

SEC. 13. Every conductor, baggage master, or other agent or servant of the said company, and who shall be engaged in the ticket office, or on the cars on said railroad, shall wear upon his hat or cap a plain badge which shall indicate his office or station, and no conductor or collector shall demand, or be entitled to receive, any fare or toll from any freighter or passenger, or exercise any control or direction in his station, or to be authorized or allowed to interfere with any passengers, baggage or freight, without wearing such badge. Wear badge

SEC. 14. Every locomotive engine on such railroad shall be furnished with a good and sufficient alarm bell or whistle, and be fully sounded, at least eighty rods distant from every highway crossing, while the engine, either with or without a train of cars shall be passing over said road, and for every violation of this section the said company shall forfeit and pay to whomsoever shall prosecute for the same, the sum of fifty dollars. Alarm bell

SEC. 15. This act is hereby declared to be a public act and may be amended by any subsequent Legislative Assembly in any manner not destroying or impairing the vested rights of said corporation. Public act

SEC. 16. A failure to comply with any of the requirements of this charter shall be a forfeiture of the same, and the company shall be debarred from any of the rights and privileges herein granted. Forfeiture in case of failure

SEC. 17. This act shall take effect immediately after its passage. Take effect

CHARLES GARDNER,
Speaker of the House of Representatives.
JOHN B. BRISBIN,
President of the Council.

APPROVED—March first, one thousand eight hundred and fifty-six.
W. A. GORMAN.

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

J. TRAVIS ROSSER,
Secretary of Minnesota Territory.

CHAPER CLXIV.

An Act to Incorporate the Shakopee City and Chaska Plank Road Company.

- SECTION 1. Names of corporators; body corporate.
 2. Amount of capital stock.
 3. Commissioners to receive subscriptions.
 4. Elect Directors.
 5. Affairs governed by Directors.
 6. Directors to take oath of office.
 7. Intersect or cross any highway.
 8. Width of road, and of what to be constructed.
 9. When to erect gates.
 10. Power to contract debts.
 11. Company subject to taxation; Legislature may change rates of toll.
 12. When to take effect.

Be it enacted by the Legislative Assembly of the Territory of Minnesota:

SECTION 1. That Thomas A. Holmes, Robert Kenedy, Thomas B. Hunt, and such other persons as shall become associated with them, by subscribing to the capital stock of said Company, be, and they are hereby Names of Corporators

constituted and declared a body corporate, with perpetual succession, by the name and style of the Shakopee City and Chaska Plank Road Company, for the purpose of constructing a plank road from Shakopee City, in Scott county, to Chaska, in Carver county, or to such a point between Shakopee City and Chaska, as shall be determined upon by a majority of the votes of the stockholders, each stockholder being entitled to cast as many votes as is equal to the number of shares of stock that he owns in said corporation. And for such purpose, the said Company is hereby authorized and empowered to have and receive, purchase, possess and enjoy, and retain lands, rents, goods, chattels, and effects of any kind, and to any amount necessary to carry into effect the objects of the corporation, and the same to use, sell, alien and dispose of at pleasure; to sue and be sued, defend and be defended in all Courts of this Territory, having competent jurisdiction; to have and use a common seal, and the same to break, alter or renew at pleasure; to ordain and establish such rules and regulations and by-laws, as may be necessary for the well being of the said corporation, subject however, to the restriction and limitations contained in this act.

Capital stock

Sec. 2. The capital stock of said company shall not exceed five thousand dollars, divided into shares of ten dollars each, transferable in entire shares, in such manner as the rules of the corporation shall hereinafter prescribe; Provided, that no stockholder without the consent of the directors, shall be at liberty to transfer his stock after any instalment shall be ordered, until such stockholders have paid the amount due on his stock.

