

Sec. 2. Section 3 of said Chapter 307 of Laws of 1913, be and the same is hereby amended so as to read as follows:

“Sec. 3. That the railroad and warehouse commission may upon application made, after a thorough investigation *in any particular case or class of cases*, permit any common carrier to which this act applies to erect any overhead or side obstruction at a less distance from the track than herein provided for, when in the judgment of said commission a compliance with the clearance prescribed herein would be *unreasonable or unnecessary.*”

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 17, 1915.

CHAPTER 172—H. F. No. 1151.

An Act providing for the abating of penalties and interest on delinquent gross earnings taxes of certain telephone companies under certain conditions.

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

Section 1. **Gross earnings taxes on certain telephone companies cancelled.**—That the penalties and interest accruing on unpaid delinquent gross earnings taxes for the year 1913 and prior years of telephone companies whose gross earnings for said years have not exceeded five hundred dollars (\$500) per year are hereby cancelled and abated, provided such companies pay all of such delinquent taxes into the state treasury on or before July 31, 1915.

Approved April 17, 1915.

CHAPTER 173—H. F. No. 480.

An Act to amend Sections 2750, 2751 and 2752 of the Revised Laws of Minnesota 1905, as amended by the General Laws Minnesota 1913, being the same as Sections 6018, 6019 and 6020 of the General Statutes of Minnesota 1913, relating to the building and maintenance of partition fences.

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

Section 1. **Payment of partition fences to be made by owners of land benefited.**—That sections 2750, 2751 and 2752 of the Revised Laws Minnesota 1905 as amended by the General Laws of Minnesota 1913 being the same as Sections 6018, 6019 and 6020 of the General Statutes of Minnesota 1913, be and the same are amended to read as follows:

2750—Occupants to maintain—*The adjoining owners or occupants of lands in this state when the land of one or both of such owners is in whole or in part improved and used, and one or both of such owners desires his or their land to be in whole or in part fenced, shall build and maintain the partition fence between their lands in equal shares.*

2751—Neglect—Complainant may build or repair—In case any person neglects to *build* repair or rebuild any partition fence which of right he ought to *build* or maintain the aggrieved party may complain to the fence viewers who, after notice to the parties, shall examine such fence or *into the need of such proposed fence* and if they determine that *the fence then existing is insufficient or a new fence is necessary*, they shall notify the delinquent owner or occupant in writing to that effect and direct him or *them to build*, repair or re-build the fence within such time they deem reasonable and if the delinquent fails to comply with such directions, the complainant may *build* repair or re-build such fence *at his own expense subject to reimbursement as hereinafter provided.*

2752—Value of *cost and repairs etc.*, recoverable—When any such *new or deficient fence built*, repaired or re-built by the complainant under the provisions of Section 2751, is adjudged sufficient by the fence viewers, they, after giving the occupants reasonable notice and an opportunity to be heard shall ascertain the expense thereof and give to the complainant building, repairing or re-building the same a certificate of their decision under their hands and of the amount of such expense together with their fees; and thereupon, such complainant may demand, either of the owner or occupant of the land where the fence was *wanting or deficient* double such ascertained expense together with such fees; and in case of failure to pay the sum so due within one month after demand, the complainant may recover the same, with interest in a civil action.

Approved April 19, 1915.

CHAPTER 174—H. F. No. 692.

An Act to adjust a sale of school land made in September, 1913.

Whereas, at a sale of school land held in St. Louis county, September 17, 1913, the south-half of the south-east quarter of Section 36, Township 52, Range 15, was struck off to Andrew Person at seven dollars per acre, and the sum of \$84.00 principal, and \$13.46 interest were paid thereon at time of sale, and the sum of \$19.04 later paid as interest to June 1, 1915, making a total payment of \$116.50 made by said Andrew Person, and