

of 150,000 or over shall expire, he shall forthwith deliver over to the clerk of any municipal court having limited civil jurisdiction in such county all the books and papers relating to his office as justice of the peace. If there be no such municipal court in such county, such justice shall deliver over such books and papers to the nearest justice of the peace.

The clerk of such municipal court to whom such docket and papers are delivered may issue execution upon any judgment appearing on said books, and may issue certified transcripts thereof in the same manner and with like effect as a justice of the peace under section 3591 of the statutes of Wisconsin. And such municipal court to the clerk of which the books and papers of a justice are delivered over as herein provided may proceed to hear, try and determine any matter or action pending before such justice, and enter judgment therein, which judgment when so entered shall have the same force and effect as any other judgment of said municipal court.

SECTION 8. All acts or parts of acts inconsistent or in conflict with the provisions of this act are hereby repealed.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 June 17, 1909.

No. 22, A.]

[Published June 23, 1909.

CHAPTER 545.

AN ACT to create sections 44a—1 to 44a—36 inclusive, of the statutes authorizing any county board to adopt the coupon ballot for use at general elections, and providing methods for its use when so adopted.

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

SECTION 1. There are added to the statutes thirty-six new sections to read: Section 44a—1. It is the intention of this act to provide a form of ballot for use at general elections, whereby there will be no opportunities for fraudulent practices, one that may be counted rapidly and whereby a complete record will be kept in the tally sheets, showing how each ballot was counted, and this act shall be so construed as to give force and effect to this expressed intention.

Section 44a—2. After the passage and approval of this act it shall be lawful for the county board of any county in this state to adopt the hereinafter described coupon ballot and

its appropriate tally sheets for use in that county at general elections, and when so adopted said hereinafter described coupon ballot shall be used at general elections in the counties where thus adopted. Provided, however, that such county board may order the discontinuance of such coupon ballot after it has been used at one general election and return to the use of such other form of ballot as may be authorized by law. Provided further, that the expense for furnishing such coupon ballots shall not exceed the present expense for such purpose except in counties where such expense is now less than twelve dollars per thousand, except as the increase in population shall occasion increased expense.

Section 44a—3. All ballots used at general elections, in accordance with section 44a—2 of this act shall be substantially in form as follows:

1. The ballot shall consist of a sufficient number of contrastingly colored, perforated sheets stapled together at the top above the first line of perforation. Each sheet shall have an exposed part whereon shall be printed its political or party name or designation. Each sheet shall be approximately six inches wide and as long as may be necessary to accommodate the names of all candidates of its political designation, printed as hereinafter provided for.

2. Each sheet shall be perforated into two columns of equal width by two parallel lines of perforation three-fourths of an inch apart, extending from the bottom of the sheet to the first line of cross perforation at the top. Each column of each sheet shall be perforated into coupons approximately three-fourths of an inch wide, except that one coupon may be wide enough to accommodate the names of the party candidates for president and vice-president and of all the names of the party candidates for presidential electors, when such are to be elected. The first line of perforation near the top of each sheet shall extend across the entire sheet so that the whole sheet of coupons may be readily torn off at such cross line.

3. There shall be space at the top of each sheet to permit the printing of brief instructions to voters above the first cross line of perforation, and also the before mentioned party or political designation of the sheet.

There shall be as many sheets of different colors as there are political parties legally entitled to a party designation upon the official ballot, and a sheet for individual nominations, if there are any, which shall be white and of sufficient length to accommodate all individual nominations,

Section 44a—4. The coupons of each sheet shall be numbered consecutively beginning with the upper left hand coupon which shall be numbered one. Such numbers shall be printed on the outer margins of the coupons in figures eighteen point in size. All party sheets shall contain the same number of coupons and shall be numbered correspondingly. Coupon number 1 of each sheet shall bear the designation, "For Governor" printed at the top of the coupon.

