

192.49 History: 1876 c. 57 s. 8, 9; R. S. 1878 s. 1804; Stats. 1898 s. 1804; 1923 c. 291 s. 3; Stats. 1923 s. 192.19; 1929 c. 504 s. 108; Stats. 1929 s. 192.49.

192.50 History: 1875 c. 173; R. S. 1878 s. 1816; 1880 c. 232; 1889 c. 438; Ann. Stats. 1889 s. 1816a; 1893 c. 220; Stats. 1898 s. 1816; 1903 c. 448 s. 1; Supl. 1906 s. 1816; 1907 c. 254; 1911 c. 663 s. 379; 1913 c. 644; 1923 c. 291 s. 3; Stats. 1923 s. 192.55; 1929 c. 504 s. 120; 1931 c. 79 s. 22; Stats. 1931 s. 192.50; 1953 c. 540.

Editor's Note: Sec. 1816, Stats. 1911, was cited in Minneapolis, St. P. & S. S. M. R. Co. 153 W 552, 141 NW 1119, and in Salus v. Great Northern R. Co. 157 W 546, 147 NW 1070.

192.51 History: 1872 c. 185; R. S. 1878 s. 1860; Stats. 1898 s. 1860; 1923 c. 291 s. 3; Stats. 1923 s. 192.73; 1929 c. 504 s. 110; Stats. 1929 s. 192.51; 1957 c. 523.

192.52 History: 1925 c. 312; Stats. 1925 s. 192.81; 1929 c. 504 s. 111; Stats. 1929 s. 192.52; 1937 c. 83; 1969 c. 276 s. 599.

Sec. 192.52, Stats. 1939, does not contemplate that the public service commission shall hold a hearing and make a finding upon a complaint that there has been abandonment of railroad shops in violation of the section. 29 Atty. Gen. 52.

192.53 History: 1927 c. 303; Stats. 1927 s. 192.90; 1929 c. 268; 1929 c. 504 s. 112; Stats. 1929 s. 192.53; 1931 c. 410; 1935 c. 220; 1939 c. 513 s. 41; 1943 c. 198; 1945 c. 92; 1949 c. 163, 176.

192.54 History: 1872 c. 119 s. 54; R. S. 1878 s. 1819; Stats. 1898 s. 1819; 1907 c. 622; 1919 c. 702 s. 72; 1923 c. 291 s. 3; Stats. 1923 s. 192.64; 1929 c. 504 s. 113; Stats. 1929 s. 192.54.

By the express terms of the statute cumulative penalties are imposed, and a penalty for each violation may be recovered in the one action. State v. Wisconsin C. R. Co. 133 W 478, 113 NW 952.

192.55 History: 1929 c. 504 s. 113a; Stats. 1929 s. 192.55; 1947 c. 601.

192.56 History: 1935 c. 237; Stats. 1935 s. 192.56; 1953 c. 60; 1961 c. 35.

Where a railroad proposes to abandon stations or withdraw agency service and notice is properly posted in the places affected, new notices need not be posted for every continuance of the hearing. Cobb v. Public Service Comm. 12 W (2d) 441, 107 NW (2d) 595.

192.71 History: 1872 c. 160; R. S. 1878 s. 1858; 1882 c. 266; Ann. Stats. 1889 s. 1858; Stats. 1898 s. 1858; 1923 c. 291 s. 3; Stats. 1923 s. 192.71; 1929 c. 504 s. 128.

192.72 History: 1874 c. 303; 1876 c. 158; R. S. 1878 s. 1859; Ann. Stats. 1889 s. 1859; Stats. 1898 s. 1859; 1923 c. 291 s. 3; Stats. 1923 s. 192.72; 1929 c. 504 s. 128.

CHAPTER 193.

Street and Interurban Railways.

