

year; but the said dam and gates thereof shall remain open during said months, and the waters of said south fork of Clain river shall flow free and unobstructed through said dam during the months aforesaid.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved March 4, 1879.

[No. 263, A.]

[Published March 18, 1879.]

CHAPTER 233.

AN ACT to provide for the registry of electors at charter elections in the city of Milwaukee.

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

Inspectors of elections to be a board of registry.

SECTION 1. The persons authorized by law to act as inspectors of elections in any ward or election precinct in the city of Milwaukee, shall constitute a board of registry for their respective ward or precinct, and their duties as such boards of registry shall be as follows, viz: To make at such times and in such manner as hereinafter prescribed, a list of all the persons qualified and entitled to vote at the then ensuing charter election in the ward or election precinct of which they are inspectors. The said inspectors shall have their first meeting on Tuesday, three weeks preceding each charter election, at the places where said election is to be held, and shall then sit two days for the purpose of making such list; they shall meet at nine o'clock in the forenoon and hold their meeting open until nine o'clock in the evening of each day during which they shall so sit.

Date of meetings.

Who shall be registered.

SECTION 2. Said registers shall each contain a list of the persons so qualified and entitled to vote in said election precinct, alphabetically arranged according to their respective surnames, so as to show in one column the name at full length, and in another column the residence by the number of the dwelling, if there be a number, and the name of the street or other location of the dwelling place of each person. It shall be the duty of said inspectors to enter in said lists the names of all persons residing in their election precincts whose names appear on the poll list kept in said precinct at the last preceding general election, the number of the dwelling and the name of the street or other location, if the same

shall be known to or can be ascertained by such inspectors, and for this purpose said inspectors are authorized to take from the office of the city clerk the poll lists made and filed by the inspectors of such precincts at the general election held next prior to the making of such register. In making said list the board shall enter thereon, in addition to the names on the poll list, the names of all other persons duly qualified to vote who shall appear in person to be registered, and the names of those qualified electors of the said precinct who shall make application in writing, which written application shall state the place of residence of such person, and such written application shall be preserved and filed with the city clerk, and the names of all persons on said poll list who have died or removed from the precinct shall be omitted from said register. The said inspectors shall complete, as far as practicable the said register at their first meeting as aforesaid, and shall make four copies thereof, and shall certify the register and each copy thereof to be a true list of the voters in their precinct, so far as the same are known to them.

City poll lists may be used.

Of personal or writt n application for registration.

Within two days thereafter, the said original list, together with the poll list taken from the office as aforesaid, shall be filed by said inspectors in the office of the city clerk of the city of Milwaukee, and one copy of said list shall be kept by each of the said inspectors and carefully preserved by him for their use on the day or days hereinafter mentioned, for the revision and correction of the same. One copy of said list shall, immediately after its completion, be posted in some conspicuous place in the room in which such meeting shall be held, and be accessible to any elector who may desire to examine the same, or make copies thereof. The inspectors shall cause ten printed copies of said list to be posted up in ten of the different and most public places within such election precinct. Said inspectors shall, in addition to the foregoing, cause to be printed not less than fifty additional copies of said list, and shall within three days deliver not less than ten copies of the lists so printed to the respective chairmen of the ward committees of the principal opposing political parties.

Lists to be filed in office of city clerk.

Copy to be posted up.

Ten printed copies.

SECTION 3. In case a new election precinct shall be formed by the division of any ward, the inspectors of election in the new precinct thus formed may make their registry of electors on the days prescribed by this act, in such manner as a majority of the inspectors may direct, and for that purpose may make a list of the poll list or lists of the ward or precinct in which such new

In case of new election precinct.

precinct is situated, or they may dispense with such list or lists, and proceed to make a register of electors from the best means at their command. Said list shall only embrace the names of such persons as are known to them to be electors in their precinct, and shall be posted up and copies thereof made as prescribed in the preceding section, and shall be corrected in the same manner that other lists are corrected.

Revision and completion of lists.

SECTION 4. The said board shall meet on Tuesday one week preceding the charter election, in their respective precincts, at the place designated for holding the polls of election, for the purpose of revising, correcting and completing said lists; and for this purpose they shall meet at nine o'clock in the morning, and shall remain in session until nine o'clock in the evening on that day and the day following.

Meetings to be open; voters may be heard.

SECTION 5. The proceedings of said board shall be open, and all persons residing and entitled to vote in said precinct shall be entitled to be heard by said inspectors in relation to corrections or additions to said register. One of the lists so kept by inspectors as aforesaid shall be used by them on the day of making corrections or additions, for the purpose of completing the registry of said precinct.

Duty of inspectors and rights of voters revising list.

SECTION 6. It shall be the duty of said inspectors at their meeting for revising and correcting said lists, to erase therefrom the name of any person inserted therein who shall be proved by the oath of two legal voters of said precinct, to the satisfaction of said inspectors, to be a non-resident of said precinct, or otherwise not entitled to vote in said precinct at the election then next to be held. Any elector residing in said precinct and entitled to vote therein, may appear before said board of inspectors and require his name to be recorded on said alphabetical list. Any person so requiring his name to be entered on said list, shall make the same statement as to the street and number thereof, and where he resides, required by the provisions of this act, of persons offering their votes at the election, and shall be subject to the same penalties for refusing to give such information, or for falsely giving the same, and shall also be subject to challenge either by the inspectors, or either of them, or by any elector whose name appears on said alphabetical list, and the same oaths may be administered by the inspectors as now provided against persons offering to vote at an election, and in case no challenge is made of any person requiring his name to be entered on said alphabetical

list, or, in case of challenge, if such person shall make an oath that would entitle him to vote in case of challenge at an election, then the name of such person shall be added to the alphabetical poll list of the last preceding general election. Any person who is not twenty-one years of age on either of these days when the register is completed, but will be if he should live to the day of election, may have his name put on said register, provided he is otherwise qualified to be an elector.

