

A BILL

FOR AN ACT TO PROVIDE FOR ASCERTAINING THE CITIZENS WHO SHALL BE ENTITLED TO VOTE IN ALL INCORPORATED CITIES, TO REPEAL SECTION 618 OF THE CODE AND TO REPEAL CHAPTER (2) TWO, TITLE (5) FIVE OF THE CODE.

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

SECTION 1. Chapter 2, title five of the Code, is hereby repealed and the following sections 2 of this act enacted in lieu thereof :

SEC. 2. For all purposes of elections known to the laws of the State of Iowa after July 2 4th, 1886, no city of the State shall have attached to its jurisdiction for the purpose of 3 voting at such elections any part of a township or territory outside of the corporate bound- 4 aries of such city and the voting precincts in such city for all elections now provided by 5 law whether township, city, county, State, National or special elections shall be the wards 5 of such city and all territory of a township or townships in which such city may be situated 6 and outside of the corporate limits of such city shall be divided into one or more voting pre- 7 cincts for all election purposes, as may be determined by the board of supervisors as now pro- 8 vided by law. All acts or parts of acts that might seem to be in conflict with this section of 9 this act are hereby changed to the extent of being made to conform herewith.

SEC. 3. In all incorporated cities of this State the city council shall on or before the sixth 2 Monday next preceding the general election in November of each year, appoint one suitable 3 person from each of the two opposing political parties which cast the greatest number of 4 votes at the then next general preceding election, from three names handed in by the chair- 5 man of the city central political committee of each of such parties, to be registers for such 6 election precinct, in such cities, for the registration of voters therein ; said registers shall 7 be electors of the election precincts in which they shall act ; shall be temperate, of good 8 habits, and of good reputation and character, and of generally recognized clerical ability, 9 and able to speak the English language understandingly ; shall hold their offices for one 10 year and shall take an oath or affirmation, to discharge their duties according to law. If, 11 for any cause, such registers, or any of them, shall not be appointed at or before the time 12 above mentioned, or, if appointed, shall be unable for any cause to discharge the duties of 13 such office, the mayor of such city shall forthwith, on similar recommendation as above pro- 14 vided, make such appointments, and shall also fill all vacancies, and persons so appointed by

15 the mayor shall have the same qualifications, shall hold their offices for the same time, and
 16 shall be subject to the same duties as if appointed by the city council, except that all ap-
 17 pointments, in cases of vacancies, shall be for the unexpired terms of office. Should the
 18 mayor, upon the request of five freehold electors, fail for a period of three days to perform
 19 the duties aforesaid, he shall forfeit and pay, at the suit of any such electors, to be prose-
 20 cuted in any court of competent jurisdiction, the sum of one hundred dollars per day, for
 21 the equal benefit of the city and suitor.

SEC. 4. The place for the registration of voters, in and for every election precinct, in the
 2 cities mentioned in the last preceding election, shall be the usual place of holding elections
 3 therein. The registers shall be in attendance at their respective places of registration on
 4 the third Tuesday next preceding every general election for city, township, county, State or
 5 National officers, or special elections, from eight o'clock A. M. till nine o'clock P. M., for the
 6 purpose of registering voters. and if necessary to give all making application an opportunity
 7 to register, they shall continue in attendance, thereat, between the hours aforesaid, for five
 8 days, and shall personally supervise all registration. Said registers shall be in constant
 9 attendance during the hours allotted for the discharge of their duties.

SEC. 5. Any person to be entitled to vote, at any of the elections mentioned in the pre-
 2 ceding sections, shall appear before the registers of the election precinct where he is entitled
 3 to vote, at the time and place designated for registration of voters, and make and subscribe
 4 a statment, under oath, in a suitable registration book to be provided for the purpose by the
 5 city clerk and furnished to the registers at the equal expense of the city and county and by
 6 them kept open for public inspection and examination during the time fixed for the regis-
 7 tration, which statement shall contain the following in the following form :

REGISTER OF VOTERS.....PRECINCT WARD.

No.	Residence.	Name.	Nativity.	Color.	TERM OF RESI- DENCE.			Nationalized.	Date of papers.	Court.	By act of Congress.	Qualified voter.	Date of application.	Last preceding place of residence	Signature.
					Precinct.	County.	State.								
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9 The signature of the applicant shall be made at the right-hand end of the line under the
 10 column "signature," one of the registers having first administered to him this form of oath :
 11 "You do solemnly swear (or affirm) that you will fully and truly answer all such questions
 12 "as shall be put to you touching your place of residence, name, place of birth, your qualifi-
 13 "cations, as an elector, and your right, as such, to register and vote under the laws of this
 14 "State." After which the registers or either of them shall propound questions to the appli-

15 cant for registration in relation to his name ; his then place of residence ; how long he has
16 resided in the precinct where the vote is offered ; what was the last place of his residence
17 before he came into that precinct and also as to his citizenship, and whether a native or nat-
18 uralized citizen, and, if the latter, when, where, and in what court, or before what officer he
19 was naturalized, or whether by act of Congress ; whether he came into the precinct for the
20 purpose of voting at that election ; how long he contemplates residing in the precinct ; and
21 all such other questions as may tend to test his qualifications as a resident of the precinct,
22 citizenship and right to vote at the poll ; then, if the applicant appears to have the right to
23 be registered, the registers shall fill out the above prescribed form of statement, whereupon
24 the applicant shall sign as aforesaid and thus his statement for registration shall be com-
25 plete under oath.

