

directors of the said company beyond the limits of this state are hereby validated.

SEC. 5. This act to take effect and be in force from and after its passage.

When act to take effect.

Approved March 5, 1870.

## CHAPTER LXV.

*An Act in relation to the taxation and to facilitate the construction of the Northern Pacific Railroad.*

March 4, 1870.

- SECTION 1. Property of said road liable to assessment and taxation—when exempt.
2. Authorized to acquire and hold property—granted right of way.
  3. Authorized to connect with or cross route of any other line.
  4. Deemed a public act—when to take effect—to file notice of acceptance with Governor.

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

SECTION 1. That the lands, franchises, property, stock and capital of the Northern Pacific Railroad Company shall be liable to assessment and taxation at the same rate and in the same manner, and not otherwise, and shall be exempt from assessment and taxation to the same extent and upon the same terms and condition as the lands, property and franchises of the Lake Superior and Mississippi Railroad Company, as is provided in and by an act entitled "an act in relation to the taxation of lands granted to the Lake Superior and Mississippi Railroad Company," approved March third, eighteen hundred sixty-five. *Provided, however,* That the gross earnings of said railroad company on which a per centage is to be paid to the state shall include only the earnings of that portion of the Northern Pacific Railroad constructed and operated by said company within the limits of this state.

Property liable for taxation—when exempt.

SEC. 2. That said Northern Pacific Railroad Company

shall have the right and authority to acquire and hold lands for right of way, depot grounds and for all necessary purposes of said company in all respects as provided by the general laws of this state, as set forth in sections numbered consecutively thirteen to twenty-seven inclusive, of chapter thirty-four, title one, of general statutes now in force. But where said company proceeds to condemn private property in more than one county in the same proceeding, the commissioners to be appointed shall be residents of the county where the property to be taken is situated, or of the county to which such county is attached for judicial purposes. And there is hereby granted to the Northern Pacific Railroad Company, the right of way through and over any lands of this state to the same extent as is granted by act of congress through and over the public lands to said company.

SEC. 3. That whenever the Northern Pacific Railroad Company shall connect with or cross the route or line of any other railroad within the limits of this state and a portion of the routes or lines of said railroads shall be parallel or coterminous, such portions may by agreement of the companies interested therein, be blended in one track, or a double track and side tracks, and may be owned and used in common for such length of time and upon such terms as may be agreed upon by said companies, and said companies shall thereby be held to have complied with the requirements of their respective charters in that particular, the same as if independent tracks had been built by each.

SEC. 4. This act is hereby declared to be a public act, and shall take effect and be in force from and after its passage. *Provided*, Said Northern Pacific Railroad Company shall within ninety days from the approval of the same file with the governor a notice of the acceptance by said company of the terms and conditions of this act.

Approved March 4, 1870.