

CHAPTER XXXIII.

*An Act to Restrain Stallions, Bulls, Boars, Rams, or
breachy animals from running at large.* March 2, 1866.

- SECTION 1.** Restrain stallions and other animals from running at large.
2. Chairman of Board of Supervisors to enter suit against owner of such animals, if not confined, on notification.
 3. If owners not found, cattle to be impounded, and sold, if not claimed within certain time.
 4. Money to be refunded to owner, within one year, on proof of ownership.
 5. Chairman of Board of Supervisors to be liable to fine for neglect of duty.
 3. When Act to take effect.

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

SECTION 1. That if the owner of any stallion over the age of eighteen months, or bulls over the age of one year, or boars over the age of four months, or rams over the age of five months, or any breachy animals, 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 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, 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 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 where such animals are so found running at large.

SEC. 2. And the chairman, when notified by any person residing in the town 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 does not enclose the same, the chairman shall immediately cause a suit to be brought against such

Penalty for suffering certain animals to run at large.

Suit may be brought against owner.

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' title or interest therein.

If animal not
claimed may be
sold.

SEC. 3. If the chairman of the board is unable to find the owner of such animal, 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 forfeitures and expenses from the amount, and place the balance in the hands of the town treasurer.

Proceeds of sale
to be refunded to
owner.

SEC. 4. If the owner of such animals 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 so deposited by him.

Chairman of Su-
pervisors liable
to fine for neglect

SEC. 5. 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.

SEC. 6. This act shall take effect and be in force from and after the first day of April, 1866.

Approved March 2, 1866.