

of any school district shall be valid unless and until the foregoing requirements as to posting and serving of notices have been observed; and provided further, that whenever the territory affected by any of the foregoing proceedings lies in two or more counties, like proceedings shall be had in each county affected, and no order in such proceedings shall be valid unless concurred in by the county board of all such counties affected.

At the time of making such division, enlargement or change of boundaries, the county commissioners shall apportion to the district so enlarged that portion of the debts of said other districts as may seem to them right and proper, and said apportionment when so made shall be binding upon all the districts affected, and the county commissioners may also apportion to said districts so enlarged, such portion of the property of such other districts as shall seem to them just and proper. Said last mentioned apportionment shall be subject to review by the district court;

And provided further, that any person or officer of any school district aggrieved by any order of the county board made pursuant to the provisions of this section, may appeal to the district court from such order, such appeal to be governed by the provisions of section 1285, Revised Laws 1905 (2676)."

Sec. 2. This act shall not apply or affect any proceedings heretofore taken or now pending for a change of boundaries of school districts pursuant to said Section 2677, and it shall not apply to or affect any action now pending in which the validity of proceedings had under said Section 2677 is challenged.

Approved April 18, 1923.

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#### CHAPTER 305—H. F. No. 244.

*An act creating a commissioner of registration and providing for the registration of qualified voters in all cities now or hereafter having a population of more than fifty thousand inhabitants, governed under a home rule charter adopted pursuant to section 36, article 4, of the Constitution of the State of Minnesota.*

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

Section 1. **Commissioner of registration.**—That the office of Commissioner of Registration be and the same is hereby created in all cities now or hereafter having a population of more than 50,000 inhabitants, governed under a home rule charter adopted pursuant to section 36, Article 4, of the Constitution of this state. The City Clerk of each such city is hereby constituted such Commissioner of Registration.

Sec. 2. **Definitions.**—For the purposes of this act the word "elections" wherever used shall be held to mean general, special, school, or primary elections both state and municipal.

**Sec. 3. Voters must be registered.**—From and after the first of January, 1924, no qualified voter shall be permitted to vote at any election unless such voter shall register as provided in this act.

**Sec. 4. Commissioner to have charge of registration—Deputies, clerks and supplies.**—The said Commissioner of Registration shall have complete charge of the registration of all qualified voters within such city. He shall appoint such deputies and clerks, provide printed forms and blanks, together with such other supplies and equipment as are necessary to properly carry out the provisions of this act. Subject to the provisions of this act, he shall prescribe such reasonable rules and regulations as to office hours and places and manner of registration as may be necessary. Provided, however, that places of registration shall be established throughout the city, one to each precinct in the usual polling places, the same to remain open for a period of two registration days in 1924 from six o'clock A. M. to nine o'clock P. M., said registration days to be fixed by the city clerk. One of said days in 1924 to be prior to the primary election and one of said days in 1924 to be prior to the general election, and provided further that the office of the Commissioner of Registration shall remain open until nine o'clock P. M. each of the four Saturdays immediately preceding the last registration day as prescribed by this act. He is hereby authorized and empowered to appoint such temporary clerks of registration as may be necessary. All deputies, clerks and other employes appointed by the Commissioner of Registration shall be subject to the provisions of any Civil Service law that now is or hereafter may be applicable to any such city.

**Sec. 5. Commissioner to prepare registration lists.**—As soon as possible after the passage of this act and not later than January 1, 1924, the Commissioner of Registration shall proceed to take the necessary steps for establishing the registration plan. He shall provide for an original list of qualified voters properly indexed, which shall be kept at the office of the Commissioner of Registration in a place and in such manner as to be properly safeguarded. Such list shall be known as "The Original Registration List" and shall not be removed from the Commissioner's Office except upon Court order. A second list to be known as "The Duplicate Registration List" shall be prepared from the "Original Registration List" by the Commissioner. Such "Duplicate Registration List" shall at all times, subject to reasonable rules and regulations, be open to public inspection.

**Sec. 6. Form of records.**—For the purpose of expediting the work of the Commissioner of Registration, for uniformity and for preparation of abstracts and other forms in use by the election boards, the registration records shall be substantially as follows;

(a) Suitable card index devices shall be provided. There shall also be provided suitable index cards of sufficient facial area

to contain in plain writing and figures the data required thereon.

(b) The following information concerning each applicant for registry shall be entered on the card:

(1) If a man,—

*Ward*

*Election District*

*Name*, i. e., the name of the applicant, giving surname and Christian names in full.

*Residence*, i. e., the name and number of the street, avenue or other location of the dwelling; and such additional clear and definite description as may be necessary to give the exact location of the applicant.

