

the sum of said charges, damages and costs, and imprisoned in the county jail not less than ten nor more than thirty days.

Penalty for failure to comply with provisions of this chapter.

SEC. 10. Any person taking or detaining any estray who willfully fails or neglects to comply with the provisions of this chapter, shall be subject to a fine of not less than ten or more than one hundred dollars, or be imprisoned in the county jail not less than ten days nor more than three months, and shall be precluded from all claims to damages or compensation for keeping such estray, and the town clerk and register of deeds shall be subject to a like fine for a refusal or neglect to comply with their duties.

Repeal of former act.

SEC. 11. Chapter nineteen, title one of the general laws, revision of 1866, and all amendments thereto, be and the same are hereby repealed.

When act to take effect.

SEC. 12. This act shall take effect and be in force from and after its passage.

Approved March 9, 1874.

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## CHAPTER LV.

AN ACT TO AMEND SECTION SIXTY-FIVE OF CHAPTER FIVE OF THE GENERAL LAWS OF THE STATE OF MINNESOTA FOR THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-THREE, RELATING TO HIGHWAYS.

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

SECTION 1. That section sixty-five of chapter five of the general laws of the state of Minnesota for the year one thousand eight hundred and seventy-three (1873) be and [is] hereby are amended so as to read as follows:

Penalty for obstruction of a public highway.

SEC. 2. Whoever at any time obstructs any of the public highways in this state in any manner with intent to prevent the free use thereof by the public, or any person who shall do or cause to be done any plowing thereon except by permission of the overseers of said highways with the same intent, shall be subject to a fine of not less than five nor more than twenty-five dollars, together with all costs attending such conviction.

SEC. 3. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved March 5, 1874.

## CHAPTER LVI.

### AN ACT TO CONFIRM AND ESTABLISH CERTAIN PUBLIC HIGHWAYS.

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

SECTION 1. That all public roads and highways within this state which have been open and in use as such, and included in a road district in the town in which the same are respectively situated during five years next preceding the time when this act shall take effect are hereby declared to be public roads or highways, and confirmed and established as such whether the same have been lawfully laid out, established and opened or not. Public highways declared.

SEC. 2. If the right of way over the land included in any such road or highway has not been paid for or released, the owner of such land may at any time within two years after this act shall take effect, file in the office of the county auditor of the county in which such land is situate, a statement of his claim or demand for compensation for the right for such road or highway over and across such land. Such statement of such claim or demand shall be in writing and shall contain a description of the land for which such claim is made, with sufficient certainty to identify the same, and a statement of the amount claimed by the owner for the right of way for such road or highway over such land, and that such right of way over such land has not been paid for or released. Such statement shall be verified by the affidavit of the owner of such land or by the affidavit of some competent person in his behalf, and willful false swearing in such affidavit shall be perjury and punishable as such. When right of way not paid for, how to proceed.

SEC. 3. Whenever any such verified statement shall be filed in the office of the county auditor of any county, he shall communicate the same to the board of county com-