

and valid, and to all intents and purposes, for the parts or portions of said road, completed, and said company shall continue and survive to that extent.

May pass over
other railroads.

SEC. 19. This company shall have power to enter upon and pass over the railroad of any other company whose railroad connects with that of this company with their cars and engines, and any other company shall have like power to enter upon this railroad, whose railroad connects with this railroad, and pass over the same with their cars and engines; and such reciprocal use of said respective railroads, shall be upon terms to be agreed upon by the officers of the respective companies, and in case such terms cannot be agreed upon by said officers, then an application may be made by either party to the Supreme Court of this Territory, whose duty it shall be to fix such terms for the respective parties as the equity of the case may demand.

Must be com-
menced.

SEC. 20. The said Minnesota Western Rail Road Company shall commence and complete their said road from the St. Croix Lake or St. Croix River to St. Paul within six years from the passage of this Act.

SEC. 21. This Act shall be favorably construed in all legal and equitable proceedings for the accomplishment of the objects intended by this Act.

Power to alter or
amend.

SEC. 22. The Legislature may at any time amend or alter this act.

DAVID DAY,
Speaker of the House of Representatives.
MARTIN McLEOD,
President of the Council.

APPROVED—March third, one thousand eight hundred and fifty-three.

ALEX. RAMSEY.

SECRETARY'S OFFICE, }
St. Paul, March 19, 1853. }

I hereby certify the foregoing to be a true copy of the original on file in this office,

ALEX. WILKIN,

Secretary of the Territory of Minnesota.

March 5, 1853.

CHAPTER XI.—AN ACT to Organize Certain Counties and for other purposes.

Dakota county.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That so much territory as is contained in the following boundaries, be and the same is hereby created into the county of Dakota, to wit: Beginning at a point in the Minnesota river at the mouth of Credit river, thence on a direct line to the upper branch of Cannon river, thence down said river to its lower fork as laid down on Nicolet's map, thence on a direct line to a point on the Mississippi river opposite the mouth of St. Croix Lake, thence up the Mississippi river to the mouth of the Minnesota river, thence up the Minnesota river to the place of beginning.

SEC. 2. That so much territory as is contained within the following boundaries be, and the same is hereby created into the county of Goodhue, to wit: Beginning at the south-west corner of Dakota county, thence due south-east on a line twenty-five miles, thence on a due line to Lake Pepin, at a point on said Lake seven miles below Sand Point, thence up to the middle of said lake and the Mississippi river, to the boundary line of Dakota county, thence along the line of said county to the place of beginning.

Goodhue.

SEC. 3. That so much territory as is contained within the following boundaries be, and the same is hereby created into the county of Wabashaw, to wit: Beginning at the south-west corner of the county of Goodhue, thence on a line south-east twenty-five miles, thence on a due line to the head waters on the Minneskah river, thence down said river to its junction with the Mississippi river, thence up the middle of the said Mississippi river and Lake Pepin, to the line of Goodhue county, thence along said county line to the place of beginning.

Wabashaw.

SEC. 4. That so much territory as is contained within the following boundaries be, and the same is hereby created into the county of Fillmore, to wit: Beginning at the south-west corner of Wabashaw county, thence south-east to the Iowa State line, thence east on the said Iowa State line to the Mississippi river, thence up the middle of said river to the mouth of Minneskah or White river, thence up said river on the south line of Wabashaw county to the place of beginning.

Fillmore.

SEC. 5. That so much territory as is contained within the following boundaries be, and the same is hereby created into the county of Scott, to wit: Beginning at the mouth of Credit river in the Minnesota river, thence up the Minnesota river to the mouth of Techankiute river, thence on a direct line to the north-west point of Sakatah Lake, thence on a direct line to the south-west corner of Dakota county, thence up the line of Dakota county to the place of beginning.

Scott.

SEC. 6. That so much territory as is contained within the following boundaries be, and the same is hereby created into the county of Le Sueur, to wit: Beginning at the mouth of Techankiute river, thence up the Minnesota river to the mouth of Whiwhi creek, thence on a direct line to the Psah Lake, thence on a direct line to Sakatah Lake, thence on the line of Scott county to the place of beginning.

Le Sueur.

SEC. 7. That so much territory as is contained within the following boundaries be, and the same is hereby created into the county of Rice, to wit: Beginning at the south-west corner of Dakota county, thence west along said county line to Lake Sakatah, thence south to the Iowa state line, thence east along the said state line to the south-west corner of Fillmore county, thence along the west lines of Fillmore, Wabashaw and Goodhue counties, to the place of beginning.

Rice.

SEC. 8. That so much territory lying south of the Minnesota river, as remains of Wabashaw and Dakota counties undivided by this act is hereby created into the county of Blue Earth.

Blue Earth.

SEC. 9. That so much territory as is contained within the following boundaries be, and the same is hereby created into the county of Sibley, to wit: Beginning at the north-west corner of Hennepin county, thence up the north fork of Crow river to "

Sibley.

second fork, thence in a direct line to the mouth of Rush river, thence down the Minnesota river to the line of Hennepin county, thence along the line of said county to the place of beginning.

