

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 7, 1867.

CHAPTER XIII.

March 7, 1867.

An Act confirming an agreement between the St. Paul and Pacific Railroad Company and the Corporators of the Stillwater and St. Paul Railroad Company, and authorizing said Stillwater and St. Paul Railroad Company to construct that portion of the main line of said St. Paul and Pacific Railroad between Stillwater and St. Paul, and granting lands in aid of the construction of said part of said main line.

SECTION 1.—Confirms articles of agreement.

2.—Defines powers of Company.

3.—Lands to be conveyed under certain provisions.

Confirmatory of agreement.

4.—Certain portions of the land to be conveyed when every continuous ten miles of said road shall be completed.

5.—Company may consolidate with other Companies.

6.—When act to take effect.

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

SECTION 1. That the agreement between the St. Paul and Pacific Railroad Company and the Corporators of the Stillwater and St. Paul Railroad Company, filed for record on the 23d day of February, A. D. 1867, in the office of the Secretary of State, in and by which the said St. Paul and Pacific Railroad Company agreed to relinquish that part of the main line of its road from and between Stillwater and St. Paul, together with the

rights, franchises, lands and privileges pertaining to said portion of said line, be and the same is assented to on behalf of this state and hereby confirmed. And the said St. Paul and Pacific Railroad Company is released from its obligation to construct that portion of its main line so relinquished and from all penalties and forfeitures by reason of the non-construction thereof within the time heretofore provided by law.

Powers of Company.

Sec. 2. That said Stillwater and St. Paul Railroad Company shall have power to enter upon said line of road between Stillwater and St. Paul, and, if deemed necessary, to relocate the same, or change the line thereof for engineering purposes, and to construct, maintain and perpetually to operate a railroad with one or more tracks, with all necessary side tracks and fixtures, so as to construct the same from some convenient point in the city of Stillwater to the city of St. Paul, and to have all and singular the property, privileges, rights of way, franchises and rights heretofore held by said St. Paul and Pacific Railroad Company or by this state, pertaining to said portion of said main line.

Provides for section of lands.

Sec. 3. That lands to the quantity of ten (10) sections per mile of the lands granted by act of Congress, entitled "An Act making a grant of lands to the territory of Minnesota in alternate sections to aid in the construction of certain railroads in said territory, and granting public lands in alternate sections to the state of Alabama to aid in the construction of a railroad in said state," approved March 3rd, 1857, "to aid in the construction of the line of road from Stillwater, by way of Saint Paul and Saint Anthony, to a point between the foot of Big Stone Lake and the mouth of Siouxwood river," and of the acts of Congress amendatory of said act, pertaining to that portion of said line between Stillwater and St. Paul, shall, when certified to the State, be selected by the commissioner of the State Land Office from and out of the lands pertaining to said line of road, and subject to be taken to make up deficiencies existing at the time of the location of said line of road, by reason of the United States having sold or disposed of any of the odd sections or lands within the limits of said grants, upon said part of said line, that otherwise would have passed thereby, and

so as to make up deficiencies for and on account of the grant, additional lands therefor, and to list and designate the lands thus selected. That the lands so selected shall be held by the state, to be conveyed as hereinafter provided; and that for the purpose of making up deficiencies and selecting lands as aforesaid, said part of said line between Stillwater and St. Paul shall continue as part of said main line. *Provided*, That such selections shall not be made of lands lying east of the west line of range thirty-four (34), unless said Stillwater and Saint Paul Railroad Company shall be entitled by reason of constructed road to select lands east of said range line.

Governor to execute deed.

SEC. 4. That whenever said Stillwater and Saint Paul Railroad Company, its successors or assigns, shall construct any continuous ten miles of its said railroad between Stillwater and Saint Paul, with the cars running thereon, the Governor of this state shall execute and deliver to said corporation, its successors or assigns, a deed or deeds in fee simple of the lands so selected or held, to the amount of ten (10) full sections for each mile of road so completed, and whenever the residue of said road shall be completed from Stillwater to Saint Paul, so as to secure railroad communication from and between said points, then the Governor shall in like manner convey the residue of the lands pertaining to said completed road. *Provided, however*, That said company shall cause said road to be fully completed from Stillwater to Saint Paul within five (5) years from the time of the passage of this act; and in case the same shall not be so completed within the time aforesaid, then said company shall forfeit the uncompleted portion thereof, with the lands pertaining thereto.

May consolidate with other Companies.

SEC. 5. That said Stillwater and Saint Paul Railroad Company shall have power to consolidate with any other railroad company, whether said company be created under the general law or under any special act of incorporation, at any time before or after the construction of said line of road; *Provided, however*, No agreement of consolidation shall be made with any railroad company of any other state within five years from the time of the passage of this act.

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

Approved March 4, 1867.

CHAPTER XIV.

An Act to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the Hastings, Minnesota River and Red River Railroad Company, approved Feb. 26, 1857, and approved March 3, 1866.

March 9, 1867.

SECTION 1.—Amends incorporation act of the Hastings, Minnesota River and Red River Railroad Company.

2.—Board of Directors may assess installments on stock.

3.—Company authorized to borrow money.

4.—Amends Sec. 19 of Incorporation Act.

5.—Repeals inconsistent acts.

6.—When act to take effect.

SECTION 1.—Railroad Company authorized to build bridge at certain point.

2.—Empowered to secure payment of bonds.

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

SECTION 1. That section four of the said act shall be amended so as to read as follows: The board of directors of said company may consist of any number of the stockholders not to exceed thirteen, nor less than five, as shall be determined by resolution of any existing board, approved by a majority vote of the stockholders at any general or special election, thirty days notice of said election having been first duly given. The members of the board of directors shall hold their offices until their successors shall have been elected,

Board of Directors—how chosen