

CHAPTER III.

An Act granting Swamp Lands to aid the Minneapolis and St. Cloud Railroad Company in building branches to connect with the Lake Superior and, Mississippi Railroad and the Winona and St. Peter Railroad, or any other Railroad in Southern Minnesota.

February 11, 1888.

- SECTION 1.** Grant of swamp lands to aid in the construction of said road.
2. Grant of swamp lands to aid in the construction of a branch road.
 3. Governor to convey other swamp lands in case of insufficiency.
 4. When Governor to convey said land—not to interfere with the vested rights previously acquired by any other company—when lands to be forfeited.
 5. When act to take effect.

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

SECTION 1. That there be and are hereby granted to the Minneapolis and St. Cloud Railroad Company, incorporated by and organized under an act of the Legislature of the late Territory of Minnesota, approved March first, eighteen hundred and fifty-six, to aid said company in the construction of a branch railroad from St. Cloud, to connect with the Lake Superior and Mississippi Railroad (or any other road connecting with the waters of Lake Superior) at some point between Chengwatana and the head of said Lake Superior, to be determined by said company, all the swamp lands belonging to, or that may hereafter belong to the State of Minnesota, which have not been otherwise appropriated in the sections designated by odd numbers and lying within the several counties through or into which said branch road may run, not exceeding four sections per mile of said branch road, upon the terms and conditions hereinafter specified.

SEC 2. That to aid said company in constructing a branch road from said St. Cloud to connect with the Winona and St. Peter Railroad, or any other railroad running in Southern Minnesota from east to west, and

Grant of swamp lands to aid in the construction of said road.

to strike the Minnesota river at St. Peter or some point between St. Peter and the mouth of Redwood river, there be and are hereby granted to said company all the swamp lands belonging to or that may hereafter belong to said State in the sections designated by odd numbers, and lying within the counties through or into which said branch road may run, not exceeding four sections per mile of said branch road, upon the terms and conditions hereinafter specified.

Grant of swamp lands to aid in the construction of a branch road.

SEC. 3. And if upon the completion of either of said branch roads it shall be found that there shall not be an amount of odd numbered sections of said swamp lands, within the counties through or into which said branch road may pass, equal to four full sections per mile of said branch roads, then the said company shall have the right to and may select from the swamp lands then belonging to said State, and within the several land districts through or into which said branch roads shall pass, other swamp lands designated by odd numbers equal to such deficiency, and the lands so selected by said company shall be certified and conveyed to said company by the Governor of the State.

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SEC. 4. And be it further enacted, That whenever, and as often as either of said branch roads shall be continuously graded and ready for the ties throughout all of that portion thereof lying in any one or more of the counties through or into which the same may pass, it shall be the duty of the Governor to execute on behalf of the State, a deed of conveyance to said company, of the swamp lands designated as aforesaid and lying within the said county or counties, and to be selected by said company, equal to two sections per mile of the road so graded; and whenever, and as often as either of said roads is so far completed through any one or more of the counties through which it may pass, as to be ready for the rolling stock, in the judgment of a competent engineer whom the Governor shall appoint to report thereon, it shall be the duty of the Governor aforesaid to execute a deed of conveyance on behalf of the State to said company for two additional sections of said swamp lands in said county or counties for each mile of the road so finished. And whenever either of said branch roads shall be ready for the rolling stock

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throughout its entire length, it shall be the duty of the Governor so to deed and convey to said company all the swamp lands designated as aforesaid, in the counties and land districts aforesaid, not exceeding four sections per mile of said branch road. *Provided, always,* That this act shall not be construed to interfere with the vested rights previously acquired by any other company under the laws of this State or the United States, or with grants for schools or other purposes by Congress. *Provided,* That if said company shall not within five years construct and equip for business with the cars running thereon, at least ten miles of said road or either of its branches, and the residue within seven years from the passage of this act, then and in that case all the lands hereby granted, pertaining to the unbuilt portions of said road or either of its branches shall be forfeited to the State, except such as are by this act granted to said company for and upon the grading of its line or lines or portions thereof, as herein provided, which last mentioned lands shall revert to the State, unless the grading is done within the time hereinbefore mentioned for the completion of said road. *And provided further,* That this grant shall not prejudice or apply to any grant heretofore made to the Southern Minnesota Railroad Company. *And provided always,* That this act shall not be construed to interfere with the vested rights previously acquired by any other company, under any laws of this State, or the United States, or with grants for schools, asylums or other charitable purposes made by Congress or the State Legislature.

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

Approved February 11, 1865.