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**LEGISLATURE OF PENNSYLVANIA.**

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**FILE OF THE HOUSE OF REPRESENTATIVES.**

**No. 629**      **Session of**  
**1919.**

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INTRODUCED BY MR. DIEHM, FEBRUARY 25, 1919.

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REFERRED TO COMMITTEE ON ELECTIONS, FEBRUARY 25, 1919.

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**AN ACT**

Providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the Board of registration commissions in cities of the first and second class in relation thereto and providing penalties

1      Section 1 *Be it enacted by the Senate and House of Repre-*  
2 *sentatives of the Commonwealth of Pennsylvania in General Assembly*  
3 *met and it is hereby enacted by the authority of the same That*  
4 *any duly qualified voter of this Commonwealth who by*  
5 *reason of his duties business or occupation is unavoid-*  
6 *ably absent from his lawfully designated election district*  
7 *and outside of the county in which he is an elector*  
8 *but within the confines of the United States on the day*  
9 *of holding any general municipal or primary election may*  
10 *vote by appearing before an officer either within or with-*

1 out the Commonwealth authorized to administer oaths and  
2 marking his ballot under the scrutiny of such official  
3 as herein prescribed. Such voter however may vote only  
4 for such officers and upon such questions as he would  
5 be entitled to vote for or on had he presented himself  
6 in the district in which he has his legal residence and  
7 in the manner hereinafter provided

8 Section 2 Any voter expecting to be absent from the  
9 county in which his lawfully designated election district is  
10 situated on the day of any general municipal or primary  
11 election and who desires to cast his ballot at such  
12 election may make application not more than thirty days  
13 and not less than five days next preceding such election  
14 to the county commissioners of such county for a cer-  
15 tificate of qualification and an official absent voter's ballot

16 Section 3 The certificate of qualification shall be is-  
17 sued by the county commissioners and shall set forth the  
18 name of such voter the name of the ward or district  
19 of the city borough town or township in which he re-  
20 sides if the voter is a resident of a borough town or  
21 township the certificate of qualification shall (be) set forth  
22 that such voter's name has been duly entered on the  
23 registry list by the assessor thereof as appears from such  
24 list if the voter is a resident of a city the certificate  
25 of qualification shall set forth that the voter personally  
26 registered according to law The certificate of qualification  
27 shall be in the following form

Certificate of Qualification

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We hereby certify that ..... is a resident of the ..... (district or precinct) of the ..... ward of ..... (city, borough town or township) of ..... county and Commonwealth of Pennsylvania (as appears by the personal registration books or the registry list of said district) and is a duly qualified elector of such district

.....  
.....  
.....

Dated .....

County Commissioners

County of .....

Section 4 The board of registration commissioners in cities of the first and second class shall certify to the county commissioners upon request any information that may be necessary for such county commissioners to properly fill out such certificate of qualification

Section 5 The county commissioners of the several counties shall prepare and have printed in addition to the regular and official ballots additional official ballots to be known as absent voter's ballots Such ballots shall be prepared and printed in the same form as the official ballot and shall in all respects be similar thereto except that on the back thereof shall be printed in addition to the form now required by law the words "Absent Voter's Ballot" There shall also be prepared three envelopes of such size and shape that will permit the placing of one

1 within the other On the first shall be printed only the  
 2 words "Absent Voter's Ballot" On the second shall be  
 3 printed the certificate of qualification and the affidavit of  
 4 the voter together with the the jurat of the official in  
 5 whose presence the ballot is marked and before whom  
 6 the affidavit is made the forms to be substantially as  
 7 herein provided On the third shall be printed the name  
 8 official title and post office address of the prothonotary  
 9 or the county commissioners of the county in which such  
 10 voter resides and to whom the returns shall be made  
 11 as hereinafter provided

12 Section 6 Application for a certificate of qualification  
 13 and for an absent voter's ballot shall be made on a  
 14 blank to be furnished by the county commissioners and  
 15 shall be in the following form

