

training and domestic science, and in its general conduct shall endeavor to improve the child, and develop habits of industry and study, with a view to returning it to its regular school, as soon as practicable in the judgment of the superintendent of such truant or parental school.

Conflicting laws repealed. SECTION 5. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

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

Approved May 25, 1903.

No. 238, A.]

[Published June 1, 1903.

CHAPTER 448.

AN ACT to define the liabilities of any railroad company in relation to damages sustained by its employees and amendatory of subdivision 2 of section 1816 of the statutes of 1898.

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

Liability for injuries to employees. SECTION 1. Subdivision 2 of section 1816 of the statutes of 1898 is hereby amended by striking out all of said subdivision 2 and inserting in lieu thereof the following as said subdivision 2. "2. When such injury is sustained by any officer, agent, servant or employee of such company, while engaged in the line of his duty as such and which shall have been caused by the carelessness or negligence of any other officer, agent, servant or employee while in the discharge of, or for failure to discharge his duty as such, provided, that such injury shall arise from a risk or hazard peculiar in the operation of railroads. No contract, receipt, rule or regulation between any employee and a railroad corporation shall exempt such corporation from the full liability imposed by this section." So that said section and subdivision when so amended shall be and read as follows: Section 1816.

Every railroad company operating any railroad which is in whole or in part within this state shall be liable for all damages sustained within the same by any of its employees without contributory negligence on his part:

1. When any such injury is caused by a defect in any locomotive, engine, car, rail, track, machinery or appliance required by said company to be used by its employees in and about the business of their employment, if such defect could have been discovered by such company by reasonable and proper care, tests or inspection; and proof of such defect shall be presumptive evidence of knowledge thereof on the part of such company.

2. When such injury is sustained by any officer, agent, servant or employee of such company, while engaged in the line of his duty as such and which shall have been caused by the carelessness or negligence of any other officer, agent, servant or employee while in the discharge of, or for failure to discharge his duty as such, provided, that such injury shall arise from a risk or hazard peculiar to the operation of railroads. No contract, receipt, rule or regulation between any employee and a railroad corporation shall exempt such corporation from the full liability imposed by this section.

Conflicting laws repealed. SECTION 2. Any act or part of act conflicting or in any manner inconsistent with the provisions of this act is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 22, 1903.