

kinds, and shall be constructed on the request in writing, of any land owner interested therein, made to such agent of the company as shall have charge or supervision of the road at that point; and in addition to said cattle guards, such railroad companies shall cause to be built and kept in good order a lawful fence on each side thereof, and extending sixteen feet from the cattle guard, to which the land owner shall have the right to join his fence; provided, that no land owner shall be in any way liable, either directly or indirectly, to the railroad company, or any other person, for any damage or injury which may occur or result from the construction of his fence over the company's land which may be necessary to connect his fence with that of the company's.

Fence.

SEC. 2. *And be it enacted*, That for any failure to comply with any of the provisions of this act, the company so failing for sixty days after such written request, shall forfeit and pay to the party injured five dollars for each days' failure thereafter, to be recovered as other debts are now collected by an action before a Justice of the Peace, or the Circuit Court, when the amount is such as will give such Circuit Court jurisdiction; said notice or request may be served upon an agent of the company.

Failure—
Penalty.

SEC. 3. *And be it enacted*, That this act shall take effect from the date of its passage.

Effective.

Approved April 7, 1886.