

No. 1167, A.]

[Published June 21, 1913.

CHAPTER 523.

AN ACT to amend subdivision (d) of section 1797—12 of the statutes, relating to railroad highway crossings.

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

SECTION 1. Subdivision (d) of section 1797—12 of the statutes is amended to read: (Section 1797—12) (d) Whenever a complaint is lodged with the railroad commission by the common council of any city, the village board of any village, a member of a town board, or an overseer of highways, or by five or more freeholders and taxpayers in any town, *village or city*, to the effect that a public highway and a railroad cross one another in such city, village or town at the same level, and that such grade crossing is unsafe and dangerous to travelers over such highway or railroad, it shall be the duty of said commission to give notice to the railroad company in interest of the filing of such complaint, and to furnish a copy of the same to the railroad company, and to order a hearing thereon in the manner provided for hearings in section 1797—12. If upon such hearing it shall appear to the satisfaction of the commission that the crossing complained of is unsafe and dangerous to human life, said commission may order and direct the railway company to erect gates at said crossing and place an agent in charge to open and close the same when an engine or train passes, or that a flagman be stationed at such crossing who shall display a flag when an engine or train is about to pass, or that such crossing shall be provided with an electric signal, or other suitable device, as the commission determines the better security of human life and the public travel requires; and such railroad company shall comply with the terms of such order. *The commission may, in the absence of any petition therefor, when in their opinion such grade crossing is dangerous to travelers over such highway or railroad, after notice and hearing, as provided in section 1797—12, proceed in like manner as upon a complaint duly filed.*

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

Approved June 19, 1913.