

*such a sum \* \* \* as, computed by the rate per folio for legal notices or publications as created, established, and applied in the counties of this state by the statutes of Wisconsin, would be required to pay for such publication.*

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

Approved June 16, 1911.

No. 792, A.]

[Published June 19, 1911.]

## CHAPTER 391.

AN ACT to provide for the appointment of election commissioners and subordinate election officials, and the conduct of elections and registration of qualified voters in cities of more than one hundred thousand inhabitants, and providing a penalty.

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

SECTION 1. There is created a board of election commissioners for each city having more than one hundred thousand inhabitants, composed of three members, who shall be appointed as follows: The mayor of each said city shall appoint three members for terms of one, two and three years, respectively, dating from July first, in the year in which they are appointed, and until their successors are commissioned and qualified. Successors shall be appointed in like manner and their terms of office shall be three years in all cases and until their successors are commissioned and qualified. The board shall be composed of one member from each of the three dominant political parties, as shown by the returns of the last preceding general election, and appointments shall be made in accordance with this rule. The party affiliation in each case shall be attested by the respective chairmen of the city committees of the several political parties before such appointment shall be in force. The board shall choose its own chairman. In case of vacancy for any cause in said board, the same shall be filled by the appointment of the mayor for the unexpired term. Such commissioners shall be legal voters, and residents of the state for at least five years, and of the city for a like period of time. They shall hold no other public office and shall be ineligible to any other elective or appointive public office while members of such board, and shall before entering upon the duties of election commissioners subscribe to an oath binding them to support the constitution of the United States and of the state

of Wisconsin, and to conduct themselves faithfully and impartially in office; said oath of office to be filed in the office of the city clerk.

SECTION 2. The city clerk of such said cities shall act as secretary of the board of election commissioners without extra remuneration, and the city shall furnish office room in the city hall for said commissioners, and all expenses incurred by the board under this act shall be paid out of the city treasury.

SECTION 3. After its first organization, such board of election commissioners shall prepare for a new and general registration of voters for the next following election; and when made, such registration shall be continued and revised in proper time for every succeeding election in the manner hereinafter provided.

SECTION 4. 1. Such board of election commissioners shall, on the first day of September of the year in which they are appointed, and on the same date biennially thereafter, appoint three qualified voters as inspectors of election for each precinct in said cities. They shall be citizens of the United States; shall be men of good repute and character; able to read and write the English language, be of good understanding and capable. They must have resided in the precinct for which they are selected to act not less than one year prior to their appointment, and be entitled to vote therein at the next election, and not hold any other public office or employment, and shall not be candidates for any public office while acting as such inspectors of election.

2. The said board shall also appoint at the same time and for the same term, two ballot clerks in each precinct to serve at primary elections, who shall possess the same qualifications and serve under the same restrictions as the inspectors aforesaid.

3. Before entering upon the duties of their offices, each inspector and ballot clerk so appointed shall subscribe to a like oath to that taken by the election commissioners, which shall be filed in like manner with the city clerk.

4. Said inspectors and ballot clerks shall be appointed as provided in the preceding sections for terms of two years. Said inspectors shall during said term serve as inspectors at all elections in such cities, but said ballot clerks only at primary elections.

5. Where a vacancy in the office of inspector or ballot clerk shall occur from any cause, said commissioners shall make an appointment as herein provided to fill such vacancy.

6. In each precinct not more than one of said inspectors, nor more than one of said ballot clerks, so nominated, shall be of the same political party, and such inspectors shall be chosen from the three dominant political parties as shown by the returns of the last preceding general election in such precincts, and such ballot clerks shall be chosen from the two dominant parties as shown by the returns of the last preceding general election in such precincts; the party affiliation, in contested cases, to be finally determined by the chairman of the city committee of the political party entitled to the appointment.

7. If any person holding the position of inspector or ballot clerk of election shall in the judgment of the board of election commissioners be found not to possess the qualifications prescribed in this section, or if any inspector or ballot clerk in the judgment of said board of election commissioners shall be guilty of neglecting the duties of his office, or of any official misconduct, then such inspector or ballot clerk shall be summarily removed from office by said board, and the vacancy immediately filled by the appointment of a person having qualifications as herein required.

SECTION 5. 1. At the time of such appointment of inspectors and ballot clerks, the board of election commissioners shall publish for one day in the official publication or publications of such cities, a full list of the names and addresses of such inspectors and ballot clerks, together with a notice stating that the persons mentioned have been provisionally appointed to act as inspectors and ballot clerks in the various precincts enumerated, for the ensuing two years, and setting forth that to their best knowledge and belief such provisional appointees possess the qualifications required by this act; also stating the political party with which each respectively is believed to be affiliated, and requesting all persons to inform the board of election commissioners as to any want of qualification on the part of any provisional appointee named in the list; also that on a day named in said notice, which shall not be more than five days after the day of publication, the board of election commissioners will sit at its office for the purpose of hearing any objections made as to the qualifications of any such provisional appointee. Said notice shall state the hours of said session, which shall be from nine to twelve a. m. and from two to five p. m., and shall further state that if all objections to the qualifications of such provisional appointees, or any of them, are not disposed of on said day, the board will sit from day to

day between the same hours until the cases are all determined; and further, that any provisional appointee found disqualified upon such information, will be rejected, and a duly qualified person appointed in his stead.

