

No. 110, S.]

[Published March 8, 1911.

**CHAPTER 10.**

AN ACT to amend section 94s of the statutes, relating to elections to fill vacancies in judicial offices.

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

**SECTION 1.** Section 94s of the statutes is amended to read:

**Section 94s.** 1. In all cases of vacancy in the office of circuit judge or county judge, the election to fill such vacancy shall be held on the first Tuesday of April next after the vacancy happens, in case such vacancy happen \* \* \* *forty* days or more before such day; but \* \* \* if the vacancy happen within \* \* \* *forty* days before such first Tuesday, then the election shall be held on the first Tuesday of April \* \* \* *of the next ensuing year.* In all cases of vacancy in *the* office of justice of the supreme court, the person appointed to fill such vacancy shall continue to hold his office until an election can be had in some year in which no other justice is elected and until his successor is elected and qualified: Provided that no election to fill a vacancy for justice of the supreme court, circuit judge, or county judge shall be held at the time of holding the regular election for such office.

2. *At least twenty days notice of every election to fill a vacancy in the office of county judge or municipal judge shall be given by the county clerk of the county in which the vacancy has occurred.*

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

Approved March 8, 1911.

No. 93, A.]

[Published March 17, 1911.

**CHAPTER 11.**

AN ACT to amend sections 875 and 878 of the statutes, and to create section 875m, relating to the election and term of office of village officers.

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

**SECTION 1.** All acts and parts of acts conflicting with any provisions of this act are repealed in so far as they are inconsistent therewith.

**SECTION 2.** Section 875 of the statutes is amended to read: **Section 875.** At the annual charter election in each village there shall be chosen the following officers, viz.: A president, \* \* \*

a clerk, a treasurer, an assessor and a constable; also two justices of the peace and a police justice, if required to be elected in such year, unless such last-named office shall have been discontinued, and a supervisor, except in counties having a population of at least two hundred and fifty thousand. All other officers, *except trustees*, of villages organized under the provisions of this chapter or any general law shall be appointed by the village board at their first meeting after the annual election unless such board shall otherwise provide; and such officers shall be removable by such board on a vote of a majority of all the trustees. No person not a resident elector in such village shall be eligible to any office therein. The village clerk may appoint a deputy clerk for whom he shall be responsible, and who shall take and file the oath of office, and in case of the absence, sickness or other disability of the clerk may perform his duties and receive the same compensation unless the village board shall appoint a person to act as such clerk.

SECTION 3. Section 878 of the statutes is amended to read: Section 878. The term of office of all village officers, *except trustees*, justice of the peace and police justice, shall be one year and until their respective successors are elected or appointed and qualified and all vacancies *including president and trustees* therein, except police justice and justice of the peace shall be filled for the residue of the unexpired term only. Every such vacancy except police justice shall be filled by the village board, and if any officer be absent or temporarily incapacitated from any cause the board may appoint some person to discharge, in the meantime, his duties. The board may accept the resignation of any officer.

SECTION 4. There is added to the statutes a new section to read: Section 875m. Villages shall have a president and six trustees unless its charter shall otherwise provide and shall elect them as follows: The president shall be elected annually. On the first Tuesday in April following the taking effect of this act, one-half of the trustees shall be elected for a term of one year and one-half of the trustees shall be elected for a term of two years and each year thereafter one-half of the trustees shall be elected for a term of two years; provided, that in villages having an odd number of trustees, the village board shall by ordinance determine the number to be elected at such election held on the first Tuesday in April following the taking effect of this act for a term of one year, and the number to be elected for a term of two years, which number shall be one-half the number of said body as near as may be, provided, that in any village, which at

its last annual charter election prior to the taking effect of this act elected one-half of its trustees for a term of two years, said trustees so elected for two years may continue in office for the balance of the term for which so elected and in all such villages at the first annual charter election after the passage of this act there shall be no trustees elected for the term of one year. Annually thereafter the trustees of said village shall be elected for two years; provided, that the president and trustees of all villages in counties having a population of one hundred and fifty thousand or more, shall be elected for a term of two years, at the municipal election held in said villages on the first Tuesday in April, of each year in which is to be held a general election for state and county officers.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 17, 1911.

No. 46, S.]

[Published April 1, 1911.

## CHAPTER 12.

AN ACT to validate valuations placed upon public utilities for purposes of acquisition by a municipality.

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

SECTION 1. Whenever the railroad commission has under the provisions of sections 1797m—80 to 1797m—86 of the statutes, fixed, determined, and certified just compensation to be paid for the taking of the property of a public utility by the municipality, and has proceeded as provided by law in all particulars except that such fixing, determination, and certification have not been completed within the time provided for by such sections, the just compensation fixed, determined, and certified by such railroad commission shall nevertheless be deemed to be the just compensation that shall be paid by such municipality to the public utility for the acquisition of such property, and such fixing, determination, and certification shall have the same force and effect as though they had been done and completed within the time provided for by law.

(Am. 1911, c. 664, s. 1.)

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

Approved April 1, 1911.