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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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1851

ACTIONS BY CLAIMANTS, &c.

cribed 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 88.

OF ACTIONS BY PERSONS HOLDING CLAIMS ON UNITED STATES LANDS.

SECTION

1. Settlers on public lands may maintain action for injuries, &c.
2. Plaintiff's claim how defended.

SECTION

3. Claim must be marked.
4. Abandonment of claim.

Settlers on public lands may maintain action for injuries, &c.

SEC. 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.

Plaintiff's claim how defended.

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 diferent parcels, to suit the convenience of the holder.

Claim must be marked.

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 be an actual settler, or cause the land to be constantly occupied, and improvement made thereon, to the amount of fifty dollars.

Abandonment of claim.

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.