

## CHAPTER XV.

*An Act to Regulate Elections in this State, and to Reduce the several Acts Relating to the same to one Act.*

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*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. On the first Tuesday after the first Monday in October in each and every year, excepting the year in which the election of President of the United States occurs, and in that year on the first Tuesday after the first Monday of November, a general election shall be held in the several election districts of the State, which said election shall also be known as the annual election of the State. And the Governor, Lieutenant Governor, Secretary of State, Auditor of State, Treasurer of State, Attorney General, Judges of the Supreme Court, Clerk of the Supreme Court, Judges of the District Court, Clerks of the District Court, Sheriff, Coroner, County Auditor, County Commissioners, County Treasurer, Register of Deeds, County Surveyor, County Attorney, Court Commissioner, Members of the Senate and House of Representatives, Members of Congress, and all other State and County officers shall be elected at the annual election next preceding the expiration of the term of each of said

officers respectively. And that on the year when a President and Vice President of the United States are to be chosen, a number of electors of President and Vice President of the United States, equal to the number of Senators and Representatives to which this State may be entitled in the Congress of the United States shall be elected at said election.

Sec. 2. That each organized township in the State shall constitute an election district: each ward of any incorporated city in this State, shall also constitute an election district. The township supervisors of each township shall be the judges of election, and the town clerk of each township shall act as one of the clerks of election in their respective election districts, and the judges shall appoint an additional clerk of election, who shall be of an opposite party, if practicable, to the town clerk.

The city council of each incorporated city shall appoint three qualified electors of each election district of said city, who shall be the judges of election in their election districts respectively, and who shall appoint two qualified electors of their election districts, excepting that in the city of Saint Paul and the city of Rochester, the aldermen in each ward of said cities shall be the judges of election in their respective election districts, and shall appoint two qualified electors of each ward respectively, who shall be the clerks of election of the said election districts respectively.

The election shall be held in each election district, at the place where the last preceding town meeting or ward election was held in each election district respectively; *Provided*, A vote has not been taken to hold it elsewhere, and in such case the election shall be held at the place designated; *And provided*, The city council of any incorporated city may, by ordinance, incorporate any two adjoining wards into one election district, and appoint the place of holding the election in each district, *Provided*, That in any township having over five hundred electors, the supervisors may divide the same into two election districts and may designate the boundaries of such districts, and thereafter there shall be elected at the annual town meeting of such township, three judges of election, and two clerks of election in each district, and the place of holding election in each district shall be designated by said town meeting, or in default of such

designation shall be appointed for each district by the judges of election thereof.

Ballot box to be provided

SEC. 3. The supervisors of the several townships, and the city council of the several cities shall cause to be provided at the expense of the said townships, towns, and cities respectively, a ballot box for each election district which may be destitute of the same, which box shall be provided with a lock and key, and shall have an opening through the lid of sufficient size to admit a single folded ballot and no more; and the said box shall be kept by the town clerk of the several townships, and by the city clerk of the several cities for the use of the judges of election in the said election districts respectively.

Notice of election to be given

SEC. 4. It shall be the duty of the township and city clerk in each election district, fifteen days at least before the holding of any general election, and ten days at least before the holding of any special election, to give public notice by posting three written or printed notices in three public places in each election district, of the time and place of holding such election, and containing a list of the officers to be elected at such election, one of which notices shall be posted up at the place of holding the election in such election district, the said notices to be in substance as follows, to wit:

Form of notice

"Notice is hereby given, that on the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, at the \_\_\_\_\_ in the election district composed of the (township, ward or town, as the case may be,) of \_\_\_\_\_ in the county of \_\_\_\_\_ an election will be opened at 9 o'clock in the morning, and will continue open until 5 o'clock in the afternoon of the same day.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_.

Signed.

A. B. (Township, City or Town Clerk.)

*Provided*, That no failure of any clerk to give notice of any election as aforesaid shall in any manner invalidate any election.

Judges to make list of voters

SEC. 5. It shall be the duty of the judges of election in each and every election district in the State, at least fifteen days before any election, to make a list of the names of all persons who are entitled to vote in their election districts respectively, at such election, which said list shall contain the surnames of such persons in alphabetical order. Three copies of the said list so made out

as aforesaid, shall at least ten days before such election, <sup>List to be posted</sup> be posted in three public places in each election district, together with a notice of the time and place when and where the said judges of election will be present for the purpose of making all necessary corrections in said list. It shall be the duty of the said judges of election, on each Wednesday next preceding such election, and, if necessary, for the next three days, from the hour of nine in the forenoon to four in the afternoon, and for two hours next preceding the opening of the polls on the day of such election, to be present at the place appointed for the holding of such election in their respective election districts, for the purpose of making all necessary corrections in said list. <sup>Corrections to be made</sup> In making such corrections it shall be the duty of the said judges of election to insert upon the said list, the additional names of all persons properly shown to be entitled to a vote at such election, and to erase from the said list the names of all persons properly shown not to be entitled to vote at such election. It shall be the duty of the said judges of election in first making out the said list, to place upon the same the names of all persons known by said judges to be entitled to a vote at such election in their election districts respectively, and no others, and to assist in ascertaining the names of all persons entitled to vote as aforesaid. It shall be the duty of the said judges of election to consult the poll lists used at the last preceding election in their election districts respectively. In making the final corrections of the said list as aforesaid, to ascertain who are entitled to vote at such election, the said judges of election shall be governed by the rules and regulations hereafter for that purpose prescribed, and at such election no person shall vote whose name is not upon the said list at the time of opening the polls and the vote of no person shall be rejected whose name is upon the said list at the time of opening the polls. *Provided*, If any person offers to vote at such election whose name is not upon said list as aforesaid, and who is by all the judges of said election personally known to have all the qualifications of an elector in said precinct, and entitled to a vote at such election, but whose name has been accidentally omitted from the said list, then the name of such person shall be added to the said list, and the said person shall be allowed to vote, but in all such cases an entry shall be made opposite the name

of such person of the fact that the said name was inserted in said list after the opening of the polls. And the judges of election shall make or cause to be made a duplicate of said list, so that there shall be two register poll lists at every election.

