

(30) and thirty-one (31) of title one (1) of chapter thirty-four (34) of the General Statutes (Revision of 1866) as amended by chapter fifty-three (53) of the General Laws of one thousand eight hundred and seventy-two (1872), and chapter fourteen (14) of the General Laws of A. D., one thousand eight hundred and seventy-five (1875), to condemn for public use and to acquire and hold all the real estate and property that are or may be needed by said company for right of way, depot grounds, engine houses, machine shops, and for all other purposes for which such real estate or property is or may be needed by said company in the operation or construction of any line or lines of railroad, including not only all lines of railroad that have been or may be constructed or acquired by said company, but also all other lines of railroad that now are or may hereafter be operated either entirely or in part by said company, under any lease, contract or other arrangement between said company and any other party or parties.

SEC. 2. This act is hereby declared to be a public act, and shall take effect and be in force from and after its passage.

Approved February 14, 1879.

CHAPTER 84.

AN ACT FOR THE RELIEF OF HOMESTEAD SETTLERS AND TIMBER CULTURE CLAIMANTS ON LANDS NOW CLAIMED BY THE STATE AS SWAMP LANDS.

*Settlers on
swamp lands.*

WHEREAS, certain settlers in this State have been allowed to take homesteads and timber culture filings at the local land offices of the United States on lands now claimed by the State as swamp lands; and,

WHEREAS, said settlers have in good faith fulfilled all the requirements of the homestead and timber culture laws, and in many cases have made final proof, and have sold and conveyed said lands by warranty deed; therefore,

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

*Right of state
relinquished.*

SECTION 1. That the Governor of the State of Minnesota is hereby authorized and required to relinquish all the right, title and interest of said State in and to all lands claimed by said State as swamp lands, now occupied or held by actual settlers, their heirs or assigns, or timber culture claimants who hold the same by virtue of homestead or timber culture entry according to the laws of the United States relating thereto, whether patented to the said claimant or not. *Provided*, That this section shall cover and apply to all such claims that have been filed on prior to January first (1st), one

thousand eight hundred and seventy-nine (1879), and that may have been cancelled by reason of the State having claimed the same as swamp lands.

SEC. 2. It shall be the duty of the Governor to procure from the commissioner of the general land office a list of the lands described in section one (1) of this act, with the names of the parties claiming them, and thereupon to execute to the United States a deed of relinquishment of the same; and the Governor shall forward a copy of this act to each of our members in Congress, and they are hereby requested to endeavor to secure indemnity in lands for the lands thus lost to the State.

Lands to be listed.

SEC. 3. If any grantee of the State to which the lands mentioned in this act would have inured except for this act, and said homestead or timber culture filing shall relinquish to the State of Minnesota all its right, title and interest in and to the said lands to which it is entitled as aforesaid, then said grantee so relinquishing said lands shall have the right to and may select any lands granted by the Congress of the United States, to indemnify the State of Minnesota for lands relinquished under the provisions of this act by said State, and the Governor shall convey to said grantee the lands so granted and selected, (when certified to the State by the general government) in the same manner and upon the same terms and conditions as if they were a part of the lands originally inuring to said grantee.

Right of grantee relinquishing lands.

SEC. 4. This act shall take effect and be in force from and after its passage.

Duty of governor.

Approved March 10, 1879.

CHAPTER 85.

AN ACT RELATING TO THE SURVEYING OF ROADS AND CARTWAYS.

85

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

SECTION 1. Whenever a surveyor makes a survey of any road or cartway, when the center of such road or cartway does not follow some section line or some subdivisional line of a section, he shall note the distance to the point on any course, at which such course shall intersect any section line, and the distance such point of intersection of the road and section line is from the most convenient section, quarter section or meander corner as established by government survey; and the notes of such intersections shall be incorporated into the order laying out or altering such road or cartway.

Duty of surveyor of road.

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

Approved March 6, 1879.