

til sixty days after the service and mailing of all the notices and copies thereof as required in the case of tax certificates by the provisions of this act or by the provisions of any other law of this state, nor until sixty days after the filing of the proofs thereof and of the sheriff's fees thereof in the office of the proper county auditor, as required by this act in the case of tax certificates, No transfer of any such land or real property shall be made on the books of the county auditor to the state nor to any person or corporation to whom the right of the state in or to such land or real property has been or shall be in any manner or at any time assigned or conveyed as above, and no assignment, conveyance, certificate, or other evidence of any right, title or interest in or to any such land or real property under or by virtue of any such bidding in or sale for taxes shall be entitled to record, until sixty days shall have elapsed after the service of all such notices, the mailing of all copies thereof, and the filing of the proofs thereof and of the sheriff's fees therefor in the office of the proper county auditor, as required by this act.

Redemption for 60 days after notice.

SEC. 5. The service and mailing of notices required by the provisions of this act shall not supersede or take the place of the notices required by any other law of this state to be served or published, but shall be additional thereto.

Mailing notices not to supersede personal notice.

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

Approved April 19, 1893.

CHAPTER 59.

H. F. No. 178.

An act to prevent the abandonment and vacation of railways, and to provide for assessment and collection of damages in such cases.

Railways.

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

SECTION 1. That it shall be unlawful for any railroad company organized under any law of this state and whose road has been constructed in whole or in part by public aid or local subscription given as a bonus for such construction, having once constructed and put in operation the whole or any portion of said road and located and opened for business stations and houses thereon, to hereafter take up, abandon or cease the operation of its said track, or any portion thereof, or to close up and abandon its said stations and station houses, or to withdraw the agents therefrom, except upon the order or decree of the district court of the county or counties through which said road proposed to be abandoned may run. and in which it is desired to take up and abandon such track

Abandonment of part of operated road.

or to close up such station or stations and withdraw therefrom. Provided, however, that the provisions of this section relating to the abandonment of stations and station houses and the withdrawal of agents therefrom shall not apply to or affect the stations or station houses on any railroad or any portion thereof while such railroad or portion thereof is being operated.

Application to courts.

SEC. 2. In case any railway company described in section one of this act shall desire to abandon any portion of its line of road it shall make a petition to the district court of the county in which the portion proposed to be abandoned is located, setting forth in such petition the reasons why such abandonment is desired, and such other matters as may be pertinent thereto. And upon the filing of such petition the court shall issue an order directed to all persons interested in the maintenance of such road to show cause, if any they may have, before the court issuing such order why the portion of road described in such order should not be abandoned and vacated, which said order shall be published for four weeks prior to such hearing in a newspaper published in such county. Such order to show cause shall only be returnable before the court issuing the same in the county where such road is located on the first day of a general term of such court to be held in such county. Upon the return day of such order, any one or more taxpayers living along the line proposed to be abandoned by said proceedings may file in the office of the clerk of said court a written protest against such abandonment and vacation, and upon the filing of such protest issue shall be joined and the question of the necessity of the abandonment and vacation of such road shall be a question of fact to be tried by jury.

Failure to comply with this law, bonuses may be recovered.

SEC. 3. In all cases where railway companies described in section one of this act have abandoned, taken up, vacated or ceased to operate its lines for the period of sixty consecutive days without having complied with the requirements prescribed in section two of this act any county, city, town, village, township or individual who has issued bonds, given promissory notes or other thing of value to such railway company or companies may recover the same by commencing an action in the district court of the county where such road has been abandoned against such railway company for the recovery of such bonds, promissory notes or other thing of value, and in the event said bonds, promissory notes or other things of value cannot be recovered, then the cash value thereof.

Penalty for unlawful abandonment.

SEC. 4. Any company violating the provisions of this act shall be liable to a penalty therefor of not less than two hundred dollars nor more than one thousand dollars per day for each and every day that it shall unlawfully dismantle and abandon the operation of its said road; and it shall be the duty of the attorney general of this

state or the county attorney of the county or counties where such abandoned road was situated to commence proceedings in the district court in said county in the name of the state of Minnesota for the recovery of the penalty herein specified, and to compel the restoration of the track of the company so abandoned and the re-opening for business the station or stations which have been closed. Provided, however, that the provisions of this act shall not apply to forest or ore roads constructed exclusively for logging or mining purposes.

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

Approved April 1, 1893.

CHAPTER 60.

H. F. No. 274.

An act requiring all passenger trains of any railway company to stop at county seats, and making any violation thereof a misdemeanor.

Railroads.

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

SECTION 1. All regular passenger trains, run by any common carrier operating a railway in this state, or by any receiver, agent, lessee or trustee of said common carrier, shall stop a sufficient length of time at its stations at all county seats within this state to take on and discharge passengers from such trains with safety, and any engineer, conductor or other agent, servant or employe of, or any person acting for such common carrier or for any receiver, agent, lessee or trustee of such common carrier, who violates any provision of this act is guilty of a misdemeanor and is punishable by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than three months; provided, however, that this act shall not apply to through railroad trains entering this state from any other state, or to transcontinental trains of any railroad.

Passenger trains to stop at county seats.

Exceptions.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 31, 1893.