

thirty days or more than one year, or by both such fine and imprisonment.

SECTION 2. This act shall take effect ninety days after passage and publication.

Approved June 29, 1917.

No. 424, S.]

[Published June 30, 1917.

CHAPTER 533

AN ACT to create section 1808a of the statutes, relating to the providing by railway companies of advance warning signs to be installed near highway grade crossings, and providing penalties.

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

SECTION 1. A new section is added to the statutes to read: Section 1808a. 1. Within one year after this section takes effect each steam or interurban railroad company shall furnish to each county in this state in or through which it operates advance warning signs to be placed as hereinafter provided on every highway in each town which crosses at grade the tracks of such company. Upon receipt of such signs, the county highway commissioner shall immediately install and thereafter maintain such signs in good condition near each such grade crossing. The county highway commissioner shall certify the cost of such installation and maintenance to the county clerk, who shall issue his warrants therefor upon the county treasurer to be paid out of moneys received by the county under paragraph (a) of subsection (3) of section 20.04. The railroad commission upon petition therefor and upon investigation and finding that such signs are impracticable or unnecessary on any particular highway may release the county from the provisions of this section as to such particular highway.

2. Such signs shall consist of a metal disc twenty-four inches in diameter, and the field thereof shall be enameled white with an enameled black border line one inch wide and an enameled black perpendicular and horizontal cross line two and one-half inches wide; the reverse side of such disc shall be colored black. In each of the upper quarterings shall appear in black enamel the capital letter "R" five inches high, three and three-fourths wide, lines one inch stroke.

3. Such signs shall be placed in conspicuous locations beside such highways as near as practicable to the beaten track thereof, on each side of each such crossing, at a distance of not

less than three nor more than five hundred feet from the nearest rail thereof, unless the physical conditions are such that this is impracticable, in which case the signs shall be placed as directed by the highway commission. Each such sign shall be installed approximately five feet above the level of the center of the highway upon a substantial post or support in a manner to be prescribed by the highway commission.

4. In case any sign provided by a railroad company and installed as provided in this section is destroyed or becomes unintelligible by any cause whatsoever, the said company, upon request from the county highway commissioner, shall forthwith furnish another such sign, and shall deliver the same at the crossing near which it is to be installed; provided that neither the installation of said signs nor the failure of the county highway commissioner to install or maintain the same in good condition shall be construed as making the county liable for any accident that may occur by reason of such installation or neglect.

5. No person, firm, or corporation shall place, or cause to be placed or permit to remain any sign of the general size or appearance of crossing signs provided for in this section upon any highway in the state or place or cause to be placed any sign between such advance signs except signs or signals now required by law or permitted by the railroad commission for protection at railway grade crossings.

6. Any person who removes, throws down, injures or defaces any such sign shall, upon conviction, be fined not to exceed twenty-five dollars.

7. Any person or corporation upon conviction for the violation of any of the provisions of this section, except the provisions of subsection 6, shall be subject to a fine of not less than ten dollars nor more than fifty dollars for each such violation.

8. The district attorney of any county of this state shall prosecute any person, firm or corporation violating the provisions of this section, or begin and maintain any civil action necessary for the enforcement of the provisions of this section. Said criminal prosecutions or civil actions shall be prosecuted or begun upon the demand of any county highway commissioner of any county in the state, the Wisconsin state highway commission, or the Wisconsin railroad commission.

SECTION 2. This act shall take effect upon passage and publication.

Approved June 28, 1917.