

*structing such gas or water service pipes, as the case may be, and report the same to the city clerk who shall annually enter in the tax roll as special taxes against such utilities, the total of the amounts so certified to him for such charges, and the same shall be collected in all respects like other city taxes against said utilities, and the city shall have a legal and valid claim for the amount of such special taxes against such utilities; provided that no application for such review shall be effective unless the same be made and notice thereof filed in the office of the clerk of the city making such requirement within thirty days after service of the notice of such requirement as above provided; and on such review the railroad commission shall make such order as to extension of time for the doing of such work and as to all other conditions affecting such requirement as the commission shall deem reasonable or expedient.*

4. No street shall be paved, \* \* \* repaved, macadamized, surfaced or permanently improved by order of the council unless the water, heat and gas mains and service pipes and necessary sewers and their connections shall, as required \* \* \* under this section, be first laid and constructed in that portion of such street so to be paved, \* \* \* repaved, macadamized, surfaced or permanently improved.

SECTION 2. This act shall take effect upon passage and publication.

Approved July 5, 1917.

No. 622, A.]

[Published July 7, 1917.

## CHAPTER 570

AN ACT to amend subsection (1) of section 11.54, and sections 11.55, 11.56, 11.58, 11.59, 11.60, 11.61, 11.62, 11.63 and 11.65 of the statutes, relating to voting by mail.

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

SECTION 1. Subsection (1) of section 11.54, and sections 11.55, 11.56, 11.58, 11.59, 11.60, 11.61, 11.62, 11.63 and 11.65 of the statutes are amended to read: (11.54) (1) Any qualified elector of this state registered where registration is required or who swears in his vote as herein provided, who through the nature of his business, is absent or expects in the course of said business, to be absent from the precinct in which he is a qualified elector, or from this state, or who because of sickness or physical disability cannot appear at the polling place in such precinct.

on the day of holding any general, special, primary, county, city, village or town election, may vote at any such election as provided in sections 11.54 to 11.68, inclusive, of the statutes.

11.55 Any elector, as defined in section 11.54 of the statutes \* \* \* may, not more than twenty nor less than three days, *or if application is made in person not less than one day*, prior to the date of such election, make application to the county clerk of such county, or the clerk of the city, village or town, as the case may be, for an official ballot to be voted at such election.

11.56 (1) Application for such ballot shall be made in person or by mail on a blank to be furnished by the county clerk or the clerk of the city, village or town, as the case may be, in which the applicant is an elector, and shall be substantially in the following form:

Application for Ballot to be Voted at the-----Election on-----  
STATE OF----- }  
County of----- } ss.

I, -----, do solemnly swear that I have been a resident of the state of Wisconsin for one year, and of the -----precinct of -----ward of the city or town (village) of-----ten days next preceding this election, and that I am a duly qualified elector entitled to vote at said election. That I am----- (stating business) and (because of the nature of my business expect to be absent from) (*or*) (*because of sickness or physical disability cannot appear at the polling place in*) said precinct on-----, the date of said election, and I hereby make application for an official ballot or ballots to be voted by me at such election, and that I will return said ballot or ballots to the officer issuing same, on or before the day of said election. Date-----

Signed-----Residence (street and number) ---- ('ity)-----  
Post-office address-----

Subscribed and sworn to before me this-----day of-----  
A. D. 19-----

(Penalty clause set out in full.)

(2) *In case of sickness or physical disability, a certificate of a duly licensed physician certifying as to such sickness or disability shall be attached to the application.*

11.58 The county, city, village or town clerk, as the case may be, shall inclose such ballot or ballots in an envelope unsealed to be furnished by him, which envelope shall bear upon the face thereof the name, official title and post-office address of such

county, city, village or town clerk, and upon the other side a printed affidavit in substantially the following form:

STATE OF \_\_\_\_\_ }  
 County of \_\_\_\_\_ } ss.

I, \_\_\_\_\_, do solemnly swear that I am a resident of the \_\_\_\_\_precinct of the (town) (village) of \_\_\_\_\_or of the \_\_\_\_\_ward in the city of \_\_\_\_\_residing at \_\_\_\_\_in said city, and the county of \_\_\_\_\_and state of Wisconsin, and am entitled to vote in such precinct at the election to be held on \_\_\_\_\_. That I am \_\_\_\_\_(stating business) and (my duties as such prevent my being in the county of my residence) (or) (because of sickness or physical disability cannot appear at the polling place in said precinct) on the day of said election. I further swear that I marked the inclosed ballot in secret. Signed \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_day of \_\_\_\_\_, A. D., 19\_\_\_\_, and I hereby certify that the affiant exhibited the inclosed ballot to me unmarked; that he then in my presence and in the presence of no other person, and in such manner that I could not see his vote, marked such ballot and inclosed and sealed the same in this envelope; that the affiant was not solicited or advised by me to vote for or against any candidate or measure.

