

chapter one (1) of the general laws of A. D. eighteen hundred [and] seventy-eight (1878) shall not be held a sufficient cause for the failure to pay said tax and penalty.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved February 24, 1885.

CHAPTER 300.

AN ACT TO TRANSFER THE LANDS GRANTED TO THE DULUTH AND WINNIPEG RAILROAD COMPANY TO THE ST. PAUL, BRAINERD AND NORTHWESTERN RAILROAD COMPANY, AND PRESCRIBING THE METHOD AND TERMS OF SUCH TRANSFER.

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

SECTION 1. That the lands granted to the Duluth and Winnipeg Railroad company by an act approved March ninth (9th), one thousand eight hundred and seventy-eight (1878), entitled "An act to transfer the lands granted to the Duluth and Iron Range Railroad company, and other purposes," be, and the same are hereby, in case of forfeiture by the said Duluth and Winnipeg Railroad company, transferred to and vested in the St. Paul, Brainerd and Northwestern Railroad company, a company organized and created under the laws of the state of Minnesota, to aid in the construction of their line of road, as described in their articles of incorporation; and in case of such forfeiture, the said St. Paul, Brainerd and Northwestern Railroad company shall be entitled to the same number of sections of swamp land for each mile of the road, to be selected with reference to its line of road in the same manner and upon like conditions as provided in said act of March ninth (9th), one thousand eight hundred and seventy-eight (1878), with reference to said Duluth and Winnipeg Railroad company; *Provided*, That this act shall in no manner affect or interfere with the provisions of an act of the legislature of this state, approved March sixth (6th) one thousand eight hundred and eighty-three (1883), entitled "An act to amend and continue the act of the legislature of this state, approved March ninth (9th), one thousand eight hundred and seventy-five (1875), relating to the Duluth and Iron Range Railroad company;" *And provided further*, That in no event shall the St. Paul, Brainerd and Northwestern Railroad company be entitled to receive under the provisions of this act any greater number of acres of swamp land in the aggregate than the Duluth and Winnipeg Railroad com-

pany would be entitled to receive under said act of March ninth (9th), one thousand eight hundred and seventy-eight (1878).

SEC. 2. That at any time after such forfeiture when the governor of the state shall be notified by the said St. Paul, Brainerd and Northwestern Railroad company of the completion of any ten (10) consecutive miles of its said road it shall be his duty to have the same examined by sworn commissioners, and on their certificate of the completion of each consecutive ten (10) miles, in a good and substantial manner as contemplated by this act and the articles of incorporation of said company, the governor shall notify the secretary of state, who shall forthwith cause swamp land certificates to be issued to the president and directors of said railroad company for the number of acres to which they shall be entitled under this act, for the number of miles so completed, as provided in this act; *Provided*, That on or before the ninth (9th) day of March, one thousand eight hundred and eighty-eight (1888), the said St. Paul, Brainerd and Northwestern Railroad company shall cause a survey of the line of its said road to be made and a map thereof filed with the secretary of state; *And provided further*, That at least twenty (20) miles of said road shall be built within two (2) years from the expiration of said grant to the Duluth and Winnipeg railroads that is to say, from the ninth (9th) day of March, one thousand eight hundred and eighty-eight (1888), and the whole road completed within three (3) years from said date; *Provided further*, That no land shall be earned by or accrue to the said company on account of that portion of its line south of Brainerd until it shall have completed the construction of its line from Brainerd to some point on the Red River of the North; *Provided further*, That no lands shall accrue to or be earned by the St. Paul, Brainerd and Northwestern Railroad company until it shall have paid and satisfied in full all debts now owing to any citizens of this state by the said Duluth and Winnipeg Railroad company, or by the Union Improvement and Construction company, which shall be proved to the satisfaction of the governor of the state, not exceeding in the aggregate the sum of fifty thousand (50,000) dollars.

SEC. 3. That after the filing of the map showing the line of road, as provided in the last preceding section, all of the swamp lands belonging to the state for ten (10) miles on each side of the line of said road shall be withdrawn from sale for the purposes contemplated in this act.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 10, 1885.