

[No. 663, A.]

[Published April 2, 1887.]

CHAPTER 250.

AN ACT relating to recounting ballots, and to provide penalties for destruction of same.

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

SECTION 1. Upon the conclusion of the recount of the ballots cast at any election had in pursuance of law, the board of canvassers shall make out a statement of the result of such canvass, and the county clerk shall alter and amend such former returns as have been proved to be erroneous. Such board of canvassers shall also determine who has received the greatest number of votes for the office in question, as appears from such recount and canvass, which determination shall be reduced to writing, and filed in the office of the proper county clerk. The county clerk shall thereupon immediately issue his certificate, reciting the facts as the same appear of record in his office, and shall deliver such certificate, duly attested, to the person entitled to the same. Such certificate when so issued shall be *prima facie* evidence of the right of the person holding the same to the office therein named, and shall annul any former certificate issued by such clerk pursuant to the provisions of section 50, of the revised statutes. Any person desiring to contest the election of any senator or member of assembly receiving the certificate under this section may do so within thirty days after the issuing of such certificate in the manner provided by chapter 10, of the revised statutes.

Duty of board of canvassers on recount of ballots.

SECTION 2. Any person who shall wilfully and maliciously destroy, conceal, alter or cancel any ballot or ballots cast at any election, held within this state, except when authorized by law, shall, upon conviction thereof, be punished by imprisonment in the state prison for a term not exceeding five years nor less than one year, and by fine not exceeding five thousand dollars, nor less than five hundred dollars.

Penalty for wilful and malicious destruction of ballots.

Penalty for wilful destruction.

SECTION 3. Any person who shall wilfully and without malice or by culpable negligence destroy, conceal, alter or cancel any ballot or ballots, cast at any election held within this state, except when authorized by law, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars.

Amending sec. 464, laws 1885—secretary of state to provide selfsealing envelopes.

SECTION 4. Section 11, chapter 464, laws of 1885, is hereby amended so as to read as follows: Section 11. The secretary of state shall provide a sufficient number of selfsealing envelopes to supply all the polls of this state for the use of the inspectors in preserving and returning the ballots cast at any general election, or at the election of a judge of the circuit or supreme court. In all other cases the county clerks of the several counties shall supply all the voting precincts within their respective counties, with a sufficient number of such selfsealing envelopes to enable the inspectors at the several precincts to preserve and return the ballots as herein provided. Such envelopes shall be distributed by the officers above named in the same manner as blanks are now distributed for use at elections.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.
Approved April 1, 1887.

[No. 493, A.]

[Published April 21, 1887.]

CHAPTER 251.

AN ACT authorizing Hugh B. Mills to improve Robinson creek, in Jackson county, for log-driving purposes.

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

Hugh B. Mills, et al., authorized to improve Robinson creek, Jackson county.

SECTION 1. Hugh B. Mills, his heirs, legal representatives or assigns are hereby authorized to build and maintain a dam or dams and otherwise improve Robinson creek, in township number