When electors  
may choose judge.  
—oath or judge

SEC. 6. If either of the judges of election of any election district shall fail to attend at the time and place appointed for making corrections of the said list, or of holding any election; or if either of said judges being present shall be a candidate at such election, or shall refuse to act as judge, then it shall be the duty of the qualified electors of the said election district present, to choose *viva voce*, one or more qualified electors of said election district to act as judge or judges of election, instead of such judge or judges of election if absent, disqualified or refusing to act; and if any clerk of election shall be thus absent, disqualified or refuse to act, the judges of election shall appoint some qualified elector in place of such clerk. And before any judge or clerk of election shall enter upon the performance of any of the duties imposed upon him by this Act, he shall take and subscribe before some officer authorized to administer oaths, an oath or affirmation in the following form, to wit: "I, A. B., (judge or clerk of the election, as the case may be,) do solemnly swear (or affirm as the case may be,) that I will perform the duties of (judge or clerk of election, as the case may be,) according to law and the best of my ability; and that I will studiously endeavor to prevent fraud, deceit and abuse in conducting this election, so help me God," which said oath or affirmation having been taken, subscribed and certified, shall be affixed to the said list provided for in the last preceding section; *Provided*, If there shall be no person present authorized to administer oaths, then the judges of election may administer to each other and to the clerks such oath or affirmation in the same manner as above provided.

When polls to be  
opened and closed

SEC. 7. At all elections to be held under this Act, the polls shall be opened at nine o'clock in the forenoon, and closed at five o'clock in the afternoon, and remain so open during that time without adjournment.

Compensation

SEC. 8. At all elections to be held under this Act, the judges and clerks of election shall be entitled to receive, as a compensation for their services in such election, the sum of one dollar each per day, to be paid out of the treasury of the proper township, city or town.

SEC. 9. It shall be the duty of the judges of election, Ballot box to be publicly emptied or one of them, immediately before proclamation is made of the opening of the polls, to open the ballot boxes in the presence of the people there assembled, and turn them upside down, so as to empty them of every thing that may be in them, and then lock them; and the key thereof shall be delivered to one of the judges, and said box shall not be re-opened until for the purpose of counting the ballots therein, at the close of the polls, and one of the judges of election shall forthwith proclaim that the polls of this election are now open.

SEC. 10. Every elector shall vote by ballot, and each person offering to vote shall deliver his ballot to one of the judges of the election, in the presence of the board; Manner of voting the ballot shall be a paper ticket, which shall contain, written or printed, or partly written and partly printed, the names of the persons for whom the electors intends to vote, and shall designate the office to which each person so named is intended by him to be chosen; but no ballot shall contain a greater number of names of persons designated to any office, than there are persons to be chosen at the election to fill such office.

SEC. 11. The names of all persons voted for by an elector at any election shall be on one ballot. Names to be on ballot

SEC. 12. The judge to whom any ballot shall be delivered shall upon the receipt thereof, pronounce with an audible voice, the name of the person from whom the said ballot is so received, and if the name of the person be found upon the list of electors aforementioned, the said judge shall, without opening the said ballot or permitting the same to be opened or examined, (except to ascertain whether it be a single ballot,) deposit the said ballot in the ballot box, and the clerks of the election shall thereupon distinctly check the name of the said person upon the said lists. Duty of judges receiving votes

SEC. 13. As soon as the poll of the election shall be finally closed, (of which closing, proclamation shall be made by the judges thirty minutes previously thereto,) the judges shall immediately proceed to canvass the vote given at such election, and the said canvass shall be public and continued without adjournment until completed, and the result thereof declared. Judges to canvass votes on closing of polls

SEC. 14. The canvass shall commence by taking the ballots out of the box unopened (except so far as to as-

Canvass how  
conducted

certain whether each ballot be single, ) and counting the same to ascertain whether the number of ballots corresponds with the number of names on the list checked as aforesaid; and if two or more separate ballots shall be found so folded together as to present the appearance of a single ballot, they shall be laid aside until the count of the ballots is completed, then, if upon a comparison of the said count with the number of names of electors on the lists which have been checked as aforesaid, it shall appear that the two ballots thus folded together were cast by one elector, they shall be destroyed. If the ballots in the box shall still be found to exceed in number the number of names on the said list so checked as aforesaid, they shall be replaced in the box, and one of the judges shall publicly and without looking in the box, draw out therefrom singly, and destroy unopened, so many ballots as shall be equal to such excess. The number of ballots agreeing, or being thus made to agree with the number of names on the said list so checked as aforesaid, the said list shall be signed by the judges and attested by the clerks, and the number of names on the said list so checked as aforesaid, shall be set down in words and figures at the foot of said list, and over the signatures of the judges, and the attestation of the said clerks, in the manner hereinafter provided, in the form of the said list.

Disposition of  
the votes

Sec. 15. After the said list has been thus signed the judges shall proceed to count and ascertain the number of votes cast for each person voted for, and the ticket shall then be distinctly read, and as soon as read and canvassed shall be strung by one of the judges upon a string, and deposited in the office of the town or city clerk, and carefully preserved until the next general election, and the clerk shall set down on a paper to be known as the returns of the election, the name of every person voted for, written at full length, the office for which such person received such votes, and the number of votes he received—the number being expressed at full length, and also in figures. The said returns shall be as nearly as circumstances will admit, in the following form viz:

“At an election held at \_\_\_\_\_ in the election district composed of the (township, ward, or town, as the case may be) of \_\_\_\_\_ in the county of \_\_\_\_\_ in the State of Minnesota, on the \_\_\_\_\_ day of



18 , the following named persons received the number Form of returns of votes set opposite their respective names, for the following described offices, to wit:

A. B. received (the number in figures and also at full length,) votes for (specifying the office) and in like manner for each person voted for, for any office.

Certified by us,

A. B.,

C. D.,

E. F., Judges of election.

Attest: A. B.,

G. H., Clerks of election."

SEC. 16. If a ballot should be found to contain a greater number of names for any one office than the number of persons required to fill the said office, the said When ballot to be void ballot shall be considered void, as to all the names designated to fill such office, but no further; but no ballot shall be considered void, for containing a less number of names than are authorized to be inserted thereon.

SEC. 17. The list of electors provided for in this Act, shall be substantially in the following form, to wit:

"List of qualified electors in the election district composed of the (township, ward, or town, as the case may be) of Form of list of electors , in the county of , State of Minnesota, for an election to be held in the said election district, on the day of , 18 .

A. B.,

B. C.,

C. D. (the surnames in alphabetical order.)

The whole number of the above named persons who were present and voting at the above named election was: (amount written out in full, and also in figures.)

Certified by us,

A. B.,

C. D.,

E. F., Judges of election.

Attest: A. B.,

G. H., Clerks of election."

And one of the said lists, after the same shall have been used at the election for which the same was made out, shall be deposited and kept in the office of the township, city, or town clerk of the election district in which the same belongs, and shall be subject to the inspection of any person desiring the same, and the other one of

said lists which shall be transmitted to the auditor of the proper county with the abstract of the return of the election, which shall be carefully preserved in the office of the county auditor.

