

years after the passage of the same; but nothing in this section shall be construed to extend the time now limited by any law of this State for the commencement of actions for the recovery of real estate.

**Where improve-
ments are made.** § 2. In all cases where a recovery shall be made of lands, tenements or hereditaments, on which the party in possession, or those under whom he claims, holding adversely by color or title asserted in good faith, founded on descent or any written instrument, shall have made valuable and permanent improvements, such party shall have lien on such real estate for the value of such improvements, and the court in which any suit may be brought to recover possession of any lands so improved, may summon a jury to assess and ascertain the value of such improvements—and judgment shall thereupon be rendered by said court to be enforced as other judgment liens on said real estate are enforced by law.

**When action
may be brought.** § 3. If any person entitled to commence any action specified in the foregoing section, shall at the time such title shall first descend or accrue, be written, the age of twenty-one years, a married woman, insane, imprisoned, or absent from the United States, such person may bring such action within three years next after the removal of such disability, but not afterwards.

§ 4. When any person against whom an action may be commenced on a contract made in this State, or where a judgment shall be obtained therein, shall after recovery of such judgment or accruing of such action, be absent from the State, the period of such absence shall be no part of the time limited by law for the commencement of such action.

Approved, March 7, 1857.

Chap. 85.

Published, March 25, 1857.

AN ACT to preserve the purity of Elections.

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

§ 1. The provisions of this act shall have reference and be applicable to all elections hereafter to be hold-

en for Governor, Lieutenant Governor, Secretary of State, State Treasurer, Attorney General of the State, ^{Application.} State Superintendent of Public Instruction, State Prison Commissioner, Bank Comptroller, Judge of the Supreme or Circuit Court, all County officers, Senators and Members of the Assembly, Representatives to Congress, and Electors of President and Vice President of the United States—to all elections by ballot, except private corporations, when a vote by ballot is required by law.

§ 2. The inspectors of the election in determining the residence of a person offering to vote shall be governed by the following rules, so far as they may be applicable: ^{Inspectors how governed.}

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 or held to have lost his residence who shall leave his home and go into another State, or county, town or ward of this State for temporary purposes merely, with an intention of returning.

Third—A person shall not be considered to have gained a residence in any county, town or ward of this State into which he shall have come for temporary purposes merely.

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

Fifth—If a person remove to another State with an intention of remaining there an indefinite time and as a place of present residence, he shall be considered and held 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 married man's family resides shall generally 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 married man has his family fixed in one place, and he does his business in another, the form-

or shall be considered and held to be the place of his residence.

Eighth—The mere intention to acquire a new residence, without the fact of removal shall avail nothing, neither shall the fact of 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 and held to have lost his residence in this State.

Duty of electors. § 3. Each elector shall publicly at the polls where he offers to vote, deliver in person to one of the Inspectors of election, a single ballot, or piece of paper, on which shall be written or printed, the names of the persons voted for, with a pertinent designation of the office which he or they may be intended to fill; but no elector shall vote except in the township or ward in which he actually resides.

Penalty for illegal voting. § 4. Any person who shall wilfully vote in any township or ward in which he does not actually reside, which township or ward shall be in the county of which he is resident, shall on conviction thereof, be imprisoned in the county jail of the proper county, not more than six months nor less than one month, and any Justice of the Peace for the county in which the offense in this section named shall be charged to have been committed, shall have concurrent jurisdiction with the Circuit Court to try and determine the same, and pronounce sentence thereon.

Penalty for voting in out of his own town. § 5. Any person being a resident of this State, who shall go or come into any county, town or ward, and vote in such county, town or ward not being a resident thereof, shall, on conviction thereof, be imprisoned in the State prison, and kept at hard labor not more than two years nor less than one year.

Voting more than once. § 6. 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 not more than two years nor less than one year.

Non-residents voting. § 7. Any non-resident of this State, who shall vote in this State, shall on conviction thereof, be imprisoned in the State prison, and kept at hard labor, not more than three years, nor less than one year.

If not in the State a year. § 8. Any person who shall vote, who shall not have been a resident of this State for one year immediately preceding the election, or who at the time of the election, is not twenty-one years of age, or who is not a

citizen of the United States, or who shall not, pursuant to law, have declared his intention to become a citizen of the United States agreeably to law, or shall not at the time of voting be an actual resident of the town or ward where the vote is offered, shall, on conviction thereof, be imprisoned in the county jail of the proper county, not more than six months nor less than two months.

