

"Section 6. That on and after the passage of this act it shall be unlawful for any such common carrier to permit the space between such of its tracks as are ordinarily used by yardmen and other employes in the discharge of their duties, to become or remain obstructed by any foreign obstacle that will interfere with the work of said employes or subject said employes to unnecessary hazard. Such space between or beside said tracks as aforesaid, and between the rails of said tracks must be kept in such condition as to permit said employes to pass over or between said tracks or to use the same by day or night and under all weather conditions without unnecessary hazard, provided, however, that *wherever any railroad company has already begun work on depressing a portion of its tracks, within the corporate limits of any municipality, whether under contract with such municipality or otherwise, this act shall not apply to any depression of the tracks of such company lying wholly within the corporate limits of such municipality. Provided further, that none of the provisions of this act shall apply to any part of any work or enterprise heretofore begun or under construction, whether under contract between any railroad company and any municipality or otherwise.*"

Approved April 23, 1913.

CHAPTER 449—H. F. No. 36.

An Act providing for the expression of the popular will for party nominations of president and vice-president of the United States; providing for the nomination of presidential electors, the election of delegates and alternates to national party conventions and providing for the expenses of delegates and alternates, and the election of national committeemen therefor.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Presidential preference primary election to be held on second Tuesday in March.—In the years when the president and vice-president of the United States are to be elected, there shall be held, on the second Tuesday in March of said year, an election for the purpose of allowing a popular expression for the party nominations of president and vice-president, for nomination of presidential electors and for the election of delegates and alternates to the national conventions of each political party.

Sec. 2. How conducted and how votes are to be canvassed.—Except as herein otherwise provided, such election shall be announced, held and conducted and the results canvassed and

returned in the same manner as is now provided by law for primary elections, excepting that there shall be no registration of voters prior to the election herein provided; and provided that nothing contained in this act shall alter or amend the existing primary election law except as herein specifically provided.

Sec. 3. How voted in state and districts.—The presidential electors to which the state of Minnesota is entitled, as provided by law and the constitution of the United States, and the delegates at large to which said state is entitled, as fixed by the rules of the national committee of the political party with which the candidates are affiliated, shall be voted upon throughout the state. The delegates from each congressional district, as fixed by the rules of the national committee of the political party with which the candidates for delegates are affiliated, shall be voted for in such district.

Sec. 4. Names of candidates to be placed on tickets.—The names of candidates for president and vice-president shall be placed upon the ballot by a petition of two per centum of the total vote cast for the candidate for president at the last preceding presidential election of the political party with which such signers are affiliated, not exceeding, however, five hundred petitioners. Any person eligible and desirous of having his name placed upon the ballot as a candidate for presidential elector or delegate, shall, at least thirty days before such election, file his affidavit with the secretary of state when to be voted for in more than one county, and with the county auditor when in a single county, stating his residence, that he is a qualified voter of the subdivision where he seeks nomination, the name of his party and the office for which he desires to be a candidate and either that he affiliated with such party at the last general election and either that he did not vote thereat or voted for a majority of the candidates of said party at the last general election and intends to so vote at the ensuing election, and that he will, to the best of his judgment and ability, faithfully carry out the wishes and preferences of the voters of his political party as expressed by the voters at such nominating election.

Sec. 5. Voter to vote for delegates from state and congressional districts.—Every qualified voter shall have the right at such presidential primary election to vote for the number of candidates for national delegates from his congressional district and the number of candidates for delegates at large as are fixed by the rules of the national committee of the political party with which such voter and candidates for delegates are affiliated and for the nomination of candidates for presidential electors to which said state of Minnesota is entitled, as provided by law and the constitution of the United States.

Sec. 6. To declare party affiliation.—Before receiving any ballot at the election provided for herein each elector must declare the name of the party with which he intends to affiliate in the coming general election, under oath if any judge may so desire, and he shall receive only the ballot of the political party with which he declares his intention so to affiliate.

Sec. 7. Delegates and alternates.—In the election of delegates to party conventions the persons having the largest number of votes shall be elected delegates and the persons receiving the next highest number of votes shall be elected alternates.

Sec. 8. Duties of secretary of state and auditors.—The secretary of state shall certify to the auditors of the several counties the names of all persons to be voted for within such counties whose affidavits or petitions have been properly filed with him for presidential electors, delegates, president and vice-president of the United States, as near as practicable, as provided by Section 186, Revised Laws 1905, as amended, and the county auditors shall prepare for use in their respective counties, a primary ballot for such election, as near as practicable, as provided in Sections 186 and 187 of the Revised Laws 1905, as amended, and said ballots shall be so prepared as to permit an expression by the voter voting the same, upon each of the candidates for all the positions provided for in this act, including the office of president and vice-president. The names of candidates for president and vice-president shall appear at the top of the ballot. The names of all candidates for president and vice-president of the United States shall be so printed on said ballots solely upon petition of their political supporters in Minnesota without such persons themselves signing any petition or acceptance, and the persons receiving the highest number of votes of his party voters shall be decided to be the choice of such party for the office of president and vice-president of the United States, and the delegates of such political party shall, to the best of their judgment and ability, faithfully carry out the wishes and preference of the voters of his political party as expressed at such election.

Sec. 9. Delegates to be entitled to reimbursement for expenses to national convention.—Every delegate to a national convention shall be entitled, upon filing proper vouchers with the state auditor, to reimbursement for his expenses incurred for actual attendance upon such convention to an amount not exceeding \$150.00, and where an alternate attends such convention, sits in the place of a delegate and performs the duties as such, he shall be entitled to the reimbursement herein provided.

Sec. 10. Above provisions to govern.—Delegates and alternates to said national convention shall be chosen only as herein prescribed.

Sec. 11. National committeeman.—Delegates and alternates of each political party chosen under this act shall meet together immediately after the nomination of party candidates for president and vice-president of the United States and shall choose a duly qualified member of their party, being a citizen of Minnesota to serve as a national committeeman for the term of four years.

Sec. 12. Inconsistent acts repealed.—All acts and parts of acts inconsistent herewith are hereby repealed.

Sec. 13. This act shall take effect and be in force from and after its passage.

Approved April 23, 1913.

CHAPTER 450—H. F. No. 123.

An Act relating to foreign fraternal beneficiary associations, and providing for the incorporation of members and subordinate lodges or camps in this state of foreign fraternal beneficiary associations licensed to do business in this state, and for rates or assessments of such association, and for the disposition of property of subordinate lodges or camps and for the recovery of funds not properly collected by such foreign fraternal beneficiary association, and providing penalties for the violation of this act, and providing for the cancellation of license in certain cases.

Be it enacted by the Legislature of the State of Minnesota :

Section 1. When state lodges may sever connection with national association.—When one-third of all the subordinate lodges or camps organized at the time of the passage of this act in any fraternal beneficiary association now licensed to do business in the state of Minnesota, within two years after the passage of this act, at regular or special meetings called therefor, adopt resolutions by a majority vote of each lodge or camp, provided at least thirty-five per cent (35%) of all the members of such lodge or camp voted for said resolution declaring that they thereby sever their connections with such foreign fraternal beneficiary association, they may, in conjunction with each other, continue as a fraternal beneficiary association, and may become incorporated as a fraternal beneficiary association under this act, provided that at least seventy-five hundred (7,500) members of such lodges or camps so severing their connection with such foreign fraternal beneficiary associations, have signified in writing their intention to transfer their insurance to the association incorporated under this act and to become members of such association.

Sec. 2. Incorporation of state association.—When a subordinate lodge or camp of any foreign fraternal beneficiary association, now licensed to do business in this state, shall become