Judges to direct  
returns to County  
Auditor

SEC. 18. After the canvass shall have been thus completed, the judges of election, before they shall disperse, shall inclose the said returns in a cover, seal the same, endorse thereon the following words, viz: "Election returns of the election district of \_\_\_\_\_ in the county of \_\_\_\_\_," and direct the same to the county auditor of their proper county; and the said returns shall, within five days from the day of the election, be conveyed by one of the judges, to be determined by lot, if not otherwise agreed upon, and delivered to the said county auditor at his office.

*Provided*, That the returns of election in unorganized counties shall be made to the auditor of the county to which they may be attached for elective purposes, and said votes shall be canvassed and certificates of election issued to the person elected in the same manner that is provided in this chapter for canvassing votes and issuing certificates of election in organized counties.

Penalty for fail-  
ure to deliver  
returns

SEC. 19. If any judge of an election at which he shall have served, after being deputed, shall wilfully fail or neglect to deliver such returns to the said auditor, within the time prescribed by law, save, with the seals unbroken, he shall, for every such offense, forfeit and pay the sum of five hundred dollars for the use of the county, or be imprisoned in the county jail of the proper county not less than six months, nor more than one year.

Auditor and as-  
sistants to can-  
vass returns

SEC. 20. On or before the tenth day after the election the county auditor, taking to his assistance two justices of the peace of his county, who, together with the county auditor, shall constitute the county canvassing board, shall proceed to open the several returns which shall have been made to his office; and said board shall publicly canvass the said returns, and make abstracts thereof in the following manner, to wit:

The abstracts of the votes for Governor, Lieutenant Governor, Secretary of State, Auditor of State, Treasurer of State, Attorney General, Judges and Clerk of the Supreme Court, and Judges of the District Court, and all other State officers, shall be on one sheet, and being

certified and signed by the auditor and the justices of the peace, shall be deposited in the said auditor's office, and a copy thereof, certified under the official seal of said auditor, shall be endorsed and directed to the secretary of State, and forwarded immediately to the seat of government by mail; and the said auditor shall make out another certified copy of the abstract of the votes aforesaid, directed to the Speaker of the House of Representatives, and deliver the same to a member of the Legislature, to the end that the same may be conveyed to the Speaker of the House of Representatives at the seat of government; and the said auditors shall respectively endorse on the envelope, on the outside of each duplicate, "Certificate of the votes for Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Attorney General," (and any other State officer, as the case may be,) and the name of the county in which said votes are given.

*Provided*, That should the returns directed to the said Speaker not be received, the copy directed to the Secretary of State, shall be delivered to the said Speaker.

SEC. 21. The Speaker of the House of Representatives shall, within three days after each house shall be organized, cause the abstracts of the votes by him received to be opened and canvassed before both Houses of the Legislature, in conformity with the provisions of the second section of article five (5) of the Constitution of this State.

SEC. 22. The abstract of the canvass of votes for probate judges, sheriffs, coroners, county auditors, county treasurers, registers of deeds, county surveyors, clerks of the district court, county attorneys, court commissioners, county commissioners, and all such other officers as now are, or hereafter may be established in any of the counties or districts of this State, and of the votes upon any proposed change of county lines or county seat, shall be made on one sheet, and being certified and signed in the same manner as in case of abstracts of votes for the officers named in the first section of this Act, shall be deposited in the said auditor's office, and a copy thereof, certified as aforesaid, shall be immediately enclosed and forwarded to the Secretary of State; upon receipt thereof, the Governor shall issue a commission to the person elected to said office, which shall be transmitted to the

Duty of Speaker  
of House of Rep-  
resentatives

Abstract of votes  
for county off-  
icers—how made  
out

auditor of the proper county, and delivered to the person entitled to the same without charge ; and if any proposed change of county lines shall have been adopted, the Governor shall forthwith make proclamation to that effect.

Return of votes  
for members of  
Congress—how  
made

SEC. 23. The abstracts of the votes for members of Congress and electors of President and Vice President of the United States, shall be made on one sheet, and being certified and signed in the same manner as in case of abstracts of votes for county officers, shall be deposited in the said county auditor's office, and a copy thereof, certified as aforesaid, shall be enclosed, directed to the Secretary of State, and endorsed on the outside of the envelope, with these words : " Abstract of votes for (naming the officers) returned to the auditor's office of (inserting the name of the county) county," and the said auditor's signature ; and the said auditor shall forward the same to the Secretary of State, within eleven days after such election.

By whom can-  
vassed

SEC. 24. Within twenty days after said election, the Governor and Secretary of State, in the presence of the Auditor of State, the Attorney General and one or more Judges of the Supreme Court, shall open the returns made to the Secretary of State, for members of Congress and for electors of President and Vice President of the United States ; the Governor and Secretary of State, in the presence of the officers aforesaid, shall forthwith proceed to ascertain the number of votes given to the different persons for electors of President and Vice President of the United States, and members of Congress, and the persons having the highest number of votes for the offices named in this section shall be considered duly elected ; and the Governor shall give to each person duly elected, a certificate of his election ; which certificate shall be signed by the Governor, and sealed with the great seal of the State, and countersigned by the Secretary of State, and shall transmit the said certificates to each person so elected, and shall cause the election of electors to be published in the newspapers printed at the seat of government, but if more than the number of persons to be elected have the greatest and an equal number of votes, then the election of those having such equal number of votes shall be determined by lot, to be drawn by the Secretary of State in the presence of the Governor and officers aforesaid. The Governor shall transmit the proper

certificate and cause the publication to be made as aforesaid, immediately after said canvass is completed.

SEC. 25. The electors who shall be chosen as aforesaid, shall, at twelve o'clock, on the day which is or may be directed by the Congress of the United States, meet at the seat of government of this State, and shall then and there perform the duties enjoined upon them by the Constitution and laws of the United States.

Meeting of electors—place where

SEC. 26. The several persons who shall be appointed to conduct the election of electors of President and Vice President of the United States, for neglect of duty or for improper conduct, shall be liable to the same penalties and forfeitures as are or may be provided by law, in like cases providing for elections in this State.

