

## CHAPTER XV.

*An Act to accept the grant, and in execution of the trust made and created in and by section seven of an Act of Congress, approved May twelfth, eighteen hundred and sixty-four, entitled "An Act for a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State."*

March 2, 1868.

- SECTION 1.** Grant of lands donated by act of Congress accepted.
2. Lands, interest, etc., granted by virtue of said act vested in the Minnesota Valley Railroad Company.
  3. In case of non-completion of portion of said road mentioned in said act to be forfeited and revert to the State.
  4. When lands granted to said railroad may be taxed.
  5. When act to take effect.

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

**SECTION 1.** The lands, rights, powers and privileges granted to and conferred upon the State of Minnesota in and by section seven of an act of Congress, approved May twelfth, eighteen hundred and sixty-four, entitled, "An act for a grant of land to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State," be and the same are hereby accepted upon the terms, conditions and restrictions therein prescribed, and the State of Minnesota assumes and undertakes the trust created in and by the said section.

Grant of lands donated by Congress accepted.

**SEC. 2.** All the lands, interest, rights, powers and privileges granted to and conferred upon the State of Minnesota in and by virtue of section seven of said act of Congress, are hereby granted to and vested in the Minnesota Valley Railroad Company, pursuant to the pledge and in full confirmation of the title made and assured to said company, in and by virtue of section eight of chapter two of an act of the Legislature of this State, approved March fourth, eighteen hundred and sixty-four, entitled "An act to facilitate the construction of the Southern Minnesota Railroad, and to

Lands vested in M. V. R. R. Co.

amend and continue certain acts in relation thereto : *Subject only* to the provisions of said last mentioned act, and of the act of Congress aforesaid ; and the Governor is hereby authorized and directed to convey said additional land- to said company, in the same manner and proportion as was authorized by the provisions of the act aforesaid, approved March fourth, eighteen hundred and sixty-four, relating to the grant of six sections per mile ; and after the cars shall be running on twenty miles of said road, the Governor shall, on the completion of each subsequent ten miles of road, so that cars can run thereon, convey one hundred sections of land to said company, provided the same shall be authorized by the laws of the United States.

Duty of Governor.

SEC. 3. That section seven of the act entitled "a bill for an act to incorporate the Root River Valley and Southern Minnesota Railroad Company," approved March second, eighteen hundred and sixty-five, be and is hereby amended by adding as a proviso to section seven, as follows :

*Provided*, That in place of the deposit of money required in court, said company may execute a bond in such sum and with such surety as the court may deem reasonable.

Proviso.

SEC. 4. In case said company shall fail to complete every portion of said road as mentioned in section one of chapter two of the act to facilitate the construction of the Southern Minnesota Railroad and to amend and continue certain acts in relation thereto, approved March fourth, eighteen hundred and sixty-four, within the time provided in said chapter, all the unbuilt portions thereof, with the lands, property, rights and franchises appertaining thereto, shall be absolutely forfeited, and shall revert to the State without any other act or proceeding whatever, legislative or judicial, in which case the State shall hold and possess the same in the like character she now holds them, without any merger or extinguishment, to be used, granted and disposed of for the purpose of aiding the construction of said road.

When road to be forfeited and revert to State.

SEC. 5. Whenever any lands heretofore or hereafter granted to said railroad company to aid in the construction of its road, shall be contracted to be sold, conveyed or leased by said company, the same shall be

When lands granted to said railroad may be taxed.

placed upon the tax list by the proper officer for taxation as other real estate, for the year succeeding that in which such contract for a sale, conveyance or lease thereof shall be made, but in enforcing the collection of taxes thereon, the title or interest of said company or of any trustee or mortgagee thereof shall be in no wise impaired or affected thereby, but the improvements thereon and all the interests of the purchaser or lessee therein may and shall, in case of default of the payment of taxes upon such land, be sold to satisfy the same; and it shall be the duty of the proper officers to assess and collect such taxes in accordance with the general laws relating to the assessment and collection of taxes.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved March 2, 1865.

## CHAPTER XVI.

February 25, 1865. *An Act in relation to the powers, duties and proceedings of Executors and Trustees in certain cases.*

- SECTION 1. Sale of real estate may be private or public.
2. When copy of will may be recorded in the office of the Register of Deeds—letters testamentary, if issued, may also be recorded.
  3. Copy of will and testamentary letters may be used as evidence—when.
  4. Executors or trustees shall publish the fact of such record—time for such publication—what to contain.
  5. No objection filed, executors or trustees may proceed to execute said will.
  6. Duty of Probate Judge in case objections are filed—executors to give bond for faithful performance of duties—bond to be filed with Judge of Probate.
  7. Proceedings in case bond or security is not filed.
  8. What may be read in evidence in all the courts of this State.
  9. Notices to be served upon the Judge of Probate ten days prior to the expiration of time mentioned for the filing of objections.
  10. Duty of executors or trustees when authorized to sell property in any other county.
  11. When executors or trustees shall fail or refuse to comply with provisions of this act, how to proceed.
  12. When act to take effect.

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

SECTION 1. Sales of real estate, made by executors