2. On the day and at the hour named for the beginning of such session, the election commissioners shall meet at their office and consider the objections made to the appointment of any such provisional appointee, beginning with the lowest numbered precinct of the first ward and continuing in regular order to the highest numbered precinct of the highest numbered ward. The commissioners may examine under oath any person appearing before them. They shall decide each case as soon as the evidence therein is before them, and announce their decision immediately, announcing also the dissent of any commissioner, if the decision of the board is not unanimous. A minute shall be made of any such decision, setting forth all objections made against any provisional appointee and the findings of the majority thereon, and of the dissenting member thereon, if there be any dissent. If all objections to such provisional appointees are not concluded on said day the commissioners shall sit from day to day, between the same hours, and at the same place, until all such objections are disposed of.

3. All such provisional appointees found to be disqualified upon such hearing shall be immediately rejected, and persons having the necessary qualifications appointed in their places, divided between the different political parties as provided for in this act.

SECTION 6. 1. Thirty days prior to the next succeeding primary election, the election commissioners shall cause a final publication in the official publication or publications of said city, of the names of all inspectors and ballot clerks, appropriately designated by wards and precincts in numerical order, giving the place of residence of each appointee, and any existing vacancies shall then be filled by the commissioners in their discretion, so that a full and complete list may be published at this time.

2. It shall be the duty of all inspectors and ballot clerks, so appointed, to immediately notify the board of election commissioners, if for any unforeseen cause, occurring after the publication of said final list, he is prevented from serving. For the purpose of receiving any such information and of filling any vacancies so occurring, the board of election commissioners shall be in session during the two days next preceding the primary and election days.

3. Not later than ten days succeeding the publication of said list, the appointees shall file their oath of office with the city clerk, and the board of election commissioners shall thereupon cause to be issued to each appointee a suitable certificate of his official character and standing.

4. For the purpose of filling vacancies which may exist and of verifying or correcting addresses in the list of election inspectors and ballot clerks, the board of election commissioners shall, ninety days previous to every election succeeding the election first following the appointment of a new list of election officials under this act, cause a careful canvass of the list to be made through the agency of the police department.

SECTION 7. Service as inspector of election or ballot clerk under this act shall be mandatory upon all qualified voters so appointed, during a full period of two years, after which they shall be exempt from further service under this act until three terms of two years each, shall have elapsed; the election commissioners being charged with discretion and authority in cases of request for exemption from service as such election officers at any time.

SECTION 8. The inspectors of election aforesaid shall constitute the board of registry in the precinct for which they are appointed, and shall elect their own chairman.

SECTION 9. In preparation for the work of the several boards of registry, the secretary of the board of election commissioners shall, ninety days prior to all elections to be held in cities governed by the provisions of this act, prepare a supply of registration cards and have them distributed through the agency of the police department to every known male voter, whose name appears on the last printed list of the registry held in such cities; also to every presumptive male voter or known prospective male voter of such cities. Registration of women voters shall be made only in the years when school matters enter into an election.

SECTION 10. Registration cards shall be printed in the form of a request to the voter to properly fill in the spaces provided for information for registration purposes, and notice shall be given thereon that, if necessary, the blanks may be filled in by some other person, except that in the space provided for the signature, the voter himself must sign his name or make his mark. The cards shall provide headings for the following entries to be made by applicants for registration:

1. Date.
2. Ward.

3. Precinct.
4. Name.
5. Residence.
6. Exact location, "flat No. —," "upper flat," "room No. —," "hall-room," "room on second floor," "basement," "rear house" or other equally definite designation of location.
7. Age.
8. Sex.
9. Nationality.
10. Whether citizen or not.
11. Term of residence in state.
12. Term of residence in precinct.
13. Autograph.

Such cards shall also be furnished by the city clerk to any person applying for them either in person or by mail.

SECTION 11. Two consecutive weeks shall be allowed for the distribution and collection of registration cards by the police department, and the cards shall be collected in the same general order as distributed, so that each voter will have approximately one week in which to fill in the blanks for the purpose of registration under this act; such cards to be returned to the secretary of the board of election commissioners.

