

CHAPTER XXIV.

To regulate mining upon the public lands of the United States within the State of Minnesota.

March 6, 1867

SECTION 1.—Size of district.

2.—How claims to be made.

3.—Rights of owners of claims.

4.—Claims to be matured.

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

Size of district

SECTION 1. That all mineral districts to be hereafter formed in this state shall conform to the township lines of six miles square.

How claim made

SEC. 2. That all mineral claims shall be made in person by the party claiming, and any claim not thus made, is invalid.

Rights of claim't

SEC. 3. That when a mineral vein or lode or lead, containing gold, silver, cinnabar, or copper is discovered, the party making the discovery shall be entitled to two hundred feet on said vein or lode or lead as a discovery claim, with one hundred feet of land on either side of said vein or lode or lead, for its convenient working; and he shall also be entitled to an additional claim of two hundred feet on said vein or lode or lead, with one hundred feet of land on either side of said vein or lode or lead, for its convenient working, according to the act of Congress, passed July 26, 1866.

SEC. 4. That to secure mineral claims the person making them shall measure off correctly, the number of feet allowed by law, and shall post up a notice of said claim, of a substantial nature, upon a stake or tree, at the end of every two hundred feet, upon which shall be written the name of the vein, with date of taking, name of claimant, number of claim and its general direction.

Correct measur't

SEC. 5. That the claimant shall, within the three months from the time of posting up a notice of his claim, in compliance with the law, sink a shaft on said claim three feet deep by five feet square, and shall take from the bottom of the shaft so sunk specimens of the rock, properly labelled, with the name of vein, name of claim and name of claimant thereon; number of claim, east or west, with a correct description of said claim, and file with the register of deeds of the county in which the mineral district is situated, and the register of deeds, after being satisfied that the said claimant has complied with the requirements of the law, and that he has not exceeded the two hundred feet shall issue to said claimant and record the same, a certificate with description of claim, that said claim has been properly secured under the provisions of the law.

Shaft to be sunk

SEC. 6. That in case the claimant fails to sink a shaft three feet deep by five feet square, within the three months specified, then he shall forfeit all right to the claim, and any other party can come in and take possession.

Failure to sink

SEC. 7. That whenever any citizen of the United States or those who have declared their intentions to become citizens, shall have complied with the provisions heretofore set forth, then they shall have rightful possession of all claims made under and by virtue of this act for the space of one year from the date of said claim; and unless a shaft ten feet deep by five feet square is sunk within a year from the date of the claim made, then all right and title to said claim shall be forfeited, and another claimant may come in and take possession and secure a title under the law.

When to have possession

SEC. 8. That any person found tearing or mutilating any notice posted on any mineral claim in this state, shall be subject to arrest and imprisonment and

Penalty

on conviction, shall be fined not less than \$50 nor more than \$500.

Defines "mineral claim"

SEC. 9. That the term "mineral claim," as used in the preceding section, shall be construed to embrace all water rights, ditches, flumes, timber claimed, or other interest appurtenant, necessary or auxiliary, to a mine or mining claim or the working thereon.

Fees

SEC. 10. That the fees of the register of deeds shall be as follows: Recording claim, \$1,00; transfer of claim, 25 cents for each folio of one hundred words, and 25 cents for each certificate.

To be recorded

SEC. 11. That it shall be necessary to place in the hands of the register of deeds, a description of each claim for record, within thirty days from the date of taking.

Unorganized counties

SEC. 12. That in case any mineral district in this state is located in an unorganized county, the claim shall be recorded in the organized county to which such unorganized county has been attached for judicial purposes, and the register of deeds of said organized county shall perform the duties and receive the fees as provided by law.

Registers of deeds to report

SEC. 13. That it shall be the duty of all registers of deeds in counties where mineral claims are filed, to make a report every three months to the secretary of state of the number of claims taken, number of shafts sunk, and the general condition of the mines.

SEC. 14. This act shall take effect and be in force from and after its passage.

Approved March 6, 1867.