

cost of such construction, an amount in excess of the estimated cost of the right of way, and the total amount stated in such written proposition. Provided further that before the railroad shall be required to incur any expense whatever in the construction of said spur track, the person, firm, corporation, or association primarily to be served thereby, shall give the railroad a bond to be approved by the commission as to form, amount and surety, securing the railroad against loss on account of any expense incurred beyond the amount so deposited with the railroad.

3. Whenever such spur track is so connected with the main line, as herein provided, at the expense of the owner of such proposed or existing mill, elevator, storehouse, warehouse, dock, wharf, pier, manufacturing establishment, lumber yard, coal dock, or other industry or enterprise, and any person, firm, corporation, or association shall desire a connection with such spur track, application therefor shall be made to the commission, and such person, firm, corporation, or association shall be required to pay to the person, firm, corporation, or association that shall have paid or contributed to the primary cost and expense of acquiring the right of way for such original spur track, and of constructing the same, an equitable proportion thereof, to be determined by the commission, upon such application and notice, to the persons, firms, corporations, or associations that have paid or contributed toward the original cost and expense of acquiring the right of way and constructing the same.

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

Approved June 16, 1909.

No. 940, A.]

[Published June 19, 1909.

CHAPTER 482.

AN ACT to amend section 1565c of the statutes, relating to the sale of intoxicating liquors contrary to vote.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1565c of the statutes is amended to read: Section 1565c. 1. Any person who shall, on or after the first * * * day of July following an election under the provisions of the two preceding sections, vend, sell, deal or traffic in or, for the purpose of evading any law of this state, give away any spiritous, malt, ardent or intoxicating liquors or

drinks in any quantity whatever in any town, village or city wherein a majority of the votes cast at such election shall have been against license, shall *be guilty of a misdemeanor and* be punished by a fine of not less than * * * *one hundred* dollars nor more than * * * *two hundred* dollars, besides the ~~costs~~; or in lieu of such fine by imprisonment in the county jail not to exceed * * * *one year* nor less than three months. And in case of punishment by fine unless the fine and costs be paid forthwith, be committed to the county jail until they are paid, or until discharged by due course of law; and in case of a second or subsequent conviction of the same person during any year the punishment shall be by both fine and imprisonment.

2. And in any such town, village or city, the existence or the issue of any permit or special tax stamp from the United States government, authorizing or permitting any person to engage in the occupation of selling distilled, spirituous or fermented liquors at the time and place of any alleged violation of the excise law, shall be accepted as prima facie evidence that such person is vending, selling, dealing or trafficking in or, for the purpose of evading the laws of this state, giving away spirituous, malt, ardent or intoxicating liquors or drinks contrary to the result of the election provided for in the two preceding sections.

3. Nothing in this or the two next preceding sections shall be construed as affecting the sale of such liquors for medicinal mechanical or scientific purposes only by registered pharmacists as provided in section 1548a.

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

Approved June 16, 1909.

No. 305. S.]

[Published June 19, 1909.

CHAPTER 483.

AN ACT to amend subsection 3 of section 11—28, section 33, and subsections 15 and 16 of section 38 of the statutes, relating to certification of non-partisan nominees and delegates, to national conventions, and the order in which their names shall appear upon the ballot.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Subsection 3 of section 11—28 of the statutes is amended to read: Section 11—28. 3. The names of all