SECTION 12. Under the direction of the board of election commissioners an official registry for each precinct shall be commenced, compiled from all cards so received which indicate that the signers thereof are legal voters. Such official registry shall contain in book form in suitable columns a copy of the information given on the registration cards, excepting the date and autograph. The names of voters shall be arranged in numerical order of houses located on each street separately, commencing with the lowest and ending with the highest number within the precinct. The streets shall be arranged in geographical order from east to west and north to south.

SECTION 13. As soon as the cards received have been transcribed into said books, the board of election commissioners shall cause a sufficient number of registry lists to be printed from such official registry, not exceeding one hundred for each precinct, and shall cause to be conspicuously posted in each precinct within such city twenty-five copies thereof through the agency of the police department.

SECTION 14. The board of election commissioners shall cause to be obtained from at least three persons within the county, sealed proposals for the printing of said lists, and shall award

the contract therefor to the lowest competent and responsible bidder.

SECTION 15. The boards of registry, as provided in section 7, shall hold meetings at the places designated for holding elections, on the Tuesday next preceding the election and primary election. They shall meet at eight o'clock in the forenoon and hold their meetings open until eight o'clock in the evening. They shall revise and correct the preliminary registry as prepared by the board of election commissioners: First, by striking therefrom the name of any person known by them to have died or removed from the district or who shall be proved to their satisfaction, by the oath of two electors of the district, to be not entitled to vote therein at the next ensuing election or primary election, unless such person shall appear, and, if challenged, shall make affidavit stating the name and period of the continuous residence in the election district and place of residence therein, giving the number and street of the affiant, and in case he is of foreign birth, stating when he came to the United States and to this state, and the time and place when he became a citizen of the United States, and that he is entitled to vote at the election. Second, by entering thereon, the name of every elector entitled to vote in the district at the next election who shall appear in person and file a registration card, as hereinbefore provided, properly filled in and sworn to before the chairman of the board of registry. In every case of a name stricken from the registry, the reason therefor shall be stated in writing opposite the name so stricken.

SECTION 16. Each board of registry shall be furnished by the board of election commissioners with two sets of three blank registry books, one set for each meeting, suitably arranged to permit of entries corresponding with the preliminary registry, for the registration of additional names, and also arranged to permit of any corrections of the preliminary registry which may be found necessary at such meetings.

SECTION 17. Each member of said boards of registry shall make the entries in one of these books, setting down the name of every additional voter accepted at such meetings with the full information required in each case, and showing therein any corrections of the preliminary registry found to be necessary at such meetings. At the close of each meeting said members, acting in concert, shall compare each register so kept with the other two, correcting any differences found, and making the same agree in all respects; and each said member shall then sign a

certificate to be attached at the end of each register, in substantially the following form:

We, the undersigned inspectors of election in the..... precinct of the..... ward of the city of..... in the state of Wisconsin, do jointly and severally certify that at the registration of electors in said election precinct, held on the.....day of ....., 19...., there were registered by us in said election precinct the names which in this book are entered, and that the total number of registered and qualified voters in said precinct was and is the number of.....

Dated.....

**SECTION 18.** 1. Any person who is not twenty-one years of age before the date when the registry is required to be corrected, but who will be if he lives until the day of election, shall have his name put on such registry if he be otherwise qualified to be an elector.

2. All registration cards shall be preserved by the several boards of registry and filed in the office of the board of election commissioners.

3. Every person registered under this act shall be subject to the same punishment for any false statement or other offense in respect thereto, as is provided in case of false statement or other offense by an elector offering to vote at an election.

**SECTION 19.** After such registry shall have been fully completed on the days above mentioned, no names shall be added thereto, and no votes shall be received at any election if the name of the person offering to vote be not on the registry as completed, except as provided in section 61 of the statutes.

**SECTION 20.** 1. Within twenty-four hours after each meeting of the several boards of registry the three registry books, together with all registry cards and affidavits, shall be delivered by the several chairmen of the boards of registry to the secretary of the board of election commissioners. The board of election commissioners shall forthwith cause to be printed therefrom, for use at the primary election and at the final election respectively, not to exceed one hundred copies of such complete and corrected registries of each precinct, and through the agency of the police department, shall cause twenty-five copies thereof to be conspicuously posted in each precinct.

2. Six copies of such precinct registry lists shall be furnished to each inspector for each primary and final election, of which two shall be used as check lists and in lieu of poll lists, at the primary and at the final election. To this end, two inspectors



at each precinct at each election, shall write after the name of each voter, the serial number of his vote as the same is polled. A special blank column shall be provided on the final printed registry lists for this purpose, also a form of certificate setting forth that each list is a true and complete combined check and poll list of the respective precincts, which form shall be filled in and signed by the three inspectors of election in each precinct; such combined check and poll lists, duly verified, to be returned as provided by law.

