



[Minnesota Geographic Board.  
Records.](#)

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APR 27 1940

CHESTER S. WILSON  
ARTHUR CHRISTOFFERSON  
DEPUTY ATTORNEYS GENERAL

J. A. A. Burnquist  
Attorney General  
State Capitol  
St. Paul, Minnesota

HAYES DANSINGBURG  
EDWARD J. DEVITT  
M. TEDD EVANS  
VICTOR H. GRAN  
PHILIP F. SHERMAN  
JOHN A. WEEKS  
ASSISTANT ATTORNEYS GENERAL

April 26, 1940

Arthur J. Larsen, Secretary  
State Geographic Board  
St. Paul, Minnesota

Dear Sir:

Your letter of April 11, 1940, addressed to Attorney General J. A. A. Burnquist, raises the question of whether or not the State Geographic Board is authorized to change the name of Gnatt lake, situate in Port Hope and Turtle lake townships in Beltrami township, provided the county board of that county consents. It appears that this lake has been commonly known by its present name for forty years.

Prior to the enactment of Laws 1937, Chapter 63, there was no state law providing any procedure for changing the name of the lake. Opinion October 22, 1921. Normally lakes were known by the names given them by the federal authorities at the time of survey. The act cited, now found in Sections 128-2 to 128-6, the 1940 Supplement, constituted the commissioner of conservation, the commissioner of highways and the superintendent of the Minnesota Historical Society, a state geographic board, and empowered that board, among other things,

"In cooperation with the county boards and with their approval to change the names of lakes, streams and other geographic features with the end in view of eliminating as far as possible duplication of names within the state."

Section 128-3, subdivision (c), the 1940 Supplement.

April 26, 1940

Other subdivisions of this section empower said board, "to determine the correct and most appropriate names of lakes," and "to pass upon and give names to lakes," and "to publish an official dictionary of names," and "to cooperate with the United States Geographic Board to the end that there shall be no conflict between state and federal designations."

No express limitation is placed by law on the powers of the State Geographic Board in this respect. None can be fairly implied. The question of whether or not the name of a lake in any given instance should be changed is one which calls for the exercise of sound judgment and discretion by the board. It is not likely a court would upset the board's determination in any such case unless it clearly appeared that the board had acted arbitrarily, capriciously and without any regard for public convenience.

The board should, before determining on a change, investigate the situation and consider all reasons for and against such action. If it appears that the public interest would be better subserved by retaining the name the lake has borne for almost half a century the board should act accordingly. If the present name duplicates the name of some other lake, or conflicts with the name given this particular lake by the federal authorities, or if it seems desirable for any other sound

Arthur J. Larsen

-3-

April 26, 1940

reason that the name in use be changed, the board should act accordingly.

Categorically your inquiry is answered in the affirmative, with this qualification; your board should investigate, weigh the reasons for and against change, and decide what action will best serve the public interest.

Very truly yours

J. A. A. BURNQUIST  
Attorney General

*Rollin L. Smith*  
ROLLIN L. SMITH  
Special Assistant  
Attorney General

RLS:BT

April 11, 1940

Hon. J. A. A. Burnquist  
Attorney General of Minnesota  
State Capitol  
St. Paul, Minnesota

My dear Mr. Burnquist:

I wonder if your office can give me some information regarding the powers of the State Geographic Board. The question is this: does the State Geographic Board have the authority, with the consent of the Board of County Commissioners of any county, to change the name of a lake within that county if the original name has been in common accepted usage for forty years or more? The question has arisen in connection with a request for the change of name of Gnatt Lake, which is located in Beltrami County, Port Hope and Turtle Lake townships.

We shall appreciate a statement regarding the powers of the Board.

Sincerely yours,

AJL/U

Secretary, State  
Geographic Board

C O P Y

JOHN D. HOLT  
Murray County Attorney  
Slayton, Minnesota

May 7, 1957

Minnesota Geographic Board  
Minnesota Historical Society  
St. Paul 1, Minnesota

Dear Sirs:

My attention has been called to a letter dated March 29, 1957 which was written by the Minnesota State Geographic Board to Mr. Robert B. Forest, 11400 Normandale Road, Minneapolis. Apparently Mr. Forest requested information from you as to the procedure for changing the name of an island in Lake Shetek which is located in Murray County. You sent him mimeograph sheet stating the procedure for naming or changing names of lakes and streams in accordance with the provisions of Chapter 35 and 63 Session laws of 1937.

