

SPECIAL LAWS

OF

MINNESOTA.

PASSED AND APPROVED AT THE SEVENTH SESSION OF THE STATE LEGISLATURE, COMMENCING JANUARY THIRD, ONE THOUSAND EIGHT HUNDRED AND SIXTY-FIVE, AND TERMINATING MARCH THIRD, ONE THOUSAND EIGHT HUNDRED AND SIXTY-FIVE.

CHAPTER I.

An Act to aid the Southern Minnesota Railroad Company in the construction of their branch road westerly through Southern Minnesota.

February 16, 1885.

SECTION 1. Further grant of lands to aid in the construction of said road—where land so granted located—when land to be conveyed to said road—by whom conveyed—lands to be subject to taxation—route of branch road—when lands so granted to be forfeited.

2. When act to take effect.

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

SECTION 1. That for the purpose of aiding the Southern Minnesota Railroad Company in the construction of its Branch Railroad from some point on their main line in Fillmore county, westerly, through Southern Minnesota, to the western boundary of the State, there is hereby set apart and granted to said Railroad Company, all the swamp lands that now are or may hereafter become vested in the State of Minnesota, lying and being in sections designated by odd numbers within the Root river land district, and also all the swamp land in the sections designated by odd numbers lying north of said Root river land district, west of

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range twenty-nine and south of the Minnesota river; and as soon as twenty continuous miles of said branch road is located and completed, the company shall have the right to, and may select, from the swamp lands hereby set apart, an amount of land equal to, but not to exceed, four full sections per mile, and the land so selected by said company shall be certified and conveyed to the Southern Minnesota Railroad Company by the Governor of the State; and whenever any further continuous twenty miles of said road is located and completed, then another quantity of land equal to four full sections per mile, may be selected and shall be conveyed by the Governor as aforesaid, and so, from time to time, until said branch road is completed; *Provided*, That the lands which are hereby granted and all lands which have been heretofore granted to said company, shall be subject like other lands in the State to be taxed as fast as the same are sold or conveyed, or contracted to be sold, or are leased by said company; *Provided, however*, That no mortgage or trust deed executed by said company upon said lands shall be construed as a sale, conveyance or contract of sale thereof, so as to subject the same to taxation, unless a title is obtained to such lands upon foreclosure of such mortgage. *Provided further*, That all lands hereby conveyed, shall be taxable in five years from the time said railroad company shall be entitled to the same, whether the same shall have been conveyed by said railroad company or not; *Provided*, That the said company shall construct their branch road from the village of Hokah up the west bank of the Mississippi river, by the way of Target Lake, to La Crescent, in Houston county, according to the provisions of the act of Congress of March third, eighteen hundred and fifty-seven, granting lands to the Territory of Minnesota for railroad purposes, before they shall be entitled to any of the swamp lands granted by this bill. *Provided*, That if said company shall not, within five years, construct and equip for business, with the cars running thereon, at least twenty miles of said road, and the residue thereof within seven years from the passage of this act, then and in that case all the land hereby granted appertaining to the unbuilt

portions of said branch road shall be forfeited to the State.

SEC. 2. This act shall take effect from the date of its passage.

Approved February 16, 1865.

CHAPTER II.

An Act to execute the trust created by the act of Congress, entitled "an act making a grant of lands to the State of Minnesota to aid in the construction of the railroad from St. Paul to Lake Superior," approved May five, eighteen hundred and sixty-four, and to grant the said lands to the Lake Superior and Mississippi Railroad Company, to aid in the construction of its railroad, and to amend and continue certain acts in relation to said Railroad Company.

February 23, 1865.

- SECTION 1. All rights of ways, benefits, privileges, granted to the State by act of Congress, are accepted—transferred to the Lake Superior and Mississippi Railroad Company—when completed to pay into the treasury of the State three per cent. of its gross earnings—land to be subject to taxation—how gross earnings of said road to be ascertained.
2. Duty of Governor upon completion of ten miles of said road—upon completion of twenty miles—upon completion of road.
 3. Land to be granted upon certain conditions—when lands may be forfeited to the State.
 4. Company to deposit forfeit in case of failure to complete said road within the time specified by this act—when deposit may be withdrawn.
 5. May negotiate by sale or otherwise its mortgage or other bonds—where said mortgage or bond to be filed and recorded.
 6. Right to select and designate the swamp lands granted to aid in the construction of said road.
 7. Shall transport all cars, freight and passengers delivered to it for such purpose, by any connecting Company.
 8. May construct and maintain telegraph line.
 9. Number of Directors—eligibility to the office of Director—may meet and transact business in or out of this State.
 10. When act to take effect.

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

SECTION 1. That all the rights of way, benefits,