16 I ..... a duly qualified voter  
 17 of the ..... (district or precinct) of the....  
 18 ..... Ward of ..... (City  
 19 borough town or township) of .....  
 20 county and Commonwealth of Pennsylvania and entitled to  
 21 vote in such district at the next election (in case of  
 22 a primary election give party enrollment) expecting to be  
 23 absent from said county on the day for such election  
 24 hereby make application for a certificate of qualification  
 25 and an official absent voter's ballot

1 Witnesses .....

2 Signature of Voter

3 .....  
4 Dated .....

5 P O Address

6 Section 7 Such application blank shall upon request  
7 therefor be sent by the county commissioners to any ab-  
8 sent voter by mail if the necessary postage is prepaid  
9 by the voter or shall be delivered to any voter upon  
10 application made personally at the office of the county  
11 commissioners

12 Section 8 Upon receipt of such application properly  
13 filled out and duly signed or as soon thereafter as the  
14 official absent voter's ballots for the election district in  
15 which the applicant resides have been printed the county  
16 commissioners shall send to such absent voter by mail  
17 or shall deliver one official absent voter's ballot or if  
18 there is more than one such absent voter's ballot to  
19 be voted by a voter of such election district one of  
20 each kind Such ballot or ballots shall be enclosed in  
21 the envelopes as provided for in section five of this act  
22 and in the order in which they are mentioned therein  
23 The envelopes shall be kept unsealed Before sending or  
24 delivering such ballot the county commissioners shall satisfy  
25 themselves that the applicant is a qualified elector and  
26 if so satisfied they shall fill out and sign the certificate  
27 of qualification and shall enter or cause to be entered

1 on the registration book or registry list opposite the  
2 name of the applicant the words "Received absent voter's  
3 ballot"

4 Section 9 At any time after receiving such absent  
5 voter's ballot but within a sufficient time to permit the  
6 return of the marked ballot to the prothonotary or  
7 county commissioners of the county in which the voter's  
8 election district is situated on or before the day of such  
9 election the voter may appear before any officer either  
10 within or without the Commonwealth authorized to ad-  
11 minister oaths and mark such ballot under the scrutiny  
12 of such official in the following manner the voter shall  
13 first display the ballot to such official as evidence that  
14 the same is unmarked and shall then proceed to mark the  
15 ballot in the presence of such official but in such manner that  
16 such official is unable to see how the same is marked and then  
17 fold the ballot and enclose and securely seal the same in the  
18 envelope on which is printed the words "Absent Voter's Ballot"  
19 This envelope shall then be placed in the one on which  
20 is printed the certificate of qualification and the affidavit  
21 of the voter and the jurat of the official before whom  
22 the voter appears and such envelope sealed in like man-  
23 ner by the voter

24 Section 10 The voter shall then make out subscribe  
25 and swear to the affidavit printed on the face of such  
26 envelope which together with the jurat of such official  
27 shall be in the following form

1 Form of Affidavit and Jurat

2 Commonwealth of Pennsylvania

3 ss

4 County of .....

5 ..... do solemnly swear

6 (or affirm) that I have resided in the Commonwealth of

7 Pennsylvania one year (or having previously been a

8 qualified elector or native-born citizen of the Commonwealth

9 that I removed therefrom and returned then six months)

10 immediately preceding the date of this election and in

11 the ..... district or precinct of the .....

12 ward of ..... (city borough town or township)

13 in the county of ..... at least two

14 months immediately preceding said date and (if twenty-two

15 years of age and upward) have paid within two years

16 a State or county tax and am in all respects a duly

17 qualified voter of said election district that I am a

18 ..... and that because of my duties

19 business or occupation I will be required to be absent

20 from my lawfully designated election district on said elec-

21 tion day and will have no opportunity to vote therein

22 that I am qualified to vote elsewhere at this election

23 and that I am the person named in the certificate of

24 qualification

25 Witness

26 .....