*Age*, Are you 21 years of age,—it being required that the applicant shall be 21 years of age on or before the day of election next following the date of application.

*Term of Residence*. i. e., Will you have lived in the State of Minnesota for six months on or before the date of the next primary election or other election? Will you have lived in the election district for 30 days on or before the date of the next primary election or other election?

*Nativity*. In what state or country were you born?

*Citizenship*. Have you ever renounced your allegiance to the United States of America? Are you a naturalized citizen? Have you been a naturalized citizen for the three months prior to the date of the election next following the date of this application? In what court were you naturalized? Did your parents take out their second papers before you became 21 years of age and while you were a resident of the United States?

*Date of Application*, i. e., the day, month and year when the applicant presented himself for registration.

*Signature of Voter*. The applicant after registration shall be required to sign his name on both the Original and the Duplicate Registration Lists.

(2) If a woman,—

The information requested shall be the same as for males with such additional information as may be necessary to determine the qualifications of the applicant for registration.

(c) There shall be provided removal notices to be given out upon request for use of any registered voter moving to a new location. These notices shall be printed upon thin card, shall contain a blank form showing where the applicant last resided and the address and exact location to which he is moving, and shall have a line for his signature similar to the one upon the original registration card. Upon receipt of such removal notices the Com-

missioner of Registration shall make entry of such change of residence on the original and the duplicate registration lists and the applicant shall thereupon be qualified to vote in the new election district.

(d) The Commissioner shall compile and shall deliver to the judges of election in each district a register of the voters in that district, which register may be the Duplicate Registration List, and as such shall be known as the "Election Register". Such register shall contain in alphabetical order the name and address of every registered voter in that election district, together with a space following each name in which shall be recorded the words "voted" or "not voted" as the case may be. Also a space for "remarks" in which shall be recorded any challenge, affidavit or other information as may be required. In case the Commissioner shall elect to provide the Election Registers in the form of poll books so called, upon completion of each such poll book and before it is delivered to its election district, the Commissioner of Registration shall stamp each leaf thereon containing names on the first open line after the last name entered, with a small stamp, which shall read "List closed for election \_\_\_\_\_ 19 \_\_\_\_\_."

(e) For purposes of preventing fraudulent voting and for eliminating excess names, following the close of registration, the Commissioner of Registration may send by mail to any voter whose name appears on the Original Registration List, a notice bearing a statement substantially as follows:

You are hereby notified that your name and address appears on the Original Registration List as shown on the opposite side of this card. If there is any mistake in the above name or address present this card at the office of the Commissioner of Registration No. \_\_\_\_\_ City Hall, for correction on or before \_\_\_\_\_ 19 \_\_\_\_\_. The return of this card by the Post Office to the Commissioner of Registration will be accepted as evidence on which to challenge your vote on election day.

\_\_\_\_\_  
Commissioner of Registration.

Upon the return by the Post Office of any such notice, the Commissioner of Registration shall direct an authorized clerk to check up the name and address in person, and if the voter whose notice has been returned is found to have removed from the address as recorded on the Original Registration List, the Commissioner of Registration shall cause to be entered on the Election Register of the proper district, in the proper space opposite the said voter's name, the word "challenged." No one so challenged shall be permitted to vote except by complying with the provisions of law applicable to the proving of challenges.

**Sec. 7. Voters to register fifteen days before elections.**—The Commissioner of Registration or a duly authorized clerk acting

for him shall, up to fifteen days next preceding any election, receive the application for registration of all such qualified voters as shall personally appear for registration at the office of the Commissioner or at such other place as is designated by him for registration, who then are, or on the date of election next following the day of making such application, will be entitled to vote. Any qualified voter who applies for registration shall subscribe to the following oath or affirmation, viz;

You do solemnly swear or affirm that you will fully and truly answer such questions as shall be put to you, touching your qualifications as voter, under the laws of this state.

Upon being sworn, the applicant shall answer such questions as are required as herein before set forth, and the clerk shall fill out the form which the applicant shall sign, and he shall not be required to register again for any election; provided, however, that failure to vote at least once in two calendar years wherein elections are held shall operate as a challenge and shall require the applicant to re-register. Registration by mail is hereby specifically prohibited. In case a qualified voter is unable to write his name, he shall be required to make a cross, which shall be certified by the signing of the name of the applicant by the registration clerk taking the application. No qualified voter who is unable to sign his name may be permitted to mail or hand in a removal notice as in this act provided, but must appear in person to secure a removal of his name to his new voting district.

**Sec. 8. Commissioner to make election registers.**—The Commissioner of Registration shall have 15 full days between the last day of registration and election day, to perfect his Election Registers and for that purpose 15 days before any election day shall be days upon which voters may not register. During these thirty days the Commissioner shall complete the Election Registers and on the day before election day shall deliver them as required by law to each election district.

