

who has been, or shall hereafter be, a member of such fire department relief association at least ten (10) years prior to such retirement, and who complies with such additional conditions as to age, service and membership as may be prescribed by the certificate or by-laws of such association. Such pensions shall be uniform in amount, but all may be decreased or increased, within the amount above specified, whenever the amount of funds on hand render such action advisable. No such pension shall be paid to any person while he remains a member of a fire department, and no person receiving such pension shall be entitled to other relief from such association. No payments made or to be made by said association to any member on the pension roll shall be subject to judgment, garnishment or execution, or other legal process, and no person entitled to such payment shall have the right to assign the same, nor shall the association have the authority to recognize any assignment or pay over any sum which has been assigned.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 23, 1907.

CHAPTER 332— S. F. No. 187.

An Act to amend section 4389, Revised Laws 1905, relating to the filing of notice of lis pendens in actions relating to real property.

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

When complaint may be filed.—Section 1. That section 4389, Revised Laws 1905, be and the same is hereby amended so as to read as follows:

Section 4389. In all actions in which the title to, or any interest in or lien upon, real property is involved or affected, or is brought in question by either party, any party thereto, at the time of filing the complaint, or at any time thereafter during the pendency of such action, may file for record with the register of deeds of each county in which any part of the premises lies a notice of the pendency of the action, containing the names of the parties, the object of the action, and a description of the real property in such county involved,

affected, or brought in-question thereby. From the time of the filing of such notice, and from such time only, the pendency of the action shall be notice to purchasers and incumbrancers of the rights and equities of the party filing the same to the premises. When any pleading is amended in such action so as to alter the description of, or to extend the claim against, the premises affected, a new notice may be filed, with like effect. Such notice shall be recorded in the same book and in the same manner in which mortgages are recorded, and may be discharged by an entry to that effect in the margin of the record by the party filing the same, or his attorney, in the presence of the register, or by a writing executed and acknowledged in the manner of a conveyance, whereupon the register shall enter a minute thereof on the margin of such record.

Provided, however, that the filing of such *lis pendens* at the time of filing the complaint and before the commencement of the action shall have no force, effect, or validity against the premises described in said *lis pendens*, unless the filing of the complaint is followed by the service of the summons in the action within ninety days after the filing of the complaint therein.

Sec. 2, This act shall take effect and be in force from and after its passage.

Approved April 23, 1907.

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CHAPTER 333—S. F. No. 192.

An Act to amend section 1997 of the Revised Laws 1905, entitled "Fences and Cattle Guards," relating to the erection and maintenance of woven wire fences along the right-of-way of railroads.

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

Railroad to erect woven wire fence under certain conditions.—Section 1. That section 1997, Revised Laws 1905, be and the same is hereby amended to read as follows:

"1997—Every such company shall build and maintain, on each side of all lines of road owned and operated by it, good and substantial fences, except at stations and depot grounds and other places which the necessary business of the