

authorities of such municipality, praying that such proposition may be accepted and carried into effect, will be presented for their signatures to the * * * tax payers thereof, which petition, embracing a copy of such proposition, shall be appended as a part of such notice. If thereafter, within four months from the filing of such proposition with such clerk, the railroad company shall deliver to such clerk such * * * *petition*, embracing a copy of such proposition and bearing the signatures of a majority of the * * * persons * * * who were assessed for taxes on real or personal estate therein as shown by the last assessment roll, which majority so signing shall own more than one-half of the taxable property thereof as shown by the affidavit of the said assessment roll, which signatures shall be verified by some person who witnessed the making of the same, then such proposition shall be deemed accepted after the same shall have been on file in the office of the said clerk at least ten days, and the proper county board, town board, village board, board of trustees or common council shall carry the same into effect in the manner hereinafter provided.

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

Approved June 2, 1911.

No. 343, A.]

[Published June 5, 1911.

CHAPTER 245.

AN ACT to create section 1816a of the statutes, relating to the liability of railways for damages caused by fire communicated by locomotive engines

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: Section 1816a. 1. Each railroad corporation owning or operating a railroad in this state, shall be responsible in damages to every person and corporation whose property may be injured or destroyed by fire communicated directly or indirectly by locomotive engines, in use upon the railroad owned or operated by such railroad corporation, or by the burning of grass, weeds or rubbish on right of way by employes of such corporation, and each such railroad corporation shall have an insurable interest in the property upon the route of the railroad owned or operated by it, and may procure insurance thereon in its own behalf for its protection against such damages.

2. Whenever the property owned by any person or corporation shall be injured or destroyed by fire communicated by locomotive

tives in use upon any railroad owned or operated by a railroad corporation, or by the burning of grass, weeds and rubbish on the right of way by employes of such corporation, so as to render the railroad corporation liable, under subsection 1 of this section, or otherwise, the owner of such property injured or destroyed may recover damages for such loss, and to recover the same it shall only be necessary for him to prove the loss of or injury to his property, and that the fire originated in the manner hereinbefore stated. If such corporation fails or neglects to pay such damage within sixty days after notice in writing that a loss or injury has occurred, accompanied by an affidavit thereof, served upon any officer or station or ticket agent employed by such corporation in the county where such loss or injury occurred, such owner shall be entitled to recover from the corporation double the amount of damages actually sustained by him in any court of competent jurisdiction. If such company shall, within sixty days, offer in writing to pay a fixed sum, being the full amount of the damages sustained, and the owner shall refuse to accept the same, then in any action thereafter brought for such damages, when such owner recovers a less sum as damages than the amount so offered, then such owner shall recover only his damages, and the railway company shall recover its costs.

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

Approved June 2, 1911.

No. 390, A.]

[Published June 5, 1911.

CHAPTER 246.

AN ACT to amend sections 829l, 829m, and 829n, and to create sections 829o and 829p of the statutes, relating to the establishment of permanent landmarks at section and quarter-section corners.

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

SECTION 1. Sections 829l, 829m and 829n of the statutes are amended to read: Section 829l. Upon a *verified* petition to the county judge * * * by two or more landowners in any section of land, or by any one person or corporation who or which owns all the land in any section of land within any town * * * in this state not fully provided with permanent landmarks at the section or quarter-section corners, the county judge shall make an order setting a time and place * * * for hearing * * * such petition, notice thereof to be given by publication at least three weeks in some paper published at the county seat of the county where the * * * hearing is to be