SECTION 21. All registries shall at all times be open to public inspection, and any voter shall have the right to challenge any applicant who applies to be registered, but such voter shall be examined under oath, touching the cause for such challenge; judgment in each case to rest with the board of registry and to be rendered as soon as heard. In the case of a naturalized applicant the board of registry may require him to show his naturalization certificate.

SECTION 22. Any voter may make objection before the board of election commissioners to the registration of any person as aforesaid in the manner and form objections are required to be made before boards of registry. The election commissioners shall sit for the purpose of hearing such objections on the Wednesday of the first week prior to said election and primary election between the hours of nine a. m. and twelve m., and between two p. m. and five p. m., and if all such objections be not then determined it shall sit during the same hours of the next day. Such objectors shall appear in person before the commissioners on said day or days; they may be further examined by the commissioners under oath and further testimony may be taken in the premises. All cases shall be heard and decided summarily. If the board shall believe any person so objected to is entitled to registration, his name shall remain upon the registry, otherwise his name shall be removed, and the inspectors of the proper precinct notified immediately of such action. Minutes shall be kept of all objections made and action taken at such meetings.

SECTION 23. Every inspector or ballot clerk of election shall be exempt from jury duty from the day of his qualification as such until two years after his term of office expires, if and so long as he performs his duty as such inspector or ballot clerk at every election held in the precinct for which he is appointed from the day of his qualification until his term of office expires; and where an inspector or ballot clerk, duly appointed by the board of election commissioners, has qualified and performed his duty as inspector or ballot clerk at an election, he shall be exempt

from jury service until the next election, and if such second election falls within the term for which he is appointed and he fails to perform his duties thereat, his exemption from jury service shall thereby cease.

**SECTION 24.** Any person not regularly appointed by the board of election commissioners, but who shall duly serve as inspector or ballot clerk at any election because appointed to fill vacancy at the polling place, shall be exempt from jury service for six months thereafter. It shall be the duty of the jury commissioners in all cities subject to this act having jury commissioners, to see that no person is summoned to do jury service during the time for which he is exempt, as herein provided: and it shall be the duty of the board of election commissioners, after each election, to certify to the jury commissioners names of the inspectors and ballot clerks who served at such election.

**SECTION 25.** The commissioners of election shall receive the same compensation provided in section 2533a of the statutes, relating to the compensation of jury commissioners, and any amendments now or hereafter made thereto.

**SECTION 26.** The inspectors and ballot clerks shall receive the same compensation provided in section 94h of the statutes, and any amendments now or hereafter made thereto.

**SECTION 27.** The act of a majority of such board of election commissioners and such boards of registry shall be considered as the act of said board of election commissioners or of such boards of registry.

**SECTION 28.** All election officials provided for in this act shall be under the direction and control of the board of election commissioners, and the decisions of the board shall govern all of their acts hereunder.

**SECTION 29.** The said commissioners of election appointed by the mayor may be removed by him upon proof of official misconduct or negligence satisfactory to him.

**SECTION 30.** For the purpose of carrying out the provisions of this act, it shall be the duty of all departments of cities governed by the provisions of this act to co-operate with the board of election commissioners in the manner herein provided.

**SECTION 31.** This act shall be liberally construed so that its purpose may not be defeated by any informality, or failure to comply with the several provisions in respect to either the giving of notices or the conduct of the registrations or keeping within the exact periods of time stipulated herein.

**SECTION 32.** Any public officer who shall wilfully fail or neglect to perform any duty imposed upon him by the provisions

of this act, or knowingly make any false certificate in respect to such duty, or to any matter to which he may be required by law to officially certify, shall be punished by imprisonment in the county jail not exceeding nine months, or by fine of not more than five hundred dollars.

SECTION 33. All acts and parts of acts conflicting with any provisions of this act are repealed in so far as they are inconsistent therewith.

SECTION 34. This act shall take effect and be in force from and after its passage and publication.

Approved June 16, 1911.

No. 49, S.]

[Published June 20, 1911.

### CHAPTER 392.

AN ACT to appropriate a certain sum of money for the purchase of stationery for the use of the state.

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

SECTION 1. There is appropriated out of any money in the general fund not otherwise appropriated the sum of seventeen thousand dollars, for the purchase of stationery for state officers and departments, for the years 1911 and 1912 and for the legislative session of 1913, said sum being the amount estimated to be necessary for the purposes specified.

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

Approved June 16, 1911.

No. 328, S.]

[Published June 20, 1911.

### CHAPTER 393.

AN ACT to create section 4959d of the statutes, in reference to works of necessity or charity.

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

SECTION 1. There is added to the statutes a new section to read: Section 4959d. The keeping open of a store or shop for the sale of dry goods, wearing apparel, hats, caps, boots, shoes, hardware, furniture, crockery, glassware, jewelry, groceries, coffees, teas, spices, meats or meat products on the first day of the week, shall not be deemed a work of necessity or charity.

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

Approved June 16, 1911.