

CHAPTER 118.

[Published April 4, 1870.]

AN ACT to submit to the people an amendment to section eight (8) of article one (1) of the constitution.

PREAMBLE.

Preamble.

WHEREAS, The legislature of this state, at its annual session for the year 1869, proposed and adopted, by a vote of the majority of the members elected to each of the two houses, an amendment to the constitution of this state, in the following language:

Resolved by the assembly, the senate concurring, That section 8 of article 1 of the constitution of the state of Wisconsin be amended so as to read as follows: Section 8. No person shall be held to answer for a criminal offense without due process of law, and no person for the same offense shall be put twice in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself. All persons shall before conviction, be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption great; and the privilege of the writ of *habeas corpus* shall not be suspended unless when, in cases of rebellion or invasion, the public safety may require it. Approved March 9, 1869; and

WHEREAS, The foregoing proposed amendments to the constitution of the state were duly ratified and agreed to by the legislature of 1870, and approved; therefore,

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

..Shall be sub-
mitted.

SECTION 1. The foregoing proposed amendment to the constitution of this state shall be submitted to the people at a general election to be held on Tuesday succeeding the first Monday of November, 1870, and if the people shall approve and ratify said amendment by a majority of the electors voting thereon, said amend-

ment shall become a part of the constitution of this state.

SECTION 2. The form of the ballot in voting to approve and ratify said amendment shall be "against the grand jury system," and against said proposed amendment, "for the grand jury system," which shall be on a separate ballot, and shall be deposited in a separate box to be provided for that purpose, and all persons qualified to vote at any election in this state shall be deemed voters on this question. Form of ballot.

SECTION 3. The votes cast approving and ratifying or disapproving said amendments shall be counted and returned by the inspectors of the election in all respects as votes for state officers are counted and returned, and the officers now designated by law to canvass the returns of votes for state officers, shall canvass the returns on this question, at the same time and place and under the same regulations and restrictions now provided by law for canvassing and declaring the returns of elections for state officers. How votes canvassed.

SECTION 4. Within three days after the determination of said canvass, it shall be the duty of the canvassers to certify the result of the said canvass to the governor, who shall thereupon, without delay, make proclamation of the result. Shall certify to governor, who shall make proclamation.

SECTION 5. The secretary of state is hereby required to include the substance of this act in the notice of the general election for the year 1870. Secretary of state to give notice.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved March 17, 1870.