

city to sign the said bonds, and of the recorder thereof to attest the same, and cause the seal of the said city to be affixed thereto, and when so executed and sealed, the same shall be obligatory upon said city; and shall thereupon be delivered to the said railroad company or its order, and that it shall thereupon become the duty of the common council of said city to cause a tax to be levied upon the taxable property of said city annually, sufficient in amount to pay the interest upon said bonds as the same shall become due and payable, and to provide a sinking fund to meet the principal of said bonds, and that the faith of said city of Stillwater shall stand pledged for the punctual payment of said interest and principal as in said bonds provided. *Provided, however,* That said bonds shall not be delivered to said company until said railroad from Stillwater to White Bear Lake shall be completed, with the cars running thereon.

SEC. 2. This act to take effect and be in force from and after its passage. When act to take effect.

Approved March 4, 1870.

CHAPTER LXXIII.

An Act relating to the Saint Paul and Sioux City Railroad Company. March 1, 1870.

- SECTION 1. Change of name of Minnesota Valley Railroad is hereby approved—confirmation of acts done under said name—repeal of inconsistent acts.
2. Repeal of former act conditionally.
 3. By what authority to acquire and hold right of way, depot grounds, &c.—how private property may be taken.
 4. Company to require employees to wear badges or uniform—to determine route of branch line.
 5. Authorized to issue stock—for what purpose—debt or liabilities of branch line not to be a lien upon main line, nor main line upon branch.

6. When bridges, right of way, depot grounds, &c., may become joint stock—may be repealed at any time.
7. To file certificate with Secretary of State—what to contain.
8. When act to take effect.

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

SECTION 1. That the Minnesota Valley Railroad Company, having by a resolution of its board of directors, determined to change the name of said company to that of the Saint Paul and Sioux City Railroad Company, as provided by section four of the act to authorize the Minnesota Valley Railroad Company to construct a branch from Mankato, or some point near thereto, to the south line of Faribault county, is hereby approved, and all lawful acts done by said company under said new name, are hereby confirmed, and said company by the name so assumed, is continued, and may transport passengers and freight for hire, and generally operate their road, and with succession perpetually enjoy all the rights and privileges heretofore or hereafter conferred by law, and all parts of acts inconsistent with this act, are hereby repealed.

Change of name of said road approved—confirmation of acts done—repeal of inconsistent acts.

SEC. 2. That so much of the act entitled "an act to incorporate the Root River Valley and Southern Minnesota Railroad Company," approved March second, one thousand eight hundred and fifty-five, and any acts amendatory thereto, as confers on the St. Paul and Sioux City Railroad Company, the right to take private property for any of the purposes of said company, and so far as the same provides for the manner and proceedings for taking the same, are hereby repealed, saving all rights heretofore acquired, and continuing the rights of all parties having proceedings pending under the acts or parts of acts hereby repealed.

Repeal of former act conditionally.

SEC. 3. That in lieu of the acts and provisions repealed by the preceding section of this act, said Saint Paul and Sioux City Railroad Company shall hereafter have the right and authority to acquire and hold right of way, depot grounds and all other privileges in all respects as provided by the thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth and twenty-seventh sections of chapter thirty-four, title one, relating to corporations, of the revised statutes of Minnesota, now in force. *Provided,*

May acquire and hold right of way, &c.—how private property may be taken.

That all proceedings on the part of said company to condemn private property for the uses of its railroad shall be taken in, and the commissioners to be appointed, shall be residents of, the county where such property is situated, or the county to which such county is attached for judicial purposes.

SEC. 4. That section fourteen of said act incorporating the Root River Valley and Southern Minnesota Railroad Company, approved March second, one thousand eight hundred and fifty-five, is hereby repealed, and said company shall have authority to require employees to wear such badge or uniform as the superintendent or directors may think proper. That the Saint Paul and Sioux City Railroad Company may locate, construct and build its branch line authorized by the act of the legislature of the state of Minnesota, approved March sixth, one thousand eight hundred and sixty-seven, from a point on its main line at Mankato, to the south line of the state, on such route as the company may determine, and all provisions of said last named act conflicting herewith are repealed.

Employees to wear badges—to determine route of branch line.

SEC. 5. That the act authorizing said company to construct a branch line from some point on its main line at or south of Henderson, is hereby amended so as to authorize said company for the purpose of constructing and operating said branch road, to create and issue, general or common stock, and special and preferred stock, applicable to such branch road in such manner and with such provisions for security, dividends and management of said road as may be agreed upon with the holders of, or provided prior to the issue of such stock, and such branch may be owned, managed and operated as a distinct interest from the main line, and the debts and liabilities of the branch line shall not be a lien or liability of or upon the main line; nor shall the debts or liabilities of the main line be a lien or liability upon the branch line; and all laws and the charter now or hereafter in force relating to the said St. Paul and Sioux City Railroad Company, shall as far as applicable apply to and govern the branch lines of said road.

To issue stock—for what purpose—debts of branch not to be a lien on main line.

SEC. 6. That whenever the St. Paul and Sioux City Railroad Company shall hereafter or shall have heretofore found it necessary or convenient, to unite with any other railroad company in the joint construction, purchase or use of any bridge, right of way, depot grounds, tracks or other railroad property, it shall be lawful for them to agree upon the terms of said purchase, joint use, or ownership,

When bridges, &c., may become joint stock—may be repealed at any time.

or said company may hire or lease such portion of its road to any other railroad company, or may hire or lease to any other railroad company so much of their respective roads as they may think proper, on such terms and for such time and rental as may be agreed upon, and in all cases of joint ownership, use or lease of any road or part thereof, the company using such road, and whose trains or acts cause injury to any person or property, shall be held liable therefor; and any agreement made for that purpose may define the rights of the respective parties, and when duly filed or recorded in the office of the secretary of state, shall be notice to all persons, and copies of such agreement duly authenticated shall be evidence in all courts and places. *Provided*, That the legislature may amend or repeal this section at any time, saving all rights accrued or accruing, and continuing the rights of all parties having proceedings pending, under or by virtue of said section, at the date of its amendment or repeal.

To file certificate
—what to contain

SEC. 7. The St. Paul and Sioux City Railroad Company shall file with the secretary of state a certificate signed by its president and secretary setting forth the date of such change of names and the acceptance by said company of the provisions of this act.

When act to take
effect.

SEC. 8. This act shall be in force from and after its passage.

Approved March 1, 1870.