

Damages,
assessed, how.

SEC. 2. If the parties interested cannot agree upon the amount to be paid for damages caused thereby, either of them may petition the district court in the county in which the land is situated, which court shall appoint a time for a hearing as soon as may be, and order at least twenty (20) days' notice to be given to all parties interested, and, with or without a view of the premises, as the court may determine, hear the parties and their witnesses and assess damages.

Costs, how
recovered.

SEC. 3. The person so entering upon land may tender to the injured party damages therefor, and if, in case of petition or complaint to the court, the damages finally assessed do not exceed the amount tendered, the person entering shall recover costs; otherwise, the prevailing party shall recover costs.

Costs.

SEC. 4. The costs to be allowed in all such cases shall be the same as allowed according to the rules of the court, and provisions of law relating thereto.

Penalty for
defacing, etc.

SEC. 5. If any person shall wilfully deface, injure or remove any signal, monument, building or other property of the U. S. coast and geodetic survey, constructed or used under or by virtue of the act of congress aforesaid, he shall forfeit a sum not exceeding fifty (50) dollars for each offense, and shall be liable for damages sustained by the United States in consequence of such defacing, injury or removal, to be recovered in a civil action in any court of competent jurisdiction.

When act to
take effect.

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

Approved April 2, 1889.

CHAPTER 61.

[H. F. No. 479.]

AN ACT IN RELATION TO THE RECORDING OF LOG-MARKS IN THE SECOND LUMBER DISTRICT OF THE STATE OF MINNESOTA.

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

Recording of
log marks in
second district,
new book of
record.

SECTION 1. That within thirty (30) days after the passage of this act, the surveyor general of logs and lumber of the second district of this state shall open or cause to be opened a new book of record, in which shall be recorded the log-mark or marks of any person desiring to have the same recorded; and it shall be the duty of said surveyor general to transfer and re-enter of record in such new book without charge, any log-mark or marks now of record in his

office, the owner of which shall request in writing, within six (6) months after the passage of this act, to have the same so transferred, and the original record of any log-mark now of record in said office not so transferred within six (6) months after the passage of this act shall thenceforth be void and of no effect except as to logs or timber marked with any such mark previous to the opening of such record.

Provided, further, That the said surveyor general shall, within sixty (60) days after the opening of the above mentioned "book of record," notify in writing all owners of log-marks of the requirements of this act.

SEC. 2. The said record book hereinbefore mentioned is hereby declared to be a public record, and of the same character, force and effect as evidence as the other record in said office, and certified transcripts therefrom shall be admissible in evidence in the same manner and to the same extent as like transcripts of the other records of said office.

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

Record book a public record.

When act to take effect.

Approved March 19, 1889.

CHAPTER 62.

[H. F. No. 1825]

AN ACT TO AMEND AN ACT ENTITLED "AN ACT IN RELATION TO THE RECORDING OF LOG MARKS IN THE SECOND LUMBER DISTRICT OF THE STATE OF MINNESOTA", APPROVED MARCH NINETEENTH (19TH), ONE THOUSAND EIGHT HUNDRED AND EIGHTY-NINE (1889).

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

SECTION 1. That section one (1) of an act entitled "An act in relation to the recording of log marks in the second (2d) lumber district of the state of Minnesota," approved March nineteenth (19th), one thousand eight hundred and eighty-nine (1889), be amended by striking out the following words where they occur in said section one (1) of said act, "*Provided, further,* that the said surveyor general shall, within sixty (60) days after the opening of the above mentioned 'book of record', notify in writing, all owners of log marks of the requirements of this act."

Log marks in second district

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

When act to take effect.

Approved April 24, 1889.