

CHAPTER 97.

[Published April 12, 1867.]

AN ACT relating to fencing railroads, and service of process in relation thereto.

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

SECTION 1. Wherever a railroad corporation is required by law to fence its track or railroad, or to maintain or keep in repair any such fence, and shall neglect or refuse to build or repair such fence; as the case may be, the owner or occupant of the land adjoining such railroad, or over or through which the said railroad track shall or may be laid, may give notice in writing to such corporation, or the lessee thereof, or the persons using such railroad, to build within sixty days said fence, or repair within thirty days said fence, as the case may be, after the service of such notice. Such notice shall describe the land on which such fence is required to be built or repaired, and reference given to this act in said notice for the information of said railroad agent to whom the notice is given by the provisions of this act. Service of such notice may be made by delivering the same to any station agent of said corporation or railroad company.

Notice to railroad company to build or repair fence.

SECTION 2. In case the party so notified shall refuse or neglect to build or repair the fences on the land described in such notice, in accordance with the first section of this act, then it shall be lawful for the owner or occupant of such land required to be fenced, to build or repair the same, (as the case may be;) and the person so building or repairing such fence shall be entitled to the value thereof from such corporation or party actually occupying or using such railroad, to be recovered with interest at one per cent per month, from the time such fence shall have been built or repaired, (as the case may be,) in any proper form of action, together with costs, fees and disbursements to be taxed.

If company neglect to build or repair fence, owner of land may do so, and recover value and penalty of company.

SECTION 3. Such notice must be given on some day between the first day of March and the first day of October, in any year.

When notice to be given.

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

Approved April 8, 1867.

CHAPTER 98.

[Published April 12, 1867.]

AN ACT to change the time of holding the general terms of the circuit court in the county of Wood.

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

General terms.

SECTION 1. That hereafter the general terms of the circuit court in and for the county of Wood, shall be held on the second Monday in February and the second Monday in August, in each year.

Return of process, &c.

SECTION 2. All writs, process, services, continuances, recognizances and proceedings heretofore issued, made, taken or entered into or commenced in or from said courts, or which may be issued, made, entered into or commenced, and all proceedings pending therein or returnable thereto, whether by recognizance or otherwise, shall be held and taken as returnable at the times mentioned in this act for holding the said courts.

Repealed.

SECTION 3. All acts and parts of acts in so far as they contravene and are inconsistent with the provisions of this act, are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after the first day of July, 1867.

Approved April 8, 1867.