193.01 History: 1860 c. 313 s. 1, 3, 4; R. S.

1878 s. 1862; 1881 c. 219; Ann. Stats. 1889 s. 1862; Stats. 1898 s. 1862; 1911 c. 39; 1923 c. 182; 1923 c. 291 s. 3; Stats. 1923 s. 193.01; 1927 c. 108; 1929 c. 504 s. 130; 1933 c. 171; 1943 c. 501; 1955 c. 661; 1957 c. 260 s. 30.

Editor's Note: Notes of decisions construing 193.01 and various other sections of ch. 193 are contained in Wis. Annotations, 1960.

193.02 History: 1891 c. 234; Stats. 1898 s. 1862a; 1913 c. 773 s. 61; 1923 c. 291 s. 3; Stats. 1923 s. 193.02; 1927 c. 43; 1929 c. 504 s. 131.

193.05 History: 1909 c. 353; 1911 c. 366; Stats. 1911 s. 1862g sub. 1; 1923 c. 291 s. 3; Stats. 1923 s. 193.05; 1929 c. 504 s. 133.

193.06 History: 1909 c. 353; Stats. 1911 s. 1862g sub. 2; 1923 c. 291 s. 3; Stats. 1923 s. 193.06; 1929 c. 504 s. 134.

193.08 History: 1911 c. 528; Stats. 1911 s. 1862h; 1923 c. 291 s. 3; Stats. 1923 s. 193.08; 1929 c. 504 s. 136.

193.09 History: 1909 c. 311; Stats. 1911 s. 1862m; 1923 c. 291 s. 3; Stats. 1923 s. 193.09; 1929 c. 504 s. 137.

193.10 History: 1860 c. 313 s. 2; R. S. 1878 s. 1863; 1880 c. 221; Ann. Stats. 1889 s. 1863; 1891 c. 387; Stats. 1898 s. 1863; 1901 c. 424 s. 2; Supl. 1906 s. 1863; 1911 c. 274; 1917 c. 565; 1923 c. 291 s. 3; Stats. 1923 s. 193.10; 1929 c. 504 s. 138.

193.11 History: 1897 c. 175; Stats. 1898 s. 1863a; 1899 c. 306 s. 1; 1901 c. 465 s. 1; 1905 c. 266 s. 1; 1905 c. 497 s. 1; Supl. 1906 s. 1863a; 1907 c. 580; 1909 c. 90; 1909 c. 516 s. 3; Stats. 1911 s. 1863a sub. 1; 1919 c. 571 s. 2; 1923 c. 291 s. 3; Stats. 1923 s. 193.11; 1929 c. 504 s. 139.

193.12 History: 1897 c. 175; Stats. 1898 s. 1863a; 1899 c. 306 s. 1; 1901 c. 465 s. 1; 1905 c. 266 s. 1; 1905 c. 497 s. 1; Supl. 1906 s. 1863a; 1907 c. 580; 1909 c. 90; 1909 c. 516 s. 3; Stats. 1911 s. 1863a sub. 2; 1919 c. 571 s. 2; 1923 c. 291 s. 3; Stats. 1923 s. 193.12; 1927 c. 71; 1929 c. 504 s. 140.

193.13 History: 1897 c. 175; Stats. 1898 s. 1863a; 1899 c. 306 s. 1; 1901 c. 465 s. 1; 1905 c. 266 s. 1; 1905 c. 497 s. 1; Supl. 1906 s. 1863a; 1907 c. 580; 1909 c. 90; 1909 c. 516 s. 3; Stats. 1911 s. 1863a sub. 3; 1919 c. 571 s. 2; 1923 c. 291 s. 3; Stats. 1923 s. 193.13; 1929 c. 504 s. 141.

193.14 History: 1897 c. 175; Stats. 1898 s. 1863a; 1899 c. 306 s. 1; 1901 c. 465 s. 1; 1905 c. 266 s. 1; 1905 c. 497 s. 1; Supl. 1906 s. 1863a; 1907 c. 580; 1909 c. 90; 1909 c. 516 s. 3; Stats. 1911 s. 1863a sub. 4; 1919 c. 571 s. 2; 1923 c. 291 s. 3; Stats. 1923 s. 193.14; 1929 c. 504 s. 142.

