

State of Minnesota Supreme Court
April Term A.D. 1886
No 121

The State of Minnesota on the
Relation of William J. Hahn
Attorney General

Relator

against

The Hastings & Dakota
Railway Company

Respondent

The above entitled cause or proceeding
having been brought in said court upon
an information by William J. Hahn,
then Attorney General of the State of
Minnesota, alleging, among other things
that therefore, by act of legislature of
the State of Minnesota, approved March
9th, 1867, entitled 'An act to amend an
act, entitled 'An act to incorporate the
Hastings, Minnesota River, and Red River
Railroad Company,' approved March 3d,
1866," the respondent was incorporated as
a corporation under the name of the
Hastings and Dakota Railway Company
and was, in and by said act, given
certain lands, property, franchises liber-
ties and privileges and alleging further
that on the 1st day of July 1878 the said
respondent, the Hastings and Dakota Rail-
way Company sold and conveyed

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all their then railway line, together
with the appurtenant ^{privileges appertaining thereto} lands ^{of} Milwaukee
and St Paul Railway Company and that
since said date the respondent has wholly
ceased of using or operating any railroad
line and has since said date entirely
suspended its lawful business and has
failed to exercise any of its franchises
or perform any lawful business for
which it was created or organized;
and further alleging in said information
that by reason of the premises the said
respondent had wholly forfeited the
rights, privileges and franchises granted
to it by the said State of Minnesota
and which it had acquired under the
laws of said State and that said
respondent had during said time,
subsequent to such sale, usurped all
the privileges, liberties and franchises
theretofore granted to and conferred
upon it; and the said W. J. Stabor
as Attorney General for said State
of Minnesota, having in said infor-
mation prayed that the respondent be
required to make answer to the State
of Minnesota by what warrant it
claimed to have, use and enjoy the
liberties, privileges and franchises
theretofore granted to it and to show
cause why the said liberties, franchises
and privileges should not be adjudged

and decreed to be forfeited to said State
and why the charter of the said respondent,
the Hastings and Dakota Railway
company should not be vacated, that
its existence as a corporation be annulled,
and having prayed that a writ issue
to the end that the same might be deter-
mined, and the writ having been issued
as prayed for in said information
and such proceedings having been had
thereon and thereunder that the said
court did, on the 22nd day of December,
1886, file its decision wherein among
other things it was decided, adjudged
and decreed that the State of Minnesota
was entitled to judgment of forfeiture
against the respondent as prayed for in
said information and the said court
having ordered judgment to be entered
accordingly, now Therefore, upon
motion of Moses Clapp, Attorney
General of the State of Minnesota
as attorney for said violator, it is
ordered, adjudged and decreed that
the said respondent, the Hastings
and Dakota Railway company has
forfeited to said State of Minnesota
all the liberties, privilege and franchises
of every kind and nature whatever
as a corporation heretofore granted
to the said respondent, the Hastings
and Dakota Railway company, by

1 said State of Minnesota or acquired by
2 said respondent under any of the laws
3 of said State; and it is further adjudged
4 ordered and decreed that the incorporation,
5 charter, corporate and charter rights
6 of the said respondent, The Hastings
7 and Dakota Railway Company be and
8 the same are each and all, absolutely
9 vacated and annulled.

10 And it is further adjudged that
11 the Relator herein do have and recover
12 of the said The Hastings and Dakota
13 Railway Company, Respondent herein
14 the sum and amount of Fifty Six and
15 ⁸⁰/₁₀₀ Dollars (\$56.80) costs and disbursements
16 in this cause in this Court and that
17 the said Relator have Execution for
18 the enforcement thereof

19
20 Dated and signed this 23^d day of March 1887

21 By the Court

22 Attest:

23 J. B. Jones
24 Clerk

STATE OF MINNESOTA,
SUPREME COURT. } ss.

H. Jones

I, ~~SAM. H. NICHOLS~~, Clerk of said Supreme Court, do

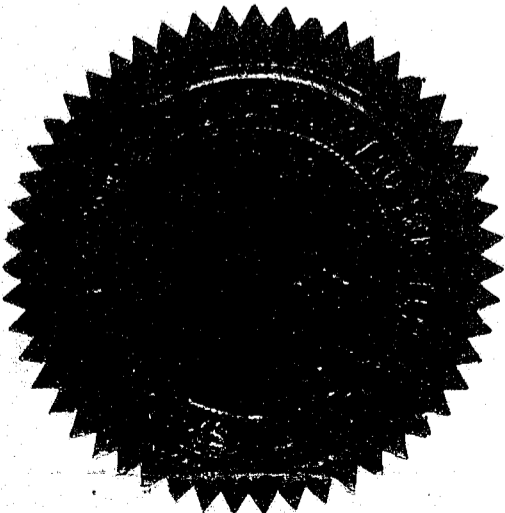
hereby certify that the foregoing is a full and true copy of the Entry of *Judgment* in the cause therein entitled, as appears from the original, remaining of record in my office; that I have carefully compared the within copy with said original, and that the same is a correct transcript therefrom, and of the whole thereof.

WITNESS my hand and the seal of said Supreme Court at the

Capitol, in the city of St. Paul, this *23rd*
day of *March* A. D. 188*7*

H. Jones Clerk.

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Waring's & McKeen
E. P. R.

RE-INDEXED

MAY 12 1921

Filed in this office March 23^d 1887
at 4 o'clock P. M.

A. Mattson
Secretary of State