

CHAPTER CCCXLIII.

AN ACT CONSTITUTING MARY ELIZA REYNOLDS, A MINOR CHILD ADOPTED BY SARAH R. REYNOLDS AS AN HEIR AT LAW OF SAID SARAH R. REYNOLDS.

WHEREAS, Sarah R. Reynolds, of the city of St. Paul, is desirous of having Mary Eliza Reynolds, an adopted child of the said Sarah R. Reynolds and of her late husband, William B. Reynolds, deceased, constituted as heir at law of her, the said Sarah R. Reynolds; therefore,

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

SECTION 1. That Mary Eliza Reynolds, an adopted child of Sarah R. Reynolds, of the city of Saint Paul, in this state, be and said Mary Eliza Reynolds is hereby declared to be an heir at law of said Sarah R. Reynolds, and entitled to all the rights and privileges of a legitimate child of said Sarah R. Reynolds.

SEC. 2. That said Mary Eliza Reynolds shall not be constituted heir at law of said Sarah R. Reynolds until said Sarah R. Reynolds shall have executed and acknowledged a certificate of acceptance of the provisions of this act, and have caused the same to be recorded in the office of the register of deeds of said Ramsey county.

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

Approved February 14, 1879.

CHAPTER CCCXLIV.

AN ACT TO CONTINUE AND AMEND AN ACT ENTITLED "AN ACT TO FACILITATE THE CONSTRUCTION OF A RAILROAD FROM THE VILLAGE OF BROWNSVILLE, IN THE COUNTY OF HOUSTON, BY THE WAY OF CALEDONIA TO THE IOWA STATE LINE."

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

SECTION 1. That all the rights, privileges, benefits, franchises, interests and powers which were ever granted by act of legislature of the territory of Minnesota entitled "An act to incorporate the Louisiana and Minnesota Railroad Company, approved March fifth,

one thousand eight hundred and fifty-three," and amended by act of legislature approved March fifth, one thousand eight hundred and sixty-nine, be and the same is hereby revived and continued in full force and effect as to all the provisions thereof, except as hereinafter altered, amended or repealed.

SEC. 2. That all the corporate rights, franchises, privileges and immunities in said act created, granted or confirmed and by this act revived, preserved and continued, are hereby granted to and continued in Daniel Cameron, Peter Brandt, William E. Potter, Wells E. Dunbar, C. A. Coe, E. P. Dorival and A. M. Fridley and their successors and assigns, who are hereby authorized and empowered to organize said corporation by and under the name and style of the Minnesota and Iowa Railway Company, and by and under that style and name shall be capable of suing and being sued, impleading and being impleaded, defending and being defended in law, in all counties and places whatsoever; and the said company may make a common seal and alter or renew the same at pleasure; contract and be contracted with, and of acquiring by purchase, gift, grant, and of holding or conveying all such estate, real or personal, as may be necessary or convenient to carry into effect the objects and purposes of the said corporation.

SEC. 3. This corporation is hereby authorized and empowered to survey, locate, construct, complete, maintain, use and operate, and at their pleasure alter the line thereof, a railway with one or more tracks, switches, turnouts, side tracks and other appurtenances for operating the same from the village of La Crescent, in the county of Houston, state of Minnesota, to the north boundary line of the State of Iowa, west of range five, also from La Crescent up the valley of Pine Creek by the most feasible route to St. Paul and Minneapolis, with branch running westerly to boundary of the state.

SEC. 4. The persons named in the first section of this act shall constitute a board of directors, a majority of whom shall be a quorum for the transaction of business and shall hold their office one year, and until their successors are elected and qualified. The board of directors thereafter shall consist of not less than seven nor more than twelve, to be elected annually in accordance with the by-laws of said company, vacancies to be filled by the remaining members of the board.

SEC. 5. The persons named in the first section of this act are authorized to meet and organize at any time after the passage of this act by filing in the office of the secretary of state in due form, their acceptance of this charter; any three of the within named corporators are authorized to call the first meeting by giving to each of the other members of the board, at least ten days' notice, through the post office, of the time and place of meeting.

