

## SURVEYORS.

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### CHAPTER 33.

#### An Act in Relation to County Surveyors.

*Be it enacted by the Legislative Assembly of the Territory of  
Dakota :*

*Duty of county  
surveyor to keep  
a book and re-  
cord of notes, &c*

Section 1. Every county surveyor shall keep a record of the plot and field notes of each survey made by him or his deputies, in a book or books provided by the county for that purpose, a certified copy of which record, or of any other record of his office, he shall furnish to any person requesting the same. The records of all surveys hereafter recorded, shall be so made and arranged as to be easy of reference. The said surveyor shall also preserve the original field notes and calculations of each survey made by him or his deputies, and shall deliver them, together with the records of his office, to his successor.

*Fees of survey-  
ors.*

Sec. 2. The said surveyor and his deputies may demand and receive for their services the following fees, to-wit: For each days service, three dollars; for each mile traveled in going from his office to the place of rendering such service and in returning ten cents; for a plot and certificate, except town plots, fifty cents; for recording a survey, fifty cents.

*What shall be  
expressed on  
record.*

Sec. 3. In all surveys, the bearings shall be expressed as nearly as may be according to the true meridian, and the declination of the magnetic meridian from the true meridian shall be given, with the year, month and day of the survey, except in the survey of an east and west or north and south line, when the declination of the needle from the line surveyed, with the date thereof, shall be sufficient.

*When surveyor  
is required to  
make subdivi-  
sion of section,  
what to be done.*

Sec. 4. Whenever a surveyor is required to make a subdivision of a section, as determined by the United States survey, except where the section is fractional, he shall establish the in-

terior quarter section corner therefor, at a point which is the same distance from the east quarter section corner that it is from the west quarter section corner, and the same distance from the north quarter section corner that it is from the south quarter section corner; and he shall, where practicable, fix the precise locality of the said interior quarter section corner, by setting at the said point a stone, the cubical contents of which shall be equivalent to not less than one cubic foot, or by setting a post in a mound of earth or stones, or by driving a post firmly into the ground, and writing in his field notes the bearings and distances from the same to two bearing trees, which shall be suitably marked " $\frac{1}{4}$ S" on the the upper blaze, and "B. T." on the lower blaze thereof; and any less subdivision than a quarter section shall be made and established in a similar manner.

Sec. 5. Where the section is fractional, the surveyor shall establish the interior quarter section corner, and the eighth and sixteenth corners thereof, at such points that whatever the fractional lines of the said section exceed or fall short of the United States survey, shall be divided between the entire and the fractional part of the said lines, in direct proportion to the length of the said parts.

Where section  
is fractional.

Sec. 6. Whenever a surveyor is required to establish a quarter section corner not established by the United States survey, in the north or west boundary of a township, he shall set the same in the middle of the north or west side (as the case may be) of the section to which the said quarter section corner belongs, and in the line determined by the quarter section corner for the section next north or west, as the case may be, except that he shall set the north quarter section corner of section six, forty chains from the north east corner of the said section, unless the north line of the section shall exceed or be less than the original survey, in which case the quarter section corner shall be set at a distance from the north east corner, in direct proportion to such excess or deficiency, and except, also, that he shall set the west quarter section corner of section six, at a like distance from the south west corner thereof.

what to be done  
in certain other  
cases.

When quarter  
section cannot  
be found.

Sec. 7. Whenever a quarter section corner, as established by the United States survey, cannot be found, it shall be the duty of the surveyor required to establish the same, to set it in the middle of the section line in which it belongs, except in fractional sections, in which case it shall be set at distances from the section or meander corners between which it belongs, which are directly proportional to the entire and fractional parts of the line, as determined by the United States survey.

Same

Sec. 8. Whenever a surveyor is required to establish a section corner which cannot be found, he shall set the said corner half way between the quarter section corners next north and south of the same, and at such distances from the quarter section or meander corners next east and west, as are directly proportional to the same distances, as determined by the United States survey, except that where there are fractional lines running north or south from said corner, the same shall be established at distances from the corners next north or south, which are directly proportional to the said lines.

When to take  
effect.

Sec. 9. That this act shall take effect and be in force from and after its passage.

Approved, January 8th, 1866.