

CHAPTER XCVI.

An Act to Authorize the Minneapolis and St. Louis Railway Company to build Branch Lines from Minneapolis and Other Points, to the Southern Boundary of the State.

February 23.
1872.

- SECTION 1. Branch line authorized to the south boundary of the State.
2. Branch line authorized from some point on the Minnesota river to the south line of the State.
 3. Common, preferred and special stock authorized to be issued.
 4. Conditions upon which these rights and privileges are granted
 5. Repeal of inconsistent acts.

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

SECTION 1. That the Minneapolis and St. Louis railway company is hereby authorized and empowered to survey, locate, construct and operate a branch line of railroad, of such width of gauge or track as its board of directors may determine, from the city of Minneapolis to some point to be designated by its board of directors on the southern boundary line of the state of Minnesota, east of range fourteen, and to that end, and for that purpose, the said company may create and issue additional common preferred and special stock, applicable to said branch line, not exceeding in the aggregate the sum of ——— million of dollars, of such classes and amounts, and in such manner and on such terms as it may deem expedient; and may make such agreement with the respective holders of such stock or either of the classes thereof, relating to security and dividends on such stock or classes of stock, and participation in the property, earnings, management and affairs of said company, as the board of directors may think proper, or may make such agreements as said board shall deem best with such holders of stock or classes of stock, as shall secure to them, for their benefit, the separate use, control and enjoyment of said branch line and its business, together with all the rights, privileges, franchises and immunities of the said company pertaining to said branch line, with full power to borrow

Branch line
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money, and to mortgage the same and such property, rights, privileges, franchises and immunities in aid of such line, and may, by such agreements, also provide for the separate organization of the holders of the stock pertaining to said branch line, so as to enable them, or a board of directors chosen by them, separately, or in conjunction with the board of directors of said company, to enjoy and exercise in respect to said branch line, all the powers, franchises and privileges possessed and enjoyed by said company in respect to its main line or any portion thereof, and all laws in force relating to the Minneapolis and St. Louis railway company, conferring powers and privileges to construct and operate its main line of road and telegraph, shall be in force and applicable to the branch line hereby authorized, and the owners or company constructing or operating the same, subject, however, to the like terms, duties, obligations, rules and regulations prescribed by law for the government, control and taxation of said Minneapolis and St. Louis railway company.

Branch line
authorized.

SEC. 2. That the Minneapolis and St. Louis railway company is hereby authorized to construct, own and operate a branch line of railroad, of such width of gauge or track as its board of directors may determine, from some point on its main line west of the Minnesota River to the south line of the state of Minnesota, via Henderson, St. Peter and Mankato, and the laws in force relating to the Minneapolis and St. Louis railway, conferring powers and privileges to construct its main line of road and telegraph, shall be in force and applicable to the branch line hereby authorized.

Issue of stock.

SEC. 3. The Minneapolis and St. Louis railway company is hereby authorized to create and issue additional common preferred and special stock, of such classes and amounts, and make such agreements with the holders thereof, relating to security and dividends on such stocks, and participation in the property, earnings, managements and affairs of said company, as the directors may think proper, and said company owning said branch line may mortgage the same to secure its obligations, and provide by agreement for separate stock, and obligations for and upon said branch line, with separate liabilities and benefits from the main line. *Provided*, That said company shall not issue more than _____ of stock of all classes in addition to the amount heretofore authorized.

Conditions.

SEC. 4. The rights and privileges granted by this act are made upon the condition that the said Minneapolis and St. Louis railway company's branch hereby authorized to be constructed, at its points of crossing 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 already constructed, and also with other railroads which may be constructed after the construction of the said Minneapolis and St. Louis railway company's branch hereby authorized to be constructed, similar junction shall be made: and that the company now or hereafter owning or operating the said branch railroad shall transport freight from any and all stations on its said branch line to the several points of junction or crossing therewith for transportation, and transport the same to said stations at rates not exceeding the lowest local rates charged and collected on any portion of its line of railroad for corresponding distances, for freight of the same classification or kind, which shall not exceed the lowest average local rates of the railroads of this state for the same distances, and shall also transport cars of the said connecting railroads on 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 or against any locality, person, or either of said connecting railroads. *Provided,* That said Minneapolis and St. Louis railroad shall have and enjoy the same privileges so far as either of said branches is concerned, hereinbefore granted in this section, over and upon the said roads of other railroad companies connected with it, as are hereby granted to said companies, and that the said provisions of this section, so far as they are applicable, shall be mutual and reciprocal between said branchline and each of said connecting railroads.

Conditions.

SEC. 5. All acts and parts of acts conflicting with this act are hereby repealed and this act shall take effect and be in force from and after its passage.

Repeal of inconsistent acts

Approved February 23, 1872.