Penalty for failure to perform duty

SEC. 27. Each elector of President and Vice President of the United States, shall before the hour of twelve o'clock, on the day next preceeding the day fixed by the law of Congress to elect a President and Vice President of the United States, give notice to the Governor that he is at the seat of government and ready at the proper time to perform the duties of an elector, and the Governor shall forthwith deliver to the electors present a certificate of all the names of the electors, and if on examination thereof, it shall be found that one or more of said electors are absent and shall fail to appear before nine o'clock in the morning of the day of election of President and Vice President as aforesaid, the electors then present shall immediately proceed to elect by ballot in the presence of the Governor, a person or persons to fill such vacancy or vacancies as may have occurred through the non-attendance of one or more of the electors.

Duty of electors—fill vacancies

SEC. 28. If more than the number of persons required to fill the vacancy or vacancies as aforesaid, shall have the greatest number and an equal number of votes, then the election of those having such equal and highest number of votes, shall be determined by lot to be drawn by the Governor, in the presence of the electors attending; otherwise he or they to the number required having the greatest number of votes shall be considered elected to fill such vacancy or vacancies.

How decided in case of tie

SEC. 29. Immediately after such choice is made in the manner aforesaid, the name or names of the persons so chosen, shall forthwith be certified to the Governor by the electors making such choice, and the Governor shall

**Persons chosen to fill vacancies** cause immediate notice to be given to each and every of the electors chosen to fill such vacancy or vacancies, as aforesaid, and the said person or persons chosen shall be electors, and shall meet the other electors at the same time and place, and then and there discharge all and singular the duties enjoined on him or them as electors aforesaid, by the Constitution and laws of the United States and of this State.

**Per diem of electors** SEC. 30. Each and every elector who shall attend as an elector at the seat of government, as aforesaid, shall be entitled to receive three dollars for each and every day's attendance, and three dollars for every twenty miles travel, of the estimated distance by the most usual route from his place of residence to the seat of government, and the like sum for returning, which sum shall be allowed by the auditor on the certificate of the Governor, and paid by the treasurer out of any money in the treasury not otherwise appropriated.

**Who declared elected** SEC. 31. At the close of the canvassing as provided in section twenty, the board of canvassers shall declare the person having the highest number of votes for probate judge, sheriff, coroner, county commissioner, county treasurer, register of deeds, county surveyor, clerk of the district court, county attorney, court commissioner, and any other county officers duly elected, and in case said county contains a senatorial or representative district, then the person or persons having the highest number of votes for senators or members of the legislature duly elected, subject to an appeal to the district court of the proper county, in case of the contested election of probate judge, sheriff, coroner, county auditor, county commissioner, county treasurer, register of deeds, county surveyor, clerk of the district court, county auditor, court commissioner, and any other county officer, and to that branch of the legislature to which any person may be returned when an election is contested; *Provided*, notice of such appeal, to the said court, be entered with the clerk thereof, within twenty days from the day of election.

**Auditor to give certificates of election** SEC. 32. The county auditor shall make out for the probate judge, sheriff, coroner, county auditor, county commissioners, county treasurer, county surveyor, register of deeds, clerk of the district court, county attorney, court commissioner, and any other county officer, and also to

each of the senators and representatives to the legislature, provided such county constitutes a senatorial district, who have the highest number of votes given, a certificate of his election, and shall deliver the same to the person entitled thereto, upon demand without fee; and he shall also make out for any candidate or elector of his county, an abstract of votes as aforesaid, upon being paid one dollar therefor.

SEC. 33. The county auditor of each of the several counties of this State which does not constitute or contain a senatorial district, shall make out from the returns in his office, an abstract of votes for members of the state senate and house of representatives, which he shall seal and direct to the county auditor of the senior county in his senatorial district; *Provided*, That if there shall be two or more counties in said district, of the same age, then such returns shall be directed to the auditor of the county polling the greatest number of votes at the last preceding general election, except in the third senatorial district, in which district such abstract shall be directed to the auditor of Morrison county, and said auditor shall endorse on the outside of the cover thereof the following words: "Abstract of votes for members of the state senate and house of representatives of the county of —," and sign his name thereto, and forward such abstract to the proper auditor, within ten day after the day of the election.

Where two or more counties are in same district

SEC. 34. When two or more counties are united in one senatorial district, the auditor of the senior county shall, on the twenty-fifth day after the election, with the county auditors of the junior counties, who may choose to attend at the office of the auditor of the senior county, call to his assistance two justices of the peace, a district or probate judge, who shall then and there open the returns of the votes given in the several counties composing such senatorial district, and said officers shall immediately make out a certificate of the person or persons having the highest number of votes in such senatorial district for a member or members of the Legislature, which certificate shall be delivered to the person entitled to it, on his application, verbal or written, to the auditor of the senior county at his office; *Provided*, That the returns for the third senatorial district shall be made to

Canvass where two or more counties in same district

the auditor of Morrison county, within thirty days after the election, and the returns of the fourth senatorial district shall be made to the auditor of Anoka county within thirty days after the day of election.

SEC. 35. The following shall be the form of the abstract of votes provided for in this act to be used by all county canvassing boards; *Provided*, That no election shall be set aside for want of form in the abstract, provided they contain the substance :



## A B S T R A C T .

NAMES OF PERSONS VOTED FOR, AND FOR WHAT OFFICE, CONTAINING THE NUMBER OF VOTES GIVEN FOR EACH CANDIDATE.

PRESIDENTIAL ELECTORS,	S	No. Votes.
	T	No. Votes.
	U	No. Votes.
	V	No. Votes.
GOVERNOR,	A	No. Votes.
	B	No. Votes.
LIEUTENANT GOVERNOR,	C	No. Votes.
	D	No. Votes.
SECRETARY OF STATE,	E	No. Votes.
	F	No. Votes.
AUDITOR OF STATE,	G	No. Votes.
	H	No. Votes.
TREASURER OF STATE,	I	No. Votes.
	J	No. Votes.
ATTORNEY GENERAL,	K	No. Votes.
	L	No. Votes.
JUDGES SUPREME COURT,	M	No. Votes.
	N	No. Votes.
CLERK SUPREME COURT,	O	No. Votes.
	P	No. Votes.
MEMBERS OF CONGRESS,	Q	No. Votes.
	R	No. Votes.
MEMBERS OF THE STATE LEISLATURE.	S	No. Votes.
	T	No. Votes.
	U	No. Votes.
	V	No. Votes.
	W	No. Votes.
JUDGES DISTRICT COURT,	X	No. Votes.
	Y	No. Votes.
PROBATE JUDGE,	Z	No. Votes.
	A	No. Votes.
SHERIFF,	B	No. Votes.
	C	No. Votes.
CORONER,	D	No. Votes.
	E	No. Votes.
COUNTY AUDITOR,	F	No. Votes.
	G	No. Votes.
COUNTY COMMISSIONER,	H	No. Votes.
	I	No. Votes.
COUNTY TREASURER	J	No. Votes.
	K	No. Votes.
REGISTER OF DEEDS,	L	No. Votes.
	M	No. Votes.
COUNTY SURVEYOR,	N	No. Votes.
	O	No. Votes.
COUNTY ATTORNEY,	P	No. Votes.

votes for Governor; E. F. had

votes for Governor; C. D. had

We do hereby certify that A, B. had

votes for Lieutenant Governor, &c., (writing the vote at length and in figures.)

