

**219.32 FAILURE TO FENCE; LIABILITY AND DAMAGES.**

A railroad company failing to comply with section 219.31 is liable for all resulting damages, including domestic animals killed or injured by its negligence. If it fails to pay the actual damages caused by the killing or injury within 30 days after the damage occurs, the plaintiff shall recover double costs. The company, before the commencement of an action, may make tender for the injury. If the amount recovered, exclusive of interest, does not exceed the tender, the plaintiff shall not recover costs or disbursements.

**History:** (4745) *RL s 1998; 1983 c 359 s 21; 1985 c 265 art 4 s 1*