

CHAPTER 83.

(S. F. No. 500.)

AN ACT TO AMEND CHAPTER ONE HUNDRED AND THIRTY-FOUR (134) OF THE SPECIAL LAWS OF THE YEAR ONE THOUSAND EIGHT HUNDRED AND SIXTY-SEVEN (1867), AS AMENDED BY CHAPTER ONE HUNDRED AND TWENTY (120) OF THE SPECIAL LAWS OF THE YEAR ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT (1868), AND BY CHAPTER ONE HUNDRED AND SEVENTY-FIVE (175) OF THE SPECIAL LAWS OF THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SEVEN (1877), IN RELATION TO THE MISSISSIPPI AND RUM RIVER BOOM COMPANY.

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

SECTION 1. That section one (1) of chapter one hundred and seventy-five (175) of the special laws for the year one thousand eight hundred and seventy-seven (1877), be and the same hereby is amended by striking out the words "west line of section sixteen (16), in township one hundred and twenty-one (121), of range twenty-four (24, in the county of Wright, would, if extended northward, intersect and cross," where they occur in said section, and by inserting in place thereof the following words: "Northern Pacific railroad bridge in the city of Brainerd crosses," and by striking out the words "at or near said section sixteen (16)," where they occur in said section, and by inserting in place thereof the following words: "At or near said bridge."

SEC. 2. That section four (4) of chapter one hundred and twenty (120), of the special laws for the year one thousand eight hundred and sixty-eight (1868), be and the same hereby is amended by striking out the words "free of boomage" where they occur in said section, and by inserting in place thereof the following: "At the actual cost of holding and turning out the same," and by adding at the end of said section the following: "The Mississippi and Rum River Boom Company shall be entitled to collect of any person to whom any logs are so turned out at Anoka, his proportion of the expense of maintaining the boom in Rum river and his proportion of the damages growing out of the maintenance of said booms, to be measured by the ratio which the logs turned out to him bear to the total amount of logs run down said Rum river in any one (1) year."

SEC. 3. That chapter one hundred and thirty-four (134) of the special laws of the year one thousand eight hundred and sixty-seven (1867), be and the same hereby is amended by adding thereto the following:

Section 23. The Mississippi and Rum River Boom Company is hereby authorized to issue for the purpose of making necessary improvements, additional stock not to exceed fifty thousand (50,000) dollars, on which said Boom Company shall pay seven (7) per cent interest per annum.

SEC. 4. That chapter one hundred and thirty-four (134) of the special laws for the year one thousand eight hundred and sixty-seven (1867), be and the same hereby is amended by adding thereto the following:

Section 22. The Mississippi and Rum River Boom Company is hereby authorized, and it is hereby made its duty, whenever required by the St. Cloud Boom Company, to construct and thereafter to perpetually maintain a shear boom in the Mississippi river above Sauk Rapids, in such a manner as to turn all the logs coming down said river to the east side of Miller's and Clark's islands, so called, for the purpose of aiding and assisting the assorting of logs that are to be stopped at Sauk Rapids and St. Cloud, and said boom company shall be entitled to collect a reasonable amount for the logs that are stopped at the places above named for constructing and maintaining said boom. *Provided*, said St. Cloud Boom Company shall give to said Mississippi and Rum River Boom Company at least five (5) months notice to construct such shear boom; and such shear boom shall not be required to be constructed before the first (1st) day of April, after said notice, and the said Mississippi and Rum River Boom Company is also hereby authorized to charge and collect from the owners of logs so stopped as aforesaid, an additional sum not exceeding ten (10) cents per thousand feet for driving said logs so stopped, from where they may come into the limits of said Mississippi and Rum River Boom Company's boom, at or between Brainerd and the shear boom aforesaid, and it is *further provided*, that the said St. Cloud Boom Company is hereby authorized to construct piers and maintain booms for the purpose of holding logs designed for mills at Sauk Rapids and St. Cloud, at any point below the head of Miller's island and above the St. Cloud dam, and they are further authorized to stop logs between Miller's island and Clark's island, and the east shore of the Mississippi river, a sufficient length of time to assort the same, the said boom company to use all due diligence to assort and turn out whatever logs may be stopped in their assorting boom but not destined for St. Cloud or Sauk Rapids. *Provided, however*, that no authority is hereby granted to the St. Cloud Boom Company to stop any logs below the foot of Clark's island, except what are required by the owners thereof to be stopped in said booms between said island and St. Cloud dam, and *provided further*, that in case the Mississippi and Rum River Boom Company shall fail or neglect to construct and maintain said shear boom so contemplated and provided by this act, then and in such case the said St. Cloud Boom Company shall have a right to construct and maintain the same at the place and for the purposes aforesaid. The said St. Cloud Boom Company hereinbefore mentioned, shall be construed to mean a corporation now in process of organization by that name under the general laws of this state, but whose organization has not yet been completed; *provided*, that said St. Croix Boom Company may construct and maintain at any point above said Miller's island and below the mouth of Platte river such other shear booms or other booms as they may deem necessary for the purpose of hold-

ing such logs or timbers as may be required to be stopped at Sauk Rapids and St. Cloud, provided such shear booms shall not delay the other logs or timbers destined for points below St. Cloud, and shall not hinder or increase the expense of driving logs by the Mississippi and Rum River Boom Company; *provided further*, that any parties, company or corporation desiring to stop and retain any logs and timbers required to be stopped between the mouth of Crow Wing river and the lower limits of the village of Little Falls, may assort, stop and retain such logs or timbers from the other logs and timber, in said Mississippi river, and may construct, maintain and operate such shear or other booms as are necessary for such purpose; *provided further*, that the Mississippi and Rum River Boom Company shall be entitled to collect reasonable compensation for driving such logs, so stopped and retained at Little Falls, not exceeding ten (10) cents per thousand feet, board measure, and may enforce payment of the same, according to the provisions of the charter of this company.

SEC. 5. The said Mississippi and Rum River Boom Company may collect the boomage and charges provided for in this act in the same way, and shall have the same lien therefor, as in other cases under its charter.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved March 2, 1887.

CHAPTER 84.

[S. F. No. 810.]

AN ACT TO AMEND SECTION FOUR (4) OF CHAPTER ONE HUNDRED AND ONE (101) OF THE SPECIAL LAWS OF THE YEAR A. D., ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO (1872), RELATING TO THE WINONA AND SOUTHWESTERN RAILROAD COMPANY

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

SECTION 1. That section four (4) of chapter one hundred and one (101) of the special laws of the year A. D. one thousand eight hundred and seventy-two (1872) being an act entitled "an act to revise and continue an act and the corporation created by said act entitled an act to incorporate the Winona and La Crosse Railroad company approved February twenty-fifth (25th), one thousand eight hundred and fifty-six (1856), and to amend said act;" be amended by striking out all said section four (4) after the word "follows," in the second (2d) line and inserting in lieu thereof the following:

The said corporation shall locate at least ten (10) miles of said road and commence work thereon within three (3) years from the time this act shall take effect and fully complete and equip said road within five (5) years from the passage of this act.

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

Approved Feb. 26, 1887.