

*James C. Child*  
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THE

PUBLIC STATUTES

OF THE

STATE OF MINNESOTA.

(1849—1858.)

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COMPILED BY  
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COMMISSIONERS.

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PUBLISHED BY STATE AUTHORITY.

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SAINT PAUL:  
THE PIONEER PRINTING COMPANY.

1859.

thorized to sell the grass growing upon any unsold school lands in this town, and shall pay the proceeds thereof into the county treasury, for the benefit of the school fund, and shall immediately report the amount so paid to the state treasurer.

(37.) SEC. II. All acts or parts of acts conflicting with the provisions of this act are hereby repealed.

(38.) SEC. III. This act shall take effect from and after its passage.

Conflicting acts repealed.

Takes effect on passage.

CHAPTER 25.

HEDGES, FENCES, FRUIT AND ORNAMENTAL TREES.

SECTION.

1. The owner of land bordering on road may cultivate hedge or live fence, &c.
2. Penalty on person who shall injure hedge or fence, or let down bars.
3. Penalty for injuring fruit or ornamental trees, &c.

SECTION.

4. Name of one joint tenant sufficient to be stated in complaint.
5. When and before whom prosecutions under this chapter to be brought, and fines, when paid.

An Act for the protection of Hedges, Fences, Fruit and Ornamental Trees.

✓ [Chapter 30, Revised Statutes.]

The owner of land bordering on road may cultivate hedge or live fence.

(1.) SEC. I. Whenever any owner, or owners, occupant, or occupants, of any land, or lands, bordering upon any public road, or highway, excepting a street, or alley, in a town or village through which any public road, or highway may pass, may wish to plant and cultivate any hedge or live fence, along the margin of his, her or their lands, it shall be lawful for any such person, or persons, to set or plant any such hedge, or live fence, precisely on the line of the road, or public highway, and also to place on the margin of such road, a protection fence, not to occupy more than six feet of the margin, or edge of such road; and such protection fence, when placed opposite any live fence or hedge actually set or planted, shall be permitted by the supervisor of roads, and all other persons, to remain for the term of seven years: *provided*, that the commissioners of any county may grant permission, in writing, to the owner, or owners of any hedge or live fence, to continue such protection fence any term of time they may deem necessary.

Penalty on person who shall injure hedge or fence, or let down bars.

(2.) SEC. II. If any person, or persons, shall wantonly or maliciously cut through, dig up or injure, any hedge or live fence, or throw, cut, or lay down, or prostrate any fence inclosing any orchard, pasture, meadow, garden, or other field or inclosure, in which any grain or other vegetables are cultivated, the property of, or lawfully occupied by any other person, or persons, or shall wantonly or maliciously open, let down, throw down, or prostrate, any gate or bars belonging to any such inclosure or field, and leave any such fence, bars or gate, down, prostrate, or open; every such persons, or persons shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars, or be imprisoned in the county jail not exceeding thirty days, or both, at the discretion of the court.

(3.) SEC. III. And if any person, or persons shall willfully or maliciously, and without lawful authority, cut down, root up, sever, injure, or destroy any fruit or ornamental trees, cultivated root or plant, or other vegetable production, standing or growing in, or being attached to the lands of others, or shall willfully, and without lawful authority, cut down, root up, destroy or injure, any fruit or ornamental trees, or shrubbery planted, or growing in any street, lane or alley, or public grounds, in any city or incorporated town, every such person so offending, shall be deemed guilty of a misdemeanor; and on conviction thereof, shall be punished by fine of not more than one hundred dollars, or by imprisonment in the county jail not exceeding three months, or both, at the discretion of the court, and shall, moreover, be liable in damages to the party injured.

Penalty for injuring fruit or ornamental trees, &c

(4.) SEC. IV. In case of prosecution for any of the above offenses, if the land there referred to shall be owned, or occupied in common, by two or more tenants, the complaint shall be sufficient if any one or more of such tenants in common, shall be named therein.

Name of one joint tenant sufficient to be stated in complaint.

(5.) SEC. V. All prosecutions under this chapter shall be commenced within one year from the time any such offense shall have been committed, before some justice of the peace of the county wherein the same shall have been committed; and all fines collected under the provisions of this chapter shall be paid into the treasury of the county where the offense shall have been committed, for the use of the common schools of said county.

When and before whom prosecutions under this chapter to be brought, and fines when paid.

CHAPTER 26.

TOWN PLOTS.

SECTION

1. Towns to be surveyed and plotted.
2. Lots how numbered, &c.
3. Stones to be placed at the corners of lots, &c.
4. Plot to be acknowledged and recorded.
5. Title to land marked on plot, &c., as donations to the public, &c., vested in public.
6. Plot when to be recorded.
7. Plots heretofore laid off to be recorded.
8. Fees of surveyor and register.
9. Penalty for selling or leasing lots before the

SECTION .

- provisions of this chapter are compiled with.
10. Penalty for neglect to comply with requisitions of this chapter.
11. Penalties under this chapter, how to be recovered.
12. District court may alter or vacate town.
13. Notice of application to vacate or alter town plot to be given.
14. Proceedings of court upon such application.

An Act providing for the record of Town Plots.

✓ [Chapter 31, Revised Statutes.]

(1.) SEC. I. When any person wishes to lay out a town in this territory, or an addition or subdivision of out lots, such person shall cause the same to be surveyed, and a plot thereof made, which shall particularly describe and set forth all the streets, alleys, commons or public grounds, and all in and out lots or fractional lots, within, adjoining, or adjacent to said town, giving the names, width, courses, boundaries and extent of all such streets and alleys.

Towns to be surveyed and plotted.