Section 44a—5. The names of all the candidates of a political party shall be printed upon the sheet of its designation in the following manner: The name of the party's candidate for governor shall be printed on coupon number 1 in the next line below the designation, "For Governor" and shall be followed in the next line by the party designation. The names of the candidates, of the party, for other state offices shall follow on the succeeding coupons in the order now or hereafter provided by law, printed and designated as above stated. The names of the party candidates, for state senator, member of assembly, and county officers shall follow, printed and designated in the same manner, one name on each coupon, unless there be no party nomination for an office, in which case the coupon representing such office shall bear the words "No nomination," printed in like manner and in such place as the name would have been printed had there been a nomination.

The names of the party candidates for president and vice-president and presidential electors, if such are to be elected, shall be printed on the last or lower right hand coupon of the sheet, which shall be of sufficient width for such purpose. Such presidential coupon shall bear the official designation, "For President and Vice President," at the top, followed by the names of the party candidates for president and vice president and the names of the party candidates for presidential electors, and the party designation shall appear at the bottom of the coupon.

Section 44a—6. The ballot shall be printed upon paper of sufficient strength and thickness to be convenient for handling when separated into coupons and shall be accurately and efficiently perforated. There shall also be furnished with each ballot, one folder hereinafter called the "Official ballot folder" and one envelope hereinafter called the "Remainder envelope" each of which shall be of an appropriate size.

Section 44a—7. The official ballot folder provided in accordance with section 44a—6 of this act shall be so constructed as to permit the voter to arrange a complete ticket of separated

coupons taken from different sheets of the ballot, in rotation upon its inside, or so that it will enclose a folded sheet from the official ballot, to-wit: The inside of the official ballot folder shall be lined with two strips of cardboard, one on each side, which strips shall contain as many cut spaces as there are officers to be elected, (counting all presidential electors and president and vice president, as one officer).

Section 44a—8. Each such cut space, mentioned in section 44a—7 of this act, shall be so constructed as to hold a coupon of its number and shall be numbered consecutively with the same numbers used in numbering the coupons of the ballot, so as to permit the name and number of a coupon to be read without taking it out of the cut space. In addition to the number each cut space shall bear the designation of the office for which it is to contain a coupon. Each such space shall be separated by printed black lines.

Section 44a—9. Such official ballot folder shall be so constructed with side and end flaps, which shall be gummed, as to permit its being sealed completely to contain selected portions of the ballot. On the inside of the side flap shall be printed instructions to the voter, as follows:

“INSTRUCTIONS TO VOTER—The voter must enclose in this folder the coupon of every candidate he wishes to elect; and must put the remaining unused portions in the remainder envelope. Both the folder and the remainder envelope must be closed, (but not sealed) while in the booth, so that no one can see how the voter has chosen.

After he has left the booth, the voter must then seal both the remainder envelope and the folder, in view of the inspectors.

The ballot must not be marked in any manner that will identify it.

Each and every coupon must be preserved in the manner above described.

The slits are for holding separate coupons and may be used or not, as the voter wishes. If they are used, the counting is much easier for inspectors as the coupons will be held in place when the folder is opened.”

Such official ballot folder shall be made of opaque paper to preserve the secrecy of the ballot.

Section 44a—10. Upon the outside of the official ballot folder, so situated as not to be interfered with in sealing it, shall be printed the following form, and instructions to inspectors of election, as follows:

“OFFICIAL BALLOT FOLDER

November 190

Township (or precinct)

..... Ballot Clerk

..... Ballot Clerk

INSTRUCTIONS TO INSPECTORS OF ELECTION

The number to be placed in the space below must be the same as the number placed upon the remainder envelope, which contains that part of the ballot which the voter does not wish to vote and must be placed there by the inspectors, after the ballot is taken from the ballot box.

This folder and the envelope containing the remainder of the ballot must be attached together by the inspectors before placing in the ballot box, using the pocket on the outside of the remainder envelope for that purpose, placing this folder into the pocket.

As soon as they are taken out of the ballot box each part must be numbered before they are separated, or as they are separated from each other, using the same number for both parts of the ballot.

After numbering, and separating, then this folder must be opened, its contents counted, and its number must appear on the tally sheet showing the column in which it is recorded.