Nicollet. SEC. 10. That so much territory as is contained within the following boundaries be, and the same is hereby created into the county of Nicollet, to wit: Beginning at the mouth of Rush river, thence up the Minnesota river to the mouth of Little Rock river, thence due north to the north fork of Crow river, thence down said river to the north-west corner of Sibley county, thence along said county line to the place of beginning.

Pierce. SEC. 11. That so much territory as is contained within the following boundaries be, and the same is hereby created into the county of Pierce, to wit: Beginning at the mouth of Little Rock river, thence up the Minnesota river to the county line of Pembina county, thence east on the south line of Pembina and Cass counties to the north-west corner of Nicollet county, thence south along the west line of said county to the place of beginning.

Counties attached to others for judicial purposes. SEC. 12. That the county of Sibley shall be, and is hereby attached to the county of Hennepin for judicial purposes; the county of Pierce shall be, and is hereby attached to the county of Nicollet for judicial purposes; the county of Rice shall be, and is hereby attached to the county of Dakota for judicial purposes; and the county of Goodhue shall be, and is hereby attached to the county of Wabashaw for judicial purposes.

What counties entitled to justices & constables. SEC. 13. That the counties of Pierce, Sibley, Rice and Goodhue, shall each be entitled to any number of justices of the peace and constables, not exceeding four, which said justices and constables shall receive their appointment from the Governor, and their term of office shall be two years, unless sooner removed by the Governor.

What counties organized. SEC. 14. That the counties of Dakota, Wabashaw, Fillmore, Scott, Le Sueur, Blue Earth and Nicollet, be, and the same are hereby declared to be organized counties, and invested with all and singular, the rights and privileges and immunities to which all organized counties are in this Territory entitled to by law; and it is hereby declared to be the duty of the Governor at so soon a time as practicable, to appoint all county officers, justices of the peace and constables, as said counties may be entitled to by law, who shall hold their offices until their successors shall be duly elected at the next general election. That such officers so appointed in the organized and unorganized counties, shall give bonds for the faithful performance of their duties in such sums as is now required by law.

County commissioners elected. SEC. 15. The counties which are unorganized for judicial purposes, which are annexed to an organized county for judicial purposes, shall, for the purpose of assessment and the collection of taxes, be deemed to be within the limits of the county to which they are so annexed, and as forming a part thereof, unless and until otherwise provided by law.

Their duty. SEC. 16. That at any general election hereafter, the counties of Sibley, Pierce, Rice and Goodhue, or either of them, may elect their county commissioners and all other county and precinct officers, and thereafter the said county or counties shall be deemed to be organized for all county and judicial purposes: *Provided*, That at said election for county officers, as aforesaid, there shall

not be less than fifty legal votes cast for said county and precinct officers within the said county so holding said election.

SEC. 17. It shall be the duty of the county commissioners of any county to which other county or counties may be attached for judicial purposes, to locate election precincts and appoint judges of election in the county or counties so attached for judicial purposes, in the same manner as provided by law for establishing election precincts within the county to which said counties are so attached.

Their duty.

SEC. 18. It shall be the duty of the first board of county commissioners which shall be hereafter elected in any county laid off in pursuance of the provisions of this act, as soon after said board shall have been elected and qualified as provided by law, as the said board or a majority thereof shall determine, to locate the county seat of the county, and the location so made as aforesaid, shall be the county seat of the county to all intents and purposes, until otherwise provided by law.

To locate county seat.

DAVID DAY,
Speaker of the House of Representatives.
MARTIN McLEOD,
President of the Council.

APPROVED—March fifth, one thousand eight hundred and fifty three.

ALEX. RAMSEY.

SECRETARY'S OFFICE,
St. Paul, March 30, 1853. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

ALEX. WILKIN,

Secretary of the Territory of Minnesota.

CHAPTER XII.—AN ACT to incorporate the St. Paul and St. Anthony Rail Road Company.

March 2, 1853.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That James W. Davis, Eli Kinney, Luke P. N. Smith, George Johnson, John Rollins, James Wells, C. Carli, Emanuel Case, William P. Murray, William L. Larned, R. P. Russell, R. M. Spencer, Alfred E. Ames and Edmund Rice, and those who may hereafter become stockholders in the manner hereinafter prescribed, their successors and assigns, be, and they are hereby created, a body corporate, by the name and style of the St. Paul and St. Anthony Railroad Company, with perpetual succession, and by that name and style, shall be, and are hereby made, capable in law to have, purchase, receive, possess, sell, convey and enjoy, real and personal estate, and retain to them, their successors and assigns, all such lands, tenements and hereditaments, as shall be requisite and necessary for their accommodation and convenience in the transaction of their business; to sue and be sued, implead and be impleaded, answer and be answered unto, defend and be defended, in courts of record and elsewhere, and also to have, make, and use, a common seal, and to alter, renew, or change the same at their pleasure.

Corporators.

Name.

Powers.