

board, upon the recommendation of the chief of police, shall have the power to assign any member retired or drawing pension to the performance of light duties in such department where in their judgment it shall be advisable. No person shall be entitled to receive any benefit from any such pension fund other than that prescribed by this act, and in no event shall any allowance be paid to any widow after her remarriage or to any minor child after it attains the age of *eighteen* years.

Conflicting laws repealed. SECTION 4. All acts and parts of acts inconsistent with this act are hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved June 1, 1905.

No. 129, A.]

[Published June 3, 1905.]

CHAPTER 287.

AN ACT to amend section 80 of the statutes of 1898 relating to defective ballots and providing for the preservation of all ballots after being counted by the inspectors.

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

Preservation of ballots by inspectors; county clerk to destroy after sixty days; opening of ballots in case of contest. SECTION 1. Section 80 of the revised statutes of 1898 is hereby amended by striking out the words "forthwith to the proper town, city, or village clerk to be preserved in his office," where the same occurs in lines 9 and 10 of said section, and inserting in lieu thereof the words, "as hereinafter provided;" and further by striking out all of that part of said section 80 after the word "itself" in the 14th line of said section, and inserting the following: "Before separating, the inspectors shall fold in two folds, and string closely upon a single piece of flexible wire, all ballots which have been counted by them, except those marked "objected to," unite the ends of such wire in a firm knot, seal the knot in such manner that it cannot be untied with-

out breaking the seal, enclose the ballots so strung in a secure canvas covering and securely tie and seal such canvas covering with official wax impression seals, to be provided, by the inspectors in such manner that it cannot be opened without breaking the seals, and return said ballots, together with the package containing the ballots marked "defective or objected to" in such sealed canvas covering to the county clerk, and such officer shall carefully preserve said ballots for sixty days and at the expiration of that time shall destroy them by burning without previously opening the package. Such ballots shall be destroyed in the presence of the official custodian thereof and two electors of approved integrity and good repute and members respectively of the two leading political parties. The said electors shall be designated by the county judge of the county in which such ballots are kept: Provided, that if any contest of the election of any officer voted for at such election shall be pending at the expiration of said time, the said ballots shall not be destroyed until such contest is finally determined. In all cases of contested elections the parties contesting the same shall have the right to have said ballots opened and to have all errors of the inspectors in counting or refusing to count any ballot corrected by the court or body trying such contest, but such ballots shall be opened only in open court or in open session of such body and in the presence of the officer having the custody thereof," so that when said section is so amended, it will read as follows: Section 80. If any of the ballots cast at any election are found to be so defective that the inspectors cannot determine with reasonable certainty for whom they were cast, and if any were cast by any person who shall have been challenged, and if any shall be decided by a majority of the inspectors to be or not to be defective, the inspectors shall make a statement in writing, in duplicate, certified to be correct and signed by them, of the contents of each of such ballots, attach such statement to the statements of the canvas, and carefully seal up in an envelope all such ballots, and deliver the same *as hereinafter provided*. No ballot shall be regarded as defective by reason of the misspelling of a candidate's name, or by abbreviation, addition, omission or use of the wrong initial of such name, but every ballot shall be counted for the candidate for whom it was evidently intended, if the intention of the voter can be clearly ascertained from the ballot itself. *Before separating, the inspectors shall fold in two folds and string closely upon a single piece of flexible wire, all ballots which shall have been counted by them, except those marked "objected to," unite the ends of such wire in a firm knot, seal the knot in such manner that it cannot be untied without*

breaking the seal, enclose the ballots so strung in a secure canvas covering and securely tie and seal such canvas covering with official wax impression seals, to be provided, by the inspectors in such manner that it cannot be opened without breaking the seals, and return said ballots, together with the package containing the ballots marked "defective or objected to" in such sealed canvas covering to the county clerk, and such officer shall carefully preserve said ballots for sixty days, and at the expiration of that time shall destroy them by burning without previously opening the package. Such ballots shall be destroyed in the presence of the official custodian thereof and two electors of approved integrity and good reputation and members respectively of the two leading political parties. The said electors shall be designated by the county judge of the county in which such ballots are kept: Provided, that if any contest of the election of any officer voted for at such election shall be pending at the expiration of said time, the said ballots shall not be destroyed until such contest is finally determined. In all cases of contested elections the parties contesting the same shall have the right to have said ballots opened and to have all errors of the inspectors in counting or refusing to count any ballot corrected by the court or body trying such contest, but such ballots shall be opened only in open court or in open session of such body and in the presence of the officer having the custody thereof.

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

Approved June 1, 1905.

No. 227, A.]

[Published June 3, 1905.

CHAPTER 288.

AN ACT to amend section 1319 of the statutes of 1898, as amended by chapter 225 of the laws of 1903, relating to county aid in building or repairing bridges.

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

County aid in building and repairing; limitation. SECTION 1. Section 1319 of the statutes of 1898, as amended by chapter