

No. 311, A.]

[Published April 19, 1899.]

CHAPTER 197.

AN ACT to amend chapter 52 of the Wisconsin statutes of 1898, relating to weight of steam engines on public roads.

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

Owner of engine liable for damages to highway.

SECTION 1. Section 1347b of the Wisconsin statutes of 1898, is hereby amended by striking out the word "five" in the second line of the first sub-division, and inserting in lieu thereof the word "seven;" and by striking out the word "steam" in the first line of the second subdivision of said section, and inserting in lieu thereof the word "such," and by striking out the word "such" in the first line of the fifth sub-division of said section, and inserting in lieu thereof the words "any steam;" and by inserting the word "and" after the word "thick" in the third line of said sub-division; and by striking out the words "and sixteen feet in length" in said third line of said sub-division; and by inserting between the words "first" and "sub-division" in the twenty-ninth line of said section the words "or fifth," so that said section when so amended shall read as follows: Section 1347b. The owner or owners of any steam engine, or any person who propels or causes such an engine to be propelled or otherwise moved or used along or upon any public highway in any town shall be liable for all damages that may be caused thereby to such highway, or any sluiceway, culvert or bridge thereon, or to any person or corporation by reason of the propelling or otherwise moving or using the same upon any such highway in the following cases:

Weight of engine.

1. When such engine with its equipments and attachments and whatever it may be moving upon

the highway, shall weigh more than seven tons, exclusive of the animals by which it is moved, if it is so moved.

2. When any such engine shall be set up or used within the limits of any such highway, for any other purpose than to be propelled or otherwise moved along or upon it.

3. When any such engine shall be left unattended within the limits of any such highway.

4. When any such engine shall be in such highway, whether standing or moving and the person in charge shall not signal and stop it when it is approached within fifteen rods in either direction by any team or any person riding or driving any animal, and desiring to pass such engine, or when the person or persons in charge of such engine shall neglect or refuse to render all proper assistance within their power to enable such team or persons to pass in safety.

Signal to passing teams.

5. When the person in charge of any steam engine shall neglect to span any bridge or culvert, before crossing the same, with hardwood planks, at least two inches thick and twelve inches wide, so that the engine wheels shall rest thereon in crossing such bridge or culvert.

Crossing bridges and culverts.

The chairman of the supervisors of any town in which any public highway, sluiceway, culvert or bridge therein shall be damaged by any such engine as is described in the first or fifth subdivision of this section may commence an action against the owner thereof, or against any other person who propels or causes such an engine to be propelled or otherwise moved along or upon any such highway, in the name of and for the benefit of such town, the amount of which, when collected, shall be paid to the town treasurer and be credited to the highway tax fund.

Suit for damages, how brought.

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

Approved April 18, 1899.