

general direction or location, or to become merged therein, by way of substitution, upon such terms or conditions as the two companies may agree upon, by the consent of a majority of the stockholders of each company, and the two companies, when such consolidation has been made, shall control and manage, by the Board of Directors of both companies acting jointly, such consolidated road, until the first election of Directors of said consolidating companies, when the stockholders of said companies, shall choose at such time and place as they shall agree upon, a Board of Directors, not to exceed eleven in number, who shall have power to adopt a name for such consolidated road, and by which they shall be known and recognized; to adopt a common seal; to sue and be sued; contract and be contracted with; and shall have and enjoy all and singular the rights, right of way, privileges, and immunities of said consolidating companies or either of them, as to such consolidated line, before such consolidation, which said agreement of consolidation, shall be in writing, signed by the Presidents of said consolidating companies respectively, and a copy thereof filed in the office of the Secretary of State.

May have power to consolidate the whole or a portion of its capital stock—Board of Directors how chosen

SEC. 5. This act is hereby declared to be a public act, and shall be in force from and after its passage.

Approved, March 6, 1863.

CHAPTER IV.

An Act Granting Lands to Aid the Saint Paul and Pacific Railroad Company in the Construction of their Branch Railroad from Saint Paul to Winona.

- SECTION 1. Grant of swamp lands to the St. Paul and Pacific Railroad—for what purpose—when lands may be forfeited.
 2. May consolidate said branch road.
 3. When act to take effect.

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

SECTION 1. That for the purpose of aiding in the con-

Grant of swamp
lands—for what
purpose granted
—when lands
may be forfeited

struction of a branch Railroad from St. Paul to Winona, along the valley of the Mississippi river, there is hereby granted to the St. Paul and Pacific Railroad Company, all the swamp lands belonging to this State, lying and being within the limits of seven miles on each side of the line of said branch road from St. Paul to Winona, as the same shall be located and constructed; and as soon as any twenty continuous miles of said branch road shall be located, and as often thereafter as any further twenty continuous miles thereof shall be located, the said lands within the limits aforesaid, shall be withheld from market and sale; and as soon as any twenty continuous miles of said branch road shall be completed, and as soon and as often thereafter as any further twenty continuous miles thereof shall be completed, the said lands within said limits shall be certified and conveyed to the said Company by the Governor of the State. And if when and as often as twenty continuous miles of said branch road shall have been completed, with the cars running thereon, it shall be found that any portion of the said swamp lands, within the said seven miles, have been sold or otherwise disposed of, by the United States or this State, the amount shall be made up and supplied to said Company out of the swamp lands belonging to the State, to be selected by said Company outside of said limits. And if, upon the completion of any twenty continuous miles of said road as aforesaid, it shall be found that within the said seven miles of said line, there shall not be an amount of swamp lands on each side of said line, belonging to the State, equal to at least seven full sections per mile of said road so completed, then the said Company shall have the right to, and may select from the swamp lands belonging to this State, outside of said seven mile limits, other swamp lands in an amount equal to such deficiency, and the said lands so selected by said Company outside of said seven mile limits, shall be certified and conveyed to said Company by the Governor of the State. And the said lands shall not be subject to taxation until the same shall have been sold and conveyed by the said Company. *Provided.* That if the said Company shall not within three years, construct and equip for business, with the cars running thereon, at least twenty miles of said road, and the residue thereof within five years from the passage of this act, then and in that case, all the lands hereby granted, appertaining to

the unbuilt portion of the said branch road, shall be forfeited to the State.

SEC. 2. The said Saint Paul and Pacific Railroad Company may consolidate the whole or any portion of its said branch road and property, and franchises of any other Railroad Company, or any portion thereof, upon such terms and conditions, as said companies, or a majority of the stockholders thereof, respectively, may agree; ^{May consolidate said branch road} *Provided*, That said branch road shall not be affected by or subject to any liens, judgments, deed of trust or mortgage, created upon or growing out of any agreements, liabilities, or transactions connected with any other portion of said St. Paul and Pacific Railroad.

SEC. 3. This act shall take effect from the date of its passage.

Approved, March 6, 1863.

CHAPTER V.

An Act to Extend the Time for the Grading and Completion of the Lake Superior and Mississippi Railroad.

SECTION 1. When said road to be completed.
2. When act to take effect.

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

SECTION 1. That the Lake Superior and Mississippi Railroad Company, as organized under the act entitled "An act to amend an act to incorporate the Nebraska and Lake Superior Railroad Company, approved March 8th, A. D. 1861, shall be entitled to have the time for the grading, construction and completion of said road and its branches extended as follows, to wit: If said company