

CHAPTER 558.

[S. F. No. 289.]

AN ACT TO LEGALIZE THE ACTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF JACKSON, AND THE CHICAGO, MILWAUKEE AND ST. PAUL RAILWAY COMPANY, IN THE REMOVAL AND RELOCATION OF THE DEPOT OF SAID COMPANY IN SAID VILLAGE OF JACKSON.

WHEREAS, the village council of the village of Jackson, in the county of Jackson, and state of Minnesota, did on the fifth (5th) day of August, A. D., one thousand eight hundred and eighty-seven (1887,) make and adopt the following preamble and resolution, to-wit:

"WHEREAS, it was provided in chapter ninety-five (95) of the special laws of Minnesota, for the year one thousand eight hundred and seventy-nine (1879), among other things, that the acceptance of said act by the Southern Minnesota Railway Extension Company, should be deemed an agreement and covenant on the part of said company to forever maintain and operate its railroad in the village of Jackson, as other portions of its railroad are operated, and to establish and thence forever maintain a passenger and freight depot within the limits of the south half ($\frac{1}{2}$) of the northeast quarter ($\frac{1}{4}$) of the northeast quarter ($\frac{1}{4}$), and the southwest quarter ($\frac{1}{4}$) of the northeast quarter ($\frac{1}{4}$) of the northeast quarter ($\frac{1}{4}$) of section twenty-four (24) of said town, and to run all its regular passenger trains to and from said depot; and

WHEREAS, compliance with this agreement made it necessary for said company to build from its main line a stub track of about three thousand (3,000) feet in length to the passenger and freight depot so located, and to run all its trains over said stub track to said depot, and to back them again to its main line, thereby causing great expense and inconvenience to said company; and

WHEREAS, the Chicago, Milwaukee and St. Paul railway company, which is now the owner of said Southern Minnesota Extension railway, proposes to make said village of Jackson a division headquarters, and there to build and construct an eight-stall round-house and a division yard, and also proposes to remove its freight and passenger depot from the present location on said stub track to a point on its main line, in the northeast corner of the northeast quarter of section twenty-four (24), and the southeast corner of the southeast quarter of section thirteen (13), all in township one hundred and two (102) north, of range thirty-five (35) west, about seventeen hundred (1700) feet northeasterly of said present location, and thereafter to use said stub track only for round-house and switching purposes, and for the receipt and delivery of car-load freight, and the placing of cars at the grain houses, stock yards, and other industries located on said stub track; and

WHEREAS, the people of the village of Jackson are very desirous that the said village shall be made a division headquarters, and a division yard be there established, and that an eight-stall round-house

shall be built at said point on or about the location of the engine-house now occupied by the railway company, and are willing that the freight and passenger depot of said village be removed to the above described point on said main line, as proposed by said railway company; now, therefore, in consideration of the premises, be it

Resolved, that the said village of Jackson, and the people thereof, do hereby give their consent that said freight and passenger depot be removed on to the main line, as above proposed; that said spur track be used for the purposes above set forth, and that said Chicago, Milwaukee and St. Paul railway company, on the making and completion of said improvements, as above mentioned, and so long as the division headquarters, round-house and yards are maintained, as aforesaid, be released from the obligation entered into by said Southern Minnesota Railway Extension company to maintain its freight and passenger depot at the point mentioned in said chapter ninety-five (95) of the special laws of Minnesota for the year eighteen hundred and seventy-nine (1879), and to run all its regular passenger trains thereto and therefrom, as in said chapter provided.

AND WHEREAS, under and pursuant to said preamble and resolution and the proposals and agreements on the part of said railway company therein stated and referred to, the said improvements have been made and the depot was thereupon removed and re-located as in said preamble and resolution set forth, and whereas certain doubts exist as to the legality of the action of said village council in so consenting to such removal and relocation of said depot and of the action of the said railway company in so removing and re-locating the same. **THIR: FORE:**

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

SECTION 1. That the action of the said village council of the said village of Jackson in consenting in and by said preamble and resolution to the removal and re-location of said depot of the said Chicago, Milwaukee and Saint Paul railway company on its main line, and the action of said Chicago, Milwaukee and Saint Paul railway company in removing and re-locating its said depot on its said main line pursuant thereto, is hereby legalized and made valid, and such removal and re-location of said depot shall be and continue legal and valid so long as the said Chicago, Milwaukee and Saint Paul railway company shall continue to keep and maintain its said division headquarters, round house and yards at said village of Jackson and continue to comply with and fulfill its proposals and agreements recited in said preamble and resolution.

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

Approved March 7, 1889.