

No. 2, A.]

[Published May 15, 1899.]

CHAPTER 349.

AN ACT relating to the form of official ballots for general elections, and amending sections 37, 38, 40, 51, 52 and subdivisions 1 and 3 of section 57, of the Wisconsin statutes of 1898.

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

County clerk's
notice of elec-
tions.

SECTION 1. Section 37, of the Wisconsin statutes of 1898, is hereby amended by striking out the word "opposite" where it occurs in the thirty-third line thereof, and inserting in lieu thereof the words "in the square under the name or at any place in the space occupied by," and by striking out the word "after" where it occurs in the thirty-seventh line of said section, and inserting in lieu thereof the word "under;" and by inserting after the word "for" where it occurs in the same line the words "or at any place within the space in which the name is printed," so that said section when so amended shall read as follows: Section 37. In making publication of an election notice, the county or city clerk, as the case may be, shall precede the same with a statement which shall be substantially in the following form, to be modified or varied according to the nature of the election, the caption to which shall be conspicuously displayed:

ELECTION NOTICE.

Office of _____ Clerk,
_____, 18____.

Character of
election.

To the electors of _____ county, or city:

Notice is hereby given that a general election or judicial or city, or school, or special, or judicial and city election, as the case may be, is to be held in the several towns, wards and election precincts in the county or city of _____, on the _____ day of _____, 18____, at which the of-

ficers named below are to be chosen. The names of the candidate for each office to be voted for, whose nominations have been certified to this office, are given opposite the title of the office and under the appropriate party or other designation, each in its proper column, and the questions submitted to a vote are stated below.

INFORMATION TO VOTERS.

The following instructions are given for the information and guidance of voters. A voter upon entering the polling place and giving his name and residence, will receive a ballot from the ballot clerk which must have endorsed thereon the names or initials of both ballot clerks, and no other ballot can be used. Upon receiving his ballot, the voter must retire alone to a booth or compartment and prepare the same for voting. A ballot clerk may inform the voter as to the proper manner of marking a ballot, but he must not advise or indicate in any manner whom to vote for. If it be a general election these words are to follow: the voter if he wishes to vote for all the candidates nominated by any party, should make a cross mark X under the party designation printed at the top of the ballot in the square made for that purpose. A ballot so marked, and having no other mark, will become [be counted] for all the candidates of that party in the column underneath, unless the names of some of the candidates of the party have been erased or a cross mark be placed in the square under the name or at any place in the space occupied by the name or names of candidates in another column, and will be counted for all names written in lieu of one erased. If the voter wishes to vote for some of the candidates of different political parties, he should make a cross mark under the name of each candidate he desires to vote for, or at any place within the space in which the name is printed. If he wishes to vote for a person for a certain office whose name is not on the ballot, he must write the name in the blank space under the

What ballot clerk may advise.

Marked ballots, how counted.

When name can be written in.

printed name of the candidate for the office. The ballot should not be marked in any other manner. If the ballot be spoiled, it must be returned to the ballot clerk, who must issue another in its stead, but not more than three in all to any one voter. Five minutes' time is allowed in booth to mark ballot. Unofficial ballots or memorandum to assist the voter in marking his ballot can be taken into the booth, and may be used to copy from. The ballot must not be shown so that any person can see how it has been marked by the voter. After it is marked, it should be folded so that the inside cannot be seen, but so that the printed indorsements and signatures of the ballot clerks on the outside may be seen. Then the voter should pass out of the booth or compartment, give his name to the inspector in charge of the ballot box, hand him his ballot to be placed in the box, and pass out of the voting place. A voter who declares to the presiding officer that he is unable to read, or that by reason of physical disability he is unable to mark his ballot, can have assistance of one or two election officers in marking the same, to be chosen by the voter; and if he declares that he is totally blind, he may be assisted by any person chosen by him from among the legal voters of the county. The presiding officer may administer an oath in his discretion, as to such persons disability. The party designations and candidates for the different offices are, for example as follows: insert list of party designations and candidates.

Time allowed in booth.

When voter may be assisted.

Office.	Democratic ticket.	People's ticket.	Prohibition ticket.	Republican ticket.	Ind. nominations.
Governor	A. B.	B. C.	C. D.	D. E.	E. F.
Lieutenant Governor.	F. G.	G. H.	H. I.	I. J.	J. K.

_____, County Clerk.

No other or further publication of the notice provided for by this and the preceding section, shall be required to be made by any county or city clerk, except that in cities, the clerk shall at the foot of such notice, specify the place of voting in each election precinct, and the hours of opening and closing the polls. The compensation to be paid for all publications of such notice shall be the amounts hereinafter specified and no more. For a general election, in weekly newspapers one hundred and twenty dollars, and in daily newspapers two hundred and forty dollars; for a judicial election, in weekly newspapers twenty-five dollars and in daily newspapers fifty dollars; for a municipal election, in weekly newspapers thirty-five dollars and in daily newspapers seventy dollars, which shall cover all insertions required to be made; provided, that in cities of the first class the compensation for publication of said notice shall be at the rate of, one dollar per square for the first insertion, and seventy-five cents per square for each subsequent insertion. The word square as used in this section, shall be construed to mean a space one inch in length of the column of the newspaper in which any such notice is published; but any fraction of a square shall be paid for as a full square.