BALLOT NUMBER.....”

Section 44a—11. The remainder envelope provided in accordance with section 44a—6 of this act shall be so constructed as to permit the enclosure of all or any part of the ballot without folding and completely conceal it, before it is sealed. It shall be provided with a gummed flap to permit of its being sealed completely to contain the whole of the remainder of the ballot after the voter has selected his choice. Below the main flap which closes said envelope shall be printed the following: “REMAINDER ENVELOPE. Return all unused coupons in this envelope. This preserves the secrecy of your ballot. The voter must seal this and the official ballot folder, after coming out of the booth so that the inspectors may see him seal them.”

Section 44a—12. Upon the other side of the remainder envelope there shall be a pocket sufficiently deep to contain the official ballot folder which may only partly conceal such folder but so provided with a gummed projection, as to permit of securely connecting said official ballot folder and the

remainder envelope so that they will not become separated from each other when placed in the ballot box.

Section 44a—13. Upon the aforesaid attaching pocket shall be printed the following:

“INSPECTORS’ POCKET, for official ballot folder.

Instructions to inspectors:—The official ballot folder must be placed and sealed down in this pocket by the inspectors and then put into the ballot box,—all in view of the voter.”

A blank space designated:—BALLOT NUMBER..... shall be printed upon the side of the remainder envelope near the attaching pocket in a convenient place for numbering said remainder envelope to correspond with its companion official ballot folder, and under it shall be printed the following:—

“The number must be put on by the inspectors when the two parts of the ballot are separated, just before counting.

Section 44a—14. Said remainder envelope may be made of manilla and shall be of sufficient thickness to protect the secrecy of the ballot.

Section 44a—15. At any time within three months after the passage of this act the chairman of the state central committees of all political parties legally entitled to a political designation upon the ballot may meet in the office of the secretary of state and choose by lot or otherwise, a different color for each political party, to be the color of the paper, which the party ticket of the ballot shall be printed upon.

Section 44a—16. If such selection of colors is made by the aforesaid chairmen they shall file samples of the same in the secretary of state’s office and the ballot shall be printed upon such colors where the coupon ballot is in use.

Section 44a—17. If no such choice of colors has been made prior to such time then it shall be the duty of the secretary of state to make such selections of colors and file samples of the same in his office.

Section 44a—18. After the colors mentioned above are determined the secretary of state shall furnish each county clerk with such samples as will enable him to properly procure the printing of the ballot, to the end that the color shall be the same in all counties using this ballot.

Section 44a—19. The top sheet of the ballot shall be understood to be the sheet, the face of which is in sight, when the ballot is seen stapled in proper form. The total number of bal-

lots to be furnished in any county shall be divided into as many equal parts as there are political parties legally entitled to a political designation upon the ballot and each party sheet shall appear on the top in as many ballots as each other party sheet, to the end that there shall be no advantage of position of sheets in the ballot, an equal number of each such arrangement shall be furnished each precinct.

Section 44a—20. When any county board shall have adopted the coupon ballot as provided in section 44a—2 of this act, it shall be the duty of the county clerk in such county to officially notify the secretary of state of such adoption.

Section 44a—21. After the adoption of this ballot in any county one-half of the number of ballots now authorized by law to be furnished, shall be deemed sufficient unless there shall be some special reason for furnishing a larger number.

Section 44a—22. After the adoption of the coupon ballot in any county the election notice to be published in such county shall be prepared by the county clerk and shall inform the public of the names of all candidates for offices to be filled at the election stating their political party designation, if any, and shall also state that the coupon ballot will be used at such election. The notice shall then state the colors of the various sheets of the ballot to be used, and the parties that are represented by such colors, after which shall follow, the instructions to voters which are to be printed upon the official ballot folder. Such election notice shall further state that any qualified elector who wishes to vote for any person, for any office, whose name is not on the coupon ballot may do so in writing, which must be entirely separate from the coupon ballot, or its envelope or official ballot folder, in such manner that such written vote or ballot shall in no way identify such voter's coupon ballot.

