

CHAPTER 2.

An Act to amend an Act entitled, "An Act to Incorporate the Mississippi Boom Company," March 4, 1854.
and an Act amendatory thereto.

SECTION.

1. Amendment. Officers, how elected or appointed.
2. Power to construct Boom,—and the duties of Boom Company. Proviso.
3. Capital Stock.

SECTION.

4. Logs, how sorted out. Proviso. Boom Company may remove Logs.
5. Logs, how scaled—provision for Compensation for booming.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That the sixth section of the act entitled an act to incorporate the "Mississippi Boom Company," shall be so amended as to read as follows, viz :

Amendment.

"SEC. 6. The President, Directors, Secretary and other officers, may be elected or appointed by the stockholders, or a majority in value of said stockholders, in such manner, and at such times, and shall hold their respective offices for such term as the by-laws of said Company shall direct; *Provided*, That the president shall be chosen from the directors of said Company."

Officers—how elected or appointed.

SEC. 2. The second section of the act, entitled an act to amend an act entitled an act to incorporate the "Mississippi Boom Company," shall be so amended as to read as follows, viz :

"SEC. 2. The said Boom Company shall be and are hereby authorized and empowered to construct, maintain, and keep a boom or booms upon the Mississippi river, at such points between the Falls of St. Anthony, (so called,) and the town of St. Paul, (so called,) as they may select; in which boom or booms, all logs or hewn timber coming down said river between the tenth day after the ice is out of the river and the first day of October in each year, shall be gathered by said company, and such logs or timber shall not be retained in such boom, by the said Company, for a longer period than thirty days, unless otherwise agreed by and between the owner of such logs or timber and the said Boom Company; and the said Boom Company shall be held accountable for all neglect to keep said boom in good order and repair, and for all damages which may accrue by a failure so to do: *Provided*, That this act shall not be so construed as to make the said Boom Company liable for logs running by in consequence of the breaking away of a boom or booms above the Falls of St. Anthony: *And provided also*, That this act shall not be so construed as to prevent any person or company, from erecting or hanging any side or sheer boom to collect their own logs or timber, at any point not less than one mile above the upper part of the boom, of said Company, or one half mile below the lower or main boom of said company."

Power to construct Boom, and duties of Boom Company.

Proviso.

SEC. 3. The third section of the said act entitled an act to amend an act entitled an act to incorporate the Mississippi Boom Company shall be so amended as to read as follows :

"SEC. 3. The capital stock shall be ten thousand dollars; in shares of one hundred dollars each; and the Board of Directors shall have power at any time whenever a majority in value of stockholders shall deem the same advisable to increase the number of

Capital Stock.

shares to any amount, not exceeding in the whole twenty-five thousand dollars; and each stockholder shall be individually liable for the debts of said Company to the amount of stock each may own."

SEC. 4. The fourth section of the said act to amend an act entitled an act to incorporate the Mississippi Boom Company, shall be so amended as to read as follows, viz:

Logs, how sorted out.

Proviso.

Boom company may remove logs.

"SEC. 4. The said company shall sort out the logs and timber according to their several marks, and shall raft the same out of said boom temporarily, with lines and wedges, or with binders, and in such quantities together as the said company shall select, sufficiently secure to run to the lower mill at St. Paul, and shall deliver the same to the several owners thereof, at or near the foot of said boom; *Provided* That the said Boom Company shall not be obliged to retain any logs or timbers at the foot of said boom, for a longer period than three days after notice has been given to the owner or owners of such logs or timber, or his or their agents, that such logs or timber are ready for delivery: *And provided also*, that the said company may raft in strings or in rafts for running down the Mississippi, the logs or other timber belonging to any person or persons, for such compensation as may be agreed upon by the parties, and if the rafts or strings so rafted are not taken away within three days of the time when the owner or owners shall have been notified that the said rafts or strings are ready for delivery, then the said Company may carefully drop the said rafts or string and make the same fast at some point below the boom, at the expense and risk of the owner or owners of the said rafts or strings."

Logs, how scaled.

Provision for compensation for booming.

SEC. 5. The eighth section of the said act to amend an act entitled an act to incorporate the Mississippi Boom Company shall be so amended as to read as follows, viz:

"SEC. 8. All logs or other timber passing through said boom, shall be scaled by some competent person, to be selected by the said company, when there is no authorized surveyor of lumber in office in the county or counties in which said boom is or may be located, and computed according to the Pine scale now used and known as the St. Croix Pine Scale, or such other scale as may be provided by law; and the charges made according to said scale and the said Boom Company shall have power and are hereby authorized to cause logs of each mark, sufficient to cover the amount of boomage, scaling and rafting due on such mark, computing said logs so scaled at highest cash market price at said boom, per thousand feet, to be scaled to the said Boom Company on delivery of each raft or string of logs rafted permanently by said Boom Company, or on each and every Saturday for logs delivered in lines and wedges, or otherwise temporarily rafted, as provided by this act, and said logs so scaled to the said Boom Company shall be immediately marked with the mark of said Company and shall become the property of said Company, and said Company may also charge and collect ten cents additional Boomage on all logs retained over winter in said Boom, at the request of the owner or owners of said logs or timber."

N. C. D. LOR,

Speaker of the House of Representatives.

S. B. OLMSTEAD,

President of the Council

APPROVED—March fourth, one thousand eight hundred and fifty-four.

W. A. GORMAN.

SECRETARY'S OFFICE,
St. Paul, March 30th, 1854. }

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

J. TRAVIS ROSSER,

Secretary of Minnesota Territory.

CHAPTER 3.

An Act to amend an Act entitled "An Act to Incorporate the St. Croix Boom Company.

March 8, 1854.

SECTION.

1. St. Croix Boom Company—Corporators—Term of duration—May hold property.
2. Capital Stock.
3. Books where opened.
4. Company, how organized.
5. Officers.
6. Elections.
7. Meetings how called—by-laws.
8. Duties of Directors.
9. Of the Secretary.

SECTION.

10. Votes—quorum:
11. Company may construct and maintain a Boom—Proviso.
12. Logs, how sorted and delivered.
13. Compensation—proviso.
14. Compensation, when due and how paid—proviso.
15. Channel not to be obstructed.
16. Amendment.
17. Logs may be turned through loose.
18. Report to Government.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That the Act entitled "an act to incorporate the St. Croix Boom Company," passed February 7th, 1851, be, and the same are hereby amended to read as follows :

St. Croix Boom Company.

SECTION 1. That Orange Walker, John McKusick, George B. Judd, Levi Churchill, Socrates Nelson, Daniel Meers, W. H. C. Folsom, and William Kent and their associates, successors and assigns be, and they are hereby constituted a body corporate and politic, for the purposes hereinafter mentioned, by the name of the "Saint Croix Boom Company," for the term of fifteen years, and by that name they and their successors shall be, and they are hereby made capable in law, to contract and be contracted with, sue and be sued, plead and be impleaded, prosecute and defend, answer and be answered, in any court of record, or elsewhere, and to purchase and hold any estate, real, personal or mixed, and the same to grant, sell, lease, mortgage or otherwise dispose of, for the benefit of said company ; to devise and keep a common seal, to make and enforce any by-laws not contrary to the constitution and laws of the United States, or of this Territory ; and to enjoy all the privileges, franchises and immunities incident to a corporation.

Corporators.

Term of duration.

May hold property.

SEC. 2. The capital stock of said company shall be ten thousand dollars, in shares of one hundred dollars each, and the board of directors shall have power at any time, whenever a majority in value of the stockholders shall deem the same advisable, to increase the said capital stock to an amount not exceeding in the whole, twenty-

Capital stock.