

SEC. 3. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved November 22, 1881.

CHAPTER 203.

AN ACT PROVIDING COMPENSATION TO THE BOARD OF EQUALIZATION OF THE COUNTY OF ST. LOUIS, WHILE ACTING AS BOARD OF EQUALIZATION.

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

SECTION 1. That the members of the board of equalization of the county of St. Louis, consisting of the county commissioners and the county auditor, while performing the duties prescribed by law as a board of equalization, shall be entitled to three (\$3) dollars per day while performing such duties.

Provided, That no member of such board of equalization shall receive pay for more than ten (10) days services, and mileage as allowed by chapter one hundred and fifteen (115), of the general laws of one thousand eight hundred and eighty-one (1881).

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

Approved November 17, 1881.

CHAPTER 204.

AN ACT RELATING TO PARTITION FENCES IN THE CITY OF RED WING.

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

SECTION 1. All fences four and one-half (4½) feet high and otherwise properly constructed so as to turn orderly cattle, shall be deemed to be legal fences.

SEC. 2. The respective occupants of adjoining farms, shall make, keep and maintain partition fences between them in equal shares, to be settled by mutual agreement between them or by decision of the fence viewers, and in the absence of such decision or agreement, when either party has constructed or shall construct voluntarily a portion equal to one-half (½) part in length of such partition fence in the manner provided in section one (1) of this act, and maintain the same in good order, such construction and maintenance shall be deemed to be a full performance on his part

of the obligation to make, keep and maintain such partition fence as above required.

SEC. 3. In case the occupant of one (1) of two (2) adjoining farms requires a partition fence to be constructed and maintained between them and no agreement has been made relative thereto, or in case of controversy between the parties, as to their rights or obligations in the construction or maintenance of the same, then either of the parties may apply to the fence viewers for a decision as to what portion of said partition fence shall be built and maintained by each party respectively, as to what are the rights and obligations of each party in the premises. Such application shall be made to and such decision rendered by the fence viewers, and the same shall be recorded in manner and form and in the like effect as is provided in the general statutes of the state of Minnesota relative to partition fences, and the parties respectively shall be entitled to all the rights and remedies provided by said statute in that regard.

SEC. 4. In case the occupants of one (1) of two (2) adjoining farms has constructed and maintained in good order his portion of the partition fence between them, either under the decision of the fence viewers or under an agreement between the occupants, or in the absence of such decision or agreement voluntarily as provided in section two (2) of this act, and any stock kept by him, on said farm—except swine—shall on account of the remaining portion of said partition fence, remaining unconstructed or being defective or out of order, escape from his said farm into and upon the other and do damage thereon, he the said occupant shall not be liable for such damage.

SEC. 5. This act shall apply only to farms in the city of Red Wing, in the county of Goodhue.

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

Approved November 21, 1881.

CHAPTER 205.

AN ACT FOR THE IMPROVEMENT OF THE ST. CROIX RIVER.

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

SECTION 1. Smith Ellison, R. F. Hersey, E. W. Durant, E. L. Hospes, C. N. Nelson, L. E. Torinus, James S. Anderson, Samuel Judd, A. L. Gillespie, David Bronson, J. G. Nelson, E. S. Brown, C. P. Cogswell, Joel F. Nason, Wm. Blanding, Samuel Matthews, and David Tozer, their associates, successors and assigns are hereby authorized and empowered to erect, keep and maintain a dam in and across the Saint Croix river, at or near the Saint Croix Falls, in the county of Chisago, state of Minnesota, and to extend and maintain said dam from shore to shore in said river, and to im-