§ 9. Any person who shall procure, aid, assist, counsel or advise another to give his vote, knowing that such other person has not been a resident of this State for one year 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, and has not declared his intention to become such citizen agreeably to the requirements of the naturalization laws of the United States, or that such other person is not at the time of offering the vote an actual resident of the town or ward where such vote is offered, 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 more than six nor less than one month.

Penalty for advising a person to vote illegally

§ 10. Any person who shall procure, aid, assist, counsel or advise another to go or come into any county, district, town or ward, for the purpose of giving his vote in such county, district, town or ward, knowing that the person is not duly qualified to vote in such county, district, town or ward, shall, on conviction thereof, be imprisoned in the State prison, and kept at hard labor not more than three years nor less than one year.

§ 11. 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 elector 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 less than five hundred dollars nor exceeding one thousand dollars, or be imprisoned in the county jail of the proper county not more than twelve months nor less than three months.

In case of bribery.

§ 12. Any person who shall furnish an elector who cannot read, 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 induce

Penalty for improperly furnishing tickets to those who cannot read.

him to vote contrary to his inclination, or who shall fraudulently or deceitfully change a ballot of any 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 more than two years nor less than one year.

Proceedings in
case of challenge

§ 13. If a person offering to vote is challenged as unqualified by any elector, or by one of the Inspectors of the election, one of the Inspectors shall tender to him the following oath or affirmation:—You do swear (or affirm) 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, and hath not declared his intention to become a citizen, the Inspectors or one of them, shall put the following questions:—

1st. Are you a citizen of the United States? if no, then

2d. Have you declared your intention to become a citizen of the United States conformably to the laws of the United States?

3d. When and where did you declare your intention to become a citizen of the United States?

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

1st. How long have you resided in this State immediately preceding this election?

2d. Have you been absent from this State within the year immediately preceding this 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. What State or Territory did you regard as your home while absent?

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

Third—If the person be challenged as unqualified on the ground that he is not a resident of the county, town or ward where he offers his vote, the Inspectors, or one of them, shall put the following questions:—

1st. When did you last come into this county, town or ward?

2d. Did you come for a temporary purpose merely, or for the purpose of making it your home?

3d. Did you come into this county for the purpose of voting in this county?

4th. Are you now an actual resident of this township or ward, and what is the particular description, name and location of your place of residence?

Fourth—If the person be challenged as unqualified on the ground that he is not twenty-one years of age, the Inspectors, or one of them, shall put the following questions:—

1st. Are you twenty-one years of age to the best of your knowledge and belief?

The Inspectors of the election, or one of them, shall put all 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.

§ 14. If the person challenged shall refuse to answer fully any of the foregoing questions, or any other question touching his qualifications as an elector at that election, the Inspectors shall reject his vote.

§ 15. If the challenge be not withdrawn after the person offering to vote shall have answered the questions put to him as aforesaid, one of the Inspectors shall tender to him the following oath:—

You do solemnly swear (or affirm, as the case may be) that you are twenty-one years of age, that you are a citizen of the United States, (or that you have declared your intention to become a citizen, conformably to the laws of the United States on the subject of naturalization,) that you have resided in this State one year next preceding this election; that you are now a resident of this town (or ward, as the case may be); that you have not voted at this election; and that you have not made any bet or wager, or become directly or indirectly interested in any bet or wager depending upon the result of this election.

§ 16. If any person shall refuse to take the oath or affirmation so tendered, his vote shall be rejected.

§ 17. Whenever any person's vote shall have been received, after having taken the oath provided in the fifteenth section of this act, it shall be the duty of the Clerks of the election to write on the poll book, at the end of such person's name, "sworn."

Duty of clerk in case of challenge

Inspector to challenge. § 18. It shall be the duty of each Inspector of the election to challenge every person offering to vote, whom he shall know or suspect not to be duly qualified as an elector.

Proclamation. § 19. It shall be the duty of the Inspectors of the election, 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 lock them; and they shall not be re-opened until for the purpose of counting the ballots therein, at the close of the polls.

Penalty for fraud about voting. § 20. Any person who shall, after proclamation made at the opening of the polls, fraudulently put a ballot or ticket into the ballot box, shall, on conviction thereof, be imprisoned in the State prison, and kept at hard labor, not more than two years nor less than one year.

