

for out of the county treasury of said county, and which said bridge is located in the City of Blue Earth in said county.

Payable to
Co. treas-
urer.

"The said moneys shall be paid to the county treasurer of said County of Faribault, Minnesota, upon the presentation to the state auditor of a certificate from the board of county commissioners of said Faribault county, Minnesota, that the said bridge has been fully completed and paid for out of the county treasury of said county, and said moneys shall be placed to the credit of the 'Road and Bridge Fund' of said county."

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

Approved March 29, 1905.

S. F. No. 100.

CHAPTER 89.

Relating to
corporations.

An act to amend section 2 of chapter 221 of the General Laws of Minnesota for 1889, entitled "An act to amend title one (1) of chapter thirty-four (34) of the General Statutes One Thousand Eight Hundred and Seventy-eight (1878), relating to corporations."

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

SECTION 1. That section 2 of chapter 221 of the General Laws of Minnesota for 1889 entitled "An act to amend title one (1) of chapter thirty-four (34) of the General Statutes One Thousand Eight Hundred and Seventy-eight (1878), relating to corporations" is hereby amended so that the same shall read as follows:

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 or streams and driving or handling logs therein which shall have taken prior possession of such stream or streams, or any considerable portion thereof, upon which portion no other corporation organized for the purpose above mentioned has taken possession or has made improvements in aid of driving logs or of driving or handling therein, shall have power to improve such stream or streams and their tributaries by clearing and straightening the channels thereof, closing sloughs, erecting sluiceways, booms of all kinds, side

Driving or
handling
logs.

rolling sluicing and flooding dams, or otherwise, as may be necessary; and may acquire any and all dams, booms, structures and works already erected by any person or persons, and also all necessary rights of way, shore rights, land and lands under water, by purchase or by any of the methods provided in this title; but such corporation shall in no case in any manner materially obstruct or impede steamboat navigation, or driving or handling logs.

Shall not obstruct navigation.

It shall be the duty of every such corporation to serve the public equally and reasonably, and for a reasonable compensation. 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 stream, 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 the same was incurred, and may seize in whosoever 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

Collection of tolls.

Lien on logs.

May sue for payment.

Boundary
streams.

of its works. Any corporation formed for the improvement of a stream, which is in whole or in part a boundary stream, shall have authority to purchase and hold stock in corporation or corporations in such adjoining state or country created for similar purposes upon the same stream, or to consolidate or otherwise unite with such corporation or corporations in such adjoining state or country, 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 consent of holders of two-thirds (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 operated 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.

Construction
of dams.

Log jams.

SEC. 2. Nothing in this act contained shall effect any action or proceeding now pending in any court of this state.

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

Approved March 29, 1905.

S. F. No. 226.

CHAPTER 90.

Amending
penal code.

An act to amend section 6786 of chapter 92-a of the General Statutes 1894, being section 486 of the penal code of the State of Minnesota, relating to crimes against property.

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

SECTION 1. That section 6786 of chapter 92-a of the General Statutes of Minnesota for 1894, relating to