

## CHAPTER 71.

AN ACT TO AMEND CHAPTER TWO HUNDRED AND ONE OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SEVEN, ENTITLED "AN ACT TO PROVIDE FOR THE COMPLETION OF THE LINES OF RAILROAD COMMONLY KNOWN AS THE ST. PAUL AND PACIFIC EXTENSION LINES."

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

SECTION 1. Section six (6) of said act is hereby amended so as to read as follows :

[Section 6.] The time for the completion of the uncompleted portions of the line of railroad extending from St. Cloud to St. Vincent, commonly known as the "St. Vincent branch of the St. Paul and Pacific extension lines," is hereby extended as follows:

From Melrose to Sauk Center, until August one (1), A. D. one thousand eight hundred and seventy-eight (1878).

From Sauk Centre to Alexandria, until December one (1), A. D. one thousand eight hundred and seventy-eight (1878).

From Crookston to St. Vincent, until January one (1), A. D. one thousand eight hundred and eighty (1880).

From Alexandria to Fergus Falls, until January one (1) A. D. one thousand eight hundred and eighty (1880).

From Fergus Falls to Glyndon, until January one (1), A. D. one thousand eight hundred and eighty-one (1881).

*Provided, however,* That such extensions of time are made subject to all the provisions of this and of the succeeding sections of this act.

In case the St. Paul and Pacific Railroad Company, its successors or assigns, should fail to complete any of the said portions of the said line of railroad, within the times therefor limited in this section, in that case the portions of said line of railroad then remaining uncompleted, together with the land grant, rights, franchises, immunities and property appertaining thereto, shall at once be and become absolutely forfeited to the State of Minnesota, without any act or ceremony whatsoever; and it shall be the duty of the Governor forthwith, upon such failure, to enter upon and take possession for and in the name of the State, all and singular the portions of road so remaining uncompleted, and all and singular the land grant, rights, franchises, immunities and property appertaining thereto; and upon such forfeiture, all and singular the lines of road, land grant, rights, franchises, immunities and property so forfeited, shall be held by the State, without merger or extinguishment, to be used and re-granted for the construction of said line of road. In case any forfeiture of any portion of the said line of road, should occur under the provisions of this section, then, in

that case, any company or corporation now organized, or that may hereafter organize, having authority from this State to build, maintain and operate a line of railroad within or through this State, may succeed to and acquire the right to complete, own, maintain and operate the uncompleted portions of said line of railroad upon the route and through the villages of Sauk Centre, Alexandria and Fergus Falls, hereinbefore in this section named, by filing with the governor a written notice of its desire and intention, under and subject to the provisions of this act, to complete, equip, maintain and operate all the then uncompleted portion of said line of railroad, and shall at the same time, deposit the sum of twenty thousand (\$20,000.00) dollars, in money or negotiable bonds, equivalent in value thereto, with the state treasurer, as a guarantee that it will fully complete and put in operation, all the then unbuilt portions of said line of railroad, which money or bonds shall be returned to the company depositing the same, upon presentation to the state treasurer of the certificate of the governor to the effect that such company has completed and equipped all uncompleted portions of said line of railroad, within the time specified in this act; but in default of such completion and equipment, the said money or bonds shall, without further ceremony, be forfeited to the State, to be thereafter used to aid in the construction of that portion of said line of railroad extending from Melrose through Alexandria, Evansville to Fergus Falls.

If at the time the said line of railroad becomes forfeited to the State, as hereinbefore provided, the portion of said line of railroad extending from Melrose through Alexandria to Fergus Falls, is uncompleted, then the company proposing to build the uncompleted portions of said line of railroad, as hereinbefore provided, shall first build the portion of said line of railroad extending from Melrose through Alexandria to Fergus Falls, and shall complete that part of such portion extending from Melrose to Alexandria, within one (1) year after filing the written notice, hereinbefore mentioned, and from Alexandria to Fergus Falls within two (2) years after the filing of said notice. But upon default to commence work or to prosecute the same to completion within the time aforesaid, such company shall forfeit all right to complete, maintain or operate the portion of said line remaining uncompleted at the time of such default, without further act or ceremony, to be used and granted for the construction of such line of road.

SEC. 2. Section seven (7) of said act is hereby amended by striking out the word "section" in the eighth (8th) line of said section seven (7) of the published act, and inserting in lieu thereof the word "act."

SEC. 3. Said section seven (7) is further amended by striking out all that portion of said section after the word "company," in the nineteenth (19th) line of said section of the published act, and inserting in lieu thereof the following: "But neither the Saint Paul & Pacific Railroad company nor any other company accepting or acting under the provisions of this act, shall be entitled to receive

or demand any of the lands granted by the United States to the State of Minnesota to aid in the construction of said line of railroad until that portion of said line of railroad extending from Melrose to Alexandria is fully completed, with cars running thereon; but when such portion is so completed, then, and not before, the Governor of the State may convey or certify to the company building such portion not to exceed two hundred thousand (200,000) acres of said lands, and a further quantity of two hundred thousand (200,000) acres, in case the portion of said line of railroad extending from Crookston to St. Vincent is also completed, from the lands accruing to said road north of Crookston, and not within the indemnity limits; *Provided*, Nothing shall be construed under this act which will waive the right of the State to receive the full grant of ten (10) sections per mile of completed road from the United States. And when that portion of said line of railroad extending from Alexandria by way of Evansville to Fergus Falls is fully completed, with the cars running thereon, then, and not before, the Governor of the State may convey or certify to such company all the rest, residue and remainder of the lands granted by the United States to the State of Minnesota to aid in the construction of said line of railroad. The Governor of the State is hereby expressly prohibited from conveying or certifying to such railroad company any of said lands otherwise, at other times, in other quantities or upon other conditions than in this section provided.

SEC. 4. Section nine (9) of said act is hereby amended by striking out that portion of said section commencing with the words "and one-half," in the fourth (4th) line of said section, and ending with the words "any part thereof," in the eighth (8th) line thereof. Also, by striking out the word and figure "three" ("3") where they occur in the last two (2) lines of said section, and inserting in lieu thereof the word and figure "one" ("1").

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

Approved March 9, 1878.

## CHAPTER 72.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE MINNESOTA WESTERN RAILROAD COMPANY," APPROVED MARCH THIRD, ONE THOUSAND EIGHT HUNDRED AND FIFTY-THREE, AND THE ACTS AMENDATORY THEREOF.

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

SECTION 1. That section four (4) of an act entitled "an act [to amend an act entitled an act] to incorporate the Minnesota Western