

ELECTIONS.

CHAPTER 48.

REGISTRATION OF VOTERS AT CITY ELECTIONS.

S. F. 49.

AN ACT to Amend Chapter 161, of the Acts of the Twenty-first General Assembly, Relating to Elections Held Within Cities and to Registration of Voters therein.

Be it enacted by the General Assembly of the State of Iowa:

Place for registration.

Time of registration.

Days in attendance.

New registry lists made every fourth year.

Registry list other years.

Other general or special elections.

SECTION 1. That sections 4, and 11 of chapter 161, of the acts of the twenty-first General Assembly be and the same are hereby repealed, and the following is enacted in lieu thereof: The place for the registration of voters in and for every election precinct in the cities mentioned in section 3 of the act of which this is amendatory, shall be the usual places of holding elections therein. The registers shall be in attendance at their respective places for registration on the second Thursday next preceding every general annual election, for the purpose of registering voters, copying registry lists and correcting the same, and performing such other duties as are required of them in order to properly prepare the necessary lists for the ensuing election. They shall be in attendance from 8 o'clock A. M. 'till 9 o'clock P. M.; shall personally supervise all registration, and shall be in constant attendance during the hours designated for the discharge of their duties. For the general annual election in 1888, and that of every fourth year thereafter, they shall remain in attendance three days, and for every other general annual election they shall remain in attendance two days.

SEC. 2. The registers shall make a complete new registry of voters for the general annual election of 1888, and for that of every fourth year thereafter. For all other general annual State elections they shall prepare a new registry list, based on that of the last preceding general annual election, and every person whose name appears upon such registry list of the last preceding general annual election shall be entered upon the new registry list as also the facts showing his qualification as a legal voter, as they appear upon such last preceding registry list.

SEC. 3. For all other general or special elections, whether State, county, city or township, the registry list for the last preceding general annual election shall be used, and every person registered thereon shall be considered as registered to vote at

such election, except as such list may be corrected and changed by the registers, as by law provided; said registers shall meet upon the Saturday preceding every election, whether general or special, township, city, State or National, instead of upon Wednesday as provided in section 8, of said chapter 161; and except as to said change of meeting from Wednesday to Saturday preceding said election, all of the provisions of said section 8, shall remain unimpaired and in full force.

SEC. 4. Upon the revision and completion of said registry lists they shall be duly certified by the registers, who, after making the same corrections upon and additions to the alphabetical lists, shall deliver the registry and alphabetical lists to the Judges of election for the proper precinct, on every such election day, before the hour for the opening of the polls. Registry list to be certified.

SEC. 5. During the days when the registers are in session, they shall, when not actually engaged in registering voters, prepare the alphabetical lists and complete their labors with all reasonable dispatch. They shall receive as compensation \$2.50 per day, for each calendar day, upon which they shall be employed, for all services required of them under the provisions of this act. They shall be paid their compensation by the county, except that in case of city elections they shall be paid by the city. Alphabetical lists prepared. Compensation. By whom paid.

SEC. 6. The city clerk shall carefully preserve all registry and alphabetical lists and poll books and other papers pertaining to the last preceding election for eighteen months after the election at which they were first issued, and may then destroy them unless a contest be then pending over the election of a person voted for at such election, in which case he shall preserve those so bearing upon such contest until after the same has been finally disposed of. He shall on the application of the registers, deliver to them, prior to their first meeting for each election, the registry and alphabetical lists and poll books which they require in order to properly prepare the necessary lists for the next ensuing election, all of which shall be returned to him by them when they have completed their work for such election, except such as they are required to deliver to the Judges of election. Lists to be preserved. Contests.

SEC. 7. The registers shall also be in session on the day for the holding of each and every election, at some place convenient to, but not within one hundred feet of the voting place, and during all the hours in which, by law, the polls are required to be kept open, for the purpose only of granting certificates for registration to persons who, being electors, are not registered; but no such certificate shall be granted except to a person who was absent from the city during all the days fixed for the registration of voters for that election, or to a person who, being a foreigner, has received his final papers since the last preceding day for the registration of voters for that election; or to a person whose name was on the preceding Saturday, and in the absence of such person, stricken from the registry list, and who, Session on day of election. Certificates. Persons who may register on election day.

