

court below, and shall subsequently, by amendment, supplemental pleading or otherwise, set forth and prove a discharge in bankruptcy obtained after the giving of such undertaking, the appellate court shall hear and determine all the issues of said action, and if the court shall find that judgment would have been rendered against the appellant, except for such new defense of a discharge in bankruptcy obtained subsequently to the giving of such undertaking, the appellate court shall give judgment against the appellant and his surety or sureties, jointly, with a perpetual stay of execution of said judgment against the appellant, and that execution as to him be returned wholly unsatisfied.

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

Approved June 15, 1911.

No. 847, A.]

[Published June 17, 1911.]

CHAPTER 373.

AN ACT to amend section 54 of the statutes, relating to aid in marking ballots.

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

SECTION 1. Section 54 of the statutes is amended to read: Section 54. 1. Any voter who declares to the presiding election officer that he is such, that he cannot read or write, or that by physical disability, other than total blindness, he is unable to mark his ballot, shall be informed that he * * * *may have assistance, and when such assistance shall be requested, two of the inspectors, clerks or ballot clerks shall be selected by such voter to assist him in marking his ballot, which inspectors, clerks or ballot clerks shall not be of the same political party.* In case the voter is totally blind he may be assisted by any person chosen by him from among the legal voters of the county in which the voting precinct is located. The * * * officers or other person selected by any such voter shall retire to the booth or compartment with the elector, and shall read to him the names of all the candidates on the ballot for each office, and ask him. "Which one do you vote for?" and the ballot shall be marked according to his expressed preference, and such * * * officers or person selected to assist shall certify on the outside of the ballot that it was marked with his or their assistance, and shall thereafter give no information regarding the same.

2. The presiding officer at the election may, in his discretion, require such declaration of disability to be made by the voter under oath, and may administer such oath. Intoxication shall

not be regarded as a physical disability, and no intoxicated person shall for that reason be entitled to assistance in marking his ballot. After a ballot has been marked for a voter he shall not show it to any person except that it may be submitted to another election officer, or if a blind man, to such person as he may select to ascertain if it has been marked as he desired. The clerk shall enter upon the poll list after the name of any elector who had assistance in marking his ballot a memorandum stating that the ballot was marked by * * * *two inspectors, clerks or ballot clerks*, or by a person selected by a blind man. The provisions of this section shall apply to the marking of ballots upon which any question is submitted to a vote of the people.

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

Approved June 15, 1911.

No. 969, A.]

[Published June 17, 1911.

CHAPTER 374.

AN ACT to amend subsection 4, of section 4560a—4, of the statutes, relating to the closed season for game fish in the Catfish river in Rock county.

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

SECTION 1. Subsection 4, of section 4560a—4, of the statutes, is amended to read: (Section 4560a—4.) 4. In Big Yellow river from mouth to Babcock, Lemonweir from mouth to mouth of Bear creek, pickerel shall be classed as rough fish. In Lake Koshkong, *that part of the Catfish river lying in Rock county*, and that part of the Rock river lying in Jefferson and Rock counties, there shall be no closed season for game fish caught with hook and line, except large mouth bass and small mouth bass.

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

Approved June 15, 1911.

No. 988, A.]

[Published June 17, 1911.

CHAPTER 375.

AN ACT to amend section 4389 of the statutes, relating to the abuse of inmates of institutions.

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

SECTION 1. Section 4389 of the statutes is amended to read: Section 4389. Any officer or other person in charge of or em-