

2. The * * * *tax commission* shall ascertain and determine the amount of the tax when paid into the state treasury by any company, which on the basis of eighty-five per cent of the whole, shall be distributed to the towns, cities and villages, through or in which its business is operated, and shall cause to be entered in the record of the * * * *tax commission* the names of such towns, cities and villages, and opposite the names thereof, the amount of taxes to be paid to each such municipality.

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

Approved July 7, 1911.

No. 50, S.]

[Published July 10, 1911.]

CHAPTER 613.

AN ACT to amend sections 30 and 94n; to repeal sections 11a to 11m, inclusive, and sections 29, 32, and 35; and to create sections 29 and 94n—1 of the statutes, relating to non-partisan nominations, primaries, caucuses, and convention and special elections.

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

SECTION 1. Sections 30 and 94n of the statutes are amended to read: Section 30. * * *

1. *Independent or non-partisan nominations may be made for any office to be voted for at any general, judicial, special, or city election.*

2. *Such nominations shall be made by nomination papers, containing the name of the candidate, the office for which he is nominated, his business or vocation, residence, post-office address, and except as otherwise provided by law the party or principle he represents, if any, expressed in not more than five words.*

3. *To each separate nomination paper shall be appended the affidavit of a qualified elector to the effect that he is personally acquainted with all the persons who have signed the foregoing nomination paper, that they are electors and that their residence, post-office address and date of signing are truly stated therein. But such affidavit shall not be made by the candidate named therein.*

4. *Such nomination papers shall be signed, if for a candidate to be voted for throughout the state, by at least one thousand voters thereof; if for a candidate to be voted for throughout a county, district, or other division less than the state, or within a city or ward, by at least three per centum of the whole num-*

ber of votes cast therein for governor at the last preceding general election, but in no case by less than fifteen voters.

5. Each voter shall sign for but one candidate for the same office, and shall add his residence, post-office address and the date of signing.

6. Such nomination papers shall be filed as follows: For candidates to be voted for throughout the state or any division or district embracing more than one county, in the office of the secretary of state, not more than forty nor less than fifteen days before the election for which the nominations are made; for candidates to be voted for wholly within one county, in the office of the county clerk, not more than forty nor less than fifteen days before such election; for candidates to be voted for wholly within one city, in the office of the city clerk, not more than fifteen nor less than four days before such election.

7. All such nomination papers shall be destroyed by the officer with whom they are filed, on the first day of January next succeeding the election, except such papers as may be material to any investigation or litigation then pending, which shall be preserved until the final determination of such investigation or litigation. All nomination papers heretofore filed and in the custody of any such officer shall be destroyed forthwith.

Section 94n. 1. All special elections for county officers shall be ordered by the county clerk, except that a special election for county clerk shall be ordered and noticed by the sheriff in the manner required of such clerk in other cases. The officer who orders such an election shall give notice in the manner hereinafter provided. All other special elections shall be ordered by the governor.

2. Every such order shall specify the office to be filled, how the vacancy occurred, the name of the officer, * * * the time when his term of the office will expire, the county or district in which and the day on which such election shall be held, which day shall not be less than * * * *twenty-five* nor more than forty days from the date of such order.

3. When made by the governor, such order shall be filed and recorded in the office of the secretary of state; when made by the county clerk or sheriff, it shall be filed and recorded in the office of the * * * county clerk.

SECTION 2. Sections 11a, 11b, 11e, 11d, 11e, 11f, 11g, 11h, 11i, 11j, 11k, 11l, 11m, 29, 32, 35 and section 31 of the statutes are hereby repealed.

SECTION 3. There are added to the statutes two new sections to read: Section 29. 1. Whenever a special election shall be

ordered as provided by section 94n of the statutes, all party candidates to be voted for at such election shall be nominated by a primary, which shall be held at a time to be fixed by the officer with whom the order for such special election is filed not less than fifteen nor more than thirty days after the date of the filing of such order. This section shall apply to the filling of vacancies in the office of member of the assembly, state senator, representative in congress and county officers.

2. Notice of any such primary shall be given by the officer aforesaid forthwith upon the filing of the order for the special election, and publication thereof shall be made by the county clerk once in each week from the date of said order to the date of the primary.

3. Nomination papers shall be filed not later than eight days before the day of the primary.

4. When the primary embraces more than one county, the secretary of state shall, at least seven days prior thereto, transmit to each county clerk a certified list of all persons for whom nomination papers have been filed in his office.

5. Except as otherwise provided herein, the provisions of the statutes in relation to the holding of the September primary, in so far as applicable, shall apply to all primaries held under this act.

(Am. 1911, c. 64, s. 145.)

6. The electors of any town or village may assemble in caucus to make nominations of candidates for town and village offices, at which caucus only qualified electors of such town or village shall participate and, on the demand of any elector, the vote shall be by ballot. At each such caucus a caucus committee of three qualified electors shall be elected, who shall give at least five days' notice, fixing the time and place of the next caucus to be held in such town or village.

Section 94n—1. In case of a vacancy in the office of United States senator, the governor may order a special primary for the nomination of candidates for said office. Said order shall specify the date of the said special primary and shall be filed in the office of the secretary of state who shall forthwith give notice thereof. All provisions of law relating to the September primary shall apply to said special primary in so far as applicable. Said order shall be made not less than sixty days before the date of said primary. Thereafter the governor may convene a special session of the legislature to elect a United States senator to fill such vacancy. In every case of vacancy in the office of United States senator there shall be submitted to the voters

of the state at the next general primary the question of nomination of candidates unless it has been determined at a special primary called by the governor as herein provided.

SECTION 4.. This act shall take effect and be in force from and after its passage and publication.

Approved July 7, 1911.

No. 1070, A.]

[Published July 10, 1911.

CHAPTER 614.

AN ACT to renumber and amend section 4959d of the statutes, relating to works of necessity or charity.

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

SECTION 1. Section 4959d of the statutes is renumbered and amended to read: Section * * * 4595d. The keeping open of a store or shop for the sale of dry goods, wearing apparel, hats, caps, boots, shoes, hardware, furniture, crockery, glassware, jewelry, * * * coffees, teas or spices, * * * on the first day of the week, shall not be deemed a work of necessity or charity.

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

Approved July 7, 1911.

No. 1050, A.]

[Published July 10, 1911.

CHAPTER 615.

AN ACT to amend section 1, of chapter 309, laws of 1895, as amended by chapter 436, laws of 1901, relating to the redistricting, readjusting and changing of the boundaries of wards in cities of the first class having special charters.

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

SECTION 1. Section 1, of chapter 309, laws of 1895, is amended to read: Section 1. The common council of all cities of the first class, organized under special charter, may by a * * * *three-fifths* vote of all its members within two years after each state or United States census is taken and the result thereof as to its population is made known, redistrict, readjust and change the boundaries of wards so that they shall be as nearly equal in population as may be, and to that end such council may create new wards and consolidate old ones, but no ward shall be created having a population less than * * * *ten* thousand nor exceeding * * * *twenty-five* thousand. In redistricting such