

Railroads.

CHAPTER 91.

LEASING RAILROAD LINES.

AN ACT to Amend Section Thirteen (13) of Chapter Forty-six (46) of the General Laws of the Territory of Dakota for the year 1879.

Be it Enacted by the Legislative Assembly of the Territory of Dakota :

§ 1. COMPANY MAY LEASE AND OPERATE LINES.] Section thirteen of chapter forty-six of the General Laws of the Territory of Dakota, for the year 1879, is hereby amended so that the last paragraph of said section shall read as follows, viz :

Any railroad corporation whose line is wholly or in part within this Territory whether chartered by or organized under the laws of this Territory, or of any other State or Territory, or of the United States, may lease or purchase and operate the whole or any part of the railroad of any other railroad corporation, together with the franchises, powers, immunities and all other property or appurtenances appertaining thereto when such railroads can be lawfully connected and operated together, so as to constitute a continuous main or branch line. And all such purchases or leases heretofore made or entered into, are for all intents and purposes hereby ratified and confirmed ;

Provided, That in no case shall the capital stock of the company formed by such consolidation exceed the sum of the capital stock of the companies so consolidated at the par value thereof, nor shall any bonds or other evidences of debt be issued as a consideration for or in connection with such consolidation.

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

Approved, March 9, 1883.

CHAPTER 92.

POWERS OF RAILROAD CORPORATIONS.

AN ACT to Amend Chapter Forty-six of the Laws Passed in the year 1879.

Be it Enacted by the Legislative Assembly of the Territory of Dakota :

§ 1. CONCERNING GENERAL POWERS.] Section nine of the act mentioned in the title hereof is hereby amended by inserting the words, "And every railroad corporation authorized to construct, operate or maintain a railroad within this Territory," after the words "Every corporation formed under this chapter" where the same occurs in the said section.

§ 2. CONCERNING POWER TO ENTER UPON LAND.] Section twenty-three of the said act is hereby amended by inserting the words "And any railroad corporation authorized to construct, operate or maintain a railroad within this Territory," after the words "Any railroad corporation incorporated under this act," where the same occurs in the said section.

§ 3. This act shall take effect and be in force from and after its passage and approval.

Approved, February 14, 1883.

CHAPTER 93.

SALES OF CERTAIN RAILROAD PROPERTY.

AN ACT to Secure Manufacturers and Owners of Railroad Equipment and Rolling Stock in Making Conditional Sales and Certain Contracts for the Lease thereof.

Be it Enacted by the Legislative Assembly of the Territory of Dakota :

§ 1. LIEN OF PARTY SELLING RAILWAY PROPERTY.] That in all cases where railroad equipment and rolling stock may have been or shall be sold to any person, firm, or corporation, to be paid for in whole or in part in installments, or shall be leased, rented,

hired or delivered, on condition that the same may be used by the person, firm or corporation purchasing, leasing, renting, hiring or receiving the same, and that the title to the same shall remain in the vendor, lessor, rentor, hirer or deliverer of the same until the agreed upon price of or rent for such property shall have been fully paid, such condition in regard to the title so remaining in the vendor, lessor, renter, hirer or deliverer until such payments are fully made, shall be valid for all intents and purposes as to subsequent purchasers in good faith and creditors ;

Provided, The term during which the installments or rent are to be paid shall not exceed ten years, and such contract shall be in writing and acknowledged.

§ 2. CONTRACT, WHERE RECORDED.] That such contract shall be recorded in the office of the Secretary of the Territory and in the county in which is located the principal office or place of business of such vendee or lessee, and on each locomotive or car that may have been or may be so sold or leased, the name of the vendor or lessor or assignee of the vendor or lessor shall be marked, followed by the word "owner" or "lessor," as the case may be.

§ 3. That all acts or parts of acts in conflict with this act are hereby repealed.

§ 4. That this act shall take effect and be in force on and after its passage and approval.

Approved, March 1, 1883.

Rapid Creek.

CHAPTER 94.

TO PRESERVE THE WATERS FROM IMPURITIES.

AN ACT to Prevent the Corruption of the Waters of Rapid Creek.

Be it Enacted by the Legislative Assembly of the Territory of Dakota :

§ 1. CERTAIN ACT UNLAWFUL.] That it shall be unlawful for any person, persons, company or corporation to place or cause to be placed, manure, butchers' offal, rubbish, carcasses of dead ani-