

No. 359, S.]

[Published August 18, 1915.

CHAPTER 545.

AN ACT to create section 1498t—10 of the statutes, relating to taking of mussels and providing a penalty.

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: Section 1498t—10. 1. It shall be unlawful to take, catch or kill, in any of the waters of this state:

(a) Any mussels by the use of any dredge of any kind at any time.

2. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than fifty dollars or by imprisonment in the county jail not less than ten days nor more than thirty days or by both such fine and imprisonment. In addition thereto, all apparatus used or employed by such person in such violation and all mussels in his possession at such time shall be confiscated by the state fish and game warden and shall be forfeited to the state.

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

Approved August 17, 1915.

No. 464, S.]

[Published August 18, 1915.

CHAPTER 546.

AN ACT to create sections 1797—62, 1797—63, 1797—64, 1797—65, 1797—66, 1797—67 and 1797—68 of the statutes, relating to the operation of motor vehicles for the carriage of passengers for hire upon streets and highways.

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

SECTION 1. There are added to the statutes seven new sections to read: Section 1797—62. Every person, firm or corporation operating any motor vehicle along and upon any public street or highway for the carriage of passengers for hire and affording a means of local, street or highway transportation similar to that afforded by street railways, by indiscriminately accepting and discharging such persons as may offer themselves for transportation along the course on which such vehicle is operated or may be running is hereby declared to be a common carrier, and is hereby required to furnish reasonable and adequate

service at just and reasonable rates, and is hereby required to operate over such general routes or within such territory, and during such hours as may be reasonably required for the accommodation of the public in accordance with the following provisions.

Section 1797—63. No person, firm or corporation shall operate any motor vehicle for the purposes described in section 1797—62 unless there shall have been filed with and accepted by the railroad commission of Wisconsin a good and sufficient indemnity bond issued by some surety or indemnity company created under the laws of the state of Wisconsin or duly authorized to transact business therein, which said bond shall describe such vehicle by factory number, maker's name, number of passengers capable of being accommodated therein at one time, and number of state license under which the same is operated (which said license number when changed by the issuance of a new state license shall be indicated upon said bond by the attachment of a rider thereto); said bond shall provide that the company issuing the same shall be directly liable for and shall pay all damages, not exceeding two thousand five hundred dollars to any one person, or five thousand dollars for any one accident that may be recovered against the operator of the vehicle described therein by reason of the negligent use and operation of such vehicle.

The bond provided for by this section shall be deemed to include any policy of insurance or other contract in writing by which any surety or insurance company authorized to execute such contract shall assume the liability prescribed by this section.

If any such bond so filed shall become inoperative such vehicle shall not be operated until a bond meeting the requirements of this section shall have been filed.

Section 1797—64. Such bond shall be accompanied by an application for the acceptance thereof by the railroad commission, which application shall state the name and residence of the applicant, the general route, or the territory, over which it is proposed to operate the motor vehicle described in such bond, the proposed hours of such operation and the rate of fare to be charged for carriage therein.

If the railroad commission shall determine that such bond complies with the provisions of section 1797—63 and that the rates specified in the application accompanying the same are reasonable for such character of service, and that the proposed general route, or territory to be covered, and the hours of such operation are reasonably adapted to the accommodation of the pub-

lic, it shall, regardless of any other service now furnished, accept such bond and shall thereupon issue to such applicant a certificate setting forth the fact that the applicant has in respect to the vehicle described therein complied with the provisions of section 1797—63 and section 1797—64. All such bonds shall upon acceptance be numbered serially and such certificates shall be numbered in like series.

Section 1797—65. Every order and determination of the railroad commission under the provisions of section 1797—64 shall be subject to review in the manner provided by section 1797m—65 to section 1797m—71.

Section 1797—66. It shall be the duty of every person, firm or corporation to plainly mark in a permanent manner each vehicle covered by any such bond by painting or securely fastening in a conspicuous place upon the sides of such vehicle in letters not less than two inches in height and the lines of which shall not be less than one-quarter inch in width the words "bonded carrier" followed by the number of the bond covering the same, so that all vehicles claimed to be operated under the provisions of these statutes may be readily identified.

Section 1797—67. Any person, firm or corporation operating any motor vehicle described in section 1797—62 who shall fail to comply with the provisions of section 1797—63 and section 1797—64 and section 1797—66, shall transport in any such vehicle a larger number of passengers than the number specified in such bond as the carrying capacity of such vehicle, shall charge a rate of fare other than that specified in the application accompanying such bond, or shall fail to operate such vehicle upon the general route, or within the territory, and during the hours set forth in such application, shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars for each offense and in default thereof may be committed to the county jail for not less than ten nor more than ninety days.

Section 1797—68. Every city, village or town within or through which any motor vehicle described in section 1797—62 shall be operated may require that local consent for the operation thereof be procured and as a condition of such consent may require reasonable compensation for the repair and maintenance of pavements and bridges, and compensation for the regulation of street traffic, and for any other expense occasioned by the operation of such motor vehicle.

SECTION 2. This act shall take effect upon passage and publication with the exception of section 1797—67, which shall take effect on the first day of September, 1915.

Approved August 17, 1915.