

SEC. 7. It shall be the duty of the secretary whenever such apportionment shall have been completed, to immediately notify every person composing such company by letter sent to his usual post office address of the amount of such loss and the sum due from him as his share thereof, and the time within which and to whom such payment is to be made.

SEC. 8. Suits at law may be brought by said company against any members thereof, who shall refuse or neglect to pay any assessment made upon them, under the provisions of this act, and the directors of such company who shall wilfully neglect or refuse to perform any duties imposed upon them by the foregoing sections of this act, shall be liable in their individual capacity to the person sustaining such loss.

SEC. 9. Any member of said company may withdraw therefrom at any time by giving notice in writing to the president or secretary thereof, and paying his share of all claims then existing against said company. And it shall be the duty of the secretary whenever any member of such company shall withdraw from his membership therein to notify every other member thereof of such withdrawal.

SEC. 10. Such company may adopt such by-laws for its regulation as are not inconsistent with the provisions of this act, and may therein prescribe the duties and compensation of its officers.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved March 3, 1879.

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### CHAPTER CCVIII.

AN ACT TO AUTHORIZE AND PROVIDE FOR THE CONSTRUCTION OF A FREE BRIDGE ACROSS THE MINNESOTA RIVER AT THE BOROUGH OF BELLE PLAIN, COUNTY OF SCOTT, STATE OF MINNESOTA, AND TO LAY OUT SUITABLE ROADS AND APPROACHES THERETO.

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

SECTION 1. That James D. Webb, Charles M. Hooper, William H. Wubeler, Michael Gates and William Henry, of Scott county, be and they are hereby appointed and constituted commissioners whose duty it shall be, in connection with a competent engineer, to select a suitable site and place of crossing the Minnesota river, at or near Grove street in the Borough of Belle Plaine in said county, for a suitable bridge, and to adopt plans and specifications.

for the construction of such bridge at the point to be selected, with estimates of the cost thereof, and upon such specifications and estimates to contract for the construction of said bridge.

SEC. 2. That said commissioners, or a majority of them are hereby empowered to employ some competent engineer, and with such engineer are authorized and empowered to view, locate and establish, at some convenient point or on some public street within the limits of said Borough, a public road or highway to said bridge and over the same and thence to and into the county of Sibley to some point of intersection with the Henderson and Carver road. Said highway so located shall be at least eighty feet in width. Said commissioners shall in addition to the location of said highway, determine and appraise to the owner or owners of any real estate included in said highway the value thereof, and injury arising to them respectively from the condemnation thereof which shall be awarded to such owners respectively as damages, after making allowance and deduction therefrom, for any benefits which such owners may respectively derive from such highway and improvements which said assessment of compensation and damages, together with a plat of the survey and location of said road, shall be made and certified by said commissioners and filed in the office of the register of deeds, in the county in which said real estate is situated respectively, which report, when filed, shall be conclusive evidence of the establishment of such highway, and of the condemnation of the property thereof, and shall be deemed sufficient notice to the owners of the land or real estate, and any person deeming himself aggrieved by the determination of the said commissioners, may appeal therefrom to the district court of the county in which said land or real estate is situate, in the same manner and with like effect as provided by the general statute in the laying of judicial roads, approved March fourth, one thousand eight hundred and seventy-two, and the act of one thousand eight hundred and seventy-three supplementary thereto.

SEC. 3. That said commissioners shall have power to receive and collect donations, subscriptions and other aid that may be given, subscribed, or pledged, in aid of the construction of said bridge, and shall have power to expend the same, and to receive from the borough of Belle Plaine, or its authorized authorities, all bonds or other aid which may be given for the construction of said bridge and public highway leading to and from the same.

SEC. 4. That said bridge, when constructed, shall be free of any toll or charge to the United States or any citizen thereof.

SEC. 5. That said commissioners shall hold their first meeting on the ninth day of April, one thousand eight hundred and seventy-nine, at the council room of the borough of Belle Plaine, and organize by election some member thereof as chairman and one person as clerk of said commission, and thereafter may meet at such times and places as a majority of said commission shall direct; and in case of death, refusal to serve or disability of either of said commissioners, the remaining ones shall fill the vacancies or vacancy by appointment. The said commissioners at their said first meeting shall take and subscribe an oath for the

faithful discharge of their duties; which oath shall be taken before an officer duly authorized to administer oaths, and the same shall be filed in the office of the clerk of the borough of Belle Plaine.

SEC. 6. Said commissioners, upon the completion of said bridge, and when the same is ready for public travel thereon, shall surrender the same to the council of the borough of Belle Plaine, whose duty it shall be to take charge of the same and be responsible for the repair thereof and for its protection.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 8, 1879.

## CHAPTER CCIX.

AN ACT TO AUTHORIZE THE DEVELOPMENT AND IMPROVEMENT OF A WATER POWER IN THE MISSISSIPPI RIVER AT ST. CLOUD, BY THE ST. CLOUD WATER POWER COMPANY.

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

SECTION 1. The St. Cloud Water Power Company is hereby authorized for the purpose of developing, increasing and improving a water power in the Mississippi river at the city of St. Cloud, to construct all necessary dams, booms, locks and water sluices, and to erect mills, buildings and other structures for the purpose of manufacturing in any of its branches.

SEC. 2. The said company shall have power to acquire by purchase or otherwise title to any lands that may be deemed necessary for the improvements aforesaid, and in the conduct of its aforesaid business, and in case any piece or parcel of land not so purchased or leased, shall be absolutely necessary for the aforesaid purposes of said business, the said company shall have the right to enter upon and occupy such lands for the purpose of conducting the said business as in this act contemplated, upon proceeding in the manner prescribed by title one of chapter thirty-four of the general statutes, as amended, for the condemnation of lands by the companies therein referred to, all of the provisions of which said title so far as they relate to the acquisition of right of way are hereby made applicable to the said St. Cloud Water Power Company, for the purposes specified in this act.

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

Approved March 8, 1879.