

[No. 35, A.] [Published February 27, 1889.]

CHAPTER 21.

AN ACT to amend chapter 350, of the laws of 1887, entitled, "an act to amend chapter 5, of the revised statutes of Wisconsin for the year A. D. 1878," entitled, "of electors and general elections."

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

SECTION 1. Chapter 350, of the laws of 1887, is hereby amended so as to read as follows: Section 1. Chapter 5, of the revised statutes of Wisconsin, 1878, entitled, "of electors and general elections," is hereby amended by adding after section 45, of said chapter 5, the following: Section 45a. Every city in this state having a population of fifty thousand inhabitants or more, according to the last general United States census, shall provide in every ward of such city voting precincts composed of compact and contiguous territory, and so arranged that no such precinct shall contain more than five hundred voters or fraction of one hundred in excess thereof, according to the vote cast at the last presidential election, and if, after any election to be held thereafter, it shall appear that more than six hundred votes were cast at any such voting precinct, it shall be the duty of the common council of any such city within three months after such election, to redivide the ward in which such voting precinct may be located, in the manner hereinbefore provided for dividing wards into voting precincts, and if such common council shall fail to make such redivision within said time, any voter of such city may apply to the circuit court of the county in which such city is located for an order, ordering and commanding the aldermen constituting such common council to redivide such ward according to the provisions of this act within a reasonable time, such time to be specified in such order, and if such aldermen shall refuse, fail or neglect to comply with the provisions of such order, they shall be adjudged

Amending ch. 350, laws 1887. Sections 46a, b, c, R. S. manner of conducting elections in cities of 50,000, census of 1880.

~~SECTION 1.~~

guilty of contempt as in other cases of disobedience to lawful orders, and punished as provided in chapter 150, of the revised statutes of Wisconsin. Every such city shall provide each voting precinct with two rooms adjoining each other, of suitable dimensions, one of which shall be known as the inspector's and voting room, and be used exclusively as such during the progress of any election in said city. The other room shall be known as the ticket room, and to be used as such in the manner hereinafter provided, during the progress of any election in said city. All windows shall be so screened as to prevent any person outside from looking into the interior of any such ticket room. Every such voting room shall be provided with a swinging window, which may be used by the challengers hereinafter provided for in challenging persons offering to vote, and shall also be provided with a hall or passage way of suitable dimensions, into which voters may enter through a door from the ticket room to cast their votes; such hall or passage way may be provided with such barriers or railings as may be deemed necessary to protect the inspectors from annoyance and the voter from molestation while he is voting. In the ticket room shall be kept a suitable table or tables, having compartments conveniently arranged, so that the voter after entering the ticket room may be enabled conveniently to select his ballot. Upon such table shall be deposited and kept tickets which may be prepared for the use of voters by any political party. The tickets shall be arranged by the inspectors upon such table or tables, each class or kind being placed and kept in a separate compartment or upon a separate table, and over each class or kind of tickets, in a conspicuous place, shall be posted in three languages, English, German and Polish, the name or title by which the tickets are respectively classified or generally known. Section 45b. Any chairman of a ward committee, or other person authorized by the ward committee of each political party to be represented by tickets for that precinct, may deliver to the inspectors of election for such precinct such tickets as he may wish to have kept in said ticket room for the use of voters, and said tickets shall, as soon as delivered to the inspectors, be by them deposited and arranged upon a table

Amending sec.
45b, R. S.

or tables in the proper compartment as hereinbefore provided. Each voter when in said ticket room shall be at liberty to select from the ballots kept there such as he may wish, taking one of each kind if he pleases. The names of two persons to act as challengers may be presented to the inspectors of election by the chairman, or other person authorized by each of the ward committees hereinbefore mentioned, of the ward wherein the precinct is located. One of the persons so named by the committee of each political party as challengers, shall be allowed to remain and act as challenger for the party represented by him, outside the voting room, near the swinging window, in such convenient place to be designated by the inspectors, as will allow such challenger opportunity to see and challenge voters when they offer their votes. The inspectors of election shall give no undue advantage to any one of the challengers over another. Any one of the challengers, while acting as such, may call his colleague of the same party, who shall be permitted to act in his place during his absence. The chief of police, or other police officer in command of the police force of any such city, shall, on the day prior to any election to which this act shall be applicable, designate a sufficient number of the regular members of his police force, by appointment in writing, to perform the duties hereinafter stated in and about the ticket room, appointing one for each precinct. The inspectors of election shall have charge and control of the ticket rooms in their respective precincts. The police officer selected to perform duty in and about the ticket room, shall be the only person permitted to be or remain in the ticket room other than those as hereinafter prescribed; and he shall take his position as far as practicable, in or near the entrance to the ticket room; he shall keep order amongst the men waiting to enter the ticket room and shall watch the tickets in said room; he shall not directly or indirectly solicit, request, or attempt to influence any voter to vote for any candidate for election while in the discharge of his duties as prescribed in this act. If requested by any voter to alter any ticket, he may make such alterations as the voter requests, and none other. Before any police officer so designated

shall perform any such duties he shall take and subscribe an oath in writing, substantially in the following form, to be administered by one of the inspectors upon his delivering to such inspector his written appointment, to-wit:

State of Wisconsin, }
 ——— County. } ss.

