

SEC. 10. All acts and parts of acts inconsistent with this act are hereby repealed. Repeal of former acts

SEC. 11. This act shall take effect from and after its passage.

Approved March 1st, 1862.

CHAPTER LXIX.

An Act to Prevent the Obstruction of the Public Highways.

- SECTION 1. Penalty for obstructing any public highway in this State. What to be deemed a public highway.
 2. Justices of the peace to have jurisdiction to determine all cases arising under this act.
 3. Disposition of moneys received for fines.
 4. Act, when to take effect.

Be it enacted by the Legislature of the State of Minnesota :

SECTION. 1. Any person who shall at any time obstruct any of the public highways in this State with fences, logs, brushwood, timber or other material, with intent to prevent the free use thereof by the public, shall be deemed guilty of misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding twenty-five (25) dollars, nor less than ten dollars, with costs of suit, or undergo imprisonment in the county jail not less than ten nor more than twenty-five days. *Provided*, That in all such cases, five years use by the public of any road, and the repair thereof by the public authorities, shall be deemed sufficient to establish a public highway within the intent and meaning of this section. Penalty for obstructing highways

SEC. 2. Justices of the peace shall have jurisdiction on complaint made on oath, to hear and determine all cases arising under this act. Who to have jurisdiction in all cases

SEC. 3. All fines recovered under the provisions of

Disposition of
moneys received
for fines this act shall be paid into the treasury of the town where
in the offence was committed, to be used in repairing the
public highways within such town.

SEC. 4. This act shall take effect and be in force from
and after its passage.

Approved March 6th, 1862.

CHAPTER LXX.

*An Act to provide for the Removal of Obstructions from
the Streets of Unincorporated Towns and Villages in
this State.*

SECTION 1. Powers of supervisors—expense of removing obstructions—how recovered.
2. Act, when to take effect.

Be it enacted by the Legislature of the State of Minnesota:

Powers of super-
visors—expense
of removing ob-
structions—how
recovered

SECTION 1. The supervisors of the several towns in
this State in which any unincorporated village or town is
situated, a plat of which is duly recorded, shall have the
same power and authority to cause any and all obstruc-
tions lying or being in any street or alley of any unin-
corporated village or town within their respective town to
be removed, that are conferred upon them in relation to
any territorial, state, county or public road within their
respective towns, by virtue of an act of the legislature,
entitled "an act to provide for laying out, altering, discon-
tinuing, working and repairing roads and bridges," ap-
proved March ninth, one thousand eight hundred and
sixty; and may keep such streets and alleys open, and
cause any obstructions placed thereon to be removed at
the expense of the person causing the same, if he shall
fail to remove the same upon reasonable notice, and the
expense of such removal may be recovered in a civil ac-