Voting places
to be specified.

Fees for pub-
lication of
notice.

SECTION 2. Section 38 of the Wisconsin statutes of 1898, is hereby amended by inserting after the word "party" where it occurs in the twelfth line of said section, the words "which columns are to be separated by heavy black lines no less than one-eighth of an inch wide," and by inserting after the word "printed" where it occurs in the sixteenth line of said section, the words "in a space separated from the other names in that column by a line not less than one-sixteenth of an inch wide," and by striking out the words "on the same line with the name of each candidate and at the end of his name," where they occur in the thirty-second and thirty-third lines of said section, and inserting in lieu thereof the words, "under the name of each candidate," and by striking out the words "opposite the name of such can-

Form of ballot
described.

Kind of paper
to be used.

didate" where they occur in the thirty-fifth and thirty-sixth lines thereof, and by striking out the words "following that, on the same line," where they occur in the fifty-third line of said section, and insert in lieu thereof the words "under that," so that said section when so amended shall read as follows: Section 38. Every ballot printed under the provisions of this chapter for use at general elections, shall be upon white print paper at least twelve inches wide and of any sufficient length to afford space for all the tickets or several candidates in columns therein; said paper shall be cut from sheets twenty-four by thirty-six inches in size, and weighing thirty-five pounds to the ream; if a different sized sheet is used the weight per ream shall be proportioned as above. The several regular party tickets nominated by conventions or by regularly constituted and authorized committees, shall each be printed in one column, under the appropriate party designation, the columns to be arranged alphabetically according to the first letter of the party name, thus democratic party, labor party, prohibition party, republican party, which columns are to be separated by heavy black lines no less than one-eighth of an inch wide; such party designation to be given as hereinbefore provided. On the left hand side of the ticket shall be a column designating the office to be voted for, and on the same line, in the columns under the appropriate party designations of each, all the names of candidates duly nominated for that office, shall be printed in a space separated from the other names in that column by a line not less than one-sixteenth of an inch wide; provided that no county clerk shall place the name of any person upon such ballot as a candidate for the office of county superintendent of schools, unless such person shall have filed in such clerk's office, at least ten days before the day of election at which such superintendent is to be elected, proof of having successfully taught in one or more of the public schools of this state, for the period of eight months, and a copy of a cer-

No name to
appear twice
on ballot.

tificate entitling him to teach in any such school or of a certificate known as a county superintendent's certificate unless such person, before the first day of May, 1895, had held the office of county superintendent of schools in this state. There shall be a space between the party designation at the top of each column and the name of the head of the ticket of five-eighth of an inch; and in the center of the space under the party designation, a square of three-eighths of an inch formed by black lines, in which the voter by his mark may declare that he votes for all names printed in that column, except such as are erased or written over or otherwise marked, as hereinafter specified. There shall also be left under the name of each candidate sufficient space to write a name therein in lieu of the one printed; and under the name of each candidate there shall be a space inclosed in a square of black lines in which the voter may designate by a cross mark, or other mark, his choice for each candidate. No pasting names over a ticket or over any names thereon shall be allowed, and no names so pasted shall be counted except as provided in section 34. When any person is nominated for the same office, by more than one party or convention, his name shall be placed upon the ticket under the designation of the party which first nominated him, or if he was nominated by more than one party or convention at the same time, he shall, within the time fixed by law for filing certificates of nomination, file with the officer with whom his certificate of nomination is required to be filed, a written election indicating the party designation under which he desires his name to be printed on the ballot, and it shall be so printed. If he shall refuse or neglect to so file such an election, the officer with whom the certificate of nomination is required to be filed, shall place his name under the designation of either of the parties by which he was nominated, but under no other designation whatever. The names of persons nominated by paper nominations, shall be placed in one or more columns under the designation of individ-

Space for writing in names.

When person is nominated by more than one party, to file written election.

Paper nominations.

ual nominations, and on the same line with the office for which they are nominated, and after the name of each shall be printed his party designation as given in his nomination papers, and under that the space for marking, provided that the name of the same individual shall not be placed on the ticket under the head of individual nominations if his name already appears under a party designation. On the back and outside of every ballot shall be printed the words, official ballot for _____, followed by the designation of the polling place for which the ballot is prepared and the date of the election, the official endorsement and blank certificates in the following forms: I certify that the within ballot was marked by me for an elector incapable under the law of marking his own ballot, and as directed by him.

