

granted to them, which are now owned or controlled by them, or in which they have any interest except such portion of such lands as are held, used or occupied for a right of way, gravel pits, side tracks, depots or buildings and structures which are necessarily used in the actual management and operation of their railroad.

Exception.

SEC. 2. If any railroad or railway company required by section one of this act to file a list of its lands in the office of the state auditor shall have failed to file such list within the time therein provided, the state auditor shall thereupon immediately certify such fact to the attorney general, who shall at once upon receipt of such certification, apply to the district court of Ramsey county for the issuance of a writ of mandamus against such company to compel it to file its list of lands as provided in said section one.

Failure to file list, mandamus to issue.

SEC. 3. Within twenty days after the filing of the list of lands in his office as in this act provided, the state auditor shall certify to each county auditor of the state a list of such lands situate within his county, and such county auditor shall thereupon enter the same on the assessment and tax books for the year 1897, and the same shall be assessed in the manner provided by law.

Enter for taxation for year 1897.

SEC. 4. The state auditor shall not be concluded by the list of said lands so filed in his office by any company, but if he has reason to believe that the same does not contain all granted lands of such company, subject to taxation, he may visit the offices of such company and examine the books and records thereof, and require any officer, agent, clerk or representative of such company to answer under oath such questions as he may put to him touching the lands owned by such company subject to taxation.

State auditor may examine company's books.

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

Approved March 5, 1897.

CHAPTER 35.

S. F. No. 15.

An act to legalize conveyances of real property made by husband directly to wife, and the records of such conveyances.

Conveyance of real property by husband to wife.

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

SECTION 1. That all conveyances of real property within this state made between the first day of January, eighteen hundred sixty (1860), and the fifth day of

Between 1860 and 1869.

Legal and
valid.

March, eighteen hundred sixty-nine (1869), in which a married man has conveyed real property directly to his wife shall be and the same are hereby declared to be legal and valid, and the records of all such conveyances heretofore actually recorded in the office of the proper county shall be in all respects valid and legal, and such conveyances and records thereof shall have the same force and effect in all respects for the purpose of notice, evidence or otherwise as are or may be provided by law in regard to conveyances in other cases. *Provided*, that the provisions of this act shall not apply to any action or proceeding now pending in any of the courts of this state; *providing, further*, that this act shall not be construed to extend to any case where vested rights in any such property have been acquired by third parties.

Provided.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 5, 1897.

S. F. No. 125.

CHAPTER 36.

Act for build-
ing bridges
and draining
lands,
amended.

An act to amend sections five and six (5 and 6), title Y, chapter two hundred and seventy-one (271), of the general laws of eighteen hundred and eighty-nine (1889), being an act entitled "An act to appropriate money to aid in building bridges and draining lands in certain counties of this state."

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

SECTION 1. That section five (5), title Y, chapter two hundred and seventy-one (271), of the general laws of eighteen hundred and eighty-nine (1889), be and the same is hereby amended so as to read as follows:

\$200 appro-
priated for
bridge in
McLeod
county.

Sec. 5. The sum of two hundred dollars (\$200) is hereby appropriated out of any money in the state treasury belonging to the internal improvement fund, or out of the first money coming into the said treasury for said fund, not otherwise appropriated, for the purpose of building a good and substantial bridge across Buffalo Creek, in section fifteen (15), township one hundred and fifteen (115), range twenty-seven (27), county of McLeod, state of Minnesota, at the point where the wagon road crosses said creek, said bridge when constructed to be free from toll.