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THE
REVISED STATUTES,
OF THE
TERRITORY OF MINNESOTA,

PASSED AT THE SECOND SESSION OF THE
LEGISLATIVE ASSEMBLY,

COMMENCING JANUARY 1, 1851.

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ers such list; and the commissioners shall take the same into consideration the same as though the district was regularly organized, and the amount due such district under the apportionment, shall be retained in the hands of the county treasurer until such district shall be legally organized.

CHAPTER 30.

OF THE PROTECTION OF HEDGES, FENCES, FRUIT AND ORNAMENTAL TREES, &c.

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.

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

SEC. 1. 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.

SEC. 2. 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 person, 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.

Penalty for injuring fruit or ornamental trees, &c.

SEC. 3. And if any person, or persons, shall wilfully, 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 wilfully, 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.

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

SEC. 5. All prosecutions under this chapter shall be commenced within one year from the time any such offence 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 offence shall have been committed, for the use of the common schools of said county.

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

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

CHAPTER 31.

OF RECORDING 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 complied with.
10. Penalty for neglect to comply with regulations 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.

SEC. 1. 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.

SEC. 2. All the in lots intended for sale shall be numbered in progressive numbers or by the squares in which they are situated, and their precise length and width shall be stated on said map or plot; and out lots shall not exceed ten acres in size, and shall in like manner, be

Towns to be surveyed and plotted.

Lots how numbered, &c.