

subject to a fine of not less than fifty dollars together with the costs of prosecution for each and every such violation, and shall be committed to the county jail until such fine and costs are paid, or the offender discharged by law.

Justices of the
peace given
jurisdiction.

SECTION 3. Justices of the peace shall have jurisdiction to hear, try and determine all cases and actions arising under the provisions of this act; and upon the collection of any fine imposed by virtue of this act, one-third of the amount of such fine shall be paid to the complainant in the case and the remainder shall be paid into the county treasury to be disposed of according to law.

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

Approved March 8, 1880.

[No. 225, S.]

[Published March 12, 1880.]

CHAPTER 138.

AN ACT in relation to fences, and to amend section one thousand three hundred and ninety-one of the revised statutes of 1878.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amended.

SECTION 1. Section one thousand three hundred and ninety-one, chapter fifty-five of the revised statutes, is hereby amended by striking out the words, "inclosed with fences," where they occur after the word "lands," in the first line of said section, and inserting in lieu thereof the words, "used for farming purposes;" also striking out "inclosure," in third line, and inserting "premises," in lieu thereof; also by striking out the words, "to inclose," in the fourth line, and inserting in lieu thereof "so occupy," so said section shall read

Partition fence.

as follows: The respective occupants of adjoining lands, used and occupied for farming purposes, shall keep and maintain partition fences between their own and next adjoining premises in equal shares, so long as both parties continue to so occupy the same and such fences shall be kept in good repair throughout the year, unless the occupants of the lands on both sides otherwise mutually agree.

When same to
be built and
maintained.

SECTION 2. Section one thousand three hundred and ninety-two of the revised statutes is hereby amended by striking out the word "inclosed," in the last line of said section, and inserting the words "so

occupy" in lieu thereof, so that said section shall read as follows: Every partition of the fence or of the line upon which partition fences are to be built between adjoining owners, made by the owners thereof in writing, signed, sealed and witnessed by two witnesses, or by the fence viewers, in writing under their hands, in the cases and in the manner hereinafter provided, after being recorded in the town clerk's office, shall oblige such owners, their heirs and assigns, so long as such adjoining land on each side respectively, shall remain in the same ownership, and after a severance of ownership until a new partition of such fence shall be made, to build and maintain such fence agreeably to said partition. But neither such owner, nor his heirs or assigns, shall be bound to build or maintain any part of such partition fence during any time when he shall not so occupy his lands so adjoining.

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

Approved March 9, 1880.

[No. 332, A.]

[Published March 12, 1880.]

CHAPTER 139.

AN ACT to amend section fourteen of chapter one hundred and four of the private and local laws of 1870, entitled an act to authorize the city of Oconto to extend and maintain a pier into the waters of Green Bay.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section fourteen of chapter one hundred and four of the private and local laws of 1870, entitled an act to authorize the city of Oconto to extend and maintain a pier into the waters of Green Bay, is hereby amended by adding at the end of said section the following: The mayor of said city is hereby authorized, when the common council shall, by ordinance or resolution for that purpose, lease the said pier and road on such terms and for such time as said common council in its discretion shall deem expedient, in lieu of collecting toll upon the same, or sell and convey the same on such terms and for such consideration as shall be most beneficial to said city. The said lease or deed shall be signed and executed according to the provisions of the charter of said city of Oconto. Amended.
Pier may be leased.

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