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GENERAL STATUTES

OF THE

STATE OF MINNESOTA.

PREPARED BY THE COMMISSIONERS APPOINTED TO REVISE
THE STATUTES OF THE STATE, BY ACT OF THE
LEGISLATURE, PASSED FEBRUARY 17, 1863.

ONE HUNDRED COPIES ORDERED PRINTED.



SAINT PAUL:

FREDERICK DRISCOLL, STATE PRINTER.

(PRESS PRINTING COMPANY.)

1865.

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52 that the said is guilty thereof, and the said
 53 ought to have restitution of the premises therein described
 54 without delay; (or in case the jury do not find the allega-
 55 tion of complaint proved) the jury find that the facts alleged
 56 in the same complaint are not proved, and that the said
 57 is not guilty thereof.

C. D., foreman.
 J. P., justice of the peace.

CHAPTER LXXXV.

ACTIONS BY PERSONS HOLDING CLAIMS ON UNITED STATES LANDS.

c 78 C. S. p. 654, Sect. 1.

1 SECTION 1. Any person settled upon any of the public
 2 lands belonging to the United States, on which settlement
 3 is not expressly prohibited by congress or some depart-
 4 ment of the general government, may maintain an action
 5 for injuries done to the possession thereof, or to recover the
 6 possession thereof.

C. S. p. 654, Sect. 2.

1 SECT. 2. On the trial of any such cause, the posses-
 2 sion, or possessory right of the plaintiff, shall be considered as
 3 extending to the boundaries embraced by the claim of such
 4 plaintiff, so as to enable him to have and maintain either of
 5 the aforesaid actions, without being compelled to prove a
 6 natural inclosure: *Provided*, That such claim shall not ex-
 7 ceed in any case one hundred and sixty acres; and the same
 8 may be located in two different parcels, to suit the conven-
 9 ience of the holder.

C. S. p. 654, Sect. 3.

1 SECT. 3. Every such claim, to entitle the holder to
 2 maintain either of the aforesaid actions, shall be marked out
 3 so that the boundaries thereof may be easily traced, and the
 4 extent of such claim easily known; and no person shall be
 5 entitled to maintain either of said actions for possession of,
 6 or any injury done to any claim unless he is an actual set-
 7 tler, or causes the land to be constantly occupied, and has
 8 improvements made thereon, to the amount of fifty dollars.

C. S. p. 654, Sect. 4.

1 SECT. 4. A neglect to occupy or cultivate such claim,
 2 for the period of six months, shall be considered such an
 3 abandonment as to preclude the claimant from maintaining
 4 either of the aforesaid actions.