

amended by chapter fifty-seven (57) of the general laws of one thousand eight hundred and eighty-one (1881), as the same is amended by chapter four (4) of the general laws of one thousand eight hundred and eighty-three (1883), is hereby amended so as to read as follows:

Capital stock,
shares.

Section 112. The amount of capital stock in any such corporation shall in no case be less than ten thousand (10,000) dollars, and shall be divided into shares of not less than two (2) dollars nor more than one hundred (100) dollars each; except that the capital stock of mutual building and loan associations may be divided into shares of two hundred (200) dollars each, and the capital stock and number of shares may be increased at any regular or special meeting of the stockholders.

When act
takes effect.

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

Approved April 24, 1889.

CHAPTER 221.

[H. F. No. 879.]

AN ACT TO AMEND TITLE ONE (1) OF CHAPTER THIRTY-FOUR (34) OF THE GENERAL STATUTES ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), RELATION TO CORPORATIONS.

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

SECTION 1. That section one (1) of title one (1) of chapter thirty-four (34) of the general statutes of eighteen hundred and seventy-eight (1878) be and the same is hereby amended by inserting before the word "navigation" in the fourth (4th) line of said section the words "or other."

Corporations
for improve-
ment of
streams and
driving and
hauling logs,
their powers
and duties.

SEC. 2. That said title one (1) of chapter thirty-four (34) be further amended by adding thereto the following: Any corporation formed under this title in whole or in part for the improvement of any stream and driving logs therein, or for holding or handling logs therein which shall have taken prior possession of such stream, or any considerable portion thereof, upon which portion no other person or corporation has erected any dams or other improvements, and which may have need of improvement for that purpose, shall have power to improve such streams and its tributaries by clearing and straightening the channels thereof, closing sloughs, erecting sluice ways, booms of all kinds, side rolling, sluicing and flooding dams or otherwise if necessary, but shall in no case, in any manner, ma-

terially obstruct or impede navigation upon such stream or erect any dam or other obstruction below the head of steamboat navigation. Every such corporation which shall so improve a stream and so keep in repair, and operate its works so as to render driving logs thereon reasonably practicable and certain, may charge and collect reasonable and uniform tolls upon all logs, lumber and timber driven, sluiced or floated on the same, and may take possession of all logs put into such stream or upon rollways, so as to impede the drive when the owners thereof or their agents shall not have come upon the stream adequately provided with men, teams and tools for breaking the rollways and driving such logs in season for making a thorough drive down such stream without hindering the main drive; and shall also, at the request of the owner of any logs and timber put into said streams, take charge of the same, and drive the same down and out of such stream, or down such stream so far as their improvements may extend, and charge and collect therefor of the owner or party controlling said logs and timber, reasonable charges and expenses for such services. And such corporation shall for all such tolls, costs and expenses have a lien on the logs for which same was incurred, and may seize, in whoever possession found, and hold a sufficient amount thereof to pay the same, and make sale thereof upon giving ten (10) days' notice in the manner provided for notifying sales on execution upon the judgment of justice of the peace, or may enforce such liens as other liens are enforced by proper proceedings for that purpose, or may ask, demand, sue for, collect and receive from the owner or owners of such logs the amount due for any such tolls. No injunctive order shall be granted to prevent the use or enjoyment of any such improvement, or abate any such dam necessary thereto unless such corporation shall fail for sixty (60) days after judgment, from which no appeal has been taken, to pay any damages recovered for any injury done by or in consequence of its works. Any corporation formed for the improvement of a stream, which is in whole or in part a boundary between this and an adjoining state, and authorized to drive logs or maintain booms or dams in such stream, shall have authority to purchase and hold stock in corporation or corporations in such adjoining state created for similar purposes upon the same stream, or to consolidate or otherwise unite with such corporation or corporations in such adjoining state, whenever the purposes for which the corporation in this state is organized can be better effected thereby. *Provided*, that no such purchase or consolidation or other union shall be made without the assent of holders of two-thirds ($\frac{2}{3}$) of the capital stock of such first (1st) named company. *Provided*, that all dams and other works erected under the authority given by this act shall be so constructed, used and opera-

ted as to facilitate and expedite the driving and handling logs and lumber upon the stream upon which the same may be erected, and the corporation making such improvements hereunder shall have no right to stop logs destined for points below its works on said stream except where dams have been constructed to accumulate water for sluicing logs and flushing the river below the same, and in such case shall not detain logs in any part of the river so as to form a jam or prevent the prompt delivery of logs destined for points below the works constructed under authority of this act.

SEC. 3. The provisions of this act shall apply as well to corporations heretofore organized for the purposes specified in section two (2) of this act as to those hereafter organized for such purpose.

SEC. 4. All acts and parts of acts in any manner conflicting with terms of this act are hereby repealed.

When act to
take effect.

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

Approved April 24, 1889.

CHAPTER 222.

[H. F. No. 470.]

AN ACT REQUIRING RAILWAY COMPANIES TO BUILD AND KEEP IN REPAIR HIGHWAY CROSSINGS.

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

Highway
crossings.

SECTION 1. That all railway companies operating a line or lines of railways in this state, shall build or cause to be built and kept in repair good and sufficient crossings over such line or lines of railway at all points where any public highway is now or may hereafter be intersected by such lines of railway.

SEC. 2. A good and sufficient crossing as required to be built and kept in repair as denominated in section one (1) of this act, shall be, and is hereby construed to be as follows, to-wit:

Crossing
defined.

First—Of a grade of earth on one or both sides of the railroad track as the location may require, a grade or grades of earth thirty-two (32) feet in width, the middle point of which shall be at the middle point of the highway, and such grade shall be of such slope as shall be deemed necessary by the chairman of the board of supervisors, or other officer or officers having charge of the highway in the town, district or village where such intersection is located.