193.15 History: 1897 c. 175; Stats. 1898 s. 1863a; 1899 c. 306 s. 1; 1901 c. 465 s. 1; 1905 c. 266 s. 1; 1905 c. 497 s. 1; Supl. 1906 s. 1863a; 1907 c. 580; 1909 c. 90; 1909 c. 516 s. 3; Stats. 1911 s. 1863a sub. 5; 1913 c. 58; 1915 c. 280; 1919 c. 571 s. 2; 1923 c. 291 s. 3; Stats. 1923 s. 193.15; 1929 c. 504 s. 143.

193.17 History: 1903 c. 347 s. 1 to 5; Supl. 1906 s. 1863b to 1863f; 1923 c. 291 s. 3; Stats. 1923 s. 193.17 to 193.21; 1929 c. 504 s. 145; Stats. 1929 s. 193.17.

193.22 History: 1876 c. 211; R. S. 1878 s. 1864; Stats. 1898 s. 1864; 1923 c. 291 s. 3; Stats. 1923 s. 193.22; 1925 c. 265; 1929 c. 504 s. 146; 1965 c. 334.

193.24 History: 1899 c. 125 s. 1; Supl. 1906 s. 1864b, 1864c; 1923 c. 291 s. 3; Stats. 1923 s. 193.24, 193.25; 1929 c. 504 s. 148; Stats. 1929 s. 193.24.

193.27 History: 1903 c. 74 s. 1; Supl. 1906 s. 1864e; 1923 c. 291 s. 3; Stats. 1923 s. 193.27; 1929 c. 504 s. 150; 1941 c. 254.

193.29 History: 1909 c. 310; Stats. 1911 s. 1636q; 1923 c. 291 s. 3; Stats. 1923 s. 193.29; 1929 c. 504 s. 152.

193.30 History: 1919 c. 545; Stats. 1919 s. 1636q—5; 1921 c. 463; 1923 c. 291 s. 3; Stats. 1923 s. 193.30; 1929 c. 504 s. 153.

193.31 History: 1921 c. 193; Stats. 1921 s. 1636q—7; 1923 c. 291 s. 3; Stats. 1923 s. 193.31; 1929 c. 504 s. 154.

193.32 History: 1907 c. 390; Stats. 1911 s. 1636—58; 1923 c. 291 s. 3; Stats. 1923 s. 193.32; 1929 c. 504 s. 155; 1937 c. 232.

193.33 History: 1907 c. 578; 1911 c. 663 s. 367; Stats. 1911 s. 1797t—1; 1923 c. 291 s. 3; Stats. 1923 s. 193.33; 1929 c. 504 s. 156.

193.34 History: 1907 c. 578; 1911 c. 663 s. 367; Stats. 1911 s. 1797t—2; 1923 c. 291 s. 3; Stats. 1923 s. 193.34; 1929 c. 504 s. 157.

193.35 History: 1933 c. 311; Stats. 1933 s. 193.35.

193.36 History: 1907 c. 578; 1911 c. 663 s. 367; Stats. 1911 s. 1797t—4; 1923 c. 291 s. 3; Stats. 1923 s. 193.36; 1929 c. 504 s. 159.

193.37 History: 1907 c. 578; 1911 c. 663 s. 367; Stats. 1911 s. 1797t—5; 1913 c. 360; 1923 c. 291 s. 3; Stats. 1923 s. 193.37; 1929 c. 504 s. 160.

