

be deemed to be taken and appropriated for the purposes of this act, and such land or the easement therein for the purposes aforesaid shall vest absolutely in the city in which the lands are situate.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 17, 1905.

#### CHAPTER 214.

H. F. No. 195.

*An act to amend chapter one hundred and sixty-eight (168) of the General Laws of 1903, entitled "An act to provide for sending official ballots to village and town clerks, and certain election judges, by registered mail or by express, and for sending election returns to county auditors by registered mail."*

Distribution of ballots.

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

SECTION 1. That chapter one hundred and sixty-eight (168) of the General Laws of the State of Minnesota for the year 1903, be, and the same is hereby, amended so as to read as follows:

"Wherever the primary and general election laws now provide that the village and town clerks and judges of election in unorganized towns, go to the county seat and receive the official ballots; hereafter the auditor of each county shall, at least one week before the day of election, send by registered mail or express to the village and town clerks and judges of election, the official ballots that each is entitled to receive; also, sealing wax, stamp, and the necessary postage to register and mail the election returns and other papers, as provided in section two (2) of this act.

Shall be sent by mail or express.

SEC. 2. And wherever the said election laws require the election returns and other papers to be delivered to the county auditor by one of the judges or other manager; hereafter such returns and other papers shall, in the presence of all the judges of election, be deposited in duplicate, each in a separate envelope, one of which shall be sewed by drawing a substantial twine through said envelope and said returns, and tying the ends of said twine together, and then seal said envelope, with a stamp furnished by the county auditor, in three places, having one of the seals over the knot in said twine. Said judges shall

Return to county auditor.

designate one of their number to take, within twenty-four hours, said envelopes, containing said election returns and other papers, to the nearest postoffice, and cause them to be registered and mailed to the county auditor at his office. The person mailing such election returns and other papers shall receive for his compensation the sum of one dollar; and also ten cents per mile for each mile necessarily traveled in going to and returning from the postoffice where such election returns were mailed; said compensation to be paid out of the county treasury.

Misdemeanor.

SEC. 3. Should the judge of election so designated fail to register and mail said election returns and other papers within the time herein specified he shall be deemed guilty of a misdemeanor, and punished accordingly.

SEC. 4. *Provided, however,* that this act shall not apply to election districts where the place of holding the polls is within ten (10) miles of the office of the county auditor by the nearest traveled route.

SEC. 5. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved April 17, 1905.

H. F. No. 420.

## CHAPTER 215.

*An act to amend section one thousand eight hundred sixty-three (1863) of the General Laws of 1894, relating to the obstruction of highways and the penalty therefor.*

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

Obstruction to highways and penalty.

SECTION 1. That section one thousand eight hundred sixty-three (1863) of the General Statutes for 1894 be and the same is hereby amended so as to read as follows:

Section 1863. 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 who shall dig any holes or remove any dirt, sand or clay from any such highway or any part thereof, and thereby damage the same, shall be subject to a fine of not less than five nor more than twenty-five dollars, together with the costs attending such conviction, and, on failure to pay such fine and costs, may be committed to the county jail, there to remain until such fine and costs are paid, or until dis-