

No. 305, A.]

[Published June 15, 1911.]

CHAPTER 327.

AN ACT to amend section 5, of chapter 159, of the laws of Wisconsin, for the year 1852, incorporating the Milwaukee Gas Light Company.

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

SECTION 1. Section 4, of chapter 159, of the laws of Wisconsin for the year 1852, is amended to read: Section 4. The said company shall have power and full * * * authority to manufacture, make and sell gas to be made from any and all the substances or a combination thereof, from which inflammable gas is obtained, for the purpose of lighting the city of Milwaukee, or the streets thereof, or any buildings, manufactories, public places or houses therein contained, and to erect all necessary works and apparatus, and to lay pipes for the purpose of conducting the gas in any of the streets, avenues, commons, lanes or alleys in said city; provided, that no permanent injury shall be done to any street, highway, lane or alley in said city, agreeably to the terms and conditions of a contract now existing between the city of Milwaukee and John Lockwood, entered into on the sixth day of June, A. D. 1851, a certified copy of which contract shall be placed on file in the office of the secretary of state. *It being the purpose hereof to repeal the exclusive nature of the above grant and of all amendments thereto.*

SECTION 2. All acts or parts of acts in conflict with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved June 14, 1911.

No. 199, A.]

[Published June 15, 1911.]

CHAPTER 328.

AN ACT to create section 86 of the statutes, providing remedy for recount of ballots and correction of errors, and irregularities by inspectors and boards of canvassers at primaries and elections.

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

SECTION 1. There is added to the statute a new section to read: Section 86. 1. Whenever any candidate, voted for at any primary or election, shall, on or before the last day of the meeting of the board of county canvassers, file with the county

clerk a verified petition setting forth that he was a candidate for a specified office at said primary or election, and that he is informed and believes that a mistake or fraud has been committed in specified precincts in the counting or return of the votes cast for the office for which he was a candidate, or specifying any other defect, irregularity or illegality in the conduct of said primary or election, said board shall forthwith proceed to ascertain and determine the facts alleged in said petition and make correction accordingly and recount the ballots in every precinct so specified in accordance therewith. Such petition shall first be served, as in case of summons in a court of record, upon all opposing candidates, if an election, and the opposing candidates of the same party, if a primary. Such petition and proof of service thereof shall be filed with the county clerk, together with a fee of two dollars for each precinct in which a recount of the ballots is demanded in said petition. The affiant and all opposing candidates shall be entitled to be present in person and by counsel and observe the proceedings.

2. Each member of said board of canvassers, for the purposes mentioned in this act, shall have power to administer oaths, certify to official acts and issue subpoenas, and the provisions of section 1797—13, with regard to compelling the attendance of witnesses, shall apply to the proceedings before such board, except that the fees of witnesses shall be paid by the county.

(Am. 1911, c. 664, s. 47.)

3. Within five days after the determination of said board, any candidate aggrieved thereby may appeal therefrom to the circuit court of said county, by serving a notice in writing to that effect upon such other candidates who appeared before said board. Such notice shall be filed with the clerk of the circuit court, together with an undertaking by the appellant, with surety to be approved by the clerk of said court or the judge thereof, conditioned for the payment of all costs taxed against said appellant. The circuit judge shall forthwith issue an order directing the county clerk of said county to transmit to the clerk of said court forthwith all ballots, papers and records affecting such appeal and fixing a time and place for hearing thereon, in open court or at chambers, or before a referee, not later than five days from the making of such order. Such order shall be served upon the county clerk and all such other candidates who have appeared before said board. A reference may be ordered upon any or all questions. At the time and place so fixed the matter shall be summarily heard and determined and the costs taxed as in other civil actions.

4. Nothing in this act shall be construed to abrogate any

right or remedy that any candidate may now have affecting the trying of title to office.

(Am. 1911, c. 664, s. 47.)

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

Approved June 14, 1911.

No. 779, A.]

[Published June 15, 1911.]

CHAPTER 329.

AN ACT to repeal section 929—2 of the statutes, and to amend section 1966—38 of the statutes, relating to surety on official bond.

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

SECTION 1. Section 1966—38 of the statutes is amended to read: Section 1966—38. The state, any county, town, village * * * city or school district may pay * * * the cost of any official bond furnished by * * * an officer thereof, pursuant to law or any rules or regulations requiring the same, if said officer shall furnish a bond with a surety company or companies authorized to do business in this state, said cost not to exceed * * * one-fourth of one per cent * * * per annum on the amount of said bond or obligation by said surety executed * * * .

SECTION 2. Section 929—2 of the statutes is repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved June 14, 1911.

No. 751, A.]

[Published June 15, 1911.]

CHAPTER 330.

AN ACT to create section 1416—4a of the statutes, relating to the furnishing, cleansing and disinfecting of cuspidors.

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

SECTION 1. There is added to the statutes a new section to read: Section 1416—4a. 1. It shall be the duty of the owner and occupant, and every person in charge of any public or quasi-public institution, dispensary, railroad station, office building, store, theater, restaurant, hotel, boarding or lodging house, factory, workshop or other building, used in a public or quasi-public manner, to keep the same in a clean and sanitary condition. In order to promote the general health, whenever ordered