

mon council first had and obtained; *provided also*, that the authority hereby conferred on said company to furnish and supply steam heating and steam power in said city shall not be exclusive in said company, nor shall this act or anything therein contained prevent the said common council from granting to other corporations, firms or individuals the use of any of the streets or other public places in said city for the purpose of laying pipes or apparatus for conducting steam for heating or motive power, and no heating pipes or apparatus for conducting or supplying steam or steam heat or steam power shall be laid or placed in any of the streets or other public places of the said city by the said company without the consent of the said common council first had and obtained; *And provided further*, that any resolution or ordinance of the said common council authorizing the erection, construction or maintenance of poles, wires or other structures or apparatus by the said company, for conducting, supplying or furnishing electric light or electricity, or the laying of pipes or other apparatus by said company, for conducting or supplying steam for heating or motive power, in the streets or other public place of said city, may be with such restrictions, limitations and reservations, to be expressed therein, as said common council may deem proper, and all such restrictions, limitations and reservations shall, upon the company's acceptance of the ordinance or resolution containing the same, become and be binding and obligatory as well upon the said company as the said city.

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

Approved March 5, 1881.

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## CHAPTER 195.

AN ACT to authorize the Stewart River Improvement Company to improve Stewart river, in Lake county, and to collect tolls therefor.

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

SECTION. 1. The Stewart River Improvement company, a corporation organized and existing under the General Laws of the State of Minnesota, is authorized to improve, for the navigation of logs, the stream known as Stewart river, in Lake county, from the north line of section thirty-four (34), township fifty-four (54), north of range eleven (11) west, to Lake Superior, and for such purpose said company is hereby empowered to clear the channel of said stream and remove obstructions therefrom, and to construct,

maintain and operate at any point or points between the limits aforesaid such dams, booms and other works as may be necessary or convenient therefor.

*Provided*, that such dams and booms shall be so constructed as not to hinder or obstruct the free passage of rafts, boats or other water craft navigating said stream.

SEC. 2. The said company is further empowered to acquire by purchase or otherwise the title to or an easement in any lands between the points aforesaid, which may be necessary for such works or improvements; and in case any such land or easement is not acquired by purchase, the same may be acquired by said company by proceedings of condemnation, in the manner prescribed in title one (1), of chapter thirty-four (34) of the General Statutes of one thousand eight hundred and seventy-eight (1878), for the taking of property for public use, and the amendment thereto, so far as the provisions of said law are applicable hereto.

SEC. 3. The said company, upon the completion of such improvements, shall take into its custody all logs that may come or be driven into said stream within the limits aforesaid, and drive the same through its said works and improvements, and secure in its booms and promptly deliver such logs to the respective owners thereof. *Provided*, that any owner or other person entitled to the possession of logs occupying the dam or boom at the mouth of said stream shall on ten (10) days' notice in writing, be required to accept and receive such logs from said company and remove the same from such dam or boom; and in case such owner or other person shall, after due service of such notice, fail to accept and remove such logs, as herein required, the said company may remove the same to a place of safety and secure them therein at the risk and cost of the owner thereof, and such cost shall be a lien on the logs so removed and secured, and may be collected and enforced in the same manner that the compensation provided for in the next succeeding section of this act is enforced and collected.

SEC. 4. The said company shall be entitled to charge and collect as compensation for the improvements, work and boomage aforesaid, the sum of forty (40) cents per thousand (1,000) feet, board measure, upon all logs so received, driven or secured in booms, which said charge shall be a lien on said logs, and may be enforced and collected in the manner provided in chapter eighty-nine (89) of the General Laws of one thousand eight hundred and seventy-six (1876), and the amendments thereto.

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

Approved February 25, 1881.