

CHAPTER XLIX.

AN ACT TO EXTEND THE TIME FOR THE COMPLETION OF THE UNFINISHED LINES OF RAILROAD OF THE ST. PAUL AND PACIFIC RAILROAD COMPANY.

WHEREAS, The said railroad company hath already expened over three million dollars obtained from the sale of bonds secured by a mortgage or trust deed upon all the lands, property and franchises of said company in the construction of a line of railroad from St. Cloud by way of Glyndon to St. Vincent, and a line of railroad from Watab to Brainerd ;

AND WHEREAS, Said lines of railroad are still incomplete and unfinished ;

AND WHEREAS, The time given by the state to said railroad company to complete said lines of railroad hath already expired ;

AND WHEREAS, The public interests require that said lines of railroad should without delay be finished, completed and put in operation, and that the rights of said railroad company, its mortgagees and other creditors should be fully saved and protected in the premises ;

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

SECTION 1. That the time for the grading and completion by the St. Paul & Pacific railroad company of its lines of railroad from St. Cloud by way of Glyndon to St. Vincent, and from Watab to Brainerd, be and the same hereby is revived and extended until the first day of December, A. D. eighteen hundred and seventy-six, upon the terms and conditions hereinafter specified ; and the said company, on completing said lines of railroad as hereinafter required, and upon the terms and conditions hereinafter contained, shall have and be entitled to any and all lands granted, or to be granted, by the United States of America to the state of Minnesota, to aid in the construction of said lines of railroad, and shall have and be entitled to all and singular, the same lands, rights, privileges and franchises, as if such lines of railroad had been constructed and put in operation within the time heretofore limited by law for that purpose, excepting and reserving from this or any other provisions of this act, all lands upon which actual settlers had entered upon in good faith prior to June twenty-second, eighteen hundred and seventy-four.

SEC. 2. The line of railroad from St. Cloud to St. Vincent, shall be located and constructed through Sauk Centre, Osakis, Alexandria and Fergus Falls, and that part of the line from Melrose to Fergus Falls shall be first constructed and put in operation, and shall be fully completed from Melrose to Alexandria by the first day of December, A. D. eighteen hundred and seventy-five, and from Alexan-

dria to Fergus Falls, by the first day of December, eighteen hundred and seventy-six.

SEC. 3. The governor of this state shall, on the completion of said railroad from Melrose to Alexandria, upon demand of the proper officers or representatives of said company, convey by deed of conveyance, or certify over to said railroad company three hundred thousand acres, to be selected by the governor, of the lands already conveyed by the United States to the state of Minnesota for said railroad company, together with such other lands within the limits of said grant, to be selected by the governor, equal in quantity to the lands to which the state is entitled, for the construction of the railroad from Melrose to Alexandria, and on the completion of said railroad from Alexandria to Fergus Falls, the governor shall convey by deed of conveyance or certify over to said railroad company, all other lands than those herein provided for, which may have accrued to the state for the construction of said lines of railroad; *Provided, however,* That the governor before making any conveyance to said company, shall select and set apart and reserve to the state four hundred thousand acres of the lands accrued and conveyed to the state for the construction of said lines of railroad, for the purpose of securing the payment of debts contracted and due for the construction of said lines of railroad, or any part thereof, the same being the debts contracted, in the building of said railroad, and secured by the [act] approved February twenty-first, eighteen hundred and seventy-four, relating to the same, but when such debts are fully paid or otherwise duly secured, then the lands so reserved, shall by the governor be conveyed or certified over to said railroad in the same manner as is herein provided for the other lands accrued or accruing to the state for said lines of railroad; *Provided further,* That before any conveyance of land shall be made to said company, there shall be executed by the company, trustee or bondholders or other proper authority, a valid and binding assent to the said reservation satisfactory to the governor, of said four hundred thousand acres of land, so that the same may be held, used and appropriated for the payment of said claims due the citizens of Minnesota as herein provided.

SEC. 4. Said railroad company, its successors or assigns, shall at all times transport over all the lines of its railroad, passengers and freight at just and reasonable rates, and shall make no unjust or unreasonable discrimination respecting the same.

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

Approved March 8, 1875.