

No. 707, A.]

[Published June 25, 1907.

**CHAPTER 353.**

AN ACT to amend section 4253, of the statutes, relating to survival of actions.

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

SECTION 1. Section 4253 of the statutes is amended to read:  
\* \* \* \* \*

Approved June 24, 1907.

(In effect July 1, 1907.)

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No. 896, A.]

[Published June 25, 1907.

**CHAPTER 354.**

AN ACT to amend section 903, statutes of 1898, relating to the assessment of damages and costs incurred for taking private property for public squares, grounds, parks, streets or alleys.

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

SECTION 1. Section 903, statutes of 1898, is amended to read:  
\* \* \* \* \*

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

Approved June 24, 1907.

**Appeals: if judgment for defendant reversed, new action for plaintiff.** SECTION 4235. If an action shall be commenced within the time prescribed therefor and a judgment therein for the plaintiff, *or the defendant*, be reversed on appeal, the plaintiff, or if he die and the cause of action survive, his heirs or representatives may commence a new action within one year after the reversal.

(Ch. 279, 1907.)

**Survival of actions: damages to property rights or interests of another.** SECTION 4253. In addition to the actions which survive at common law the following shall also survive: Actions for the recovery of personal property or the unlawful withholding or conversion thereof, for assault and battery, false imprisonment or other damage to the person, *for all damage done to the property rights or interests of another*, for goods taken and carried away, for damages done to real or personal estate, equitable actions to set aside conveyances of real estate, to compel a reconveyance thereof, or to quiet the title thereto, and for a specific performance of contracts relating to real estate.

(Ch. 353, 1907.)

**Survival of action to brother or sister.** SECTION 4256. Every such action shall be brought by and in the name of the personal representative of such deceased person, and the amount recovered shall belong and be paid over to the husband or widow of such deceased person, if such relative survive him or her; but if no husband or widow survive the deceased the amount recovered shall be paid over to his or her lineal descendants and to his or her lineal ancestors in default of such descendants; *but if no husband or widow or lineal descendant or ancestor survive the deceased, the amount recovered shall be paid over to the brothers and sisters*; and in every such action the jury may give such damages, not exceeding five thousand dollars, as they shall deem fair and just in reference to the pecuniary injury resulting from such death to the relatives of the deceased specified in this section.

(Ch. 164, 1907.)

**Recovery of death damages: recipient's and maximum.** SECTION 4256. Every such action shall be brought by and in the name of the personal representative of such deceased person,