27 Signature of Voter



1 a primary election it shall be sent to the county com-  
2 missioners of the county in which such voter is a resi-  
3 dent The postage and cost necessary to transmit and  
4 register such envelope shall be paid by the voter

5 Section 12 The prothonotary or county commissioners  
6 upon receipt of such registered letter shall safely keep  
7 and preserve the same unopened in their office until the  
8 return board canvasses the vote according to law at  
9 which time the said return board shall open such reg-  
10 istered letter and after examining the certificate of quali-  
11 fication and the affidavit and jurat shall compare the  
12 signature of said absent voter as written on the affidavit  
13 with the signature of such voter on the application blank  
14 given to the county commissioners If the return board  
15 is satisfied that the signatures correspond and that the  
16 affidavit and jurat are sufficient they shall announce the  
17 name of the voter of such absent voter's ballot and  
18 shall give any person present an opportunity to challenge  
19 the same in like manner and for the same causes as  
20 such voter could have been challenged had he presented  
21 himself in his own district to cast his ballot If there  
22 are no challenges they shall open the second envelope in  
23 such manner as not to destroy the certificate of quali-  
24 fication and the affidavit and jurat as printed thereon  
25 which envelope shall be kept in the prothonotary's or com-  
26 missioner's office for a period of one year thereafter All  
27 envelopes on which are printed the words "Absent Voter's  
28 Ballot" and containing the ballots shall be put into one

1 depository at one time and said depository well shaken  
2 and the envelopes containing the ballots mixed before any  
3 ballot is taken therefrom The return board shall then  
4 break the seals of such envelopes and record the said  
5 ballots in the same manner as the election officers record  
6 votes and in so canvassing said votes the return board  
7 shall count the votes of all absent voters taken as herein  
8 provided and add the same to the total result of the  
9 election in the county district precinct or ward accordingly  
10 as designated on each ballot

11 Section 13 The ballots after being opened and duly  
12 counted by the return board shall be safely kept in the  
13 custody of the prothonotary or the county commissioners  
14 as the case may be for the period of one year and  
15 in case of a contested election the same may be opened  
16 and counted as in other cases

17 Section 14 Any voter who has received an absent  
18 voter's ballot and who shall return to his properly  
19 designated election district on or before the day for hold-  
20 ing the election for which such ballot was issued shall  
21 be permitted to vote upon presenting himself at his  
22 regular polling place in the same manner as he could  
23 have voted had he not received such absent voter's bal-  
24 lot Provided however That in any such case such voter  
25 shall surrender to the judge of election of such district  
26 his absent voter's ballot or ballots unmarked and the  
27 (envelope) envelopes in which they were contained before  
28 being permitted to vote Such fact shall be noted by  
29 the judge of election on the back thereof and the ballot

1 or ballots and envelopes shall be returned to the county  
2 commissioners

3 Section 15 If any person voting an absent voter's bal-  
4 lot shall wilfully swear falsely to the affidavit herein  
5 provided for or shall vote any ballot other than one  
6 properly issued to him or vote or attempt to vote more  
7 than once at any such election or who shall violate any  
8 other provisions of this act shall be guilty of a mis-  
9 demeanor and upon conviction shall be sentenced to pay  
10 a fine not exceeding one hundred dollars or be imprisoned  
11 for a term not exceeding one year or both at the dis-  
12 cretion of the court

13 If any official authorized to administer oaths within  
14 this Commonwealth prothonotary county commissioner or  
15 member of a return board shall neglect or refuse to  
16 perform any of the duties prescribed by this act or shall  
17 reveal or divulge any of the details of any bal-  
18 lot cast in accordance with the provisions of this act  
19 he shall be guilty of a misdemeanor and upon conviction  
20 shall be punished by fine not exceeding one hundred  
21 dollars

22 Section 16 All acts or parts of acts inconsistent  
23 herewith be and the same are hereby repealed