SECTION 7. After said lists shall have been fully completed, upon the days before mentioned, no name shall be added thereto by any person, or upon any pretense, and the said inspectors shall within two days thereafter make four copies of the same, each of which shall be certified by them to be a correct list of the voters of their precinct, one of which shall be filed in the office of the city clerk, and one of which shall be delivered to each of the said inspectors. Said inspectors shall, in addition to the foregoing, cause to be printed within three days from the completion of said register, such number as they may determine, but not less than fifty nor more than one hundred copies of such register, together with the residence of every person whose name appears thereon, and of the lists of names so printed, one-half shall be delivered not later than Saturday preceding each election, to the respective chairmen of the ward or precinct committees of the principal opposing political parties. It shall be the duty of said inspectors so receiving such completed lists as aforesaid, carefully to preserve the said lists for their use on election days, and to designate two of their number at the opening of the polls to check the names of every voter voting in such precinct whose name is on the register: No vote shall be received at any charter election in the city of Milwaukee, unless the name of the person offering to vote be on the said register as completed on Tuesday, one week preceding the election and the day following, as provided in section four of this act, except as herein provided. In case any one shall, after the last day for completing said register, and before such election, become a qualified voter of the election precinct, he shall have the same right to vote therein at such election as he would have had if his name had been duly registered in said register, provided he shall before or at the time he offers to vote, deliver to the inspectors his own affidavit, in which he shall state the facts showing that he has, since the completion of said register, become a quali-

Names not to be added to completed list.

Use of lists on election day.

No vote to be received unless name is on list, except as herein provided.

fied elector of such precinct, and the facts showing that he was not such elector on the day said register was completed, and he shall also deliver to said inspectors with his own affidavit the affidavits of two freeholders of such precinct corroborating in detail the material statements in his own affidavit. No one freeholder shall be competent to make at any one election corroborating affidavits for more than five voters. All of said affidavits shall be sworn to before some officer authorized by the laws of Wisconsin to administer oaths and take affidavits. The inspectors shall keep a list of the names and residences of the electors voting whose names are not on said completed register and attach such list to the register, and return it, together with all the affidavits aforesaid, to the office of the city clerk. Any person whose name is on the register may be challenged, and the same oaths shall be put as now are, or hereafter may be prescribed by law.

Duty of clerks.

SECTION 8. The clerks at each poll, in addition to the duties now prescribed by law, shall enter on the poll list kept by them, in columns prepared for that purpose, opposite the name of each person voting, the same statement or minute as hereinbefore required of inspectors in making the registry. Every voter, at the time of offering his vote, shall truly state the street in which he resides, and if the house, lodging or tenement in which he resides, is numbered, the number thereof; and the clerks of the polls shall truly enter in the appropriate column of the poll list, opposite the name of the elector, the street in which the elector resides, and the number, in case the house lodging or tenement is numbered, and if the same is not numbered the clerk shall enter "not numbered" in the column of poll list for entering the number. In case of refusal to make the statement as aforesaid, the vote of such electors shall not be received. Any person who shall willfully make any false statement in relation thereto, shall be deemed guilty of misdemeanor, and shall, upon conviction, be punished with a fine of fifty dollars, or by imprisonment in the county jail of Milwaukee county for a period of ten days, or by both such fine and imprisonment.

SECTION 9. After the canvass of the votes, one of said poll lists and said registers, and checked as aforesaid, shall be attached together, and shall on the following day, be filed in the city clerk's office, at the same time the returns of the election are made. The other of said poll lists and registers, so kept and checked, shall

Poll list and register to be filed in city clerk's office.

be returned to the office of the county clerk of Milwaukee county on the day following the election. All ballots cast at such election shall be carefully preserved, and returned with the ballot box, to the office of the city clerk, where they shall be kept until the official canvass.

SECTION 10. The register, shall, at all times, be open to public inspection, at the office in which they shall be deposited, without charge.

Registers to be open to public inspection.

SECTION 11. The said board shall have and exercise the same power for preserving order at its meetings under this act, as is given to inspectors of elections for preserving order on election day.

Authority of board.

SECTION 12. Any person who shall cause his name to be registered in more than one election precinct, or who shall cause his name to be registered, knowing that he is not a qualified voter in the district where such registry is made, or who shall falsely personate any registered voter, and any person causing, aiding or abetting any person in any manner, in either of said acts, shall be punished for each and every offense by imprisonment in the state prison for not less than one year. All false swearing before such board of registry, or in making affidavits required by this act, shall be deemed willful and corrupt perjury, and, on conviction, punished as such. If any member or officer of said board shall willfully violate any of the provisions of this act, or be guilty of any fraud in the execution of the duties of his office, he shall be punished for each and every offense by imprisonment in the state prison for not less than one year.

Penalty for registering more than once.

Of false swearing.

SECTION 13. The members of the board of registry shall receive such compensation for their services as the common council may fix by ordinance.

Compensation of board.

SECTION 14. It shall be the duty of the city clerk of the city of Milwaukee to give at least five days notice of the time and place of the meetings of the said board of registry and inspectors, by the publication in the official newspaper of the city of Milwaukee; and it shall also be the duty of the said city clerk to prepare and furnish to the inspectors, the blanks for the affidavits mentioned in section seven of this act.

Notice of time and place of meeting of board.

SECTION 15. This act shall take effect and be in force from and after July 1, 1879.

Approved March 4, 1879.