

## CHAPTER 257.

AN ACT GRANTING TO THE SOUTHERN MINNESOTA RAILWAY EXTENSION COMPANY CERTAIN LANDS IN AID OF THE CONSTRUCTION OF THE LINE OF ROAD OF SAID COMPANY.

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

SECTION 1. That all the lands, rights, powers and privileges granted to and conferred upon the State of Minnesota by an act of congress entitled "an act making an additional grant of lands to the State of Minnesota, in alternate sections, to aid in the construction of railroads in said State," approved July 4th, 1866, appertaining to the uncompleted line of road of the Southern Minnesota Railroad Company, or to which the State may be entitled by virtue of any condition or cause of forfeiture, or otherwise, under the act of the legislature of this State, approved February twenty-fifth (25th), one thousand eight hundred and sixty-seven, (1867), entitled "an act to accept a grant, and in execution of a trust made and created in and by an act of congress, entitled 'an act making additional grant of lands to the State of Minnesota, in alternate sections, to aid in the construction of railroads in said State,' " approved July fourth (4th), one thousand eight hundred and sixty-six (1866), and the several acts amendatory thereof, are hereby granted and transferred to and vested in the Southern Minnesota Railway Extension Company (a corporation created under the general laws of this State,) subject to the provisions of the said act of Congress and the provisions of this act.

*Provided,* That the acceptance of this act by the said the Southern Minnesota Railway Extension Company shall be deemed a relinquishment by said company of all lands occupied by actual settlers residing thereon and claiming the same in good faith under homestead or pre-emption filings made prior the first (1st) day of January, one thousand eight hundred and seventy (1870), and who in good faith have complied with the requirements of the homestead and pre-emption law, as to settlement and cultivation, and to all lands occupied by actual settlers, who in good faith settled before government survey, and who have since that time continued to reside thereon or improve the same, without being permitted to make homestead or pre-emption filings thereon.

SEC. 2. The said the Southern Minnesota Railway Extension Company shall complete and put in operation a line of railroad from the present western terminus of the Southern Minnesota Railway, as now completed, at Winnebago City, in the county of Faribault, to the village of Fairmont, in Martin county, before the first (1st) of September, one thousand eight hundred and seventy-eight (1878), and to the village of Jackson, in Jackson

county, before the end of the year one thousand eight hundred and seventy-nine (1879), and to the west line of the State before the end of the year one thousand eight hundred and eighty (1880).

SEC. 3. If the said the Southern Minnesota Railway Extension Company shall fail to build their said road, as provided, within the time specified in this act, said company shall forfeit to the state all its rights and interests in and to the lands hereby granted to said company, except its interest in the said lands which said company may have become entitled to by the construction of a portion of its road. And in case any forfeiture of any portion of the said line of railroad, or any part of said land grant, should occur under the provisions of this act, then, and in that case, any company or corporation now organized or that may hereafter organize having authority from the 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, and operate the uncompleted portion of said line of railroad 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 the then uncompleted portion of said line of railroad without further act or ceremony.

SEC. 4. The said the Southern Minnesota Railway Extension Company shall within sixty (60) days after the passage of this act accept the same, such acceptance shall be by resolution adopted by the board of directors, a copy of which, duly certified by the secretary of the company shall be deposited in the office of the secretary of state within the time aforesaid.

SEC. 5. Said railroad company, its successors or assigns, shall at all times transport over its line of railroad passengers and freight at just and reasonable rates (which rates shall be subject to regulation by the legislature,) and shall make no unjust or unreasonable discrimination in favor of or against any person, place or connecting railroad.

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

- Approved March 6th, 1878.

---

## CHAPTER 258.

### AN ACT TO FUND CERTAIN BONDS ISSUED BY THE TOWN OF WEST ST. PAUL.

WHEREAS, By virtue of an act to provide for the funding of the city debt of the former city of West St. Paul, in Dakota county, and for other purposes approved March ninth (9th), one thousand