

No. 497, A.]

[Published June 25, 1907.]

CHAPTER 351.

AN ACT to create section 751d of the statutes relating to the employment of assistants to the district attorney in any county containing a city of the first class.

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

[SECTION 1.] There is added to the statutes a new section to read: (Sec. 751d).

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SECTION 2.

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Approved June 24, 1907.

(In effect July 1, 1907.)

No. 517, A.]

[Published June 25, 1907.]

CHAPTER 352.

AN ACT to create sections 1797—11m and 1797—12n. of the statutes, relating to spur tracks.

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

SECTION 1. There are added to the statutes two new sections to read:

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

Approved June 24, 1907.

tive places; provided, preference may be given to shipments of live stock and perishable property.

Correct weighing. b. *Every railroad shall correctly weigh all freight shipped on actual weight, and shall also correctly weigh all empty cars when freight is shipped in carload lots.*

Car regulations; scale tests. c. The commission shall have power to *make and enforce* reasonable regulations for furnishing cars to shippers and for *moving and switching* the same, and for the loading and unloading thereof, and the weighing of cars and freight offered for shipment over any line of railroad, *and to test the weights made by any railroad and scales used in weighing freight or cars.*

(Ch. 582, 1907. Section number supplied by Sec. 18, Ch. 676, 1907.)

Spur tracks mandatory; maximum length; right of way; exception. SECTION 1797—11m. Every railroad shall provide a reasonably adequate and suitable spur track to and upon the grounds of any mill, elevator, storehouse, warehouse, dock, wharf, pier, manufacturing establishment, lumber yard, coal dock or other industry or enterprise, wherever such spur track does not necessarily exceed two miles in length, and is practically indispensable to the successful operation of any such industry or enterprise, and shall connect such spur track with its main track and operate the same in connection therewith; provided that such railroad may request the person or persons, firm, corporation or association primarily to be served thereby, to pay the legitimate cost and expense of acquiring, by condemnation or purchase, the necessary rights of way for such spur track, and of constructing the same, in which case the total estimated cost thereof shall be deposited with the railroad before the railroad shall be required to incur any expense whatever therefor. No railroad shall, however, be required to provide a spur track where it is unusually unsafe and dangerous. This section shall not apply to cities of the first class.

(Ch. 352, 1907.)

Appeal from railroad to commission. SECTION 1797—12n. In case of the failure or refusal of any railroad to comply with any of the provisions of this act, the person or persons, firm, corporation or association aggrieved thereby may file a complaint with the railroad commission setting forth the facts, and

the said commission shall investigate and determine the matter in controversy, in accordance with the provisions of chapter 362 of the laws of 1905, and of this act, and any order it shall make in said proceeding shall have the same force and effect as an order in any other proceeding properly begun under and by virtue of the provisions of said chapter 362 of the laws of 1905.

(Ch. 352, 1907.)

Railroad commission to fix rates and regulations. SECTION 1797—14. Whenever upon an investigation made under the provisions of this act, the commission shall find any existing rate or rates, fares, charges or classifications, or any joint rate or rates, or any regulation or practice whatsoever affecting the transportation of persons or property, or any service in connection therewith are unreasonable or unjustly discriminatory, or any service is inadequate it shall determine and by order fix a reasonable rate, fare, charge, classification or joint rate to be imposed, observed and followed in the future in lieu of that found to be unreasonable or unjustly discriminatory, and it shall determine and by order fix a reasonable regulation, practice or service to be imposed, observed and followed in the future, in lieu of that found to be unreasonable or unjustly discriminatory, or inadequate, as the case may be, and it shall cause a certified copy of each such order to be delivered to an officer or station agent of the railroad affected thereby, which order shall of its own force take effect and become operative twenty days after the service thereof.

Number of days' notice. a. *Where the order made relates to service, and the same can not, in the judgment of the commission, be complied with within twenty days the commission may prescribe such additional time as in its judgment is reasonably necessary to comply with the order and may on application and for good cause shown extend the time for compliance fixed in its order.*

Railroads to conform. b. All railroads to which the order applies shall make such changes in their schedule on file as may be necessary to make the same conform to said order, and no change shall thereafter be made by any railroad in any such rates, fares or charges, or in any joint rate or rates without the approval of the commission.