A T T E S T :

C. D., } Justices of the Peace.  
E. F., }

A. B., Auditor.

Form of abstract

SEC. 36. At the annual election next preceding the expiration of the term of the member or members of Congress from this State, the electors of the State, or of the several congressional districts of the State, shall vote for a person or persons to represent this State in Congress

for the term of two years from the fourth day of March then next ensuing.

When to call special election

SEC. 37. Whenever there shall be no election for the requisite number of the members of Congress, or of members of the State Senate or House of Representatives, or of any State officer, by reason of any two or more persons having an equal and the highest number of votes, or whenever any vacancy shall have occurred or shall exist in any of the said offices, which said vacancy is not otherwise provided for, then, and in that case it shall be the duty of the Governor within ten days after the State canvass shall have been made, or after he shall have been informed of the existence of such vacancy, to issue a proclamation directing that a special election be held in the proper election districts of the State, at a time to be specified in the proclamation, not more than thirty days from the date thereof, to fill such vacancy or vacancies. And it shall thereupon be the duty of the clerks of the election of the proper election districts to call the said special election in the manner provided by law, and the said special election shall be held and conducted and the returns thereof made and canvassed in the same manner as general elections are held and conducted, and the returns thereof made and canvassed.

*Provided,* If there be no session of the Legislature or of Congress between the time of the happening of such vacancy or vacancies in the offices of members of Congress, or of the State Senate or House of Representatives, and the then next annual election, then it shall not be necessary to order a special election to fill such vacancy or vacancies, but the same shall be filled at the said annual election.

Duty of Auditor

SEC. 38. In all elections to fill any vacancy under the preceding section of this Act, the auditor shall, within fifteen days after such election transmit an abstract of the votes given in such counties to the office of the Secretary of State, and take his receipt therefor, under the penalty of five hundred dollars, to be recovered before any court having competent jurisdiction thereof in a civil action in the name of the county; and it shall be the duty of the county treasurer for the time being, to sue for and recover the penalty aforesaid, for the use of the county.

SEC. 39. Whenever it shall so happen that the audi-

tor shall die, be absent, or from any casualty, be prevented from opening the returns of votes at any election, it shall be the special duty of the probate judge of the county in which such election was held, to attend immediately at the auditor's office, taking to his assistance two justices of the peace of the proper county, and he shall then proceed to open all the returns of elections for such county, which shall have been made to the auditor's office, and perform the same duties that are required of the auditor in such cases, under the provisions of this Act.

Duty of Probate Judge in certain cases

SEC. 40. If for any county office a number of persons greater than are directed to be elected to such office, receive an equal and the highest number of votes, the auditor and justices, or judge and justices aforesaid, shall determine, publicly, by lot, which of the persons shall be declared elected.

The vote—how decided

SEC. 41. There shall be allowed out of the county treasury of each county, to the person carrying the returns from the place of the election to the auditor of the county, the sum of ten cents per mile for going to and returning from the office of the auditor; this provision to extend to the unorganized counties, and to be paid out of the treasury of the county to which they are attached.

Fees for carrying returns to Auditor

SEC. 42. If a vacancy shall occur in the Senate or House of Representatives of this State, from any cause—and if the county or counties comprising the district in which such vacancy has happened, shall have been divided after the election of the member whose seat is vacant, and before the election to supply the vacancy, such election shall be ordered in every county in which any part of the original county or district may be situated; but no person shall be permitted to vote at any such election who does not at the time reside within the limits of the original county or district in which such vacancy may have occurred. *Provided*, That nothing herein contained shall be so construed as to permit any person to vote so residing within the same limits, who has not the other qualifications of an elector.

Vacancy in legislature—how filled

SEC. 43. No election returns shall be refused by any auditor for the reason that the same may be returned or delivered to him in any other than the manner directed in this Act; nor shall the canvassing board of the county refuse to include any returns in their estimate of votes

No returns to be refused on account of informality

for any informality in holding any election, or making returns thereof, but all returns shall be received and the votes canvassed by such canvassing board and included in the abstracts provided for in this Act.

Penalty for neglect of duty

SEC. 44. If any judge or clerk of election, or any other officer or person required by this Act to do or perform any act or thing whatsoever, shall wilfully fail or refuse to do, and perform any such act or thing or shall wilfully do or perform any such act or thing falsely, or improperly in any way or manner, on conviction thereof, he shall be imprisoned in the State prison for a term not less than six months nor more than one year.

Term of office—when to commence

SEC. 45. The regular term of office of all county officers, and court commissioners, when elected for a full term, shall commence on the first day of January next succeeding their election, except as otherwise provided by law.

Term of office when elected to fill vacancy

SEC. 46. Any of the state, county, or district officers that may be elected or appointed to fill vacancies, may qualify and enter upon the duties of their office immediately thereafter; and when elected, they may hold the same during the unexpired term for which they were elected, and until their successors are elected and qualified; but if appointed, they shall hold the same until the next general election, and until their successors are elected and qualified.

No civil process to be served

SEC. 47. During the day on which any general, special, town, or charter election shall be held, no civil process shall be served upon any elector entitled to vote at such election.

When to be deemed elected

SEC. 48. In all elections for the choice of any officers, unless it is otherwise expressly provided, the person having the highest number of votes for any office, shall be deemed to have been elected to that office.

Contested election—how conducted

SEC. 49. If any candidate or elector of the proper county, or senatorial, or judicial, or election district chooses to contest the validity of an election, or the right of any person declared duly elected to his seat in the Senate or House of Representatives in this State, such person shall give notice thereof, in writing, to the person whose election he intends to contest, or leave a written notice thereof at the house where such person last resided, within twenty days after the votes have been canvassed, expressing the points on which the same will be

contested, and the names of two justices of the peace who will officiate at the taking of the depositions, and when and where they will attend to take the same; and such notice shall be served at least ten days before the day pointed out therein for the taking of the depositions. *Provided*, That the time fixed upon for taking such depositions shall not exceed forty-five days from the day of election.

