

CHAPTER LXX.

AN ACT TO RESTRAIN THE RUNNING AT LARGE OF STALLIONS,
BULLS, BOARS, RAMS, AND BREACHY CATTLE.

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

Fine for owner
allowing certain
animals to run at
large.

SECTION 1. That if the owner or owners of any stallion over the age of one year, or bull over the age of nine months, or boar over the age of three months, or ram over the age of three months, or any breachy cattle, shall suffer the same to run at large, he shall forfeit to the town in which the animal shall be so at large, the sum of five 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, and he is hereby authorized and required, to sue for and collect in his name of office such forfeitures in any court having jurisdiction of such action, and all moneys collected for such forfeiture, after deducting the expenses of such suit, shall be paid into the town treasury for the use of the road and bridge fund of said town where such animals are so found running at large.

Chairman of su-
pervisors must
notify owner,
and begin suit.

SEC. 2. And the chairman when notified by any person that such stallions, bulls, boars, rams or 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, ram or breachy cattle, and if the owner or owners of such stallion, bull, boar, ram or breachy cattle does not enclose the same the chairman 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 animals therein described in favor of the plaintiff to the extent of the defendants' titles or interest therein.

He must also
cause such ani-
mal still left at
large, to be ca-
strated.

SEC. 3. That if the owner or owners of any such stallion, bull, boar, or ram, shall, after receiving the notice specified in section two of this act, permit any such stallion, bull, boar, or ram to continue or again run at large, it shall be the duty of such chairman, when again notified by any person that such stallion, bull, boar, or

ram is still, or again running at large, to cause such animal to be taken up immediately and castrated in the usual manner, and so as to endanger the life of such animal as little as possible, for which he shall recover the sum of three dollars from the owner by civil action before a justice of the peace, and he shall have a lien on such animal for said amount. *Provided*, If any ram shall be found going at large, off the premises, and out of the enclosure or control of its owner or keeper at any time, he may be taken up by any person on whose premises or among whose sheep he may be found, and may be castrated by such person, who shall not thereby be liable for any damages.

SEC. 4. If the chairman of the board is unable to find the owner of such animals he shall cause the same to be impounded for the term of three days, and if such animal is not claimed, he shall proceed to sell the same at public auction by first giving five days' notice, by posting up written notices in three of the most public places in said town, and after the sale deduct the forfeiture and expenses from the amount, and place the balance in the hands of the town treasurer.

If he can not find owner, how to proceed.

SEC. 5. If the owner of such animal so sold, shall prove to the chairman of the town board, within one year from the date of said sale, that it was his animal, the chairman shall give to such owner or owners an order on the treasurer for the amount of said money deposited by him.

Owner can have purchase money within one year.

SEC. 6. If the chairman of said board of supervisors shall refuse or neglect to perform any of the duties required in this act, he shall be liable to a fine of twenty-five dollars for each and every refusal or neglect and the person making the complaint may sue for the fine in any court having jurisdiction for his own benefit.

Penalty for chairman's neglect.

SEC. 7. All acts or parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

SEC. 8. This act shall take effect and be in force from and after its passage.

Act takes effect.

Approved March 8, 1873.