§ 21. Any Inspector of the election who shall, after proclamation made at the opening of the polls, put a ballot or ticket into the ballot box, except his own ballot, or such as may be received in the regular discharge of his duty, shall, on conviction thereof, be imprisoned in the State prison, and kept at hard labor, not more than five years nor less than three years.

Canvass of votes. § 22. The canvass of votes shall be made publicly in the presence of any person desiring to attend the same, and the result thereof shall be publicly announced by the Inspectors at the close thereof, and they shall in such announcement declare the whole number of votes cast at such election, the number given respectively for each candidate or proposition voted for at such election.

False swearing. § 23. 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 provided by this act, such person shall be adjudged guilty of wilful and corrupt perjury, and upon conviction thereof shall suffer the punishment attached by the laws of this State to the crime perjury.

Wrongfully receiving votes. § 24. If any Inspector of election shall knowingly receive or sanction the reception of a vote from any person not having all the qualifications of an elector, or shall receive or sanction the reception of a ballot from any person who shall refuse to answer any question which shall be put to him in accordance with the provisions of the thirteenth section of this act, or who shall refuse to take the oath prescribed by the fifteenth sec-

tion of this act, or shall refuse or sanction the refusal by any other Inspector of the Board to which he belongs, to administer either of the oaths or affirmations prescribed by the thirteenth and fifteenth sections of this act; or if any Inspector or Clerk of the election, on whom any duty is enjoined by this act, shall be guilty of any wilful neglect of duty, or of any corrupt conduct in the execution of the same, such Inspector or Clerk, on conviction thereof, shall be imprisoned in the State prison, and kept at hard labor, not more than five years nor less than one year, or be fined in any sum not exceeding five hundred dollars, nor less than one hundred dollars.

§ 25. If any inspector or clerk of the election shall knowingly make, or cause to be made, or shall aid and assist in making any false return of the votes cast at any election, or shall wilfully alter or destroy any return of election, or any poll book of the election, or shall refuse to make a return according to law, he shall on conviction thereof, be imprisoned in the State prison and kept at hard labor, not more than five years nor less than one year. False returns.

§ 26. If any board of canvassers of votes cast at any election, or any member thereof, shall make any false canvass or any false certificate of any canvass of votes, or shall alter any canvass truly made after the same is made, or shall wilfully destroy any canvass or statement thereof, he shall on conviction thereof be punished by imprisonment in the State prison, and kept at hard labor for a term not exceeding three years, nor less than two years. False canvass.

§ 27. All acts or parts of acts contravening the provisions of this act are hereby repealed.

§ 28. This act shall be given specially in charge to the grand jury at each term of the Circuit Court by the Judge thereof.

§ 29. It shall be the duty of the Secretary of State to cause this act and all other laws now in force relating to elections, to be published together with such instructions and forms as may be necessary to secure uniformity and regularity in the manner of notifying, conducting and making returns of elections. Laws to be published.

§ 30. The State Printer shall immediately publish in pamphlet form, bound in board covers, five thousand copies of such laws and instructions, for the use of clerks of supervisors, town clerks and inspectors, and State printer shall publish.

clerks of elections. On the cover of such pamphlets shall be printed the words "Public Property," to be delivered by every officer to his successor.

§ 31. This act shall be immediately published by the State Printer and shall take effect and be in force from and after the first day of April 1857, and a copy of this law shall be transmitted by the Secretary of State to each and every town clerk in this State.

Approved, March 7, 1857.

Chap. 86.

Published July 6, 1857.

AN ACT to regulate the purchase and disbursement of Stationery for the use of the State.

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

Gov. to appoint agent to purchase stationery.

§ 1. The Governor of this State is hereby authorized and required to appoint an agent to purchase all stationery for the use of the State at a compensation not exceeding two hundred dollars per annum, which agent shall let the contract every year of furnishing the said stationery to the lowest bidder as provided in section 25 of article four of the Constitution, and the said agent so appointed shall report to the Legislature during the first week of each annual session the amount of stationery purchased by him during the next preceding year up to the day of making such report, of whom all such stationery has been purchased; the amount of cash paid on such stationery, if any; the amount purchased on credit, if any; the amount of indebtedness against the State for stationery, if any; and to whom such indebtedness is due.

Agent to make report.

Examination of proposals.

§ 2. The aforesaid agent shall accompany his report with an affidavit taken before some person authorized to administer oaths that he has purchased the State stationery of the lowest bidder after examining at least six different proposals from wholesale stationers for furnishing said stationery, or after examining at least