SEC. 50. The said justices or either of them shall have power, and they are hereby authorized and required to issue subpoenas to all persons whose testimony may be required by either of the parties; and the said two justices when met, shall take under oath, all testimony relative to such contested election, and certify the same under seal, to the presiding officer of that branch of the Legislature where the person whose seat is contested may be returned to serve at its next session. Duty of Justices

SEC. 51. No person shall contest the election of any Senator or Representative to the Legislature of this State, unless he is an elector of that county or district from which the person is returned to serve. No testimony shall be received by the justices on the part of the person contesting the election which does not relate to the point specified in the notice, a copy of which notice shall be delivered to the said justices, and by them transmitted to the presiding officer of that branch of the Legislature where the contest is to be decided, with the other documents; *Provided*, That a party whose election is contested may give to the contestant like notice as provided in section forty-nine of this Act, and thereupon the introduction of testimony shall be likewise confined to the specifications contained in said notice, which said notice shall be delivered to the justices and transmitted to the presiding officer of the proper branch of the Legislature in the same manner as provided for the notice of the contestant. None but electors  
to contest

SEC. 52. The method to be pursued in contesting the election of any person declared duly elected probate judge, sheriff, coroner, county auditor, county commissioner, county treasurer, register of deeds, county surveyor, or clerk of the district court, or county attorney, or any other county officer, shall be at the instance of a candidate or elector of the proper county, and shall in every respect be similar to the method directed as aforesaid to Manner of con-  
testing election of  
county officers

be pursued in contesting the election of Senators and Representatives to the Legislature save only that the testimony taken as aforesaid, and all matters relative to such contest, shall be sent to the district court of the proper county, on or before the second day of the term next ensuing the forty-five days allowed in which to take depositions by the preceding sections, and it shall be the duty of the judge of the said court in case no general term of said court shall occur within ninety days after the votes shall have been canvassed, to appoint a special term of said court, and the said district court at their said first general or special term, after forty-five days shall have expired, shall hear and determine the contest. When the judgment or decision of the district court shall be removed to the Supreme Court, the party removing any such judgment or decision by writ of error or appeal, shall file in the district court a bond to the opposite party in such sum, not less than five hundred dollars, and with such sureties as shall be prescribed by the judge who tries the case, conditioned for the payment of all costs incurred by the respondent, in case the appellant shall fail in his appeal.

Manner of con-  
testing election of  
State and Judi-  
cial officers

SEC. 53. Any candidate or elector, being desirous of contesting the election of any person declared elected Governor, Lieutenant Governor, Secretary of State, Auditor of State, Treasurer of State, Attorney General, Judges of the Supreme Court, Clerk of the Supreme Court, Judge of the District Court, or other State officer, shall, between the sixth and tenth days after the commencement of the first annual session of the Legislature, after the day of election, file a notice of such intention with the Secretary of the Senate of this State, specifying the particular points on which he means to rely; *Provided*, That no person shall contest the election of district judge unless he be an elector of the proper judicial district. That upon any such notice being filed as aforesaid, the Senate shall, by resolution, determine on what day or days they will meet in their chamber, in order to hear, and determine any such contest; and thereupon a certified copy of the notice filed by the contestor shall be served upon the officer whose election is sought to be contested, or by leaving a copy thereof at his last usual place of residence, by such person as shall by resolution of said Senate be appointed, with a notice when he is re-

quired to attend in the chamber of the Senate to answer the contest.

SEC. 54. On the trial of any contested election for any of the offices in the forty-ninth section of this Act named, the parties to such contest may introduce either written or oral testimony, but no depositions shall be read on such trial unless the opposite party shall have had reasonable notice of the time and place of taking the same.

Oral or written  
testimony may  
be introduced

SEC. 55. In conducting any contested election for the officers in the forty-ninth section of this Act named, if the contesting is in the House of Representatives, the following rules shall be observed, to wit:—

*First.*—On the day and at the hour appointed for that purpose, the house, with the proper officers, shall assemble at their usual place of meeting.

Rules to be ob-  
served in such  
contest

*Second.*—The Speaker of the House of shall preside, but when he is contestor, a Speaker *pro tem.* shall be elected.

*Third.*—The parties to the contest shall then be called by the clerk, and if they answer, their appearance shall be recorded.

*Fourth.*—The contestor shall first introduce his testimony, and after the testimony is gone through on both sides, the contestor may, by himself or his counsel, open the contest, and the officer elect may then proceed, by himself or counsel, to make his defence, and the contestor be heard in reply.

*Fifth.*—After the arguments are thus gone through by the parties, any member of the House shall be at liberty to offer his reasons for the vote he intends to give.

*Sixth.*—The clerk shall keep a regular journal of the proceedings.

*Seventh.*—The manner of taking the decision shall be by an alphabetical call of the members, and a majority of all the votes given shall decide, any party not being permitted to vote either upon the final decision or upon any preliminary question that has reference thereto. If the contesting is in the Senate, then that the Senate shall proceed in the same manner as provided for in the House of Representatives to here and determine such contest.

SEC. 56. In any county in this State in which there shall have been or shall be a vote for the removing of the county seat, or changing the county lines of said

Contest in relation to removing county seals

county; or upon any other subject which may by law be submitted to the vote of the people of said county any elector of the proper county may contest the validity of such election, as to the right of the point declared selected as the county seat, or as to any county line or lines declared established by said vote, or as to the result of any vote upon any other subject submitted as aforesaid. Such elector shall give notice in writing of such contest, to the county commissioners, or a majority of them, of the proper county in which said vote has been had, by serving a copy of said notice personally upon said commissioners, or leaving a copy thereof at their place of residence within thirty days after the result of said vote shall be declared or proclaimed, said notice shall express the points on which such election will be contested and a copy thereof shall be filed with the clerk of the district court of the proper county within ten days after the service thereof upon the county commissioners as aforesaid; and the district court at their first general or special term shall here and determine such contest upon the oral and written proofs of the parties as in civil actions.

Such commissioners, or upon their failure, any elector of the proper county, may with or without answer, appear and defend, in such contest and introduce evidence as in other actions.

And it is further provided that this section shall apply to all actions commenced, or to be commenced, provided that the plaintiff in any action commenced and now pending, shall within ten days after this Act shall take effect, cause a copy of the notice filed in such action to be served upon the commissioners of said county.