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 11.59 Such absent or sick or disabled voter shall make and subscribe to the affidavit provided for in section 11.58 of the statutes, before an officer authorized by law to administer oaths and such voter shall thereupon in the presence of such officer and of no other person, mark such ballot or ballots, but in such manner that such officer cannot know how such ballot is marked, and such ballot or ballots shall then in the presence of such officer be folded by such voter so that each ballot will be separate and so as to conceal the marking and be in the presence of such officer, deposited in such envelope together with any unused portion of the ballot, and the envelope securely sealed. Said envelope shall be mailed by such voter, \* \* \* postage prepaid, to the officer issuing the ballot, or if more convenient it may be delivered in person.

11.60 Upon receipt of such absent or sick or disabled voter's ballot, the county, city, village or town clerk, as the case may be, shall forthwith inclose the same, unopened, together with the application made by said absent or sick or disabled voter, in a

larger or carrier envelope which shall be securely sealed and indorsed with the name and official title of such clerk, and the words, "this envelope contains an absent or sick or disabled voter's ballot and must be opened only at the polls on election day while said polls are open," and such clerk shall thereafter safely keep the same in his office until delivered by him as provided in section 11.61 of the statutes.

11.61 In case an absent or sick or disabled voter's ballot is received by the county, city, village or town clerk, as the case may be, prior to the delivery of the official ballots to the inspectors of election of the precinct in which said elector resides, such ballot envelope and application, sealed in the carrier envelope, shall be enclosed in such package and therewith delivered to the inspectors of election of such precinct. In case the official ballots for such precinct have been delivered to the inspectors of election at the time of the receipt by the county, city, village or town clerk of such absent or sick or disabled voter's ballot, such official shall immediately inclose said envelope containing

• • • such voter's ballot, together with his application therefor, in a larger or carrier envelope which shall be securely sealed and indorsed on the face to the inspectors of election, giving the name or number of precinct, street and number of the polling place, city, village or town in which such • • • voter is a qualified elector and the words "this envelope contains an absent or sick or disabled voter's ballot and must be opened only on election day at the polls while the polls are open," mailing the same, postage prepaid, to such inspectors of election or, if more convenient, such county, city, village or town clerk may deliver such • • • voter's ballot to the inspectors of election in person or by duly deputized agent. Such clerk or agent shall secure his receipt for delivery of such ballot or ballots. Provided that such delivery of ballots by person shall be made without expense to the county, city, village or town, as the case may be.

11.62 At any time between the opening and closing of the polls on such election day the inspectors of election of said precinct shall open the outer or carrier envelope only, announce the absent or sick or disabled voter's name and compare the signature upon the application with the signature upon the affidavit on the ballot envelope. In case the inspectors find the affidavits executed, that the signatures correspond, that the applicant is a duly qualified elector of the precinct and that the applicant has not voted in person at said election, they shall

open the envelope containing \* \* \* *such* voter's ballot in such manner as not to deface or destroy the affidavit thereon and take out the ballot or ballots therein contained without unfolding or permitting the same to be unfolded or examined and, having indorsed the ballot in like manner as other ballots are required to be indorsed, deposit the same in the proper ballot box or boxes and enter the *absent or sick or disabled* voter's name in the poll book, the same as if he had been present and voted in person. In case such affidavit is found to be insufficient, or that the signatures do not correspond, or that the applicant is not a duly qualified elector in such precinct, or that the ballot is open, or has been opened and resealed, or that the ballot envelope contains more than one ballot of any one kind, or if at a primary the unused portion of the ballot shall not be returned, such vote shall not be accepted or counted. Every ballot not counted shall be indorsed on the back thereof "rejected (giving reason therefor)." All rejected ballots shall be inclosed and securely sealed in an envelope on which the inspectors shall indorse "defective ballots" with a statement of the precinct in which and the date of the election at which they were cast, signed by the inspectors and returned to the same officer and in the same manner as by law provided for the return and preservation of official ballots voted at such election.

11.63 The vote of any *absent or sick or disabled* voter may be challenged for cause and the inspectors of election shall have all the power and authority given by law to hear and determine the legality of such ballot as if the ballot were cast by the voter in person.

11.65 All the provisions of the election laws now in force and not inconsistent with the provisions of sections 11.54 to 11.68, inclusive, of the statutes, shall apply with full force and effect to all counties, cities, villages and towns in which voting machines are used, relative to the furnishing of ballot boxes: the printing and furnishing of official ballots in such number as the county, city, village or town clerk, as the case may be, may deem necessary; and the canvassing of the ballots and making the proper return of the result of the election. The *absent or sick or disabled* voter's ballot shall be counted and returned separately, with the returns of the ballots cast on the voting machine.

SECTION 2. This act shall take effect upon passage and publication.

Approved July 5, 1917.