

CHAPTER XCIII.

February 28,
1872.

An Act to Confirm the Sale of the Line of Railroad of the St. Paul and Chicago Railway Company, extending from St. Paul to La Crescent, and to Authorize the Milwaukee and St. Paul Railway Company, the Purchaser Thereof, to Own and Operate the Same.

- SECTION 1. Sale of railroad legalized, and corporate rights vested in purchaser.
2. Continuous connection required with the line into Dakota and Hennepin counties.
 3. Freight and passengers to be carried at reasonable rates.
 4. Form of acceptance of this act.
 5. When act to take effect.

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

Sale of railroad
legalized.

SECTION 1. That the Milwaukee and St. Paul railway company, having acquired by purchase the line of railroad extending from the city of St. Paul to Winona and La Crescent, which purchase is evidenced by the deed of the St. Paul and Chicago railway company, bearing date the third day of January, A. D. eighteen hundred and seventy-two, and duly recorded in the office of the secretary of state of this state, they, the Milwaukee and St. Paul railway company, may use and exercise within this state, all the rights, privileges and franchises which have been heretofore or which shall hereafter be conferred on the St. Paul and Chicago railway company, or upon the St. Paul and Pacific railroad company, appertaining to the use, operation or construction of said line of railroad between the city of St. Paul and the south line of this state, including the right to borrow money and to give mortgage or trust deeds as security for the payment thereof, and they, the Milwaukee and St. Paul railway company, shall be subject to all the duties and liabilities heretofore imposed upon said St. Paul and Chicago railway company, or upon the St. Paul and Pacific railroad company, relating to the line of railroad purchased by the Milwaukee and St. Paul railway company. *Provided*, That the rights, privileges and franchises conferred by this section

upon the Milwaukee and St. Paul railway company, shall refer and apply only to the line of road of the said St. Paul and Chicago railway company, purchased and which purchase is hereby confirmed.

SEC. 2. The said Milwaukee and St. Paul railway company shall, on and after the acceptance of this act, make and maintain a continuous connection through the city of St. Paul, between the line of railway so purchased of the St. Paul and Chicago railway company and its present line of railway in Dakota and Hennepin counties, heretofore belonging to the Minnesota Central railway company, and to that end the said Milwaukee and St. Paul railway company may make with any other railroad company such arrangements for the use of any portion of its tracks and road beds as may be necessary, or may at any time hereafter to the extent which may be reasonably necessary to the establishment and maintenance of such connection, enter upon and cross over or under the tracks, road bed and lands of any other railroad corporation, and any other lands, streets and highways, with its own tracks necessary to maintain such connection, condemning the same to its own use in the same manner and upon the like terms and conditions as the St. Paul and Chicago railway company or the St. Paul and Pacific railroad company are authorized to condemn land for right of way and railway purposes, but the right to condemn and occupy any other street in the city of St. Paul shall not be exercised so long as said company have the right to use the public levee for such connection and can accomplish such connection by the use of such levee.

Continuous
connection re-
quired.

SEC. 3. The rights herein are granted and this act is passed upon this express condition: That the Milwaukee and St. Paul railway company shall at all times carry freight and passengers upon its road at reasonable rates.

Freight and
passengers.

SEC. 4. The Milwaukee and St. Paul railway company shall, by a resolution of its board of directors, accept this act, and within sixty days from its passage and file a copy with the secretary of state, otherwise this act shall be void.

Form of ac-
ceptance.

SEC. 5. This act shall take effect and be in force from and after its passage.

When act to
take effect.

Approved February 28, 1872.