

carrier in transporting said freight from point of shipment to point of destination.

2. For the purpose of determining whether or not the consignee shall be entitled to additional free time as provided for in subsection 1 of this section, the time consumed by the common carrier in transporting the freight shall begin to run at twelve o'clock midnight of the day on which the freight is delivered to the common carrier at point of shipment and shall end at twelve o'clock midnight of the day on which the car is placed at a point accessible to the consignee for the purpose of unloading.

3. The provisions of this act shall apply to carload freight transported by one or more common carriers from point of shipment to point of destination. Provided that whenever any railroad company shall notify the railroad commission of Wisconsin that conditions have arisen on its line of railroad over which it has no control and is liable for, stating in said notification the facts of the case, the railroad commission may, if it deems the facts such as to warrant, issue its order suspending the operation of this act not to exceed thirty days, but may continue such order from time to time as the conditions may warrant. The consignee must use due and reasonable diligence in unloading all cars, and any failure to do so shall subject the consignee to a like supervision by the railroad commission. It is further provided that when conditions warrant the railroad commission shall have power to promulgate reasonable and just rules and regulations to enforce or modify the provisions of this act.

(Am. 1911, c. 664, s. 58.)

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

Approved June 15, 1911.

No. 327, S.]

[Published June 17, 1911.

## CHAPTER 359.

AN ACT to amend sections 1421e, 1421g, and 1421i, of the statutes, relating to the inspection of illuminating oils.

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

SECTION 1. Section 1421e, 1421g, and 1421i of the statutes are amended to read: Section 1421e. All mineral or petroleum oil, or any oil or fluid substance which is the product of petroleum, or into which any product of petroleum enters or is found as a constituent element, whether manufactured within this state or not, shall be inspected as provided in this act before being

offered for sale or sold for consumption or used for illuminating or heating purposes within this state. For the purposes of this act, all gasoline, benzine, naphtha, or other light products of petroleum under whatever name called, used for illuminating, heating, or power purposes, shall be deemed to be subject to the same inspection and control as provided for in this act for illuminating oils, except that the inspectors are not required to test it other than to ascertain its gravity, and it shall be unlawful for any person, dealer, or vendor to sell or offer for sale any such petroleum products for any of such purposes, that has not been so inspected and approved. It shall be the duty of the supervisor or his deputies to inspect all such petroleum products under whatever name called, whether manufactured within this state or not, and stamp the gravity test over his official signature, which shall also be stamped on the barrel, cask, or package inspected, before being sold or offered for sale within this state. Provided, however, that any person, corporation, or vendor, selling or delivering gasoline, benzine, naphtha, and other like products of petroleum for illuminating, heating, or power purposes in bulk by tank-wagon shall in lieu of the stamp or brand herein provided for, print or stencil on each tank-wagon-sale-ticket covering deliveries the following:

“This is to certify that the (gasoline, oil) covered by this sale has a fire test—flash..... degrees; burns.....degrees; gravity test of.....degrees Beaume scale; according to a certificate or certificates of approval issued by the state oil inspection department (month) ....., (day) ....., (year).....”

.....  
 (Name of oil company and individual making delivery).

Such inspection shall be in the nature of a test by approved methods of Tagliabue's standard registered hydrometer Beaume scale, and the state supervisor and his deputies shall, when called upon for that purpose, as promptly as possible, inspect all gasoline, benzine, naphtha, and other like products of petroleum hereinbefore mentioned, and shall be entitled to demand and shall receive from the owner thereof the same fees as provided for the inspection of illuminating and heating oils as hereinafter mentioned.

Any person who shall personally, or by clerk or agent, sell or offer for sale or for use, or who shall in any manner dispose of or attempt to dispose of any oil, gasoline, benzine, naphtha, or other like products of petroleum under whatever name called, for illuminating, heating, or power purposes, which shall not

have been examined or tested under the provisions of this act, or which, having been so tested, shall have been marked as rejected, or who shall knowingly use or furnish for use for illuminating, heating, or power purposes any oil, gasoline, benzine, naphtha, or other like products of petroleum, which shall not have been properly examined or tested, and stamped, sealed, or marked as herein provided, shall be liable to a fine of not less than five dollars nor more than five hundred dollars, and any person so offending against the provisions of this act shall be responsible in damages to the party injured, in the event of injury arising or growing out of the use of any oil so offered or provided for sale or use.

