

## Fences.

### CHAPTER 57.

#### RAILROAD FENCES.

AN ACT to Require the Railroad Companies in Dakota Territory, in Certain Cases, to Construct Fences.

*Be it Enacted by the Legislative Assembly of the Territory of Dakota :*

§ 1. RAILROAD COMPANY TO CONSTRUCT FENCE.] That whenever the owner of any tract of land abutting against any line of railroad within this Territory, shall desire to enclose any such tract of land for pasturage or other purposes, and shall construct a good and sufficient fence about said tract of land on all sides except along the side abutting against such railroad, it shall be the duty of such railroad company to construct a good and sufficient fence not less than four and one-half feet high, on the side of such tract or lot so far as the same extends along the line of such railroad, and to maintain the same in good repair and condition until released therefrom by the owner of said tract, or until the owner of said tract shall have ceased to maintain in good repair and condition for the term of one year his portion of the fence around such enclosure.

§ 2. NOTICE—WHAT TO STATE.] That whenever the owner of any tract of land shall have completed his portion of the fence about such proposed enclosure, he shall give written notice of its completion to the railroad company upon whose line said tract is situated, by personal service upon the agent of said company at the station nearest to the proposed enclosure, describing in said notice the situation of said tract and the number of acres to be enclosed, as near as may be, and the length of the fence required along the line of such railroad to complete the proposed enclosure ; and it shall be the duty of the railroad company to construct and complete its portion of such fence within sixty days after the service of such notice.

§ 3. LIABILITY OF RAILWAY COMPANY.] That if any railroad company shall neglect, or refuse to comply with any of the requirements of this act, it shall be lawful for the owner of such tract to construct or repair the fence along the line of such railroad and the railroad company shall be liable to the owner thereof, to an amount not exceeding one dollar and twenty-five cents per

rod, to be recovered in a civil action; and such railroad company shall be liable for all damages accruing by reason of such neglect or refusal.

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

Approved, February 19, 1883.

## Fire Escapes.

### CHAPTER 58.

AN ACT Providing for Fire Escapes from Hotels in this Territory.

*Be it Enacted by the Legislative Assembly of the Territory of Dakota :*

§ 1. HOTEL OWNERS TO PROVIDE FIRE-ESCAPES.] That the owners and proprietors of all hotels and other public buildings, in the Territory of Dakota, over two stories in height, are required to provide safe and suitable fire-escapes from all rooms above the second story of such hotel, and when rooms have no outside windows, there shall be affixed to the windows in the hallway leading from such rooms, at least three (3) fire-escapes in each window as herein directed; that said fire-escapes shall consist of at least one good cotton rope, not less than one inch in diameter, to be securely and permanently fastened with iron rings or bolts at a point immediately outside or inside of, at least, one window in each and every room above the second story; and that such rope or ropes shall be of length sufficient to reach to the ground;

*Provided, however,* If any such owner or proprietor of hotels above two stories, provide good and sufficient iron ladders extending from each of the windows herein described, and from points immediately adjacent to each of such windows, to the ground, and securely and permanently fastened to said building, or shall have a fire-escape ladder in each of the aforesaid rooms and hall windows, of a sufficient length to reach from said windows to the ground, will be deemed to have complied with the requirements of this act.