Secretary of State to provide blanks

SEC. 57. It shall be the duty of the Secretary of State to provide uniform blanks for lists of electors, and for election returns, for the use of the several election districts in the State, also a copy of the law prescribing the qualifications of electors, and so much of this law as relates to the duty of judges and clerks of election, the manner of conducting elections, and the penalties imposed for offences under this Act, and transmit the same to the auditor of each county, at least thirty days before any election, and the auditor at least ten days before any election, shall deliver to the clerk of each town and city in his county in person, or transmit to him by mail one copy of each of said blanks, and one copy of the said laws for each election district in his county.



SEC. 58. Every auditor, probate judge and justice of the peace, shall receive for services performed under this act, the following fees, to wit: For making out abstracts, for every hundred words, ten cents; for each certificate with seal attached to abstract, fifty cents; which fees shall be allowed by the county auditor on the certificate of the auditor or judge as the case may be, and paid by the county treasurer.

SEC. 59. Whenever any number of voters not less than ten, residing in any county not divided into towns, and not within ten miles of any established place of voting in any election district, shall petition the Governor to establish a new district, it shall be the duty of the Governor, and he is hereby authorized to lay out and establish new election districts in such county, at such place or places as the petitioners may require.

SEC. 60. The Governor shall at least six weeks before any general and three weeks before any special election, publish in the newspaper in which the laws of the previous session were published, a list of the election districts by him so established, and the place where the elections are to be held.

SEC. 61. All elections held in such districts shall be conducted and returns made as herein provided.

SEC. 62. The judges of election in determining the residence of any person for the purpose of ascertaining who are qualified electors, shall be governed by the following rules, so far as they may be applicable:

*First*—That place shall be considered and held to be the residence of a person in which his habitation is fixed, without any present intention of removing therefrom, and to which whenever he is absent, he has the intention of returning.

*Second*—A person shall not be considered to have lost his residence who shall leave his home to go into another state, or county in this State, for temporary purposes merely, with the intention of returning.

*Third*—A person shall not be considered to have gained a residence in any county of this State into which he shall come for temporary purposes merely, without the intention of making such county his home.

*Fourth*—If a person remove to another state with an intention to make it his residence, he shall be considered to have lost his residence in this State.

Rules for determining who are qualified voters

*Fifth*—If a person remove to another state with an intention of remaining there for an indefinite time, and as a place of present residence, he shall be considered to have lost his residence in this State, notwithstanding he may entertain an intention to return at some future period.

*Sixth*—The place where a man's family resides, shall be considered and held to be his residence; but, if it is a place of temporary establishment for his family, or for transient objects, it shall be otherwise.

*Seventh*—If a man has a family fixed in one place, and he does business in another, the former shall be considered his place of residence; but any man having a family and who has taken up his abode with the intention of remaining, and whose family refuses to reside with him, shall be regarded as a citizen and voter.

*Eighth*—The mere intention to acquire a new residence, without the fact of removal, shall avail nothing; neither shall the fact of the removal without the intention.

*Ninth*—If a person shall go into another state and while there exercise the right of a citizen by voting, he shall be considered to have lost his residence in this State.

To vote in his own district

SEC. 63. No elector shall vote except in the election district in which he actually resides.

Penalty for voting in other district

SEC. 64. If any person shall wilfully vote in any election district in which he does not actually reside, he shall, on conviction thereof, be imprisoned in the county jail of the proper county for not less than one month, nor more than six months.

Penalty for voting more than once

SEC. 65. Any person who shall vote more than once at the same election, shall, on conviction thereof, be imprisoned in the state prison, and kept at hard labor, for not less than six months, nor more than one year.

Penalty for non-resident voting

SEC. 66. Any resident of another state who shall vote in this State, shall, on conviction thereof, be imprisoned in the state prison, and kept at hard labor for not less than six months, nor more than one year.

Penalty for voting when unqualified

SEC. 67. Any person who with an unlawful intent shall vote, who shall not have been a resident of this State for four months immediately preceding the election, or who at the time of election is not twenty-one years of age, or who is not a citizen of the United States, or has not declared his intention to become a citizen, conform-

ably to the laws of the United States upon the subject of naturalization, or who is disqualified by law by reason of his conviction for treason, or any felony, unless restored to civil rights, or for any other reason, shall, on conviction thereof, be imprisoned in the state prison, for not less than one month, and not more than one year.

SEC. 68. Any person who shall procure, aid, assist, council or advise another to give his vote, knowing that such person has not been a resident of this State for four months immediately preceding the election, or that at the time of the election he is not twenty-one years of age, or that he is not a citizen of the United States, nor declared his intention to become such, or that he is not duly qualified from other disability to vote at the place where, and the time when to vote is to be given, shall, on such conviction thereof, be fined in any sum not exceeding five hundred dollars, nor less than one hundred dollars, and be imprisoned in the county jail of the proper county, not less than one month, nor more than six months.

Penalty for inducing disqualified persons to vote

SEC. 69. Any person who shall procure, aid, assist, counsel or advise another to go or come into any county or election district for the purpose of illegally giving his vote in any such county, knowing that the person is not duly qualified to vote in such county, or election district, shall, on conviction thereof, be imprisoned in the state prison, and kept at hard labor, not less than six months, nor more than one year.

Penalty for inducing persons to come into county to vote

SEC. 70. Any person who shall, by bribery, attempt to influence any elector of this State in giving his vote or ballot, or who shall use any threat to procure any person to vote contrary to the inclination of such elector, or to deter him from giving his vote or ballot, shall, on conviction thereof, be fined in any sum not exceeding five hundred dollars, nor less than one hundred dollars and be imprisoned in the county jail of the proper county not less than one month nor more than six months.

Penalty for bribery

SEC. 71. Any person who shall furnish an elector who cannot read the language in which such ticket is printed or written, with a ticket informing him that it contains a name or names different from those which are written or printed thereon, with an intent to deceive and induce him to vote contrary to his inclination, or who shall fraudulently or deceitfully change a ballot of any

Penalty for misinforming elector as to names on his ticket

elector, by which such elector shall be prevented from voting for such candidate or candidates as he intended, shall, on conviction thereof be imprisoned in the state prison, and kept at hard labor, not less than six months, nor more than one year.

**Sec. 72.** If any person offering his name to be put on the list of electors is challenged as unqualified by one of the judges of election, or by an elector, one of the judges shall tender to him the following oath or affirmation: You do swear (or affirm, as the case may be,) that you will fully and truly answer all such questions as shall be put to you touching your place of residence, and qualifications as an elector at this election.

*First.* If the person be challenged as unqualified, on the ground that he is not a citizen, nor has declared his intention to become such, the judges, or one of them, shall put the following questions:

1st. Are you a citizen of the United States?

