

CHAPTER 73.

AN ACT TO GRANT THE RIGHT OF WAY TO RAILROAD COMPANIES OVER LANDS OWNED OR HELD BY THE STATE.

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

SECTION 1. That a right of way is hereby granted over any swamp, school, internal improvement or agricultural college lands held by the State, to any railroad company proposing to construct, or that has constructed a railroad over or upon the same, on the conditions and terms hereinafter provided. Right of way over state lands.

SEC. 2. Such right of way may be fifty feet (50) in width on each side of the center line of the main track except when a greater width is necessary to protect the track against snow-drifts, and in such case a width not exceeding one hundred feet (100) in addition may be taken subject to the approval of the Governor as to the width to be taken. Amount of land to be taken.

SEC. 3. Any company desiring such right of way shall furnish to the Governor a plat showing the line of the road, and the right of way proposed to be taken, with a calculation of the acres contained therein, and on payment to the treasurer of the State a sum per acre equal to the appraised value of said land, (if the same has been appraised,) or if not appraised, at such rate as the Governor and commissioner of the State Land Office shall consider a fair appraisal thereof, but not at a less rate than that fixed by the constitution of the State, and upon such payment being made, the Governor shall execute to such railroad company, such deed or instrument in writing as shall convey to the said railroad company, its successors and assigns, the use of such right of way over and upon such land, so long as it shall be used and occupied for railroad purposes. Valuation of land taken.

SEC. 4. The funds so paid shall be credited [to] the proper fund to which such lands belong.

SEC. 5. Any acts or parts of acts now in force, so far as the same may conflict with this act, are hereby repealed.

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

Approved March 7, 1878.