

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

Approved April 18th, 1895.

CHAPTER 166.

H. F. No. 82.

An act declaring a forfeiture of state swamp lands granted to a branch of the Minneapolis and St. Cloud Railroad company, and transfer the same to the state.

Forfeiture of
R. R. lands.

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

SECTION 1. That whereas, by a proviso contained in section four (4) of chapter three (3) of the special laws of eighteen hundred and sixty-five (1865) of an act entitled An act granting swamp lands to aid the Minneapolis and St. Cloud Railroad company in building branches to connect with the Lake Superior and Mississippi railroad and the Winona and St. Peter railroad or any other railroad in Southern Minnesota, approved February eleventh (11th) eighteen hundred and sixty-five (1865), it was declared, that if said company shall not within five (5) years construct and equip for business with cars running thereon at least ten (10) miles of said road or either of its branches, and the residue within seven (7) years from the passage of this act, then and in that case, all the lands hereby granted, pertaining to the unbuilt portions of said road, or either of its branches, shall be forfeited to the state, and, whereas, by a proviso contained in section four (4) of chapter fifty-six (56), of special laws of eighteen hundred and sixty-nine (1869) of an act entitled, An act granting swamp lands to aid the Minneapolis and St. Cloud Railroad company in building branches to connect with the Lake Superior and Mississippi railroad and the Winona and St. Peter railroad, or any other railroad in Southern Minnesota, approved March fifth (5th) eighteen hundred and sixty-nine (1869), it was declared that if the said company shall not construct and equip for business, with cars running thereon, at least ten (10) miles of the said road, within three (3) years from the first (1st) day of December, A. D. one thousand eight hundred and sixty-nine (1869), and the residue within six (6) years from the last date aforesaid, then and in that case all the lands hereby granted, pertaining to the unbuilt portion of said road shall be forfeited to the state, and, whereas, by the provisions of section one (1) chapter three hundred and twenty-

Preamble.

Same.

five (325), of special laws of eighteen hundred and seventy-nine (1879), entitled, An act to extend the time for the construction and completion of a branch of the Minneapolis and St. Cloud railroad, it was provided that the time for the construction, completion and equipment of that branch of the Minneapolis and St. Cloud railroad from St. Cloud to connect with the Winona and St. Peter railroad, or any other railroad running in Southern Minnesota from east to west, and to strike the Minnesota river at St. Peter or some point between St. Peter and the mouth of Redwood river, being the same branch road mentioned and referred to in section two (2) of chapter three (3) of the special laws of the year one thousand eight hundred and sixty-five (1865), approved February eleventh (11th) eighteen hundred and sixty-five (1865) be and the same is hereby extended until the twenty-fifth (25th) day of December, one thousand eight hundred and eighty-five (1885) and whereas, the said branch of the Minneapolis and St. Cloud railroad, from St. Cloud to connect with the Winona and St. Peter railroad, or any other railroad running in Southern Minnesota from east to west, and to strike the Minnesota river at St. Peter or some point between St. Peter and the mouth of the Redwood river, being the same branch mentioned and referred to in section two (2) chapter three (3) of the special laws of the year eighteen hundred and sixty-five (1865), approved February eleventh (11th), one thousand eight hundred and sixty-five (1865), was not constructed, completed and equipped on the twenty-fifth (25th) day of December, eighteen hundred and eighty-five (1885), except that portion of said branch line running from St. Cloud southwesterly in the direction of Wilmar to a point in section twenty-two (22), township one hundred and twenty-three (123) north, range thirty-one (31) west, a distance of about twenty (20) miles, and the provisions of said acts and the provisos therein contained relating to said branch line as above described have in no manner been complied with, except as above stated, and no other part or portion of said branch line at the present time has been constructed, completed and equipped. Therefore:

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

Forfeiture
declared.

SEC. 2. That the lands appertaining to the branch of the Minneapolis and St. Cloud railroad from St. Cloud to connect with the Winona and St. Peter railroad or any other railroad running in Southern

Minnesota from east to west, and to strike the Minnesota river at St. Peter or some point between St. Peter and the mouth of Redwood river, by reason of any grant made by any law of this state, and not heretofore earned under the terms of said grant or law, are hereby declared forfeited and lost to said Minneapolis and St. Cloud railroad.

SEC. 3. That all acts and parts of acts enacted by the legislature of this state conveying or transferring or attempting to convey or transfer to any railroad, the lands, or any portion of the lands, described in section two (2) of this act are hereby repealed.

Repealing
clause.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 25th 1895.

CHAPTER 167.

H. F. No. 43. 95 C 167
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An act vacating state and territorial roads through platted portions of incorporated cities in certain cases.

Vacating state
and territorial
roads in
platted cities.

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

SECTION 1. That in all cases where territorial or state roads have been heretofore laid out or traveled through or across land which has since been duly or legally embraced within the limits of any incorporated city, and has also been duly platted into lots, blocks and streets, so much of said state and territorial road as is embraced within the limits of any such platted portion of any such incorporated city is hereby vacated, *provided*, however, that nothing herein contained shall apply to any portion of any such road as has been adopted by such plat as a street or alley or is now recognized and used by the city as one of its streets, nor to any portion thereof lying within the limits of any such block in which the property has been platted to face on said road.

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

SEC. 3. This act shall take effect and be in force from and after November first (1st), eighteen hundred and ninety-five (1895).

Approved March 21st, 1895.