

# CHANGES

—IN THE—

General Statutes of 1878,

EFFECTED BY THE

GENERAL LAWS OF 1879 AND 1881,

Arranged with reference to the Chapter and Section Amended.

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SAINT PAUL:  
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## CHAPTER XXXVIII.

## PUBLIC LANDS.

## RELINQUISHMENT OF SWAMP LANDS.\*

\*§ 105. **Relinquishment of swamp lands.** Whereas, certain settlers in this state have been allowed to make homesteads, timber culture, and other entries at the local land offices of the United States on lands now claimed by the state as swamp lands; and,

Whereas, said settlers have in good faith fulfilled all the requirements of the laws under which their entries were made, and in many cases have made final proof on said entries, and have sold and conveyed said lands by warranty deed; therefore,

*Be it enacted by the legislature of the state of Minnesota,* That the governor of the state of Minnesota is hereby authorized and empowered to relinquish to the United States all the right, title, and interest of said state in and to all lands claimed by the said state as swamp lands now occupied or held by actual settlers, their heirs or assigns, or claimants who hold the same by virtue of homestead, pre-emption, or timber-culture entry, according to the laws of the United States relating thereto, whether patented to the said claimants or not, or that may have been, or may be hereafter, cancelled by reason of the state having claimed the same as swamp lands. (1881, c. 154, § 1. See, also, 1879, c. 84, § 1.)

\*§ 106. **Where lands granted to the state have been otherwise disposed of by the United States.** If, in the adjustment of the state swamp-land grant, and other grants of land made by the United States to the state of Minnesota, it shall appear that the United States has reserved, sold, or otherwise disposed of any tract or tracts claimed by or enuring to the state under either of said grants, then it shall be lawful for, and the governor, if he shall deem it for the best interests of the State, may relinquish the claim of the state to any or all of such lands, to the end that new selections in lieu thereof may be made, or that indemnity may be secured in lands, or otherwise, for the lands so lost. (*Id.* § 2.)

\*§ 107. **Duty of governor to procure list and execute deed of relinquishment.** It shall be the duty of the governor to procure from the commissioner of the general land-office, or the United States land-offices, in this state, lists of the lands described in sections one (1) and two (2) of this act, showing the disposition of the same by the United States, and thereupon to execute to the United States a deed of relinquishment of the title or shadow of title of the state of Minnesota to such of the lands described in said lists as, in his judgment, may be for the relief of settlers upon any of said lands, or necessary or proper for an adjustment of the grant under which the same are claimed; and the governor shall forward a copy of this act to each of our members in congress, and they are hereby requested to endeavor to secure indemnity in lands or otherwise for the lands thus lost to the state. (*Id.* § 3. See 1879, c. 84, § 2.)

\*§ 108. **Relinquishment by grantee of state—right to select other lands.** If any grantee of this state to which the lands mentioned in this act would have enured, except for this act, and said homestead, timber-culture, or other entry, shall relinquish to the state of Minnesota all its right, title, and interest in and to the said lands to which it is entitled as aforesaid, then said grantee so relinquishing said lands shall have the right to and may select any lands granted by the congress of the United States to indemnify the state of Minnesota for lands relinquished by the state under the provisions of this act, and the governor shall convey to said grantee the lands so granted and selected (when certified to the state by the general government) in the same manner and upon the same terms and conditions as if they were a part of the lands originally enuring to said grantee. (*Id.* § 4. See 1879, c. 84, § 3.)

See page 528.

(\* An act for the relief of settlers on lands claimed by the state, as swamp lands, and for the adjustment of land grants enuring to the state under the several acts of congress. Approved February 24, 1881.)