In checking the Statute I find that it relates solely to lakes, rivers, streams, or bodies of water. I find no provision in the statute for changing the name of an island. Do have an opinion of the Attorney General which states that this law would be applicable to the changing of the name of an island?

I would appreciate any information you can give me in this regard.

Yours very truly,

(signed) John D. Holt

John D. Holt  
County Attorney  
Murray County

JDH/cv

May 16, 1957

Mr. John D. Holt  
Murray County Attorney  
Slayton, Minnesota

Dear Mr. Holt:

In reply to your letter of May 7 regarding the procedure for changing the name of an island in Lake Shetek, may I say that in my opinion you are correct in surmising that the statute covering the operations of the Minnesota Geographic Board does not apply to islands. We will, however, ask the Attorney General to clarify this point. As soon as we have received an opinion from him, I shall get in touch with you again.

Meanwhile, however, if you wish to proceed, I would suggest that you get in touch with Meredith F. Burrill, Executive Secretary, United States Board on Geographic Names, Department of the Interior, Washington 25, D.C. The United States Board has final jurisdiction over all such changes in any case, and Mr. Burrill could supply you with information on the board's procedure.

Sincerely,

Russell W. Fridley, Secretary  
Minnesota Geographic Board  
Minnesota Historical Society  
St. Paul 1, Minnesota

JDH:pns

March 29, 1957

Mr. Robert B. Forrest  
11400 Normandale Road  
Minneapolis 20, Minnesota

Dear Mr. Forrest:

The procedure for changing the name of a geographic feature is a bit complex. To make the name Maple Island official for the island you describe in Lake Shetek, it would be necessary to follow the procedure outlined in the mimeographed sheets I sent you last week.

The mimeographed petition enclosed in my previous letter would have to be signed by 15 legal voters residing on the island at the present time. It should then be sent to the County Auditor of Murray County as outlined in the mimeographed sheet of instructions. After the petition has been approved by the Murray County Board of Commissioners, it is forwarded to the Minnesota Geographic Board for action.

So you see, the State Geographic Board cannot act in this matter until it has been approved by the local people and forwarded to the State Board through the proper channels.

I hope that this information will be helpful to you.

Sincerely,

Mrs. June D. Holmquist  
Acting Secretary  
Minnesota Geographic Board  
Minnesota Historical Society  
St. Paul 1, Minnesota

JDH:pn

ROBT. B. FORREST  
11400 Normandale Road  
Minneapolis 20, Minnesota

Mrs. June D. Holmquist:            Saturday

Minnesota Geographic Board

St. Paul, Minn.

Really I'm sorry now I wrote the way I day. I wrote it as a short example of what I wanted. What I really wanted to know would take more writing and me being 85 just don't like it because the machine don't spell as good as it used to.

For 70 years I have lived in Murray county am a sort of a history nut, written a book on the early history and that bring me to want I wanted to know.

There is an island in Lake Shetek in Murray county. In the early days about the early '80's it was called Maple Island. Several years later a "blind" pig came to Slayton the county seat: the only wet place in the county. One of the partners drank too much so the boys got a tent and took him over to Lake Shetek and left him on this beautiful. There was no one living there then. When the "boys" came into the blind pig for a drink they would say "Where's Tom. The other guy was quite a wag and he flipped off. Oh he's over to Kelley Cure Island. I don't know how old you are or if you can remember the Keeey Cure Institue for drunkards. But the name stuck and stuck. Now there are 18 homes on the island and a Bible camp hence the wanted change. I wanted to know how to change it back to Maple Island." The two names are not official

Thank You

*Robert B. Forrest*

March 21, 1957

Mr. Robert B. Forrest  
11400 Normandale Road  
Minneapolis 20, Minnesota

Dear Mr. Forrest:

Your inquiry addressed to the Department of Conservation concerning the procedure for changing the name of a lake has been forwarded to me. Enclosed you will find information outlining the steps necessary and a sample petition.

May I suggest that you give additional thought to the problem of selecting a new name for this lake. You mention Oak Lake as a possibility. There are already a large number of Oak Lakes in Minnesota. Since one of the objectives of the Geographic Board is to avoid duplication of names, it is unlikely that they would approve Oak Lake as the new name of this body of water.

