

nor more than fifty dollars, or by imprisonment in the county jail not less than ten days nor more than thirty days.

SECTION 2. This act shall take effect January 1, 1915.

Approved June 2, 1913.

No. 883, A.]

[Published June 5, 1913.

CHAPTER 386.

AN ACT to repeal section 1806m of the statutes and to create a new section of the statutes to be numbered 1806m, relating to the construction and use of caboose cars on railroads, and providing a penalty.

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

SECTION 1. Section 1806m of the statutes is repealed.

SECTION 2. There is added to the statutes a new section to be numbered and to read: Section 1806m. 1. The provisions of this section shall apply to any corporation or to any person or persons while engaged as common carriers in the transportation by railroad of passengers or property within this state to which the regulative power of this state extends.

2. From and after the first day of June, 1914, it shall be unlawful, except as otherwise provided in this act, for any such common carrier by railroad to use on its lines any caboose car or other car used for like purpose unless such caboose or other car shall be at least twenty-four feet in length, exclusive of the platforms, and equipped with two four-wheel trucks, and said caboose or other car shall be of constructive strength equal to that of the sixty thousand pound capacity freight cars, and shall be provided with a door in each end thereof, and outside platforms across each end of said car; each platform shall not be less than twenty-four inches in width and shall be equipped with proper guard rails and with grab irons and steps for the safety of persons getting on and off said car. Said steps shall be equipped with a suitable rod, board or other guard at each end and at the back thereof properly designed to prevent slipping from said step. Said caboose shall have cupola, necessary closets and windows.

3. Whenever any such caboose cars or other cars now in use by such common carriers as provided by subsection 1 hereof shall after this section goes into effect be brought into any shop for general repairs, it shall be unlawful to again put the same into service by such common carrier within this state unless it be equipped as provided in subsection 2 of this section.

4. The provision of this section shall not apply to the use of caboose cars operated in yards, and in transfer service, and in case of unusual and unforeseen demands of traffic caboose cars not constructed in compliance with this section may be used temporarily. Provided, that the railroad company desiring to use the same shall apply to and obtain an order from the railroad commission granting the privilege to temporarily use the same.

5. The railroad commission shall have power to limit or prescribe the maximum height of any caboose to be used upon any railroad operating in or through this state and said commission is hereby authorized to grant to any common carrier aforesaid, upon full hearing and for good cause shown, a reasonable extension of time in which to comply with the provisions of this section; provided, that in no case shall such extension in the aggregate exceed a period of one year from the time herein limited for compliance with this section.

6. Any common carrier as provided in subsection 1 of this section violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars nor more than five hundred dollars for each offense.

7. In addition to the powers heretofore granted to the railroad commission of Wisconsin, the said commission is hereby specifically empowered, authorized and directed immediately after the passage of this section, to investigate the conditions and efficiency of caboose cars now in use on railroads in this state, and if found upon investigation that it is impossible for any railroad company to comply with subsections 2, 3, 4, 5 and 6 of this section said commission shall have the power to grant to such company the right to construct a caboose which in their judgment will comply as near as possible with subsection 2 of this section and which, in their judgment, will be safe and convenient for the employes and traveling public, but in no case shall said commission grant permission to any railroad company to construct a caboose that has less than two four-wheel trucks.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved June 2, 1913.