Receive :
subscriptions

Sec. 3. The persons named in the first section of this act, or any three of them, shall be commissioners to receive subscriptions, and do and perform all necessary acts to organize said company, and they are hereby authorized and empowered to open books at such times and places, as a majority of the commissioners may deem proper, to receive subscriptions to the capital stock of said company, the commissioners require ten per centum of such subscriptions to be paid at the time it is subscribed, and each subscriber shall be bound to pay from time to time, such instalments on his, her, or their stock, as the directors may require; Provided, that not more than ten per centum shall be required to be paid at any one time.

Elect Directors

Sec. 4. That when one hundred shares shall be subscribed, the Commissioners shall call a meeting of the subscribers, by causing notice of the time and place of such meeting to be given in the public prints, for the period of twenty days preceding the time of holding such meeting; and at such time and place those present shall proceed to elect directors, and adopt such by-laws and regulations for the government of the corporators as shall be lawful, and as they shall deem expedient; the stockholders to vote either in person or by proxy, each stockholder being entitled to one vote for each share of stock he may hold in said company.

Affairs, by whom
managed

Sec. 5. The affairs of said company shall be governed by three directors, or a majority of them, who shall be elected once in two years, unless a shorter period shall be prescribed by the by-laws of said company, who shall hold their offices until their successors are chosen and qualified; each director shall be a stockholder at the time of his election, and shall cease to be a director when he ceases to be a stockholder. The directors shall have power to fill all vacancies in their board, which shall happen by death, removal or otherwise.

Oath of office

Sec. 6. The directors, before entering upon the duties of their office, shall take an oath or affirmation, faithfully and impartially to discharge their duties. They shall choose a President from among their number,

and appoint such officers, agents and Superintendents as they shall think proper. They shall determine upon the amount of any bonds they may see fit to exact from any officer, and pass upon their sufficiency ; prescribe the amount of any instalment to be paid upon such subscriptions, and the mode and manner of enforcing payment of any subscriptions ; and take the general charge and supervision of said company.

SEC. 7. That whenever it shall be deemed necessary by said company, in the construction of said road, to intersect, use, or cross any other road or highway, laying in or across the route of said plank road, it shall be lawful for said company to construct their road upon, along, or across the same. Cross highways

SEC. 8. Whenever said company shall have constructed said road, by thoroughly turnpiking and draining, and covering the same not less than eight feet wide, with plank at least three inches thick ; provided, that if said company shall desire to make a double track the entire length of said road, or any part thereof, they are hereby empowered so to do : and in case said company shall construct said road with a double track, then said road shall be of a width not less than sixteen feet, and shall be covered with plank at least three inches thick ; and, provided, said road shall be constructed with a single track, then said company shall form a good wagon track of earth beside the plank track, and even with it, of proper width, and properly drained ; the same shall forever hereafter be, and remain a public highway for the passage of animals, teams and travelers of every description, on the payment of such tolls as the directors may from time to time establish, and said road with all its appurtenances, together with all profits and tolls arising therefrom are hereby invested in said corporation. Width of road

SEC. 9. Whenever any one mile of said road shall be completed, according to the true intent and meaning of this act, the President and directors shall have power to erect gates thereon, and ordain and establish a rate of tolls, which shall be paid by the owner or owners thereof ; and for the collection of said tolls, they shall appoint collectors and erect gates and toll houses, and may ask, demand, and receive, the said tolls under this act. Erect gates

SEC. 10. The said company may at any time contract debts or liabilities to the amount of stock of said company, at such time actually subscribed by responsible stockholders, not expended and inclusive of such profits or income as may be reasonably expected to accrue within three years from the time of contracting said debt or liabilities. Contract debts

SEC. 11. Said company shall be subject to such taxes as now or may hereafter be provided by law. The Legislature may at any time after ten years, change the rate of tolls on said road, and may at any time subject said company to the provisions of any general law, now or hereafter in force, for the regulation of turnpike or plank road companies. Subject to taxation

SEC. 12. This act shall take effect from and after its passage. Take effect

CHARLES GARDNER,

Speaker of the House of Representatives.

JOHN B. BRISBIN,

President of the Council.

APPROVED—March first, one thousand eight hundred and fifty-six.

W. A. GORMAN.

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

J. TRAVIS ROSSER,

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