

No. 344, S.]

[Published July 16, 1907.

CHAPTER 622.

AN ACT to amend section 1819 of the statutes, relating to
railroad companies.

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

SECTION 1. Section 1819 of the statutes is amended to read:

* * * * *

Approved July 13, 1907.

(In effect from and after date of publication.)

No. 168, S.]

[Published July 16, 1907.

CHAPTER 623.

AN ACT to amend section 1813 of the statutes relating to
railroads.

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

SECTION 1. Section 1813 of the statutes is amended to
read:

* * * * *

Approved July 13, 1907.

(In effect from and after date of publication.)

Railroads to provide fences, farm crossings and cattle guards; penalty. SECTION 1813. 1. Whenever any railroad corporation shall operate a railroad over or through inclosed lands and shall fail to construct the fences, farm crossings or cattle guards required by section 1810, proper for the use of such lands, the owner or occupant thereof may give notice in writing signed by him to such corporation, to be served as a summons in a court of record is required to be served on such corporation, to fence its road so running through his inclosed lands, describing the same, and construct the necessary farm crossings and cattle guards thereon.

2. If such company, after being so notified, neglect for three months so to construct such fences, farm crossings and cattle guards, it shall be liable to pay to such owner or occupant ten dollars for each * * * *day after the expiration of said three months* until so constructed.

3. But no time between any first day of November and the first day of April next succeeding shall be included in the three months aforesaid.

(Ch. 623, 1907.)

Crippling or death damages. SECTION 1816. Every railroad company * * * shall be liable for * * * damages * * * *for all injuries whether resulting in death or not, sustained by any of its employes, subject to the provisions hereinafter contained regarding contributory negligence on the part of the injured employe:*

Roadbed and machinery defects. 1. When * * * such injury is caused by a defect * * * in any locomotive, engine, car, rail track, *roadbed*, machinery or appliance * * * used by its employes in and about the business of their employment. * * *

Fellow employes' negligence. 2. When such injury * * * *shall have been sustained* by any officer, agent, servant or employe of such company, while engaged in the line of his duty as such and which *such injury* shall have been caused *in whole or in greater part* by the * * * negligence of any other officer, agent, servant or employe *of such company*, * * * in the discharge of, or * * * *by reason of failure to discharge his duties as such.* * * *

Court's questions to jury. 3. *In every action to recover for such injury the court shall submit to the jury the following*