

No. 519, A.]

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CHAPTER 266.

AN ACT to provide for the better protection of life and property against forest fires.

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

State forest warden and deputy forest warden created.

SECTION 1. The chief clerk of the state land office shall be the state forest warden, and the assistant chief clerk of the state land office shall be the deputy forest warden, neither of whom shall receive any additional compensation for the duties performed under the provisions of this act. It shall be the duty of the state forest warden and his deputy, to supervise all town fire wardens, and all other persons however designated, appointed or elected under the provisions of this act, or others of similar nature, for the protection of life and property against forest fires. The state forest warden shall formulate and publish all proper and necessary regulations to govern fire wardens with a view of preventing and controlling forest fires, and shall keep a register of the names and postoffice address of all fire wardens in the state and a record of all fires reported and complaints of neglect or violation of the provisions of this act.

Duties defined.

Town supervisors and ward superintendents are constituted fire wardens.

SECTION 2. The supervisors of the town and road superintendents in this state are hereby constituted fire wardens of their several towns, and the chairman of the town board of each town shall be the chairman of the town fire wardens; he shall report the names and postoffice address of all the fire wardens of his town to the state forest warden on or before the first day of May in each year. It shall be the duty of said fire wardens to take precautions to prevent the improper setting or progress of fires, and when a fire is observed therein, to immediately summon such assistance as they may deem necessary, go at once to the scene of it,

Their duties defined.

and, if possible, extinguish it. They shall cause to be posted at places frequented by camping parties, tourists, hunters and fishermen, in their respective towns, warnings against causing fire, to be printed in large letters on cloth and to be furnished by the forest warden; and any one wantonly tearing down or defacing any notice posted under this act shall be liable to pay a fine of ten dollars. Fire wardens shall duly report the occurrence of fires to the forest warden, the cause of the same to the best of their information, and the amount of property destroyed. Fire wardens and such persons as they may employ shall be paid for their services by the towns in which such fires occur, but at the rate of not exceeding one dollar and fifty cents per day, but no fire warden shall be paid in any one year for more than ten days' service in extinguishing or preventing fires, nor for more than five days' service in posting notices, nor in the aggregate for more than fifteen days' service, of whatever character, in any one year; nor shall any one person, employed by fire wardens to assist in extinguishing or preventing fires be paid for more than five days of such service in any one year. No towns shall expend more than one hundred dollars of public money under this act in any one year. No payment shall be made to fire wardens, or to any person they may employ, until they shall have rendered an itemized account, duly subscribed and sworn to by them respectively, which account shall be left on file with the officer making the payment.

SECTION 3. Any person who shall build a fire on any lands in this state, not his own or under his control, except as hereinafter provided, shall before leaving the same, totally extinguish such fires, and upon failure to do so, such person shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail, not exceeding one month, or by both such fine and imprisonment. Any person who shall

Fires on lands to be totally extinguished by parties building them.

Penalty for setting fires, or failure to extinguish them.

wilfully or negligently set fire to, or assist another to set fire on any land, whereby such land is injured or endangered, or who wilfully or negligently suffers any fire upon his own land to escape beyond the limits thereof to the injury of the land of another, shall upon conviction thereof, be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding one month, or by both such fine and imprisonment, and be liable to the person injured for all damages that may be caused by such fire. And during the months of July, August, September and October of each year no fire shall be set upon any land, in any town in this state, for any purposes other than the purposes provided for in section 4, of this act, and providing the fire wardens have posted at least one notice in each road district in the town requiring that no such fires shall be set, except upon the written permission of one of the fire wardens of said town.

Reasonable precautions to be observed by hunters, trappers, fishermen, etc.

SECTION 4. All hunters, trappers, fishermen, campers, surveyors, prospectors, land locators, travelers or other persons who start camp fires shall exercise all reasonable precautions to prevent damage from the same, and shall extinguish the same before leaving them. The penalty for failure to comply with the requirements of this section shall be a fine of not less than thirty dollars and costs, or imprisonment in the county jail not more than six months for each offense.

Railroad companies required to keep its right of way clear of grass and weeds.

SECTION 5. Every railroad company shall, at least once in each year, cut and remove from its right of way all grass and weeds, but under proper care and at times when fires are not liable to spread beyond control. All locomotives shall be provided with and shall use approved and sufficient arrangements for preventing the escape of fire and sparks so far as the same can reasonably be done. No railroad company shall permit its employes to deposit fire, live coals or ashes upon their tracks outside of yard limits, except that they be immediately extinguished, and where engineers, conductors or train men

discover that fences, or other material along the right of way of lands adjacent to the railroad are burning or in danger from fire, they shall report the same at their next stopping place, at which there is a telegraph station. In seasons of drouth, railroad companies shall give particular instructions to their section employes for the prevention and prompt extinguishment of fires; they shall cause notices, that shall be furnished by the forest warden, to be posted at their stations; and where a fire occurs along the line of their road, or adjacent thereto, they shall concentrate such help and adopt such measures as shall most effectually arrest its progress. Any railroad company, or any of its employes violating the requirements of this act, shall be liable to a fine of one hundred dollars for each offense.

SECTION 6. All fines collected under this act shall be disposed of as other fines are. Disposition of fines.

SECTION 7. All acts and parts of acts in conflict with any of the provisions of this act are hereby repealed.

SECTION 8. There is hereby appropriated out of the general fund of the state the sum not to exceed three hundred dollars annually to carry out the provisions of this act. \$300 annually appropriated.

SECTION 9. This act shall be read by the town clerk of each town to the people assembled at the annual town meeting at the time fixed for the transaction of the town business. This act to be read at town meetings.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.