

CHAPTER 74

PROTECTION OF BUILDINGS GENERALLY

74.01 CLASSIFICATION OF BUILDINGS.

HISTORY. 1883 c. 133 s. 2; G.S. 1878 Vol. 2 (1888 Supp.) c. 124 s. 199; G.S. 1894 s. 8006; R.L. 1905 s. 2365 G.S. 1913 s. 5105; G. S. 1923 s. 5895; M.S. 1927 s. 5895.

CONSTRUCTION. This act was passed for the sole purpose of protecting human life and limb in buildings where there exists more than the ordinary peril from conflagrations. It is a preventive remedy and should be construed so as to effectuate its purpose. *Wardwell v Cameron*, 126 M 149, 148 NW 110.

The statute is designed to protect persons permanently or temporarily in buildings of the enumerated classes to some extent from the dangers incident to conflagrations. *Leuthold v Stickney*, 116 M 299, 133 NW 856, A.C. 13 B 405, 39 LNS 231.

If a landlord owes a duty to a tenant in the matter of providing fire escapes, the same is also owing the members of the family, the servants, and the guests of the tenant. *Wardwell v Cameron*, 126 M 149, 148 NW 110; case discussed in Note, 1 MLR 339.

74.02 REQUIREMENTS FOR CLASS ONE.

HISTORY. 1883 c. 133 s. 3; G.S. 1878 Vol. 2 (1888 Supp.) c. 124 s. 200; G.S. 1894 s. 8007; R.L. 1905 s. 2366; G.S. 1913 s. 5106; G.S. 1923 s. 5896; M.S. 1927 s. 5896.

74.03 CLASS TWO:

HISTORY. 1883 c. 133 s. 3; G.S. 1878 Vol. 2 (1888 Supp.) c. 124 s. 200; G.S. 1894 s. 8007; R.L. 1905 s. 2367; G.S. 1913 s. 5107; G.S. 1923 s. 5897; M.S. 1927 s. 5897.

74.04 CLASS THREE.

HISTORY. 1883 c. 133 s. 3; G.S. 1878 Vol. 2 (1888 Supp.) c. 124 s. 200; G.S. 1894 s. 8007; R.L. 1905 s. 2368; G.S. 1913 s. 5108; G.S. 1923 s. 5898; M.S. 1927 s. 5898.

On landlord's liability to tenant's roomer, see *Wardwell v Cameron*, 126 M 149, 148 NW 110. Also, *McCull v Cameron*, 126 M 144, 148 NW 108.

ADEQUACY OF LADDER. The statute does not state how far down the ladder should extend. The court left to the jury the question of whether there was negligence in not constructing the ladder down, closer to the ground. *Wardwell v Cameron*, 126 M 149, 148 NW 110.

VIOLATION OF PROVISION; EFFECT OF ON LEASE. The owner of a building cannot maintain an action for rent upon a lease where during the term thereof he has failed to equip the building with fire escapes, contrary to the statute. *Leuthold v Stickney*, 116 M 299, 133 NW 856, A.C. 13 B 405, 39 LNS 231.

74.05 CLASS FOUR.

HISTORY. 1883 c. 133 s. 3; G.S. 1878 Vol. 2 (1888 Supp.) c. 124 s. 200; G.S. 1894 s. 8007; R.L. 1905 s. 2369; G.S. 1913 s. 5109; G.S. 1923 s. 5899; M.S. 1927 s. 5899.

74.06 CLASSES FIVE AND SIX.

HISTORY. 1883 c. 133 s. 3; G.S. 1878 Vol. 2 (1888 Supp.) c. 124 s. 200; G.S. 1894 s. 8007; R.L. 1905 s. 2370; G.S. 1913 s. 5110; G.S. 1923 s. 5900; M.S. 1927 s. 5900.

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74.07 CLASS SEVEN.

HISTORY. 1883 c. 133 s. 3; G.S. 1878 Vol. 2 (1888 Supp.) c. 124 s. 200; G.S. 1894 s. 8007; R.L. 1905 s. 2371; G.S. 1913 s. 5111; G.S. 1923 s. 5901; M.S. 1927 s. 5901.

74.08 ENFORCEMENT; PENALTIES.

HISTORY. 1883 c. 133 ss. 1, 5; G.S. 1878 Vol. 2 (1888 Supp.) c. 124 ss. 198, 202; G.S. 1894 ss. 8008, 8009; R.L. 1905 s. 2372; G.S. 1913 s. 5112; G.S. 1923 s. 5902; M.S. 1927 s. 5902.

ENFORCEMENT, AS TO HOSPITALS. See 1918 OAG 307.

FINES, DISPOSITION OF. 1920 OAG 662.