2d. Are you a native or naturalized citizen?

3d. Have you declared your intention to become a citizen of the United States, conformably to the laws of the United States upon the subject of naturalization?

If the person so offering his name claims to be a naturalized citizen of the United States, he shall, before his name shall be inserted on the list, produce for the inspection of the judges of the election, a certificate of his naturalization, and also state, under oath or affirmation, that he is the identical person named therein. *Provided*, That the production of such certificate shall be dispensed with if the person so offering his name shall state, under oath or affirmation, when and where he was naturalized, that he has had a certificate of his naturalization, and that the same is lost, destroyed, or beyond his power to produce to the judges of election. *Provided further*, That if he shall state under oath or affirmation, that by reason of the naturalization of his parents, or one of them, or that being born of American parents in foreign parts he has become or is a citizen of the United States, and when and where his parent or parents were naturalized, the certificate of said naturalization need not be produced.

*Second.* If the person be challenged as unqualified on the ground that he has not resided in this State for four months immediately preceding the election the judges, or one of them, shall put the following questions:

1st. Have you resided in this State for four months immediately preceding this election?

2d. Have you been absent from this State within the four months immediately preceding the election? If yes, then,

3d. When you left did you leave for a temporary purpose, with the design of returning, or for the purpose of remaining away?

4th. Did you, while absent, regard this State as your home?

5th. Did you while absent vote in any other State?

*Third.* If the person be challenged as unqualified on the ground that he is not a resident of the election district where he so offers his name, the judges, or one of them shall put the following questions: When challenged as a non-resident

1st. When did you last come into this election district?

2nd. When you came into this district did you come for a temporary purpose merely, or for the purpose of making it your home?

3d. Did you come into this district for the purpose of voting here?

4th. Are you an actual resident of this district?

*Fourth.* If the person be challenged on the ground that he is not twenty-one years of age, the judges, or one of them, shall put the following question: When not of age

Are you twenty-one years of age, to the best of your knowledge and belief?

The judges of election, or one of them, shall put all such other questions to the person challenged, under the respective heads aforesaid as may be necessary to test his qualifications as an elector at that election.

SEC. 73. If the person challenged as aforesaid shall refuse to answer fully any question which shall be put to him as aforesaid, the judges shall refuse to insert his name on the poll list, nor shall he be allowed to vote. When not allowed to vote

SEC. 74. If the challenge be not withdrawn after the person so offering his name shall have answered the questions put to him as aforesaid, one of the judges of the election shall tender him the following oath:

You do swear (or affirm, as the case may be) that you are a citizen of the United States, of the age of twenty-one years, or have declared your intention to become such citizen conformably to the laws of the United States Oath

on the subject of naturalization, that you have been an inhabitant of this State for four months immediately preceding this election, and an actual resident of this election district for the ten days immediately preceding this election.

**When vote not to be received** SEC. 75. If any person shall refuse to take the oath or affirmation so tendered, his name shall not be inserted on the poll list, nor shall he be allowed to vote.

**Duty of judges** SEC. 76. It shall be the duty of each judge of election to challenge every person offering to have his name inserted on the poll list, or to vote at any election, whom he shall know or suspect not to be duly qualified as an elector.

**Penalty for fraudulently putting ballot in the box** SEC. 77. Any person who shall, after proclamation made of the opening of the polls and at any time before the vote has been fully canvassed, fraudulently put a ballot or ticket into the box, shall, on conviction thereof, be imprisoned in the state prison, and kept at hard labor, not less than six months, nor more than one year.

**False swearing—how punished** SEC. 78. If any person challenged as unqualified to vote, shall be guilty of wilful and corrupt false swearing or affirming in taking any oath or affirmation prescribed by this Act, such person shall be deemed to have committed wilful and corrupt perjury, and upon conviction thereof, shall suffer the punishment attached by the laws of this State to the crime of perjury.

**Who to be deemed incompetent as an elector** SEC. 79. Every person who shall be convicted and sentenced to be punished by imprisonment in State prison for any offense specified in this Act, or who shall be convicted and sentenced for bribery under this Act, shall be deemed forever after incompetent to be an elector, or to hold any office of honor, trust or profit within this State, unless such convict shall receive from the Governor of this State a general pardon under his hand and seal of the State, in which case said convict shall be restored to all his civil rights and privileges.

**Prosecutions in District Court** SEC. 80. All prosecutions under this Act shall be by indictment before the district court in the county where the offense was committed, and all penalties and fines shall be collected by prosecution on complaint or indictment as the case may be before a justice of the peace or district court of the proper county.

**Fines—to whom paid** SEC. 81. All fines under this Act shall be paid into the county treasury, where the offense was committed, for the use of the common schools of such city.

SEC. 82. The provisions of this Act shall have reference and be applied to all elections hereafter to be held or vote hereafter to be taken for all or any state, district, county, town, city, or township officers; and for electors of President and Vice President of the United States; amendments to the constitution, laws, changing county lines, removing county seats, or on any subject which may by law be submitted to a vote of the people. Act to apply to all future elections

*Provided*, That the registration of the names of the electors previously to the time of voting at the town meeting of any organized township shall not be required; but the said town meeting and the manner of conducting the same shall be as provided in general act for the organization of towns.

SEC. 83. This Act shall be given specially in charge to the grand jury at each term of the district court, by the presiding judge thereof. To be given to the grand jury

SEC. 84. All of chapter six, of the Public Statutes of Minnesota, including all the laws published in said statutes from page one hundred and thirty-eight to one hundred and fifty-one inclusive; and all of chapter eighteen of the General Laws of the State of Minnesota, of the year one thousand eight hundred and sixty; and all of chapter forty-six, of the Laws of one thousand eight hundred and sixty; and all other acts or parts of acts inconsistent with this Act, are hereby repealed. Repeal of former laws

And wherein the provisions of this Act contravene the provisions of an act entitled "An act to reduce the law incorporating the city of Saint Paul, in the county of Ramsey, and State of Minnesota," and the several acts amendatory thereof into one act, and to amend the same, approved March twentieth, eighteen hundred and fifty-eight, such provisions of said act are hereby repealed, and the provisions of this Act shall be in full force in said city.

*Provided*, That all prosecutions, fines, recognizances, liabilities, forfeitures, penalties, rights, indictments, and causes of prosecutions, shall remain and be continued, preserved and prosecuted in the same manner and to the same extent as if said acts had not been repealed.

SEC. 85. This Act shall take effect and be in force from and after the passage thereof.

Approved March 12th, A. D. 1861.