

THE *J. Rogers*
GENERAL STATUTES

OF THE

STATE OF MINNESOTA:

REVISED BY COMMISSIONERS APPOINTED UNDER AN ACT APPROVED FEBRUARY 17, 1868, AND
ACTS SUBSEQUENT THERETO, AMENDED BY THE LEGISLATURE,
AND PASSED AT THE SESSION OF 1866.

TO WHICH

THE CONSTITUTION OF THE UNITED STATES, THE ORGANIC ACT, THE
ACT AUTHORIZING A STATE GOVERNMENT, AND THE
CONSTITUTION OF THE STATE OF MINNESOTA,

ARE PREFIXED;

AND A LIST OF ACTS PREVIOUSLY REPEALED,

A GLOSSARY, AND INDEX, ARE ADDED.

Edited and Published under the authority of Chapters 15 and 16 of
the Laws of 1866.

ST. PAUL.
PUBLISHED BY DAVIDSON & HALL,
STATE PRINTERS, 170 THIRD STREET.
1872.

, one thousand eight hundred and , before , a justice of the peace, in and for the county of , complainant, against , respondent, the jury find the facts alleged in the said complaint are true, that the said is guilty thereof, and the said ought to have restitution of the premises therein described without delay; (or in case the jury do not find the allegation of complaint proved) the jury find that the facts alleged in the same complaint are not proved, and that the said is not guilty thereof.

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

CHAPTER LXXXV.

ACTIONS BY PERSONS HOLDING CLAIMS ON UNITED STATES LANDS.

SECTION

- 1. Settler on public land may maintain action to recover possession, or for injuries thereto.
- 2. Plaintiff's claim defined.

SECTION

- 3. Claim shall be marked—action not maintainable unless by actual settler.
- 4. Claim considered abandoned, when.

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

Settler on public land may maintain action to recover possession, or for injuries thereto.

SEC. 2. On the trial of any such cause, the possession, or possessory right of the plaintiff, shall be considered as extending to the boundaries embraced by the claim of such plaintiff, so as to enable him to have and maintain either of the aforesaid actions, without being compelled to prove a natural inclosure: *provided*, that such claim shall not exceed in any case one hundred and sixty acres; and the same may be located in two different parcels, to suit the convenience of the holder.

Plaintiff's claim defined.

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

Claim shall be marked—action not maintainable unless by actual settler.

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

Claim considered abandoned, when