

streets, alleys, levees or wharves have been established and recorded, the grades so established and recorded shall not be changed. *Provided*, That any change may be made by the payment of all damages that may arise to any person or persons interested, said damages to be ascertained in like manner as for deep cutting or extraordinary filling of streets, as provided for in Section 10 of Chapter 4 of this Act. *Provided*, That nothing herein shall be so construed as to affect any right obtained under any former act or acts of the City Council.

GEORGE BRADLEY,

Speaker of the House of Representatives.

WILLIAM HOLCOMBE,

President of the Senate.

APPROVED—August fifth, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }  
August 5, 1858. }

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

FRANCIS BAASEN, Secretary of State.

## CHAPTER COXXIII.

### *An Act to Incorporate the Town of Woodstock.*

- SECTION 1. Boundaries of the Town.  
2. Annual Town Elections, when held.  
3. Town elections, how conducted.  
4. Corporate powers of Town officers.  
5. Town Council to pre empt town site.

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

Boundaries of  
the town

SECTION 1. That the N. E. quarter of section 33, and the N. W. quarter of section 34, in township 124, north of range 29 west, in Stearns county, and State of Minnesota, be, and the same is hereby created a town corporate, by the name of Woodstock.

Annual elec-  
tions

SEC. 2. That for the good order and government of said town, it shall be lawful for the qualified voters of said town, to meet the first day of January, 1859, and at the same time annually thereafter, at such place in said town, as the Town

Council hereinafter appointed, or any three of them, may direct, and then and there proceed to elect by ballot one President, and one Recorder, and three Trustees, being qualified voters in said town, who shall hold their offices one year, or until their successors shall be elected and qualified, and such President, Recorder and Trustees being so elected and qualified, shall constitute the Town Council of said Town, any three of whom shall constitute a quorum for the transaction of business pertaining to their duties, and for the purpose of entering said town site, and acquiring the title thereto; and David Wood is hereby appointed President, William H. Wood, Recorder, and Jeremiah Russell, G. W. Sweet and John L. Wilson, Trustees of said Town Council, until the said first day of January, 1859.

Sec. 3. At the first election to be held under this Act, there shall be chosen by the electors present at the time of opening the polls, on the day of holding said first election, two Judges and a Clerk of said election, who shall take an oath or affirmation faithfully to discharge the duties required of them by this Act, and at all subsequent elections the Trustees, or any two of them shall act as Judges, and the Recorder, or in his absence some person to be appointed by the Judges, shall be Clerk. The Polls shall be opened between the hours of ten and eleven in the forenoon, and closed at four in the afternoon of said day, and at the close of the polls, the votes shall be counted, and a true statement thereof proclaimed to those present by one of the Judges, and the Clerk shall make a true record thereof, and within five days thereafter he shall give notice to the persons so elected of their election; and it shall be the duty of said Town Council at least ten days before each and every election to give notice of the same, by putting up notices at three of the public places in said Town. Manner of conducting elections

Sec. 4. The President, Recorder and Trustees of said Town shall be and are hereby created a body corporate and politic, with perpetual succession, to be known and distinguished by the name of the Town of Woodstock, and their duties, powers and privileges shall be the same as those prescribed and allowed in an Act to "Incorporate the Town of St. Cloud," approved March first, 1856. Powers of town officers

Sec. 5. It shall be the duty of the said Town Council hereby appointed to perfect the entry of the said Town site of the Town of Woodstock, as soon as possible. Town council to pre-empt town site

A. J. RUTAN,

Speaker *pro tem.* of the House of Representatives.

WILLIAM HOLCOMBE,

President of the Senate.

APPROVED—August the fifth, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }

August 5, 1858. }

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

FRANCIS BAASEN, Secretary of State.

## CHAPTER CCXXIV.

### *An Act to Relieve the Minnesota and Northwestern Railroad Company.*

- SECTION 1.** Minnesota and Northwestern Railroad Company released from building railroad, southward of a point on the Mississippi River, conditioned upon a release of claims to Land Grant of 1857, and \$5,000,000 Loan of 1858—acceptance of act to be made within 60 days.
2. Failure to accede to the terms, this act to be void.
  3. Said Company authorized to consolidate with Minnesota and Pacific Railroad.

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

Released from building portion of road southward on Mississippi river, conditioned upon covenant to land grant railroad companies, to waive all claim to land grant of \$5,000,000

**SECTION 1.** That the Minnesota and Northwestern Railroad Company shall be and hereby is exempted and released from all obligation to construct a Railroad and Telegraph to the southward of some point between Anoka and St. Paul. *Provided*, They shall build and put in operation that portion of the railroad mentioned and contemplated in and by its charter, and extend the same from the St. Louis Bay at the head of Lake Superior within the limits of this State, to some point between Anoka and St. Paul; *Provided, further*, however, that the said Minnesota and Northwestern Railroad Company shall, within sixty days from and after the passage of this Act, duly execute under its corporate seal and deliver to the Minnesota and Pacific Railroad Company, the Transit Railroad Company, the Root River Valley and Southern Minnesota Railroad Company, and the Minneapolis and Cedar Valley Railroad Company, respectively, a full, ample and sufficient covenant, undertaking and agreement, whereby the said the Minnesota and Northwestern Railroad Company, shall covenant, promise and agree, as well for their grantees and assigns, as for themselves and their successors, that neither the said covenanters nor their successors, grantees or assigns, shall, at any time, claim or attempt to enforce as against the said, the Minnesota and Pacific Railroad Company, the Transit Railroad Company, the Root River Valley