I, ———, being duly sworn on my oath do depose and say, that I will support the constitution of the United States and the constitution and laws of the state of Wisconsin, and that I will faithfully and honestly discharge my duties as a police officer appointed for duty at the ticket room of ——— precinct No. ———, in the ——— ward of the city of ———, at this election, so help me God.

Subscribed and sworn to before me, this ——— day of ———, 18—.

Inspector of election, precinct No. ———, in the ——— ward of the city of ———.

All such written appointments and all oaths so taken shall within two days after the close of any election be delivered by the inspectors of election to the clerk of the city where taken, and by him filed and preserved in his office. Every person taking such oath and violating any of its provisions shall be deemed guilty of perjury, and upon conviction thereof shall be punished as prescribed by law for the punishment of perjury, and shall be discharged from the police force. If at any time during the election any such policeman shall, on account of sickness or other cause, be necessarily absent from his post, he shall before leaving, call upon some policeman, regular or special, who may be near the polling place to keep order, to assume his duties; before such substitute shall perform the duties of such office, he shall take and subscribe the oath, required to be taken by police officers designated in writing for such duty by the chief of police, and such police officer shall be subject to the same penalties for violating its provisions, as is prescribed for the violation thereof by the police officer appointed by the chief of police. The police officer appointed by the chief of police, however, shall not be absent from his post more than thirty minutes, except in case of sickness.

Only one voter shall be allowed in the voting room at the same time. All voters shall be admitted singly through a door leading from the exterior of the building into the ticket room, where he shall, without delay, procure his ticket, if in want of one, and pass into the voting room, where he shall, if qualified, be permitted to vote; and from there he shall immediately after voting, or being informed by the inspectors that he is not qualified to vote, pass out of the voting room through a door to be provided for that purpose; but shall not in any case be permitted to pass out through the ticket room. The door last mentioned shall have a gong or bell in such a manner, that such gong or bell will sound by opening said door, so that the policeman at or near the entrance to the ticket room and the voters in the ticket room may know that a voter has left the voting room. As soon as a voter passes into the voting room, another shall immediately be admitted into the ticket room. Candidates may have their tickets deposited with the inspectors of election at the time of voting, for the use of voters, to be kept in the immediate view and control of the policeman in or about the ticket room, who shall protect such tickets from being destroyed or mutilated. Over the swinging window, in this act prescribed for use by the challengers, shall be constructed a roof with side boards reaching from the roof to the ground on both sides; the space so protected from the weather shall be large enough for at least three challengers to stand in. Section 45c. No crowd or crowds of persons shall be permitted to collect or remain within one hundred feet of the voting room or ticket room during the holding of any election in any such city. Any person who shall solicit votes for any candidate or party, or offer tickets to any person, at any place within one hundred feet of the voting room, or ticket room, or who shall wilfully counterfeit, alter, deface, destroy or mutilate, or who shall wilfully carry away with intent to secrete or destroy any of the tickets of any political party, or of any candidate, during the day of election; and any person who shall solicit, request or in any manner attempt to influence or prevail upon another to vote for any candidate for office, or to vote any

Amending sec.
45c, R. S.

ballot or ticket, or who shall solicit, request or attempt to influence another to scratch, change or alter any ballot or ticket while within the ticket room or voting room; and any person who shall solicit, request or receive from any person nominated, or who is a candidate for election to any public office, any money, property or anything of value, as consideration for any influence, work or labor performed, or to be performed, or services rendered or to be rendered, directly or indirectly by the person so soliciting, requesting or receiving, from any such nominee or candidate after his nomination, in or about any election, shall, in every such case, be deemed guilty of a misdemeanor, and upon conviction thereof shall (be) punished by a fine of not less than fifty dollars, nor more than three hundred dollars, or by imprisonment in the county jail or house of correction, of the proper county, not more than six months, or by both fine and imprisonment, in the discretion of the court, together with the costs of prosecution.

Provisions
hereof to apply
to all elections
except special.

SECTION 2. The provisions of this act shall apply to all general elections, elections of judicial officers, and to all city elections, except special, held in any such city after this act takes effect; and it shall be the duty of the mayor and chief of police, or other peace officers or authorities of every such city, to provide the necessary police force to fully enforce the provisions of this act, in every election which shall be held after this act takes effect.

SECTION 3. All acts and parts of acts which conflict with the provisions of this act are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved February 26, 1889.