SEC. 6. The said corporation is hereby authorized and empowered to connect their railway or branch thereof by contract or agreement lease to, or consolidate with any other corporation in this or any other state, and all the rights, powers, privileges, franchises, grants and effects, its entire line and branches or any part thereof with any other corporation either within or without this

state, upon such terms as the board of directors of this corporation may deem practicable or advisable.

SEC. 7. The said corporation shall have power to create and issue special stock on any part of its road or branches, and to provide by agreement for the management of said road or branch road, as a distinct, separate interest, and may change the name thereof and may provide that stock, bonds, debts and liabilities, contracted for the benefit of said branch line or either of them, shall apply to and bind only the property of said branch, and in like manner that debts and liabilities contracted for the benefit of main line shall not be an incumbrance on the branch line.

SEC. 8. It is further enacted, that in consideration of a per centum annually, paid by this corporation as provided in this section, this railway, its property, estates, effects, appendages which it may acquire in or about the equipments, construction, repairing or operating its railway, as well as its stock and capital, shall be and hereby is free from all taxation, and in consideration of the grant made and the exemption contained in this section, the said company, during the first three years from and after the first twenty miles of said road is completed, and in consideration shall pay into the treasury of this state one per cent. of the gross earnings of said railway, and shall, during the seven years next ensuing after the expiration of the three years aforesaid, pay into the treasury of this state two per cent. on the gross earnings of said railway, and shall on and after ten years from the completion of the first twenty miles of said railway, pay into the treasury of this state three per cent. of the gross earnings of said railway for each and every year; said payment to be made before the first of March in each year, and payment of such per centum annually shall be and is in full of all taxation whatsoever.

SEC. 9. The capital stock of said company shall be one million dollars, and shall be divided in shares of one hundred dollars each, which shall be transferable in such manner as the said company, by its regulations or by-laws shall prescribe, but no share of said stock shall be transferred while there is an installment thereon unpaid, and the directors may, with the consent of the holders of a majority of the stock, increase the capital stock thereof to such a sum as may be necessary and convenient to carry into effect all the privileges hereby granted.

SEC. 10. The said company, by its directors, may borrow money upon the faith and credit of said company, and may issue bonds or other evidence of indebtedness, and to secure the payment thereof may mortgage its road, rights and franchises, and all other property of the company.

SEC. 11. Said corporation shall carry passengers and transfer freight over any railway constructed under this act at just and reasonable rates.

SEC. 12. Section eleven, twelve, thirteen and fourteen of an act entitled "an act to facilitate the construction of a railway from the village of Brownsville, in the county of Houston, by way of Caledonia, to Iowa state line, approved March fifth, one thousand eight hundred and sixty-nine, be and is hereby repealed.

SEC. 13. This act shall take effect and be in force from and after its passage.

Approved March 8, 1879.

CHAPTER CCCXLV.

AN ACT FOR THE RELIEF OF B. GRISWOLD AND THEODORE BELDEN FROM THEIR LIABILITY ON THE OFFICIAL BOND OF C. R. MIMS, LATE COUNTY TREASURER OF McLEOD COUNTY.

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

SECTION 1. That B. Griswold and Theodore Belden be and are hereby released and discharged from all liability upon the judgment rendered in the district court for McLeod county on the fourteenth day of November, one thousand eight hundred and seventy-seven, upon the official bond of C. R. Mims, late county treasurer of said county of McLeod.

Provided, however, That this act shall not be so construed as to in any manner release or discharge the said C. R. Mims from the said judgment, but the same shall be and remain in full force and effect against him the said C. R. Mims.

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

Approved March 3, 1879.

CHAPTER CCCXLVI.

AN ACT TO EXCEPT CERTAIN TERRITORY FROM THE OPERATION AND EFFECT OF THE HERD LAW IN THE COUNTY OF POLK, STATE OF MINNESOTA.

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

SECTION 1. That township one hundred and forty-five, range forty-four, township one hundred and forty-five, range forty-three, and township one hundred and forty-six, range forty-three, be excepted from the operation and effect of the general herd law now in force in the county of Polk, state of Minnesota.

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

Approved March 3, 1879.