when to take effect.

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

SECTION 1. The board of county commissioners of any county in this State, may grant a license to any person or persons applying therefor, to construct and maintain a dam across any stream, within their respective counties for the purpose of raising a head of water sufficient to sluice logs, timber or lumber, upon being satisfied that such sluice dam is necessary at the point applied for, and that the land on both sides of the stream is in the possession or under the control of the person or persons so applying for a license.

Duty of Board of County Commissioners

SEC. 2. In all cases, when the stream across which a license for a sluice dam is sought, runs between two counties, the board of county commissioners of either county shall have as full jurisdiction in the premises as though the stream was wholly within the county of which they are commissioners. And when the board of county commissioners of either county shall have exercised jurisdiction under this Act, and shall have granted a license thereunder, the county commissioners of no other county shall have any power to exercise any jurisdiction over the same.

When runs between two counties who to have jurisdiction

SEC. 3. All licenses granted under the provisions of this Act shall be sealed with the seal of the board of county commissioners and signed by them, attested by

Licenses to be sealed with the seal of the board

the county auditor and may be granted for a period not exceeding six years.

How license to be applied for—how renewed

SEC. 4. All persons intending to apply for a license shall give notice of their intention to apply for a license under this Act, at a certain point, by posting up at least three notices in public places at the seat of the county, and in the office of the surveyor general of logs of the district where the logs running from the place where such dam is proposed to be built, shall be required to be scaled, or if it is proposed to build said dam in an unorganized county, the said notices shall be posted up at the seat of the county to which the same may be attached for judicial purposes, and the said notices shall be given twenty days prior to such application; *Provided*, That when application shall be made for a renewal of a license, when the former license has expired, the same may be granted or renewed without previous notice.

To give bond—conditioned of

SEC. 5. The board being satisfied that for the general interest of those engaged in the lumbering business, a sluice dam is needed, and that the applicant is a suitable person to build and maintain it, shall grant the license, which however, shall not become valid until the applicant files a bond with sureties, to be approved by the board, in a penalty not less than one thousand dollars, with a condition that he will construct and maintain such dam, with all reasonable diligence and skill for the purpose of sluicing logs, timber and lumber, and to facilitate the driving of the same on such stream, and with such further special conditions, relating to the construction and operation of such dams as the case may require.

Who to establish rate of toll

SEC. 6. Whenever a board of county commissioners of any county shall grant a license to construct and maintain a sluice dam across any stream within their jurisdiction, the said board shall establish the rate of tolls, which may be demanded for the sluicage of logs, timber and lumber, *Provided*, That the tolls shall not exceed the sum of six cents per thousand feet so sluiced, *Provided*, That at the Snake River dam, in Pine county, the said toll shall be ten cents.

SEC. 7. All tolls chargeable under this Act, for sluicing logs, timber and lumber, shall be deemed due, and shall become payable as soon as said logs, timber or lumber shall have been sluiced, and for the payment of the said tolls, the proprietor or proprietors of the sluice

dam shall have a complete lien upon said logs, timber or lumber, until the said tolls shall have been paid. And when said tolls so due, for sluicing logs, timber or lumber, shall not be paid on demand by the owner or owners thereof, the proprietor or proprietors of the dam through which the same shall have been sluiced, are hereby authorized and empowered to take and sell a sufficient quantity of the logs, timber or lumber, at public auction to pay the tolls so due; *Provided*, That written or printed notices of the sale shall be posted up at the office of the surveyor general of logs and lumber of the district, and at the seat of the county in which said property shall have been seized.

Proceedings
against persons
refusing to pay
toll

SEC. 8. This Act shall take effect and be in force from and after its passage.

Approved March 2d, A. D. 1861.

CHAPTER LI.

An Act to Amend An Act Entitled An Act to Regulate the Traffic in Logs and Lumber, Approved August Ninth, One Thousand Eight Hundred and Fifty-Eight, and to Repeal An Act Amendatory thereto, Approved January Fourteenth, One Thousand Eight Hundred and Sixty.

- SECTION 1. Establishment of six surveying districts.
 2. Boundaries of the districts.
 3. Locations of the offices of Surveyor Generals.
 4. Repeal of former acts.
 5. Act, when to take effect.

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

SECTION 1. That section one (1) of chapter one (1) of an act entitled "an act to regulate the traffic in logs and lumber," approved August ninth, one thousand eight hundred and fifty-eight, be amended to read as follows:

Establishment of
six surveying dis-
tricts