

MASON'S MINNESOTA STATUTES

1927

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EMBRACING THE ORGANIC LAWS, THE CONSTITUTION, AND THE STAT-
UTES CONTAINED IN THE GENERAL STATUTES OF 1923, EXCEPT
THOSE WHICH HAVE BEEN REPEALED OR SUPERSEDED
BY THE SUBSEQUENT LEGISLATION OF 1925
AND 1927

AND ALSO EMBRACING LAWS OMITTED FROM THE GENERAL STATUTES
1923, AND THE LAWS OF THE 1925 AND 1927 SESSIONS OF THE
LEGISLATURE UNDER APPROPRIATE CLASSIFICATION.

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CITER-DIGEST COMPANY

WILLIAM H. MASON,
Editor in Chief.
MARTIN S. CHANDLER,
RICHARD O. MASON,
Assistant Editors.

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PART I.

JURISDICTION, DIVISIONS, CIVIL POLITY, AND INTERNAL ADMINISTRATION

CHAPTER 1

SOVEREIGNTY AND JURISDICTION.

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1. **Extent**—The sovereignty and jurisdiction of this state shall extend to all places within the boundaries thereof as defined in the constitution, and, concurrently, to the waters forming a common boundary between this and adjoining states, subject only to such rights of jurisdiction as have been or shall be acquired by the United States over places therein. (1) [1]

2. **Jurisdiction over waters**—That all courts and officers now having and exercising jurisdiction in any county or counties which are now formed or which may hereafter be formed in any part of this state bordering upon Big Stone Lake, Lake Traverse or the Red River of the North, shall have and exercise jurisdiction in all civil and criminal cases upon such waters concurrently with the courts and officers of other states bordering on such waters, so far and to such extent as the said bodies of waters or either of them shall form a common boundary between this state and any other state. ('05 c. 242 § 1) [2]

3. **Waters included**—The concurrent territorial jurisdiction of any such county and of all courts and officers exercising jurisdiction throughout the same, shall extend over such water area as would be included if the boundary lines of such county were produced in the direction of their approach and extended across said waters to the opposite shore. ('05 c. 242 § 2) [3]

4. **Lands of United States—Jurisdiction**—Jurisdiction is hereby ceded to the United States over all places within this state heretofore acquired by it for national purposes, subject to the right of the state to cause its civil and criminal process to be executed therein, and to punish offences against the laws of the state committed on the premises so acquired. And consent is hereby given to the acquisition by the United States of any other place within the state hereafter desired for any purpose authorized by Congress, subject to the concurrent jurisdiction aforesaid, upon condition, however, that application therefor shall be made to the governor by an authorized officer of the United States, setting forth a description of the premises acquired, with a map thereof, when necessary to their proper designation. (2) [4]

5. **Sale of state lands to United States**—The governor is hereby authorized, in behalf of the state, to sell, at its fair value, and to convey to the United States, any land owned by the state, and required by the government for any authorized purpose. And the United States is hereby empowered to acquire by condemnation, under the laws of this state relating to the right of eminent domain, any lands which it may be necessary to take, overflow, or occupy in the prosecution of any public work authorized by Congress. All lands so ceded or conveyed to or acquired by the United States shall be exempt from assessments and taxes so long as it shall own the same. (3) [5]

6. **Certificate of consent**—Upon proof being made that the title to such lands has been duly vested in the United States, the governor shall issue, in duplicate and under the great seal of the state, his certificate of consent to such acquisition, conditioned as in this chapter prescribed, one of which shall be delivered to the officer presenting the application, and the other filed with the secretary of state. Such secretary shall thereupon cause a copy of such consent, with a map of the lands so acquired, when necessary to a proper description thereof, to be filed for record with the register of deeds of the county in which the same are situated. (4) [6]

6-1. Acquisition by United States of lands for customs houses, etc.—The consent of the State of Minnesota is hereby given in accordance with seventeenth clause, eighth section, of the first article of the Constitution of the United States to the acquisition by the United States, by purchase, by condemnation, lease, or in any other manner whatsoever, of any land, or right or interest therein, in this State, required for sites for custom houses, court houses, hospitals, sanatoria, postoffices, arsenals, depots, terminals, cantonments, military or naval camps or bases or stations, aviation fields or stations, radio stations, storage places, target ranges, forest depots, supply houses and forestry offices, or for any other military or naval purposes whatsoever of the United States government. ('25, c. 55, § 1)

⁶²
230nw 548 6-2. Same—Jurisdiction over lands acquired; service of process; lands adjacent to navigable waters—Exclusive jurisdiction in and over any lands, or buildings, any right or interest which has been so acquired by the United States, whether before or after the passage of this act, shall be and the same is hereby ceded to the United States for all purposes, herein provided except the service upon such sites of all civil or criminal process of the courts of this state, which right of service of said process within the bounds of said lands and sites is reserved to this State; but the jurisdiction so ceded shall continue no longer than the United States shall own or occupy such lands, or any right or interest therein; and whenever such lands or buildings abut upon the navigable waters of this state, such jurisdiction so ceded shall extend to and include such of the under-water lands adjacent thereto as lie between the line of low water mark and the bulkhead or pierhead line as now established or as such lines may be hereafter established. ('25, c. 55, § 2)

6-3. Same—Time of vesting of jurisdiction—Exemption from taxation, etc.—The jurisdiction ceded shall not vest until the United States shall have acquired the title to, or possession of the said lands, or rights, or interest therein, by purchase, condemnation, lease, or otherwise; and so long as the said lands, or any rights or interest therein are held in fee simple

by the United States, and no longer, such rights or interest, as the case may be, shall continue exempt and exonerated, from all States, county and Municipal taxation, assessment or other charges, which may be levied or imposed under the authority of this State. ('25, c. 55, § 3)

6-4. Same—Repealed—All acts or parts of acts in conflict with this act are to that extent repealed. ('25, c. 55, § 4)

6-5. Acquisition by United States of land and water for Upper Mississippi River Wild Life and Fish Refuge, etc.—Consent of the State of Minnesota is given to the acquisition by the United States by purchase, gift, or lease of such areas of land or water, or of land and water in Minnesota, as the United States may deem necessary for the establishment of the Upper Mississippi River Wild Life and Fish Refuge in accordance with and for the purposes of the Act of Congress approved June 7, 1924, entitled "An Act to establish the Upper Mississippi River Wild Life and Fish Refuge," and for the establishment of such other wild life refuges or reservations as may have been or may be authorized by Act of Congress; reserving, however, to the State of Minnesota full and complete jurisdiction and authority over all such areas not incompatible with the maintenance and control thereof by the United States for the purposes and under the terms of said Act of Congress. ('25, c. 76, § 1)

6-6. Same—State lands ceded—There is hereby ceded to the United States for the purposes of the said Upper Mississippi River Wild Life and Fish Refuge, and so long as it shall use the same therefor, and no longer, all areas of land subject to overflow and not suitable for agricultural purposes, owned by this State, and all jurisdiction of the State of Minnesota to and upon the areas of water of the Mississippi River to and including the main channel thereof, within the boundaries of such refuge as the same may be established from time to time under authority of said act, subject, however, to the same reservation of jurisdiction in and over such areas as provided in Section 1 hereof. ('25, c. 76, § 2)