Section 44a—23. Whenever a proposed amendment to the constitution or other question shall be submitted to the people, in counties where the coupon ballot is in use such question shall be submitted upon a separate ballot, in the manner now provided by law.

Section 44a—24. Each county clerk shall at the time of ordering official ballots printed, in counties where the coupon ballot is to be used, shall cause unofficial sample ballots to be printed which shall be like the official ballots in all respects except that the envelopes and folders shall be of a different color and the word "Unofficial" shall be printed in the place of the word "Official" and the words "Sample ballot" shall appear on the back of each sheet at the top. Such unofficial ballots

shall be furnished in like number and manner as now or hereafter provided by law, and used in all respects the same except that voters shall not be permitted to take any part of a sample ballot into the booth.

Section 44a—25. (a) In counties where the coupon ballot is used, the ballot clerks shall sign their names or initials in the space for that purpose on the back of the official ballot folder and shall deliver to each qualified elector one full and complete ballot, one official ballot folder and one remainder envelope. The ballot clerks may instruct the voter how to properly prepare his ballot but must not influence nor try to influence any voter as to whom he should vote for.

(b) Before delivering the ballot to the voters the ballot clerk shall attach a check label to the back of the ballot, at the top, by gumming, in such a manner that the check label shall not be concealed when the remainder of the ballot is concealed in the remainder envelope.

(c) Said before mentioned check labels shall be furnished by the county clerk with the ballots, in like number, and shall be similar in form to the following, and shall be provided with a gummed end for attaching to the ballots.

(Gummed on this side here)	Voters name to be written here by ballot clerk.	Voters name to be written here by ballot clerk.
	No.....	No.....

(d) Before attaching a check label to the ballot the clerk shall write the voter's name in both spaces provided for this purpose, and number both spaces with the same number. After attaching the check label to the ballot the ballot clerk shall then detach the outside end of said check label and preserve it until the close of the polls, when all such shall be destroyed.

Section 44a—26. Upon receiving a ballot from a voter, the inspectors shall verify the same with the ballot clerk who delivered the ballot to that voter, by calling off the name and number upon the projecting check label, in order to determine whether or not such ballot is the same identical ballot which was given to that voter by the ballot clerk, and no other ballot can be received from the voter, to be put into the ballot box. The inspectors must then detach the remaining, visible portion of the check label from such verified ballot and permit the voter to seal both envelopes. The inspectors must not look into either envelope or try in any manner to see how the voter has chosen.

Section 44a—27. On receiving his ballot the elector shall forthwith return alone to one of the booths or compartments to prepare the same. After preparing his ballot the elector shall close the same so as to conceal the contents of both the official ballot folder, and the remainder envelope, but he must not seal them in the booth. He shall proceed to the presence of the inspectors, permit the inspectors to detach the check label as provided in section 44a—26, of this act and there seal both the official ballot folder and the remainder envelope, so that the inspectors may see him seal them. The voter shall then deliver both the official ballot folder and the remainder envelope to the inspectors. Whereupon the inspectors shall securely connect both parts by placing the official ballot folder into the pocket on the side of the remainder envelope and seal it in so that both parts of the ballot shall be kept together. Then the inspectors shall put such attached parts of the ballot into the ballot box. After receiving his ballot the voter must not leave the polling place until he has returned the ballot to the inspectors. The voter must not carry away any part of the ballot from the polling place.

Section 44a—28. In determining the intent of the voter where the coupon ballot is used the following rules shall be observed:

1. If any elector shall place inside of the official ballot folder the whole of any party sheet of the ballot he shall be deemed to have voted for all of the candidates upon the sheet, unless he shall have enclosed therein the names of other candidates taken from other sheets of the ballot, also, in which case the other names so accompanying a party sheet shall be deemed an exception to the party sheet names of the same number, and shall be counted in preference to the names on the whole sheet even if the voter shall have neglected to remove the names that he did not wish to vote for from the party sheet.

