

**49-103. Temporary injunction.** Whenever it shall be made to appear by petition verified by the oath of the plaintiff, his or her agent or attorney, and by the survey of the county surveyor, that any person or persons, corporation or corporations, is or are without authority mining or taking coal, rock or limestone from the land of the plaintiff, whether held by lease or otherwise, it shall be the duty of the proper district court in termtime, or the judge thereof in vacation, to grant a temporary injunction restraining such person or persons, corporation or corporations, from mining or taking coal, rock or limestone from such land until the further order of the court or judge.

**History:** L. 1877, ch. 127, § 3; R.S. 1923, 49-103; L. 1967, ch. 296, § 2; July 1.