Filing on back of ballot. —

_____, Inspector of Election.

I certify that the within ballot was marked by me for a blind elector at his request, and as directed by him. _____. No party designation need be placed upon ballots for school or judicial officer, except for county or district superintendents of schools outside of cities. Ballots for judicial and city elections shall be printed upon the quality of white print paper hereinbefore specified, and shall be of sufficient size to afford space for all the tickets or several candidates in columns therein. Party candidates shall be arranged thereon as above provided for ballots at general elections, and the names of persons nominated by nomination papers, and not included in the regular convention tickets, shall be placed as is provided for individual nominations on the ballots at general elections. Such ballots shall have similar matter printed on the back and outside as other official ballots are required to have.

Ballots for judicial and city elections.

Official ballot.

SECTION 3. Section 40 of the Wisconsin statutes of 1898, is hereby amended so as to read as follows: Section 40. The official ballots for general elections and for regular city elections, with the indorsements thereon, and the instructions

given at the head thereof as herein amended, shall be in substantially the annexed form, provided, that ballots for such city elections may be varied as to the titles of the offices to be printed thereon, to conform to the law under which each such election is held.

SECTION 4. Section 51 of the Wisconsin statutes of 1898, is hereby amended by striking out the word "against" where it occurs in the fifth line of said section, and inserting in lieu thereof the words "in the space in which appears," so that said section when so amended, shall read as follows: Section 51. On receiving his ballot the elector shall forthwith, and without leaving the polling place, retire alone to one of the booths or compartments to prepare the same, which shall be done, in the case of a general election, by marking at the head of the ticket he wishes to vote for, or in the space in which appears the name of the person or persons he wishes to vote for, a cross mark, thus X, or, in case of a ballot containing a constitutional amendment or other question submitted to the people, by making in the appropriate margin or place, a crossmark or other symbol, as herein provided, under or against the answer he desires to give as his vote; but in judicial or school elections, he must make such crossmark after the name of each person he desires to vote for. If he wishes to vote for a person for a certain office whose name is not on the ballot, he must write such name in the blank space under the printed name of one of the candidates for that office. An elector may use or copy an unofficial sample ballot which may have been marked in advance of his entering the polling place, but he shall not use or bring into such place any such ballot printed upon paper of the color or quality required to be used for printing official ballots. After preparing his ballot, the elector shall fold it so that its face will be concealed, and so that the printed indorsement and signatures or initials of the ballot clerks thereon may be seen. He shall then vote forthwith and before leaving the polling place.

Ballot, how
voted.

Voter may use
for copy an
unofficial bal-
lot.

Marked ballots, how counted.

SECTION 5. Section 52 of the Wisconsin statutes of 1898, is hereby amended by striking out the word "against," where it occurs in the sixth line of said section, and inserting in lieu thereof the words "in the space in which appears," so that said section when so amended, shall read as follows: Section 52. At any election, other than a judicial or school election, any elector may mark a cross as above described in the space under a party designation printed at the head of the ballot. Such ballot so marked shall be counted for all the nominees of the party whose names and designations appear thereon in that column, unless the voter shall have erased some name therein, or marked in the space in which appears the name of another candidate for the same office in some other column, or written in another name, in which case the name written in or so marked, shall be counted as the one voted for the particular office. Ballots cast at such elections as are excepted from the provisions of this section, must be marked as is required by the provisions of the preceding section.

Straight tickets, how voted.

SECTION 6. Subdivision 1 of section 57, of the Wisconsin statutes of 1898, is hereby amended by striking out the word "opposite" where it occurs in the sixth line of said subdivision, and inserting in lieu thereof the words "in the space in which appears," so that said subdivision when so amended, shall read as follows: 1st. If the elector shall place on his ballot at a general election, a cross mark or other equivalent mark or symbol under a party designation, at the head of the column, in or near the space indicated for that purpose, he shall be deemed to have voted for all the candidates whose names appear in the column under such mark, unless some name or names shall be erased, or unless in some other column he shall have placed a mark in the space in which appears the name of some other candidate for the same office.

Intent of voter to govern.

SECTION 7. Subdivision 3 of section 57, of the Wisconsin statutes of 1898, is hereby amended so as to read as follows: 3rd. If an elector shall

mark his ballot with a crossmark, X, or any other mark, as

|, \, v, o, —, /, √, +,

at any place within the space in which the name appears, indicating an intent to mark any such name, it shall be deemed a sufficient vote for the candidate whose name occupies such space.

SECTION 8. All acts or parts of acts contravening the provisions of this act, are hereby repealed.

SECTION 9. This act shall take effect and be in force, from and after its passage and publication.

Approved May 4, 1899.

No. 371, S.]

[Published May 9, 1899.

CHAPTER 350.

AN ACT construing chapter 311 of the laws of Wisconsin for the year 1899.

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

SECTION 1. Nothing contained in chapter 311 of the laws of the state of Wisconsin for the year 1899 shall be construed as altering, amending or repealing chapter 266 of the laws of the state of Wisconsin for the year 1899.

Relating to
Dane county.

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

Approved May 3, 1899.