

CHAPTER VIII.

An Act to Amend an Act Defining the Duties of County Surveyors.

- SECTION 1. Amendment to Section 5 of the "Act defining the duties of County Surveyors—per dlem of County Surveyors.
 2. Amendment to Section 10. Directions for County Surveyors.
 3. Amendment of said Act by addition of Sections 11 and 12—repeal of the Act regulating compensation.
 4. Duty of Surveyor in case of original posts destroyed.

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

SECTION 1. That section five of the "act defining the duties of county surveyors," on page one hundred and sixty-seven of the public statutes, be and the same is hereby amended, by adding at the end thereof the following words: "for every day engaged in surveying, laying out, altering or examining roads, or routes for roads, a sum not exceeding three dollars per day, during all the time that he may be so engaged."

Per dlem of Surveyors

SEC. 2. That section ten of said act be and the same is hereby amended so as to read as follows: "(ninety-two) Section ten. Whenever a surveyor is required to make a subdivision of a section, as established by the United States survey, he shall proceed as follows, whether the section be fractional or not, excepting on the northern and western tier of sections of those townships whose northern boundary is a 'standard parallel,' or correction line, hereinafter provided for, commencing at either quarter section corner of the section, he shall run direct lines to the opposite quarter section corner of the section, and at the intersection of said lines he shall establish a common centre therefor, at which a post marked ' $\frac{1}{2}$ S.' on opposite sides, with a suitable instrument, shall be firmly fixed and driven into the ground, and if practicable two bearing trees shall be marked in the same manner, and their course and distance from the said post noted in the plat and field notes. In those townships whose northern boundary is a 'standard parallel' or correction line, but on which no section posts are established

Directions for Surveyors

for the sections adjoining it on the south by the United States surveyors, the county surveyor, whenever required to subdivide such sections, shall establish a quarter post on such 'standard parallel' or correction line, equi-distant from the section posts established at the intersection of the parallel by the section lines south; such quarter post to be marked only on the side facing the south and (when practicable) two bearing trees, marked and their course and distance from such quarter post duly noted; the subdivision of such sections may be proceeded with as hereinbefore directed."

SEC. 3. That said act be and the same is hereby amended by adding the following sections at the end thereof, viz: (ninety-three) Section eleven. Any less subdivision than a quarter section shall be made in the following manner: If the quarter section be not fractional, as follows: having established the one-eighth section corner at the equi-distant points between the adjacent corners of the quarter section, he shall establish a common centre therefor at the intersection of direct lines between said one-eighth section corners. Any subdivision of the fractional northeast and northwest quarter sections on the north boundary, and of the fractional northwest and southwest quarter sections, on the west boundary of townships, shall be made by ascertaining the distance by measurement from the quarter section posts to the north and west boundaries respectively, and as the distance found is to the original distance returned, according to the United States field notes, so is the proportion of that distance by measurement from the quarter section posts north and west respectively more or less than twenty chains for the required length of the south half of the northeast and northwest, and the east half of the northwest and southwest quarter sections. (Ninety-four.) Section twelve. The act passed May twenty-third, one thousand eight hundred and fifty-seven, entitled "an act to regulate the compensation of county surveyors in the Territory of Minnesota," and found on page one hundred and sixty-eight of the public statutes, and all acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

Additional sections

Repeal of Act regulating compensation

SEC. 4. If the quarter section, or section posts, as originally fixed by the United States survey, be destroyed, it shall be the duty of the surveyor to fix a new post

Duty in case
original posts
destroyed

on such land as he may be called upon to survey, with similar marks to those placed on like posts by the United States surveyors, graved therein; said posts to be fixed in accordance with the government field notes; but this act shall not affect the legality of any surveyor's proceedings previous to the passage of this act, which shall take effect and be in force from and after the passage thereof.

Approved March second, A. D. 1861.

CHAPTER IX.

An Act to amend "An Act to provide that Copies of Records in the Office of Register of Deeds, may be admissible in evidence," passed March third, 1855.

- SECTION 1. Amendments to the Act passed March 3, 1855.
2. Patents issued by the Government of the United States allowed to be recorded.
 3. Duplicates of such Patents may be recorded and received in evidence as original Patents.
 4. The word "investments" stricken out and the word "instruments" inserted instead.

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

Amendment to
previous act

SECTION 1. That the Act passed by the Legislative Assembly of the Territory of Minnesota, March 3, 1855, entitled "An Act to provide that copies of Records in the office of Register of Deeds, may be admissible in evidence," and being published on page six hundred and eighty-eight of the Public Statutes, be amended by adding thereto the following:

Patents may be
recorded

SEC. 2. Patents issued by the Government of the United States, of land being in this State, shall be allowed to be recorded in the office of the register of deeds, in the county in which the land described in the Patent is situated.

SEC. 3. Duplicates of such Patents from the record thereof, in the general land office of the United States, duly certified to by the commissioner of said office,