Sincerely,

Mrs. June D. Holmquist  
Acting Secretary  
Minnesota Geographic Board  
Minnesota Historical Society  
St. Paul 1, Minnesota

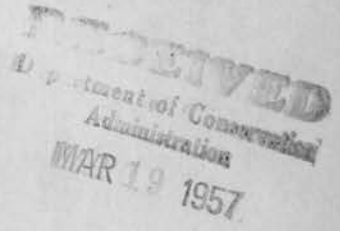
JH:pbs

Enclosures 2



ROBT. B. FORREST  
11400 Normandale Road  
Minneapolis 20, Minnesota

*C. Prout*



Saturday, March, 16th. 1957

Answered \_\_\_\_\_

Dept. of Conservation,  
St. Paul, Minn.

Gentlemen:

Say there was a lake in your county  
by the name of Black Rat lake and the people wanted to  
change it to Oak Lake, how would you go about it?. Rat  
Lake was given the name by some early settler and it stuck  
Does the change it, the county or the county,

Kindly Answer

*Robert B. Forrest*

**RECEIVED**

MAR 18 1957

BUREAU OF INFORMATION  
DEPT. OF CONSERVATION

DEPARTMENT Conservation - Attorney General**Office Memorandum**TO : Mrs. June D. Holmquist  
: Minnesota Historical Society

DATE: March 9, 1966

FROM : Frank J. Murray *fjm*

SUBJECT:

Minnesota Statutes 1961, Chapter 354, relating to the State Geographic Board, was renumbered by the Revisor of Statutes and is now found as M.S.A., §§ 83A.01-83A.04.

M. S. 1961, Chapter 378, relates to the naming of lakes, etc., by a county board upon a petition by the State Geographic Board or any fifteen legal voters residing in the county where the body of water is situated.

In § 378.01, it is provided that no name of any lake, river, stream or body of water, which name has existed for forty years, shall be changed under the provision of §§ 378.01-378.06.

Note that the restriction goes only to a proceeding under Chapter 378.

Proceedings can be taken by the Geographic Board, however, under 83A.01 et seq., and I see no reason why the county board, which is without authority itself to change the lake named in the case you mention, cannot recommend and give approval to a change by the Geographic Board under 83A.01 et seq.

A copy of opinion dated 4-26-1940 (file 273a) is to that effect.

FJM:dw  
attach.

April 26, 1940

Arthur J. Larsen, Secretary  
State Geographic Board  
St. Paul, Minnesota

273a

Dear Sir:

Your letter of April 11, 1940, addressed to Attorney General J. A. A. Burnquist, raises the question of whether or not the State Geographic Board is authorized to change the name of Gnatt lake, situate in Port Hope and Turtle lake townships in Beltrami <sup>County</sup> township, provided the county board of that county consents. It appears that this lake has been commonly known by its present name for forty years.

Prior to the enactment of Laws 1937, Chapter 63, there was no state law providing any procedure for changing the name of the lake. Opinion October 22, 1921. Normally lakes were known by the names given them by the federal authorities at the time of survey. The act cited, now found in Sections 128-2 to 128-6, the 1940 Supplement, constituted the commissioner of conservation, the commissioner of highways and the superintendent of the Minnesota Historical Society, a state geographic board, and empowered that board, among other things,

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Section 128-3, subdivision (c), the 1940 Supplement.

Other subdivisions of this section empower said board, "to determine the correct and most appropriate names of lakes," and "to pass upon and give names to lakes," and "to publish an official dictionary of names," and "to cooperate with the United States Geographic Board to the end that there shall be no conflict between state and federal designations."

No express limitation is placed by law on the powers of the State Geographic Board in this respect. None can be fairly implied. The question of whether or not the name of a lake in any given instance should be changed is one which calls for the exercise of sound judgment and discretion by the board. It is not likely a court would upset the board's determination in any such case unless it clearly appeared that the board had acted arbitrarily, capriciously and without any regard for public convenience.

The board should, before determining on a change, investigate the situation and consider all reasons for and against such action. If it appears that the public interest would be better subserved by retaining the name the lake has borne for almost half a century the board should act accordingly. If the present name duplicates the name of some other lake, or conflicts with the name given this particular lake by the federal authorities, or if it seems desirable for any other sound

Arthur J. Larsen

-3-

April 26, 1940

reason that the name in use be changed, the board should act accordingly.

Categorically your inquiry is answered in the affirmative, with this qualification; your board should investigate, weigh the reasons for and against change, and decide what action will best serve the public interest.

Very truly yours

J. A. A. BURNQUIST  
Attorney General

ROILIN L. SMITH  
Special Assistant  
Attorney General

RLS:BT

March 16, 1966

Dear Mr. Murray:

Many thanks for so pleasantly and kindly coming to my rescue in regard to the Geographic Board problem. I have heard nothing more from the county attorneys so far, so maybe we shut them up. I do indeed appreciate your prompt help!