2. Should the names of two or more candidates for the same office stand upon an equality as regards the evident intention of the voter, then neither shall be counted, for example: two loose coupons of the same number not accompanied by a party sheet. The voter must not write any name upon any part of the ballot and the writing of any name, or any other evident attempt to identify his ballot shall be sufficient grounds for rejecting such identified ballot.

Section 44a—29. (a) Should the voter wish to vote for any person whose name is not on the ballot, he may do so by writing such name and office on one of the blank sheets hereinafter men-

tioned, folding it so as to conceal the writing and voting it separately from the coupon ballot, and such name shall be counted for the office named provided that the total number of votes for that office shall be less than the total number of electors voting at such polls, provided however that no name upon such written ballot shall be counted if the same name is on the coupon ballot.

(b) The county clerk of every county in which the coupon ballot is used shall furnish, with the other supplies sent to each polling place, a number of sheets of ordinary white paper, equal to the number of ballots furnished, which shall be six inches wide and of sufficient length for the purpose of writing thereon a complete ticket for voting. One such sheet may be given to each voter by the ballot clerks with the ballot, and one such sheet must be given to any voter requesting it. Such blank so furnished for the purpose of writing and voting names not on the coupon ballot must be endorsed by the ballot clerks before delivering to the voter and so folded by the voter as to show such endorsement to the inspectors without exposing contents.

Section 44a—30. At the close of the polls, after the poll list has been verified in the manner now provided by law, the inspectors shall proceed to number the ballots consecutively. Both parts of each ballot, (the official ballot folder and the remainder envelope) shall be designated by the same number before separating them, or as they are separated. After thus numbering both parts of the ballot and separating them the remainder envelopes, containing the remainders of the ballots, shall be put back into the ballot box immediately, unopened, the official ballot folders shall then be opened and their contents recorded upon the tally sheets without removal from the folders, in the following manner.

Section 44a—31. Official ballot folder number 1 shall first be opened and its contents recorded by number upon the tally sheet in ballot column number one, whereupon it shall be closed and a string passed through it by means of a needle in such a manner as to pass through the side flap of the folder and the body of the folder in order to hold it securely closed when the string is finally tied as hereinafter provided. Ballot number two shall then be so opened, recorded and strung upon the same string in the same manner, and the process shall be continued with all the ballots consecutively until all shall have been so opened, recorded, and strung whereupon the string shall be passed around the bundle sidewise and endwise and securely tied and the wax seal of the election board affixed over the knot.

Section 44a—32. After the canvass is completed the inspectors shall take the remainders from the ballot box and tie and seal them in a bundle and place them in the sack as now provided by law.

Section 44a—33. In case a recount of the ballots is ordered the remainders of the ballots may be used for that purpose, giving each one the value of the absent portion. They may also be checked and compared by number with the contents of the official ballot folders.

Section 44a—34. Tally sheets made according to the plan of the sample tally sheet, hereto attached and made a part of this act, shall be used in all counties where the coupon ballot is used. Instruction for their use must be printed on the tally sheets and they must be kept accordingly and signed and preserved with the ballots, one tally sheet with the official ballot folders and one with the remainders.

Section 44a—35. The sample ballot, sample official ballot folder, and sample remainder envelope, hereto attached and made part of this act are intended to be illustrative of sections 44a—3, 44a—4 and 44a—5 of this act and may be represented by illustration for the purposes of publication of this act in newspapers.

Section 44a—36. In the counties that adopt the provisions of this act in accordance with section 44a—2 of this act, the elections shall be conducted in all respects the same as now provided by law except where present provisions are inconsistent with the provisions of this act in which case the provisions of this act shall control.

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

Approved June 17, 1909.

No. 576, S.]

[Published June 23, 1909.

CHAPTER 546.

AN ACT to create sections 116 and 117 of the statutes, relating to the revision of the statutes, and making an appropriation.

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

SECTION 1. There are added to the statutes two new sections to read: Section 116. 1. Upon the passage of this act, and thereafter on or after the third Wednesday in January of each year in which the legislature shall meet in regular session, the