

such person upon the amount which may be awarded in the proceedings hereby authorized.

When set to
take effect.

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

Approved February 8, 1869.

CHAPTER CXXI.

March 6, 1869.

An Act to amend the charter of the Mississippi River Improvement and Manufacturing Company, and in execution of the trust created in and by the act of Congress approved July twenty-third, A. D. one thousand eight hundred and sixty-eight, entitled "an act making a grant of land to the State of Minnesota to aid in the improvement of the navigation of the Mississippi River."

- SECTION 1. The act of Congress approved July 23d, 1868, granting lands to aid in the improvement of the navigation of the Mississippi (for a lock and dam,) declared to be substantially the same (lock and dam) as provided in the act of the Territorial Legislature, approved March 4th, 1857—said Company authorized to construct and maintain said dam and lock.
2. All the interest in said grant of lands for the purpose of constructing the said lock and dam, vested in the Mississippi River Improvement and Manufacturing Company—upon what conditions.
 3. Amendment to Section one (1) of Chapter sixty-five (65) of Special Laws of 1865. When lock and dam to be completed—repeal of section five (5) of said act.
 4. In case of failure of Company to comply with the provisions of this act all the rights, benefits and privileges to be forfeited to the State.
 5. If Company accept the grant conferred in this act, it shall file written notice of its acceptance—within what time.

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

SECTION 1. That the lock and dam and the improvements contemplated in the act of congress, approved July

twenty-third, A. D. one thousand eight hundred and sixty-eight, entitled "an act making a grant of land to the state of Minnesota to aid in the improvement of the navigation of the Mississippi River," are hereby declared to be substantially the same lock and dam and improvements contemplated and provided for in an act of the legislative assembly of the late Territory of Minnesota, approved on the fourth day of March, A. D. one thousand eight hundred and fifty-seven, entitled "an act to incorporate the Mississippi River Improvement and Manufacturing Company," and the said Mississippi River Improvement and Manufacturing Company is hereby authorized and empowered to construct and complete the said lock and dam and to maintain and use the same and the water power which may be created or improved thereby, under and pursuant to said last named act as amended by any subsequent law or laws of this state.

Authorized to construct dam and lock.

SEC. 2. For the purpose of aiding in the construction and completion of said lock and dam all the interest and estate present and prospective of this state in and to the lands by said act of congress so granted to this state as aforesaid, or the proceeds thereof, together with all and singular the rights, powers, benefits and privileges conferred or intended to be conferred by said act of congress, are hereby granted to the said "Mississippi River Improvement and Manufacturing Company," its successors and assigns, subject only to the provisions and limitations of said act of congress and of this act, and the said company shall have and be entitled to the full and entire benefit of any and all modifications and amendments of said act of congress that may hereafter be made. But this grant in this section contained, is made upon the express condition, that said Mississippi River Improvement and Manufacturing Company shall expend in the prosecution of such construction, not less than twenty-five thousand dollars before the first day of February, A. D. one thousand eight hundred and seventy-one, for labor and materials for the construction of such lock and dam, which amount of expenditure shall be certified to the governor of the state of Minnesota by the engineer of the United States, who shall be in charge of such improvement, and shall complete said lock and dam within the time prescribed for the construction of said lock and dam by section three of the act of congress aforesaid, or within such further time as the government of the United States by amendment or modification of said act or otherwise may prescribe.

All interest in said land vested in said company --on what condition.

When to be completed—repeal of former section.

SEC. 3. That the first section of an act entitled an act to amend an act entitled an act to incorporate the Mississippi River Improvement and Manufacturing Company, approved February thirteenth, one thousand eight hundred and sixty-five, is hereby amended so as to allow for the completion of the work therein mentioned, such time as is or may be prescribed or allowed by the act of congress for the construction of the lock and dam mentioned in the first section of this act, but not beyond the first day of March, one thousand eight hundred and seventy-five, and section five of said act, approved February the thirteenth, one thousand eight hundred and sixty-five, is hereby repealed.

When rights, etc., forfeited to the State.

SEC. 4. In case the said Mississippi River Improvement and Manufacturing Company shall fail to expend in the prosecution of said work the sum of twenty-five thousand dollars as prescribed in section two of this act, then all the rights, powers, benefits and privileges conferred or intended to be conferred or granted by this act or the act of congress above mentioned, or by the act incorporating said company, and amendments thereto shall be forfeited to the state of Minnesota without merger, and without inquest or legal proceedings, and may then be granted by the legislature of said state to any company or individuals who will undertake the construction and completion of said lock and dam.

When to file notice of acceptance.

SEC. 5. If said Mississippi River Improvement and Manufacturing Company shall accept the grant conferred in this act, it shall file a written notice of its acceptance thereof within thirty days after the approval of this act in the office of the secretary of state, and thereupon but not otherwise, the provisions of this act shall be binding upon the state and said company.

Approved March 6, 1869.