

north-east quarter (1-4) of section number thirteen (13), in township ninety-three (93), of range number fifty-nine (59) west, and shall not be removed except by a two-third vote of the legislative assembly of Dakota Territory, and the approval of said vote by the governor.

Take effect,
when.

SECT. 2. This act to take effect from and after its passage, and approval by the governor.

Approved May 5, 1862.

W. JAYNE, Governor.

PUBLIC LANDS.

CHAPTER 67.

AN ACT TO PROTECT PERSONS HOLDING CLAIMS ON THE PUBLIC LANDS.

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

Persons hold-
ing may main-
tain action, &c.

SECTION 1. Any person settled upon 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 any injuries done to the same, also an action to recover the possession thereof, in the same manner as if he possessed a fee-simple title to said lands.

Possessory right
considered to ex-
tend to bounda-
ries.

SECT. 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 any 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.

Proviso.

Every claim
must be marked
out, how, &c.

SECT. 3. Every such claim, to enable the holder thereof to maintain any 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, by the owner thereof placing or having placed within three months after the passage of this act, or thirty days after the taking of such claim, a post at each corner of said claim, having the name of the owner of such claim marked or written on said post or stakes, stating which corner of said claim said post is intended to designate, and no person shall be entitled to the provisions or protection of this act unless he or she be a citizen of this territory, unless he or she have improvements made on said claim every six months to at least the amount of twenty dollars, or has a crop growing on said claim, or resides upon the same.

SECT. 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. Neglect to cultivate six months, deemed abandonment.

SECT. 5. This act shall take effect on and after its passage. Take effect, when.
Approved April 30, 1862.

W. JAYNE, *Governor.*

RELIGION.

CHAPTER 68.

AN ACT TO FORM AND REGULATE RELIGIOUS SOCIETIES.

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

SECTION 1. It shall be lawful for all persons of full age Trustees elected. how. belonging to any church, congregation, or religious society, not already incorporated, to assemble at the church or meeting-house, or other place where they stately attend for divine worship, and by a plurality of votes elect any number of discreet persons of their church, congregation, or society, not less than three nor more than nine in number, as trustees, to take charge of the estate and property belonging thereto, and to transact all affairs relative to the temporalities thereof.

SECT. 2. It shall be lawful for any such church, congrega-