

recognizances, previously given in such cases and returned to said municipal court, may be enforced by said circuit court as fully as if they had originally run, and been certified and returned thereto.

SECTION 2. There shall be paid to the clerk of said municipal court of Dane county, as salary, in addition to the amount he may receive from the judge of said court, the sum of five hundred dollars per annum, two-thirds of the same to be paid out of the county treasury of Dane county and one-third to be paid out of the treasury of the city of Madison, to be paid quarter yearly. Salary of clerk.

SECTION 3. In the absence or disability of the judge of said municipal court of Dane county, the clerk of said court may adjourn the same in the manner now provided by law for the adjournment of circuit courts. Clerk may adjourn court in absence, etc., of judge.

SECTION 4. All acts and parts of acts inconsistent with this act, are hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage and publication. Approved April 22, 1891.

No. 41, A.]

[Published May 9, 1891.]

## CHAPTER 367.

AN ACT to amend chapter 509, of the laws 1889, relating to steam engines on highways.

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

SECTION 1. Sections 1 and 2, of chapter 509, of the laws of 1889, are hereby amended, so that said chapter when amended, shall read as follows: Amends chapter 509, laws of 1889.

Section 1. Any person or persons owning, propelling, causing to be propelled or hauling any steam engine upon any public highway in any town of this state, shall be liable for all damage that may arise or be caused to such highway, or any sluiceway, culvert or bridge thereon, or to any person or persons or corporation by reason Damages caused by steam engines on highways.

of the propelling, hauling or using any such engine upon any such highway, in the following cases:

When owner or person in charge liable.

1st. When such engine, with its equipments, attachments, or whatever it may be propelling upon the highway, shall weigh more than five tons, exclusive of team, if so propelled.

2nd. When any such engine shall be set or used for any purpose, excepting propelled along the highway within the limits of any such highway.

3rd. When any such engine shall be left unattended within the limits of any such highway.

4th. When the engine shall be standing or in motion upon such highway, and the person in charge shall not signal and stop such engine when approached within fifteen rods, in either direction by any team of any kind, or any person or persons riding or driving any animal, and desiring to pass such engine, or when the person or persons in charge of such engine, shall fail or refuse to render all proper assistance possible to enable such team, or person or persons riding or driving any animal to pass such engine in safety.

5th. When the person or persons in charge of such engine shall fail to span any bridge or culvert, before crossing the same, with planks at least two inches thick, twelve inches wide, and sixteen feet in length, over which the wheels shall pass in crossing such bridge or culvert.

Town chairman to commence action for violation.

SECTION 2. The chairman of any town in which any damage shall be done to any highway, sluiceway or bridge by any such engine weighing over five tons with equipments, attachments, and whatsoever it may be propelling upon the highway, exclusive of team, being propelled over any such highway, shall have authority to commence an action against the owner of such engine, or the person propelling or causing the same to be propelled in the name and for the benefit of such town; and such money when collected, shall be paid into the treasury of such town and be used for the repair of highways, sluiceways, and bridges.

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

Approved April 23, 1891.