

on which compensation or damages are to be awarded shall still continue in force. That the fees of the commissioners, clerk and other officers shall be paid by said company, except in case of appeal, in which case the court shall award costs to the successful party, as in other cases; *Provided*, That no appeal shall operate to stay the work upon such road or deprive said company of the use of the premises affected, in case the company shall pay into court the amount awarded by the commissioners and adjudged to the property of such appellant. That said company may exonerate itself from all liability as to the application of the amount awarded to or for any particular tract, by paying the same into court, and in all such cases the court may adjudge and determine upon motion or interpleader as between the parties claiming the same, who is entitled thereto.

Fees of commissioners, &c.

SEC. 2. This act to take effect and be in force from and after its passage.

When act to take effect.

Approved March 6, 1868.

## CHAPTER IX.

*An Act to authorize the First Division of the St. Paul and Pacific Railroad Company to construct a Branch from some point in Hennepin County, or Wright County, through Watertown and Glencoe to the Minnesota River.*

March 4, 1868.

- SECTION 1. Company authorized to construct said branch road—route of said branch road—rates of passengers and freights.
2. Laws relating to the construction of the main line, so far as applicable shall be extended to the said branch.
  3. For the convenience of operating said branch road, the Company are authorized to create general, special and preferred stock.
  4. Board of Directors may designate the name by which said branch line may be known.
  5. When act to take effect.

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

SECTION 1. That the First Division of the St. Paul

Authorized to construct branch road—rates of passengers and freight.

and Pacific Railroad Company is hereby authorized to survey, locate and construct a branch railroad from its main line at or near the south fork of Crow River, at some point in Hennepin county east of said Crow River, or at some point in Wright county east or west of said Crow River, on said main line, running thence by the most practicable route through the townsite of Watertown, in the county of Carver, and touching at or near the town of Glencoe, in McLeod county, to a point to intersect with the Minnesota River between the foot of Big Stone Lake and township one hundred and nine, range thirty, county of Brown. *Provided*, That the said company shall be bound to carry freight and passengers upon said branch railroad upon reasonable rates.

Existing laws extended to the branch.

SEC. 2. That the laws now in force relating to the construction and operating and all the provisions of the charter of the First Division of the St. Paul and Pacific Railroad Company so far as applicable, necessary and convenient, shall be extended to and be in force for the construction and operation of the branch road authorized by this act.

Authorized to create general, special or preferred stock.

SEC. 3. That if it shall be found convenient for the construction or operating of said branch road, or any portion of its main or branch lines, said company are hereby authorized to create general or common, or special or preferred stock, applicable to said branch road, or its main and branch lines or either of them, and may provide by agreement for the management of the business of said road authorized by this act as a distinct, separate interest; and they may provide that stock, bonds, debts or liabilities, issued or contracted for the benefit of said branch, shall apply to and bind only the property of said branch, and may in like manner provide that debts and liabilities contracted for the benefit of the main line, shall not be a lien or incumbrance on the branch line.

Board of Directors to name the branch.

SEC. 4. Said company may by resolution of its board of directors designate the name by which said branch line may be known, to take effect after public notice of such change or designation shall be given for one month in one of the daily newspapers of the city of St. Paul, but such change of name shall not affect any rights or liabilities of said company under any former name.

When act to take effect.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 4, 1868.