

CHAPTER 68.

H. F. No. 9.

An act to provide for fixing and establishing boundary lines of land by civil action. Boundary lines.

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

SECTION 1. Any person owning land or any interest in land may bring an action in the district court against the owner or owners or persons interested in the adjoining land to have the boundary lines fixed and established. Action to determine boundaries.

SEC. 2. When the lines and boundaries of two or more tracts of land depend upon any common point, line or landmark, the owner or any person interested in any of such tracts may bring an action against the owners or persons interested in the other tracts to have all the boundaries fixed and established.

SEC. 3. Whenever it shall appear to the court in any action brought for the purposes aforesaid that any owner, lienholder or person interested in any of the tracts involved ought, for a full settlement and adjudication of all the questions involved, to be made a party to the action, the court shall stay proceedings in the action and issue an order requiring such persons to come in and plead in the action within twenty days after service of the order, which order shall be served upon the persons named, in the same manner as is provided for the service of a summons in a civil action. Any person so served may file an answer within twenty days after such service, and if he fail to file such answer shall be deemed in default. All pleadings in the action, or copies thereof, shall be filed before such order is made. The court may also in its discretion in like manner order the owners and persons interested in other tracts than those originally involved to appear and plead, in which case the order shall describe such additional tracts and state that the purpose of the action is to establish the boundary lines of such tracts. Proceedings in court.

SEC. 4. Actions brought under this act shall be governed by the rules governing civil actions except as otherwise provided in this act, but every allegation in every answer shall be deemed in issue without further pleading.

SEC. 5. The court in rendering judgment shall locate and define the boundary lines involved, by reference to some well known permanent landmarks, and in case it shall be deemed best for the interest of the parties, the court may, after the entry of judgment, direct a competent surveyor of the county where the land is situated to establish a permanent stone or iron landmark in accordance with the judgment so entered from which future surveys of the land, the boundary line or lines of which have been established in such action, shall be made. Any landmarks so established shall have distinctly cut Judgment of court.

or marked thereon the words "Judicial Landmark." The said surveyor shall report to the court after executing its order and shall in such report accurately describe the landmark erected by him and define its location as nearly as practicable.

SEC. 6. The court shall make such order respecting costs and disbursements in the action as it shall deem just.

Adverse claims,

SEC. 7. The court shall try and determine any adverse claims in respect to any portion of the land involved which it may be necessary to determine for a complete settlement of the boundary lines involved.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved March 14, 1893.

CHAPTER 69.

S. F. No. 35.

Conveyances.

An act to legalize certain conveyances heretofore executed by married women.

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

Legalizing
deeds by mar-
ried women.

SECTION 1. That no deed of lands within this state, heretofore executed by a married woman, and recorded prior to the year 1869, which she shall also have executed as the attorney in fact of her husband, shall be deemed invalid as to either the husband or wife because the instrument under which she assumed to execute the same on behalf of the husband authorized such sale to be made for the benefit of the wife, or because of any limitation on the power of the husband to contract with or through the wife, or because of the failure of the husband to join in the conveyance of the wife; provided, that it satisfactorily appears that in executing the instrument under which the wife acted as aforesaid it was the intention of the husband to empower the wife to pass the title to said land without further personal act or concurrence on his part.

SEC. 2. Nothing herein contained shall affect the rights of parties in any action now pending.

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

Approved March 11, 1893.