

## CHAPTER LXXI.

February 26, 1871

*An Act to amend an act entitled "An Act to amend an act to incorporate the Minnesota Western Railroad Company, approved March third (3d), one thousand eight hundred and fifty-three (1853), and the acts amendatory thereof," approved February fourth (4th), one thousand eight hundred and seventy.*

- SECTION 1. Amendment to Section five (5), Chapter fifty-seven (57), Special Laws of 1870.
- Directors authorized to borrow money—for what purpose—authorized to contract with any other company for the use of its road, franchises, etc.
2. Conditions upon which such privileges granted.
  3. When act to take effect.

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

Authorized to  
borrow money—  
for what purpose  
—further power.

SECTION 1. That section five (5) of an act entitled "an act to amend an act entitled 'an act to incorporate the Minnesota Western Railroad Company,' approved March third (3d), one thousand eight hundred and fifty-three (1853), and the acts amendatory thereof," approved February fourth (4th), one thousand eight hundred and seventy, be and the same hereby is amended by adding to section five (5) the following, to-wit: The directors of the said company, by whatever name the same may be called, shall be and they are hereby authorized and empowered to borrow money for the corporate purpose of said company, by the issue and sale of its bonds, for the purpose of the construction and equipment of any portion of its main line, or branches thereof, and shall have power to make and execute a mortgage or mortgages upon such portion of its road constructed and to be constructed, together with its franchises, and all or any part of the property of said company now in possession or hereafter acquired, and may permit or grant the right to any person or persons, either as individuals or in a corporate capacity, to construct, build, equip, hold, operate,

manage and control any such portion of said road or branches under such name and with such regulations as such person or persons or corporation may adopt, with the same right and liabilities as the said company may have or be subject to by virtue of its charter and the amendments thereto. Whenever any number of persons shall become associated as a company or corporation, pursuant to the charter of said Minnesota Western Railroad Company and the act amendatory thereof, or otherwise, for the purpose aforesaid, they shall have power at any time to contract with any other railroad company or companies of this state in relation to any matters or things touching the construction of its railroad and appendages and the running of cars and locomotives thereon, and the leasing for any term of years of the whole or any part of its railroad and franchises to any other railroad company of this state; and contracts so made shall be valid and binding on the parties thereto.

SEC. 2. This act is upon the condition that said Minneapolis and St. Louis Railway, at its points of crossing with other railroads in this state built or graded and in operation prior to its construction at such points of crossing, shall be so built as to cross the same at grade, and shall be to the expense of constructing its proper one-half of the necessary tracks for junction therewith, and also with other railroads which may be constructed after the construction of said Minneapolis and St. Louis Railway similar junctions shall be made; and that the company now or hereafter owning or operating the said railway shall transport freight from any and all stations on its line to said several points of junction or crossing, and shall also receive freight from said railroads at the several points of junction or crossing therewith for transportation, and transport the same to said stations at rates not exceeding the lowest rates charged and collected on any portion of its line of railway for corresponding distances, which said rates shall not exceed the lowest average rates of the railroads of this state for the same distance, and shall also transport the cars of said connecting railroads over its railroad, and allow for mileage on the same the rates allowed by common usage for exchange of car service from time to time, and shall afford all usual facilities accorded by railroads interchanging business; and no discrimination or preference shall be made in favor of or against any locality, person, or either of said

Conditions upon which such privileges granted.

connecting railroads; *Provided*, That said Minneapolis and St. Louis Railway shall have and enjoy the same privileges hereinbefore granted in this section over and upon the railroads of other railroad companies connecting with it as are hereby granted to said companies, and that the provisions of this section, so far as they are applicable, shall be mutual and reciprocal between said Minneapolis and St. Louis Railway and each of said connecting railroads; *Provided further*, That the said Minneapolis and St. Louis Railway Company shall not be entitled to and shall not receive any swamp lands already granted to the state of Minnesota by reason of the building of the said road, or the consolidation of said company with any other, or otherwise.

When act to take effect.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 25, 1871.

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## CHAPTER LXXII.

*An Act to correct and amend certain acts relating to the Minnesota and North Western Railroad Company.*

March 1, 1871.

- SECTION 1. Amendment to Section three (3), Chapter seventeen (17), Special Laws of 1867..  
Strike out and insert.
2. Amendment to Section three (3), Chapter fifty-seven (57), Special Laws of 1870..  
To read eleven instead of thirteen.
3. When act to take effect.

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

Strike out and insert.

SECTION 1. That section three of chapter seventeen of the special laws of 1867, the same being entitled "An act to amend an act entitled an act to incorporate the Minnesota and Northwestern Railroad Company, approved May twenty third, A. D. one thousand eight hundred and