

(No. 497, A.)

[Published February 28, 1889.]

## CHAPTER 22.

AN ACT to submit to the people an amendment to the constitution.

WHEREAS, The legislature of this state at the biennial session for the year 1887, proposed and adopted by a vote of a majority of the members elected to each of the two houses, an amendment to the constitution of this state, the same being in fact an amendment to section 4, of article 7, thereof, as amended in 1877, the proposed amendment being in the following language:

Submitting amendment to sec. 4, art. 7, constitution, relating to supreme court.

*Resolved by the assembly, the senate concurring,* that the following be adopted as an amendment to the constitution of the state of Wisconsin:

SECTION 1. The chief justice and associate justices of the supreme court shall be severally known as justices of said court with the same terms of office, respectively as now provided. The supreme court shall consist of five justices (any three of whom shall be a quorum), to be elected as now provided. The justice having been longest a continuous member of the court (or in case two or more of such senior justices having served for the same length of time, then the one whose commission first expires), shall be ex-officio the chief justice; and

WHEREAS, The foregoing proposed amendment to the constitution was duly ratified and agreed to by the legislature of this state for the year 1889; therefore

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

SECTION. 1. The proposed amendment to the constitution of this state shall be submitted to the people at an election to be held Tuesday, the second day of April, 1889, and if the people shall approve and ratify said amendment by a majority of the electors voting thereon, such amendment shall become a part of the constitution of this state.

To be submitted at judicial election second Tuesday in April, 1889.

Form of ballot.

**SECTION 2.** The form of ballot in voting to approve and ratify said proposed amendment shall be: "For amendment to the constitution;" if against the same, "against the amendment to the constitution," which shall be written or printed on the judicial ballot used at such election and deposited in the same box. All persons qualified to vote at any election in this state shall be deemed voters on this question.

How canvassed and returned.

**SECTION 3.** The votes cast approving and ratifying or disapproving such amendment shall be counted and returned by the inspectors of the election in all respects as votes for an associate justice of the supreme court are counted and returned, and the officers now designated by law to canvass the returns of votes for associate justice of the supreme court, 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 justices of the supreme court.

Canvassers to certify result to governor,

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

Secretary of state to give notice of election.

**SECTION 5.** The secretary of state is hereby required to give twenty days' notice of the election herein authorized, and to include the substance of this act therein.

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

Approved February 27, 1889.