

No. 614, S.]

[Published July 15, 1907.]

**CHAPTER 612.**

AN ACT to create section 4560a—38 of the statutes relating to catching rough fish minnows for bait.

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

SECTION 1. There is added to the statutes a new section to read:

\* \* \* \* \*

Approved July 12, 1907.

(In effect from and after date of publication )

No. 619, S.]

[Published July 15, 1907.]

**CHAPTER 613.**

AN ACT to amend subsection 5 of section 1828 of the statutes, relating to railroad corporations.

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

SECTION 1. Subsection 5 of section 1828 of the statutes is amended to read:

\* \* \* \* \*

Approved July 12, 1907.

(In effect from and after date of publication )

of the railroad commission to investigate such violation at once and it shall have power to require such company to immediately provide such additional employes as are necessary to comply with the provisions of this act.

**Penalty.** 4. The failure to comply with any of the provisions of this section shall subject the corporation or receiver or any officer, agent or representative of such corporation or receiver to a penalty of not less than one thousand dollars nor more than five thousand dollars for each offense, to be sued for and recovered in the name of the state, with the costs of prosecution, by the attorney general or under his direction, or by the district attorney for any county in which the violation may occur, and in the circuit court for such county, and such penalty, when recovered, shall be paid into the county treasury of the county in which the violation occurred, for the benefit of such county.

(Ch. 575, 1907.)

**Penalty for railroad violations of sections 1798 to 1817 inclusive.** SECTION 1819. 1. If any railroad corporation, its officers, agents or servants, \* \* \* violate or fail to comply with any \* \* \* provisions of \* \* \* sections 1798 to 1817 inclusive, such corporation shall for \* \* \* every violation or failure, forfeit not less than \* \* \* ten nor more than \* \* \* one thousand dollars, \* \* \* and \* \* \* be liable to the person injured for all damages sustained thereby.

2. *All forfeitures recovered shall inure to the state.*

(Ch. 622, 1907.)

**Railroads may construct over or under intersecting ways.** [SECTION 1828]—5. Subject to the provisions of section 1836 to construct its railroad across, *over*, *under*, along or upon any stream of water, water-course, street, highway, plank road, turnpike or canal which its route shall intersect or touch; to carry any highway, street, turnpike or plank road which it shall touch, intersect or cross over or under its track as may be most expedient for the public good; to change the course and direction of any highway, street, turnpike or plank road when made necessary or desirable to secure more easy ascent or descent by reason of any embankment or cut made in the construction of the railroad and take land necessary

therefor; provided, such highway or road be not so changed from its original course more than six rods, nor its distance thereby lengthened more than five rods.

(Ch. 613, 1907. Sec. number corrected by Sec. 20, Ch. 676, 1907.)

**Railway spurs: use of streets, alleys and lanes; city's consent requisite.** SECTION 1831a. Every railway company existing in whole or in part under any law of this state and operating a railway therein may build, maintain and operate branches and spur tracks from its road or any branch thereof to and upon the grounds of any mill, elevator, storehouse, warehouse, dock, wharf, pier, manufacturing establishment, lumber yard, coal dock or other industry or enterprise, with all side tracks, storage tracks, wyes, turnouts and connections necessary or convenient to the use of the same; and every such company may acquire by purchase or condemnation in the manner provided in this chapter for the acquisition of real estate for railway purposes, other than for its main-track, all necessary roadways and rights of way for such branches, spur tracks, side tracks, storage tracks, wyes, turnouts and connections; and every such company may also acquire, in the same manner, such depot grounds, yards, grounds for round-houses, machine shops, warehouses, storehouses, elevators, docks, wharves and piers as may be necessary and convenient for the enjoyment and use of its road. *Provided, however, that if any such branches and spur tracks as are mentioned in this section shall be constructed across, along or upon any street, lane, or alley, at grade or otherwise, within the corporate limits of any city, however organized, such branches and spur tracks shall not be so constructed until application therefor shall have been made to and acted upon by the proper authorities of such city. The proper authorities of such city may prescribe any reasonable terms and conditions for the construction of any such branch and spur track.* The provisions of the preceding section shall not apply so as to affect this section if the branches and spur tracks herein mentioned shall not exceed five miles in length from the main track or any branch of the main road.

(Ch. 262, 1907.)

**Street railways may condemn way for electrical current.** SECTION 1863a. 1. Any street or electric railway corporation \* \* \* may lay out its right of way not exceeding one hundred feet in width and acquire the same by con-