

violating section two (2) of this act, in giving or selling to, or in any way furnishing said minor person tobacco, and shall give evidence as a witness in such proceedings against said party or parties, the court shall have power to suspend sentence against such minor person.

Minors.—Sec. 4. Any person who harbors or grants to persons under eighteen (18) years of age, or to minor pupils as described in section two (2) of this act, privilege or gathering upon or frequenting any property or lands held by him, for the purpose of indulging in the use of cigarettes, cigars or tobacco in any form, shall be held in the same penalty as provided for in section two (2) of this act; provided, that no part of this act shall be so construed as to interfere with the rights of parents or lawful guardians in the rearing and management of their minor heirs or wards, within the bounds of their own private premises.

Sec. 5. Be it further enacted that grand juries shall have inquisitorial powers over offenses committed under this act.

Sec. 6. All acts and parts of acts inconsistent herewith are hereby repealed.

Sec. 7. This act shall take effect and be in force at the expiration of thirty (30) days from the date of its passage and approval.

Approved April 24, 1907.

CHAPTER 387—H. F. NO. 567.

An Act in relation to fences and other structures erected for the purpose of annoying the owners or occupants of adjoining property, and for the abatement of the same as nuisances.

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

Crime defined.—Section 1. Any fence, or any other structure, maliciously erected or maintained for the purpose of annoying the owners or occupants of adjoining property shall be deemed a private nuisance.

Damages.—Sec. 2. Any such owner or occupant injured, either in his comfort or in the enjoyment of his estate

by such fence, or any other structure, may have an action of tort for the damage sustained thereby and may have such nuisance abated.

Approved April 24, 1907.

CHAPTER 388—H. F. NO. 590.

An Act to amend section 1597, Revised Laws 1905, relating to kinds of business insurance companies may transact.

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

Employees insured.—Section 1. That subdivision five (5) of section fifteen hundred and ninety-seven (1597) be and the same hereby is amended so as to read as follows:

“5. To insure against loss or damage by the sickness, bodily injury or death by accident, of the assured or of any other person employed by or for whom the assured is responsible.”

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

Approved April 24, 1907.

CHAPTER 389—H. F. NO. 606.

An Act to protect the rights of homestead claimants in proceedings to foreclose real estate mortgages and to provide that such homestead shall be offered for sale as a separate parcel only.

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

Notice of claim.—Section 1. In all proceedings to foreclose any mortgage upon real property in this state, if the whole or any part of the homestead of the mortgagor or of any one claiming under him, as such homestead is defined by the laws of this state, shall be included in the real estate described in such mortgage, the person claiming such homestead may, at any time prior to the foreclosure sale, serve or cause to be served upon the sheriff making such sale a notice of such claim which shall designate and describe with reasonable certainty the real estate so claimed and selected as such