Contents of
certificates.

on said day of election, shall prove to the satisfaction of said registers that he is a lawfully qualified elector of said voting precinct. These certificates shall contain all the data showing the qualification of the voter, as is required for regular registration, and in addition, the special matter showing the voter's right to a certificate under this section. The proper statement shall be signed and sworn to by the voter before one of the registers, and it shall be supported by the affidavit of a freeholder who is a registered voter in that precinct, who shall make oath to the qualification of the applicant as a voter in that precinct; and if the applicant be one whose name was stricken from the registry list, said affidavit of such freeholder shall contain the fact showing the right of said applicant to vote in that precinct. The certificate shall be handed in to the judges of election with the voter's ballot. The data therefrom, showing the voters' name and his qualification as a voter, shall be entered on the registry lists by the judges and clerks of the election, under the appropriate headings, and the original certificate shall be returned to the city clerk, who shall carefully preserve it, in the same manner, and for the same time as the registry lists and poll books. The certificate, before delivery to the applicant, shall be certified by the registers to the effect that the person therein named is a qualified voter in that precinct, and that he is entitled to be registered as such, under this section.

Certificate
preserved.

SEC. 8. For every election to which the registry law is applicable, and which may be held prior to the general annual election in 1888, the registry lists for the general annual election in 1887 shall be used, in the same manner as is provided in section 3 hereof.

Chap. 161
amended.

SEC. 9. Section 13 of said chapter 161 is hereby amended by inserting in the second line thereof, after the word "cities", the following: And in any voting precinct made up of the township outside of the city limits, whose polling place is within the corporate limits of said city, as hereinafter provided.

Inapplicable
to school
elections.

SEC. 10. This act, and the act to which it is amendatory, are hereby declared inapplicable to elections held under and in accordance with the school laws of the State.

Chap. 161
amended.

SEC. 11. So much, and so much only, of chapter 161, acts of the Twenty-first General Assembly of the State of Iowa, as is in conflict herewith, is hereby repealed.

Amendment.

SEC. 12. That section 7 of chapter 161, acts of the 21st General Assembly be amended by striking out the word "aforesaid" in the second line thereof, and inserting in lieu thereof the words "for each general annual election." And that section 3 of said act be amended by inserting after the word "State" in the first line thereof the following words "having a population of Twenty five hundred (2500) or more as determined by the last preceding State or National census."

SEC. 13. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa. Publication.

Approved Feb. 8th, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader February 9, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 49.

CONTESTING ELECTION OF PRESIDENTIAL ELECTORS.

AN ACT Providing for Contesting the Election of Presidential Electors, Additional to Chapter 6, Title 5 of the Code of 1873. S. F. 176.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. The election of any presidential Elector may be contested by any eligible person who received votes for the same office for any of the causes enumerated in chapter six (6) title five (5) of the Code of 1873.

SEC. 2. The court for the trial of contested elections for presidential Electors shall consist of the Chief Justice of the Supreme Court who shall be presiding Judge of the Court and the four Judges of the district court, not interested, being nearest the capital of the State—two of whom with the Chief Justice shall constitute a quorum for the transaction of the business of the court. If the Chief Justice should for any cause be unable to attend at the trial—the next senior Judge or the one longest on the Supreme court bench if of equal rank—shall preside in place of the chief Justice—And any question arising as to the membership of the court shall be determined by the members of the court not interested in the question. The Secretary of State shall be the clerk of the court—or in his absence or inability to act, the clerk of the Supreme Court shall be the clerk. Each member of the court before entering upon the discharge of his duties, shall take an oath before the Secretary of State or some officer qualified to administer oaths—that he will support the Constitution of the United States and that of the State of Iowa and that without fear, favor, affection or hope of reward he will, to the best of his knowledge and ability administer Justice according to law and the facts in the case.

Court, how constituted.

Secretary of State to be clerk.

SEC. 3. The contestant shall file the statement provided for in this chapter in the office of the Secretary of State within ten (10) days from the day on which the returns are canvassed by the State board of canvassers, and within the same time