

tributory negligence, nor to defects existing without negligence on the part of the corporation or its agents.

3. A barbed wire fence consisting of not less than five barbed wires, with at least forty barbs to the rod, firmly fastened to posts, well set, not more than sixteen and one-half feet apart, with one good stay between, the top wire not less than forty-eight inches high and the bottom wire not more than eight inches from the ground, and the spaces between the bottom and second and second and third wires from the ground not more than eight inches each shall be deemed a good and sufficient fence, * * * *except where such right of way borders on premises cultivated or used for pasture.*

4. *Where the right of way of any railroad corporation borders upon premises cultivated or used for pasture, such railroad corporation shall erect and maintain on both sides of such portion of its right of way a legal fence complying with the requirements of section 1390a of the statutes.*

5. No fence shall be required in places where the proximity of ponds, lakes, water-courses, ditches, hills, embankments or other sufficient protection renders a fence unnecessary to protect cattle or other domestic animals from straying upon the right of way or track; provided, that nothing herein shall effect or render unlawful any fence built by any railroad company prior to the thirtieth of March, 1881.

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

Approved June 16, 1911.

No. 511, A.]

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CHAPTER 403.

AN ACT to authorize Robert Glenn, Charles Grelle and Wallace Martner to construct and maintain a toll bridge across the Wisconsin river, from points in sections sixteen (16), seventeen (17), and eighteen (18), in township number six (6), range number six (6) west, in Grant and Crawford counties.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Robert Glenn, Charles Grelle and Wallace Martner, their associates, heirs and assigns, are hereby authorized and empowered to build and maintain a toll bridge across the Wisconsin river, from points in sections sixteen (16), seventeen (17) and eighteen (18), in township number six (6), range number six (6) west, providing said bridge is constructed within five

years after the passage and publication of this act. A suitable draw shall be constructed in said bridge, of sufficient width, not less, however, than one hundred feet in the clear when open, for the free passage of steamboats, and the same shall be so located and of sufficient height, as not to obstruct the free passage of rafts with their deck loading, and of logs, timber and lumber passing down said river, and such draw shall be free of charge for the free passage of steamboats at all times when it shall be desirable of passing up or down said river with such boat or boats.

SECTION 2. The said Robert Glenn, Charles Grelle and Wallace Martner, their associates, heirs and assigns, shall have the power and legal right immediately after the completion of said bridge, to demand, receive and collect tolls for passage over said bridge, at rates not exceeding the following: For any vehicle drawn by two horses, mules or oxen or for automobiles, fifteen cents; for any vehicle drawn by one horse or mule, ten cents; for horses or cattle in droves of ten or less, five cents each; when the same are in droves of more than ten, three cents each; sheep or swine in droves of ten or less, three cents each; if in droves of more than ten, two cents each; and for each footman, five cents each way.

SECTION 3. Said Robert Glenn, Charles Grelle and Wallace Martner, their associates, heirs and assigns, shall keep posted upon a conspicuous place on said bridge, the rates of toll established by them, not exceeding the rate allowed by this act.

SECTION 4. Any person who shall forcibly or fraudulently pass over the bridge authorized by this act, without paying the legal toll, shall be guilty of trespass, and shall for each offense forfeit the sum of five dollars to and for the legal owners of said bridge, to be recovered with costs as in other actions of trespass, in any court having competent jurisdiction.

SECTION 5. The right to amend or repeal this act is hereby expressly reserved.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved June 16, 1911.