

When act is in force.

SEC. 3. This act shall take effect from and after its passage. APPROVED, the eleventh day of October, one thousand eight hundred and forty-nine.

October 11, 1849.

CHAP. XXX.—An Act to dissolve the marriage contract between Stanislaus Bielanski and Mary Bielanski.

Divorce of S. Bielanski, and Mary Bielanski.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That the marriage contract heretofore existing between Stanislaus Bielanski and Mary Bielanski, be, and the same is hereby dissolved; and the parties to the said contract are, by virtue of this act, restored to all the rights and privileges of unmarried persons.

APPROVED, the eleventh day of October, one thousand eight hundred and forty-nine.

October 20, 1849.

CHAP. XXXI.—An Act granting a charter to Elam Greely, his heirs, &c., to construct and maintain a dam across Snake river near the outlet of Cross lake.

Elam Greely authorized to build a dam and use it 12 years—at end of 6 years, Legislature may alter or repeal charter.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That Elam Greely, his heirs, executors, administrators and assigns, be, and hereby are authorized to build a dam across Snake river near the outlet of Cross lake, and to keep up and maintain the same for the term of twelve years; *Provided,* That nothing in this section contained, shall preclude the Legislative Assembly after the lapse of six years, from altering or repealing this act, whenever it shall be deemed consistent with the public interest to do so.

Dam to raise the Lake 5 feet and 6 inches above low water, and to have gates and sluices to sluice logs from 1st April, 1850.

SEC. 2. That the said dam shall be sufficiently high to raise the surface of the said Cross lake, at least five feet and six inches above low water mark. That the dam shall be provided with the necessary gates and sluices, and all the other appurtenances necessary for sluicing logs, and be ready to sluice logs on the first day of April, one thousand eight hundred and fifty.

Notice and duty to sluice logs within five days after the logs are in the boom—owner must tender legal toll—Elam Greely not to violate this sec., and penalty therefore.

SEC. 3. That the said Elam Greely, shall sluice all logs upon the requisition of the owner or owners thereof, commencing to sluice within five days after the logs have arrived in the boom belonging or attached to said dam: *Provided,* That the owner or owners of said logs, or their accredited agents, shall have tendered him the legal toll or security for the same; and for any violation of this section, the said Elam Greely shall be responsible to the owner or owners of said logs, for any damage sustained; to be recovered in any proper action or suit, in any court of competent jurisdiction.

Gates to be opened one hour before sun rise and shut at sun down.

SEC. 4. That the said Elam Greely shall be bound in the like penal sum, to open all the gates of said dam, or such a number thereof, as shall be found to afford sufficient water to drive logs between the dam and the mouth of Snake river, upon the requisition of the owner or owners of such logs as have been sluiced, for and during at least four days after the last logs of the number that were intended to be sluiced at the same time, shall have passed the dam: *Provided,* that he shall reserve the right to shut the gates at sun down, raising them again one hour before sun rise.

SEC. 5. That the said Elam Greely shall be entitled to collect by law, a toll on all logs passing the dam: *Provided*, That such toll shall not exceed the sum of ten cents, for the first year, for every thousand feet of lumber in logs, and six and one fourth cents per thousand thereafter, taking the scale in common use on the St. Croix river, as a guide; such toll, in case of default of payment, to be collected under an action for debt.

SEC. 6. That said dam to be supplied with a chute, with such an inclination, that fish may pass freely up and down the river.

SEC. 7. That the sluices of said dam, shall remain open, (after all the logs to be sluiced that season, shall have been sluiced,) until such time as it may be found necessary to close them, in order to fill the dam preparatory to the next spring drive.

APPROVED the twentieth day of October, one thousand eight hundred and forty-nine.

Tolls—ten cents per thousand feet the first year, and six and one fourth cents per thousand thereafter, scale to measure and how toll collected.

Chute in dam of such inclination that fish may pass.

Sluices in dam to remain open, &c.

CHAP. XXXII.—An Act to incorporate the St. Paul and St. Anthony Plank Road Company.

November 1, 1849.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That Franklin Steele, Henry H. Sibley, Isaac Young, David Lambert, Louis Roberts, William Henry Forbes, William H. Randall, C. K. Smith, and M. S. Wilkinson, are hereby appointed Commissioners, under the direction of a majority of whom, subscriptions may be received to the capital stock of the St. Paul and St. Anthony Plank Road Company, hereby incorporated; and they may cause books to be opened at such times and places as they may direct, for the purpose of receiving subscriptions to the capital stock of said company, first giving thirty days notice of the times and places of taking such subscriptions, by publishing the same in all the newspapers printed in this Territory.

Commissioners appointed—books to be opened and thirty days notice thereof published in the newspapers of the Territory.

SEC. 2. The capital stock of said company shall be twenty-five thousand dollars, in shares of twenty-five dollars; and as soon as five thousand dollars of the capital stock shall be subscribed, and five dollars of each share shall have actually been paid in, the subscribers of such stock, with such other persons as shall associate with them for that purpose, their successors and assigns, shall be, and they are hereby declared and created a body corporate and politic, by name and style of "The St. Paul and St. Anthony Plank Road Company," with perpetual succession; and by that name shall have all the privileges, franchises and immunities incidental to a corporation: they shall be capable in law of purchasing, holding, selling, leasing and conveying estate, either real or personal or mixed, as shall be necessary for the use of said road, and in their corporate name, may sue and be sued, may have a common seal, which they may alter or renew at pleasure; and generally may do all and singular, the matters and things which they are authorized by law to do for the interest and well being of said Company.

Capital Stock \$25,000, in shares of \$25,00.—when five thousand dollars are subscribed and five dollars on each share paid in, the company shall be organized.

SEC. 3. That the said Commissioners or a majority of them, after the said one thousand shares of stock shall have been taken or subscribed for as aforesaid, shall give at least twenty days notice in the newspapers hereinbefore mentioned, of the time and place of a meeting of the stockholders for the purpose of electing thirteen Directors, who shall elect one of their number President; and annually thereafter, the said stockholders shall meet on the first

Organization—Commissioners shall give 20 days notice of meeting of stockholders to elect Directors—annually to elect Directors on the first