

## CHAPTER XIV.

*An Act to amend an act entitled "An act to authorize the Running at Large of Cattle, Horses, and Mules," passed March 7, 1857.*

- SECTION 1. Amendment to Section 3 of the act passed March 7th, 1857.
3. Penalty for the allowing of running at large, any stallion, bull, or boar.
  4. Duty of the chairman of the board of supervisors.
  5. How to proceed in case of being unable to find owner of property.
  6. How owner of said property so sold, may recover balance of said amount.
  7. Penalty for neglect to perform duty.
  8. When act to take effect.

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

SECTION 1. That Section 3 of the act entitled an act to authorize the running at large of cattle, horses, and mules, passed March seventh (7th), eighteen hundred and fifty seven (1857), be and is hereby amended so as to read as follows :

SEC. 3. The provisions of this act shall not be so construed as to authorize the running at large of stallions over eighteen months old, bulls over one year old, or boars over four months old, nor any animal known to be breachy, and if the owner of any such stallion, bull, boar, or breachy animal, shall suffer the same to run at large, he shall forfeit to the town in which the animal shall be so found at large, the sum of two dollars for each and every day such animal shall be so at large; and it shall be the duty of the chairman of the board of Supervisors of such town, and he is hereby authorized and required to sue for and collect in his name of office, such forfeiture in any court having jurisdiction of such action, and all moneys collected for such forfeitures, after deducting the expenses of such suit, shall be paid into the town treasury, for the use of the common schools of said town.

Penalty for allowing stallions, bulls and boars to run at large

SEC. 4. If the chairman, when notified by any person residing in the town, that such stallions, bulls, boars, or

Duty of the chairman of the board of supervisors

breachy cattle are running at large, he shall within twenty-four hours after such notice, give notice to the owner or owners of such stallion, bull, boar, or breachy cattle; and if the owner or owners of such does not enclose the same, the chairman of the board shall immediately cause a suit to be brought against such owner or owners, and any suit so commenced, shall constitute and be a lien upon the animal therein described, in favor of the plaintiff, to the extent of the defendant's title or interest therein.

When unable to find owner how to proceed

SEC. 5. If the chairman of the board is unable to find the owner of such property, he shall cause the same to be impounded for the term of three days, and if such property is not claimed, he shall proceed to sell the same at public auction, by first giving notice by posting up written notices at three of the most public places in said town, and after the sale, deduct the fine and expenses from the amount, and place the balance in the hands of the town treasurer.

How owner may recover balance of said amount

SEC. 6. If the owner of such property as so sold, shall prove to the chairman of the board within one year from the sale, that it was his or their property, the chairman shall give to such owner or owners, an order on the treasurer for the balance of said amount as deposited by him.

Penalty for neglect to perform duty

SEC. 7. If the chairman of said board of Supervisors neglects to perform any of the duties required in this act, he shall be liable to a fine of five dollars for each refusal, and the person making the complaint, may sue for the fine, in any court having jurisdiction, for his own benefit.

SEC. 8. This act shall take effect and be in force on and after the first day of March next.

Approved, February 16, 1863.