

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

Approved March 5, 1877.

CHAPTER 94.

AN ACT RELATIVE TO DIVISION FENCES IN INCORPORATED CITIES, TOWNS AND VILLAGES.

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

SECTION 1. That whenever any owner of a lot or lots in any incorporated city, town or village in the State of Minnesota, shall desire to have erected or repaired a division or partition fence between his own and adjoining lot or lots, and the owner or owners of such adjoining lot or lots refuse to erect or repair their portion of said fence, or to pay his or their proper part of the expense thereof, he may apply to the municipal judge, or the city justice, or any justice of the peace in any incorporated city, town or village, and such judge or justice, after notice in writing of not less than six (6) days to all parties interested, and after hearing the parties, and viewing the premises, if requested by either parties, or if he shall deem it necessary to view the same, may in writing assign to each owner his share of said fence, and direct the time within which each party shall erect his share thereof, in a good and substantial manner, which assignment, being recorded in the office of the register of deeds of the county in which said lots are situate, shall be binding upon the parties and upon all succeeding occupants or owners of said lots: and they shall thereafter maintain their respective portions of said fence.

Partition fences in cities and villages.

SEC. 2 In case any person neglects or refuses to erect or maintain the part of any such fence so assigned to him to erect or maintain, the same may be erected and maintained by the party aggrieved thereby, in a good and substantial manner, and he may recover of the party so neglecting or refusing, in a civil action in any court having jurisdiction of the amount involved, double the value of that part of said fence so erected or maintained which was assigned to the party so neglecting or refusing, together with all the costs and expenses of such action and all the costs and expenses of

A civil action may be maintained for failure to build, and penalty recovered.

the assignment in the first (1st) section of this act provided for.

When act to
take effect.

SEC. 3. This act shall take effect from and after its passage.

Approved March 5, 1877.

CHAPTER 95.

AN ACT RELATIVE TO MUTUAL BUILDING ASSOCIATIONS.

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

Relieving
building soci-
eties from
usury law.

SECTION 1. That none of the provisions of an act entitled "An act to amend section one (1) of chapter twenty-three (23) of the General Statutes of one thousand eight hundred and sixty-six (1866), the same being chapter thirty-eight (38) of the Statutes at Large, relating to interest on money," shall apply to mutual building associations.

When act to
take effect.

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

Approved March 5, 1877.

CHAPTER 96.

AN ACT RELATING TO CARTWAYS.

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

Working out
tax on cart-
ways.

SECTION 1. The town supervisors of this State, in their respective towns, may, in their discretion, allow any owner or owners of cartways duly and legally established, or hereafter to be laid out by proper authority, to perform his or their highway labor and poll tax, or either, upon said cartway or cartways.

When act to
take effect.

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

Approved February 23, 1877.