

the opinion of said corporation the lumbering interest upon said river requires the same, and in case and so long as said upper boom is not kept up, it shall be the duty of log owners to drive their logs within the limits of the lower boom and said corporation shall receive no compensation for driving logs or timber between said booms.

Not required to keep up certain portion of said boom.

SEC. 3. All parts of said act of incorporation inconsistent with this act are hereby repealed, and this act shall take effect from and after its passage.

Repeal of inconsistent acts.

Approved February 17, 1865.

## CHAPTER LXV.

*An Act to amend an act entitled an act to incorporate the Mississippi River Improvement and Manufacturing Company.* February 17, 1865.

- SECTION 1. Amendment to section ten—when dam and lock to be completed.  
 2. Amendment to section thirteen—to open book for subscription to capital stock—what amount to be subscribed.  
 3. When meeting of stockholders may be called—for what purpose.  
 4. Repeal of former acts.  
 5. When rights etc. granted to said company shall be forfeited.  
 6. When act to take effect.

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

SECTION 1. That section ten of an act to incorporate the Mississippi River Improvement and Manufacturing Company, passed March fourth, eighteen hundred and fifty-seven, be amended so as to read as follows:

Section 10. The said dam and lock or locks, shall be completed within the space of five years after the passage of this act, and a wing dam or wing dams, ca-

When dam and lock to be completed.

nal or canals or other structures for the purpose of manufacturing in any or all of its branches, may be constructed at such point in, and on said river within the limits of sections thirty, thirty-one and thirty-two, in township twenty-nine north, of range twenty-three. west, as said company shall designate for them respectively.

To open books for subscription—what amount to be subscribed.

SEC. 2. That section thirteen of said act be so amended as to authorize any number of the persons named in the first section of said act, not less than three, to open books for receiving subscriptions to the capital stock of said corporation, which may be opened at any banking house in Minneapolis, by giving fifteen days notice in any newspaper in Minneapolis or St. Paul, of the time and place where said books shall be opened, and they shall be kept open three days or until one hundred thousand dollars of capital stock is subscribed.

When meeting may be called—for what purpose.

SEC. 3. That when said amount of one hundred thousand dollars shall have been subscribed, and ten per cent thereof paid in, any three of said persons named in the first section of the act hereby amended, being stockholders, may on a like notice of fifteen days, call a meeting of the stockholders at any place in St. Anthony or Minneapolis, to choose officers of said corporation, who shall be chosen by the stockholders by ballot, each share of the capital stock entitling the owner thereof to one vote, either in person or by proxy; a majority of all the votes cast being necessary for an election.

Repeal of former act.

SEC. 4. That sections ten, fourteen and seventeen of said act are hereby repealed.

When rights may be forfeited.

SEC. 5. That if the aforesaid lock or locks and dam, be not completed and ready for use, on or before the expiration of five years from the passage of this act, then, and in that case, the rights and franchises hereby granted to the Mississippi River Improvement and Manufacturing company shall be forfeited to the State.

SEC. 6. This act and the said act to incorporate the Mississippi River Improvement and Manufacturing Company, as herein amended, shall be and remain in force from and after the passage hereof.

Approved February 13, 1865.