Any person who shall wilfully adulterate any illuminating or heating oil by adding thereto benzine, naphtha, or paraffine oil or any substance or thing whatever shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than six months.

Any person who shall falsely stamp, seal, brand, or mark any cask, barrel, or other package of oil, gasoline, benzine, naphtha, and other like products of petroleum, or who shall personally or by agent or servant cause the changing, altering, or defacing in any manner any stamp, seal, brand, or device affixed to any cask, or barrel, or other package of oil, gasoline, benzine, naphtha, and other like products of petroleum by any deputy inspector, or who shall refill or use any cask, barrel, or other package having a deputy inspector's seal, mark, stamp, or brand thereon without cancelling or defacing said seal, mark, stamp, or brand and having the oil, gasoline, benzine, naphtha, and other like products of petroleum in such a cask, barrel, or other package properly examined or tested and stamped or marked under the provisions of this act, or who shall offer for sale, or shall sell any such oil, or gasoline, benzine, naphtha, and other like products of petroleum, representing it to be in any respect other and different in quality or kind than as represented to the person so purchasing the same, or without providing and exhibiting in a conspicuous place where such oil, or gasoline, benzine, naphtha, and other like products of petroleum is sold, a sign or placard, announcing and plainly proclaiming to all intending purchasers the tests, \* \* \* flash, \* \* \* burning, and gravity, according to the last certificate issued by the deputy inspector making the inspection of the product as to explosive qualities, and the gravity test of gasoline provided for in this act, shall be liable to a fine of not less than five dollars nor more than five hundred

dollars, or to imprisonment in the county jail for not more than six months, or to both such fine and imprisonment; and any person who shall sell or in any way dispose of any empty cask, barrel, or other package bearing a deputy inspector's seal, brand, or stamp without first thoroughly cancelling, defacing, or removing such seal, brand, stamp, mark, or any combination thereof, shall be liable to a fine of not less than five dollars, nor more than five hundred dollars, or to imprisonment in the county jail not exceeding six months, or to both such fine and imprisonment.

(Am. 1911, c. 664, s. 54.)

Section 1421g. It shall be the duty of the superintendent of public property to provide said supervisor all the necessary instruments and apparatus for examining and testing illuminating oils and gasoline, together with the necessary stamps, seals, marks, and brands, blank reports, and record books required by the provisions of this act, and all necessary office equipment and supplies, which said apparatus, instruments, stamps, seals, marks, brands, blank reports, record books and office equipment and supplies shall, in case the special fund provided for in section 1421d be insufficient therefor, be paid out of the general fund, said general fund to be reimbursed from said special fund as soon as said special fund shall contain sufficient funds therefor, and each deputy inspector shall use such instruments and apparatus in performing his duties, and shall promptly examine and test, when called upon, any oil offered as to the temperature at which it will emit a combustible vapor and burn freely, and all gasoline, benzine, or naphtha, or other like products of petroleum under whatever name called; and if upon examination or test any such oil or gasoline, benzine, naphtha, and other like products of petroleum shall be found to meet the requirements of this act, he shall affix to the package, cask, or barrel containing the same a brand, stamp, seal, or mark or any required combination thereof, containing the words, "approved for illuminating, heating, or power purposes," and if gasoline, benzine, naphtha, and other like products of petroleum, the numerals denoting its actual gravity, with the name and district and the day of testing over his official signature upon such package, cask, or barrel, and issue to the person for whom inspected a certificate of inspection and approval, reciting the number of barrels, or in case of tank cars, the name of the tank car line, with number of said car, with the number of barrels contained, the commercial name of the oil or gasoline, benzine, naphtha, and other like products of petroleum with the test found as to explosive quality and gravity and the actual gravity of gasoline, benzine, naphtha, and other like products of petroleum and the date of inspection.