**Sec. 9. Election registers to be checked up and compared.**—Immediately following each election the clerks of registration shall enter upon the Original and the Duplicate Registration List from the Election Registers, the information thereon recorded, showing in the case of each registered voter that he has "voted", or "not voted", as the case may be; also, any "challenge", "affidavit", or other information affecting the right of any registered person to vote. At the close of each calendar year after the second year of the registration under this act, clerks of registration shall check up the Original Registration List for the purpose of eliminating excess names, and to that end, they shall examine the Election Registers and whenever it appears that a registered voter has not voted at an election at least once in two calendar years wherein elections are held, his card shall be taken from the Original and the Dupli-

cate Registration Lists and placed in a transfer file, and a printed postal card notice of that fact with the information that his vote has been challenged, and that the voter must re-register to remove said challenge, shall be sent to the last known address of said voter. When removal notices are received by the clerks they shall examine the signatures and compare them with the original and if they are not similar a postal card notice, stating a refusal to transfer for that cause, shall be sent to the applicant at the new address given.

**Sec. 10. Applicants may be challenged.**—Any person may challenge a registration at any time by filing a written challenge with the Commissioner of Registration. Persons so challenging shall appear before the Commissioner of Registration thereafter to prove their challenge, and the person so challenged shall have notice given of the challenge and the Commissioner shall decide the right to the entry of the evidence. Either party may appeal to the District Court of the county in which the challenge is made and a date for the hearing shall be fixed and the decisions of such Court shall be final.

**Sec. 11. Violations and penalties.**—Any officer or employe who shall wilfully fail to perform or enforce any of the provisions of this act, or who shall unlawfully or fraudulently remove any registration card or record from its proper compartment in the registration records, or who shall wilfully destroy any record provided by this act to be kept, or any person who shall wilfully or fraudulently register more than once, or register under any but his true name, or attempt to vote by impersonating another who is registered, or who wilfully registers in any election district where he is not a resident at the time of registering, or who adds a name to a page or pages, or who violates any of the provisions of this act, shall be guilty of a felony.

**Sec. 12. Officers and clerks to subscribe to oath of office.**—Before entering upon his duties, each officer or clerk in whatever capacity shall subscribe to an oath in such form as provided by the attorney for the city.

**Sec. 13. Expenses to be paid from current revenue funds.**—The necessary expense in each city for carrying out the provisions of this act shall be paid by such city and the City Council of such city shall provide out of the current revenues of the city sufficient funds based upon the estimate prepared by the Commissioner of Registration. The City Council of any city in which this act applies may in its judgment compensate the Commissioner of Registration for the additional service required by the performance of the duties herein described in addition to any salary such Commissioner as City Clerk may receive at the time of the adoption of this act and not withstanding any provision of the charter of such city, and the compensation so paid to the Commissioner of Registration may be

retained by him, notwithstanding any provision in the charter of such city to the contrary.

Sec. 14. **Inconsistent acts repealed.**—All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 15. This act shall take effect and be in force from and after its passage.

Approved April 18, 1923.

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CHAPTER 306—H. F. No. 672.

*An act authorizing cities of the first class to compensate persons for injuries to person or property heretofore sustained through the act or acts of agents or officers of such cities in the performance of governmental duties.*

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

Section 1. **Cities to pay damages in certain cases.**—That any city of the first class is hereby authorized and empowered to compensate any person or persons for damages to real property which have heretofore been sustained by such person or persons through the act or acts of any agent or official of such city in the performance of a governmental duty; and such city of the first class shall have the right to pay and compensate such person or persons upon the passing of a resolution by the council authorizing such payment. Provided that this act shall not authorize compensation to be made for any such injury sustained more than six months prior to the passage hereof.

Approved April 18, 1923.

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CHAPTER 307—H. F. No. 720.

*An act to amend Section 1 of Chapter 336, Session Laws of 1921, relating to the salaries of employees in the office of the county auditor; to amend Section 2 of Chapter 336, Session Laws of 1921, relating to the salaries of employees in the office of county treasurer, to amend Section 4 of Chapter 336, Session Laws of 1921, relating to the salaries and duties of certain deputy sheriffs; to amend Section 6 of Chapter 336, Session Laws of 1921, relating to the salaries of clerks and employees of judge of probate; to amend Section 8 of Chapter 336, Session Laws of 1921, relating to the salaries of clerks and employees in the office of the coroner; to amend Section 9, Chapter 336, Session Laws for 1921, relating to salaries of clerks and employees in the office of clerk of court in counties having a population of not less than 220,000 inhabitants and less than 330,000 inhabitants; and to repeal Chapter 449 of Session Laws of Minnesota for 1921.*

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