193.38 History: 1919 c. 492 s. 2; Stats. 1919 s. 1797t—6; 1923 c. 291 s. 3; Stats. 1923 s. 193.38; 1929 c. 504 s. 161.

193.39 History: 1919 c. 492 s. 2; Stats. 1919 s. 1797t—7; 1923 c. 291 s. 3; Stats. 1923 s. 193.39; 1929 c. 504 s. 162.

193.40 History: 1919 c. 492 s. 2; Stats. 1919 s. 1797t—8; 1923 c. 291 s. 3; Stats. 1923 s. 193.40; 1929 c. 504 s. 163.

193.41 History: 1919 c. 492 s. 2; Stats. 1919 s. 1797t—9; 1923 c. 291 s. 3; Stats. 1923 s. 193.41; 1929 c. 504 s. 164.

193.42 History: 1919 c. 492 s. 2; Stats. 1919 s. 1797t—10; 1923 c. 291 s. 3; Stats. 1923 s. 193.42; 1929 c. 504 s. 165.

193.43 History: 1919 c. 492 s. 2; Stats. 1919 s. 1797t—11; 1923 c. 291 s. 3; Stats. 1923 s. 193.43; 1929 c. 504 s. 166.

193.44 History: 1919 c. 492 s. 2; 1919 c. 658; Stats. 1919 s. 1797t—12; 1923 c. 291 s. 3; Stats. 1923 s. 193.44; 1929 c. 504 s. 167.

193.45 History: 1919 c. 442; 1919 c. 702 s.

71; Stats. 1919 s. 1797t—13; 1923 c. 291 s. 3; Stats. 1923 s. 193.45; 1929 c. 504 s. 168; 1961 c. 33.

193.46 History: 1919 c. 442; 1919 c. 702 s. 71; Stats. 1919 s. 1797t—13; 1923 c. 291 s. 3; Stats. 1923 s. 193.45; 1929 c. 504 s. 168; Stats. 1929 s. 193.46.

CHAPTER 194.

Motor Vehicle Transportation Act.

Revisor's Note, 1939: Section 110.03 (5) (created by chapter 410, Laws 1939) transfers to the Motor Vehicle Department "all powers, duties and functions vested in the public service commission by virtue of chapter 194, excepting" specified provisions; and section 110.08 commands the revisor of statutes "to make the necessary changes in the language of the statutes so as to indicate the transfers provided in section 110.03." The revisor has done that to the best of his ability. In every instance that he has made any change in the language he has called attention to the change by citing section 110.08 at the end of the section, either in the history of the section (brackets) or in a "revisor's note." The changes of language have been limited to substituting "motor vehicle department" or "department" for "public service commission" or for "commission." Section 194.38 is compiled from 194.18 (1), (8) and 194.36 (1), (3). The introduction to 194.38 is necessarily new.

194.01 History: 1933 c. 488 s. 3; Stats. 1933 s. 194.01; 1937 c. 288; 1939 c. 525; 1947 c. 605; 1961 c. 35; 1965 c. 418; 1969 c. 336 s. 176; 1969 c. 500 s. 30 (3) (g).

Legislative Council Note, 1961: This eliminates "two-wheeled" so as to permit the use of four-wheeled or tandem axle trailers when used with an automobile. This change will clarify the application of 194.44 (2) which relates to lessors of vehicles. [Bill 33-S]

An agent selling and delivering products for an oil company under a bulk station agent's employment contract, who is not required to furnish any delivery equipment, is not a "carrier," notwithstanding the cost of operation is deducted from the agent's compensation. An agent whose employment contract required him to provide a truck chassis necessary for the sale and delivery of the company's products and provided for compensation by salary and commissions is not a "contract motor carrier." The oil company employing him is a "private motor carrier" and not required to obtain a permit to operate. *Standard Oil Co. v. Public Service Comm.* 217 W 563, 259 NW 598.

A partnership organized for the sole purpose of hauling milk for hire is a contract motor carrier within the meaning of the terms defined in 194.01, Stats. 1945, and is subject to 194.34, notwithstanding its contract of carriage is limited to members of the partnership. 36 Atty. Gen. 110.

A municipality hiring a motor truck without a driver is a private motor carrier under definitions provided by 194.01 (5), (11) and (14). Persons leasing a truck with driver to a municipality are contract motor carriers. 194.05 (1) does not provide exceptions in the above cases. 36 Atty. Gen. 486.