With best regards -

JDH:dg

Mrs. June D. Holmquist  
Deputy Secretary  
Minnesota Geographic Board

415  
3294

February 21, 1966

Dear Mr. Murray:

Maybe I should say "Dear Mr. Anthony," since my problem is how does the Geographic Board go about changing a name in use for more than 40 years? Enclosed is a copy of the memoranda you prepared last July and a copy of the Washington County attorney's letter on the problem. Is there any way a county board can tell us whether or not they favor such a change without violating the law?

Several similar cases are hung up on my desk. I do hope you can shed some light on the problem, for I am at sea as to what to tell them.

Many thanks for your efforts,

Mrs. June D. Holmquist

Extension 2147

Oct. 2, 1964

Russ

Re Geographic Board

It would appear from Mr. Murray's comments that the 40 year restriction on name changes does not apply to the State Board. 'Tis just as well since we have been ignoring it.

It does, however, apply to county boards, and perhaps it should. Since they ignore the State Board for the most part anyhow, however, it does not seem to me to make much difference.

Under Mr. Murray's interpretation, 'twould seem to me the State Board has ample scope under the existing laws.

The only question would seem to be: Does the board wish to remove the 40 year restriction governing county board operations.

June

Office Memorandum

TO : Commissioner Wayne H. Olson

DATE: July 28, 1964

FROM : Frank J. Murray, Deputy Attorney General

*FJM*  
RECEIVED  
Department of Conservation  
Administration

SUBJECT: Minnesota Geographic Board

JUL 29 1964

In the Board's minutes of January 2, 1964, appears the following:

"Mr. Fridley also brought up the question of attempting to secure some clarification of the law governing the board's work when the next legislature meets. He mentioned specifically the removal of the 40-year limitation on name changes embodied in the present law and a clarification of the board's powers regarding the names of islands and other features. Mr. Olson agreed to review the existing law, and the board agreed to meet again before October 1, 1964, to discuss the matter at greater length."

In your memo accompanying the minutes, you state

"The law restricts the authority of the county boards to change the names of lakes and other geographical features. The 40-year restriction is not applicable to the State Geographic Board. There is an attorney general's opinion that so concludes. The Board is interested in having an amendment adopted to remove the 40-year restriction on counties. There also seems to be some question as to the authority of the State Board regarding non-water geographical features."

You ask

"Would you have someone check to see if this authority has ever been interpreted."

The only opinion is file 273-A, dated April 26, 1940, copy attached. Neither § 354.01-04, relating to the Geographic Board, nor § 378.01-06, relating to the County Board, have been otherwise referred to in opinion or case.

Briefly, Chapter 354, M.S. (as pertinent), is as follows:

§ 354.02 Powers of Geographic Board.

(1) To determine correct and most appropriate names of lakes, streams, places and other geographic features.

July 28, 1964

- (2) To pass upon and give names to lakes, streams and places and other geographic features for which no single name has been in use.
- (3) In cooperation with County Boards and with their approval to change names of lakes, streams and places and other geographic features.
- (4) To publish official state dictionary of geographic names.
- (5) To serve as state representative on U. S. Geographic Board.

§ 354.03 Name given by Board is official name.

§ 354.04 No County Board may change or establish the name of any lake, river, or other body of water without approval of geographic board.

NOTE: (No mention of places or other geographical features in this limitation on County Board).

Chapter 378, M.S. provides (as pertinent):

County Board proceedings.

§ 378.01 To give or change name of lake, river, stream, or body of water a petition may be filed with the County Board. However, no name of any lake, river, stream or other body of water, which name has existed for 40 years, shall be changed under provisions of § 378.01-06.

(In latter event note - Geographic Board can change a name in cooperation with County Board).

§ 378.02 -06 Procedure.

#### COMMENTS

Removal of the forty year limitation found in § 378.01, would permit change by a County Board on petition under forty years.

A County Board, under Chapter 378, has no authority over non-water features.

Non-water geographical features, such as islands, would appear to be included within the power of the Geographic Board under § 354.02 where the statute speaks of "places and other geographic features."

FJM:dw  
attach.

AP  
128-3(c)  
273a

April 26, 1940

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State Geographic Board  
St. Paul, Minnesota

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2221

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Arthur J. Larsen

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April 26, 1940

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Attorney General

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RLS:BT