But if the oil so tested shall not meet the requirements specified in this chapter, he shall mark in plain letters by stencil, brand, stamp, or seal as required, the words, "rejected for illuminating purposes," with the date of testing, name of the district, and his official signature, and issue a certificate to that effect; and it shall be unlawful for any person to sell such oil for illuminating or heating purposes.

Said brand and stamp for the approval of oils, gasoline, benzine, naphtha, and other like products of petroleum shall further contain such numerals indicating the degrees such oils test, and if any person shall sell or offer for sale any such rejected oils, he shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail not more than six months, or by both such fine and imprisonment.

(Am. 1911, c. 664, s. 54.)

Section 1421i. In all tests of illuminating oils and gasoline made under this act the testers known as the Tagliabue open cup or commercial oil tester for illuminating oils, and the Tagliabue standard registered hydrometer Beaume scale for gasoline, shall be used; the oil cup shall be filled to within one-fourth of an inch of the top thereof, or as nearly full as is practicable to fill it without causing the oil to overflow in making the test, and in using the tester the oil shall not be heated faster than three degrees Fahrenheit per minute up to one hundred degrees, nor more than two degrees Fahrenheit per minute above one hundred degrees. The taper used in making test shall be such as shall give a clear flame as nearly uniform in size as is practicable. *The method of testing illuminating oils as to the gravity shall be the same as provided for gasoline, naphtha, and other products of petroleum.* The method of testing gasoline, benzine, naphtha, and other like products of petroleum will be with a Tagliabue standard registered hydrometer Beaume scale, calculated at sixty degrees Fahrenheit; the hydrometer to be immersed in the sample and the degree of the Beaume scale noted; then the temperature should be noted, and for every ten degrees below sixty degrees of Fahrenheit's scale, add one degree of gravity to that noted on the Beaume scale, and for every ten degrees above sixty degrees noted on Fahrenheit's scale, deduct one degree of gravity from that registered on the Beaume scale. The state supervisor shall give such instructions to the deputy inspectors as in his judgment shall be necessary to secure uniformity in the methods of making the tests.

(Am. 1911, c. 664, s. 54.)

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

Approved June 15, 1911.

No. 461, S.]

[Published June 17, 1911.

## CHAPTER 360.

AN ACT to amend sections 1210k and 1210l of the statutes, relating to the liability of certain corporations for special assessments for local improvements.

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

SECTION 1. Sections 1210k and 1210l of the statutes are amended to read: Section 1210k. The property of every county, city, village, town, and school district within this state, and of every corporation, company, or individual operating any railroad or street railway, telegraph, telephone, electric light, or power system, or doing any of the business mentioned in chapter 51 of the statutes of 1898, and of every other corporation or company whatever, shall be in all respects subject to all special assessments for local improvements *and certificates and improvement bonds therefor may be issued and the lien thereof enforced against such property* in the same manner and to the same extent as the property of individuals. Provided that such assessments shall not extend to the right, easement, or franchise to operate or maintain railroads, street railways, telegraph, telephone, or electric light or power systems in streets, alleys, parks, or highways. *The amount represented by any certificate or improvement bond issued as aforesaid shall be a debt due personally from such corporation, company, or individual, payable in the case of a certificate when the taxes for the year of its issue are payable, and in the case of a bond according to the terms thereof.*

(Am. 1911, c. 664, s. 55.)

Section 1210l. The officers now authorized by law to collect and receive the same from individuals shall have full power to receive and collect all such special assessments in the same manner as the same are now collected from individuals, and in addition thereto such officers shall have power at the direction of the proper authorities of the city or village making such special assessments, upon the non-payment of any such special assessments by any corporation, company, or individual mentioned in section \* \* \* 1210k of \* \* \* the statutes within the time now limited by law for the payment of such special assessments by individuals, or in the case of a county, city, village,