SEC. 6. Such statements shall be dated and numbered consecutively, beginning with
2 number one each time for registration aforesaid. No person shall register at any other
3 place than as above designated, or at any other time, except as hereinafter provided. At
4 the close of each day's registration, the registry shall be ruled off to prevent fraudulent en-
5 tries, and after the completion of the final registration and the certified copy provided for
6 in section 8 hereof, the registers shall forthwith return the registration to the city clerk,
7 who shall keep the same at all times open to public inspection.

SEC. 7. The registers shall within three days after the registration aforesaid has been
2 made, prepare an alphabetical list for their respective voting precincts of the names of all
3 persons so registered ; their residences ; their last preceding places of residence, and the
4 dates of removal, where removals occur within one year ; their nativity ; their color ;
5 their term of residence in precinct, county and State ; whether naturalized, date of papers,
6 the naturalizing court, or place of naturalization if court is not known ; whether natural-
7 ized by act of Congress ; and date of application for registration ; which list they shall
8 forthwith post or cause to be posted up conspicuously at the usual place of holding elections
9 at such precinct, for inspection of the public.

SEC. 8. The registers shall be in attendance again at their respective places for the regis-
2 tration of voters on the Wednesday of the week preceding the day of each election, in the
3 State, provided by law for township, city, county, State, National or special elections, for the
4 purpose of revising or correcting the lists aforesaid, and for this purpose they shall meet at
5 9 o'clock A. M. and remain in session until 8 o'clock P. M. of that day ; and they shall there
6 revise, correct, add to, and strike from, and complete the said lists, and shall on that day
7 receive and add to the said lists the names of any persons who would on said election days,
8 be entitled, under the provisions of the constitution and the laws of this State to exercise
9 the right of suffrage in their election precincts. Upon the revision and completion of each
10 of said lists, the registers shall make a copy thereof, which, duly certified by the registers,

11 with the proper number and date of registry in each case added, the registers shall deliver
12 or cause to be delivered to the judges of election of the proper precinct on every such elec-
13 tion day, before the opening of the polls. The judges of election shall carefully preserve
14 the said lists for their use on election day; no vote shall be received at any election afore-
15 said unless the name of the person offering the vote be on such registry made and completed
16 as before provided, preceding the election; a person whose name is on the registry may be
17 challenged, and the same oath shall be put, and the same proceedings had, as are prescribed
18 by law for all such cases. This section shall be taken and held by every judicial and other
19 tribunal as mandatory and not as directory. The judges of election shall designate one of
20 their number, or one of the clerks, at the opening of the polls, to check the name of every
21 voter voting in such precinct whose name is on the registry. Any vote which shall be re-
22 ceived by the judges of election in contravention of any provisions of this act shall be void,
23 and shall be rejected from the count in any legislation or judicial proceeding, wherein any
24 result of the election is involved. The judges of election shall deliver the lists aforesaid to
25 the official as by law provided to whom they shall deliver the returns of the election. The
26 registers under their duties aforesaid shall register every male applicant who would be
27 twenty-one years of age on the day of the next election, if otherwise qualified, and every
28 applicant who has commenced to reside in such precinct, at least the legal time before such
29 election, now required by law, down to the date of the election, in order to be a legal voter
30 in such precinct, according to the character of the election about to take place, shall be en-
31 tered in such registry, but unless, on the day of election, he shall have resided for the legal
32 time in such election precinct, he cannot vote therein, although otherwise qualified.

SEC. 9. The proceedings of said registers shall be open, and all persons entitled to vote
2 in said precinct shall have the right to be heard by said registers in reference to corrections
3 or additions to said lists. No name shall be placed upon any such list of the name of per-
4 sons, nor shall any name be added thereto, except of one who shall have appeared in person
5 before said registers, and shall have furnished, upon demand, and to the satisfaction of the
6 registers, the same proofs of his right to register as may by law be required by judges of
7 election of any person desiring to vote. Any one of the registers, on the points herein be-
8 fore provided, may at any time administer an oath or affirmation to any applicant, that he
9 shall true answers make to all questions put to him touching his qualifications as an elec-
10 tor.

SEC. 10. That if any register shall fail to perform any duty in any of the preceding sec-
2 tions of this act prescribed, he shall be liable to a penalty of one hundred dollars, to be re-
3 covered on the complaint of any person, before any court of competent jurisdiction; and if
4 any register or judge of election shall willfully neglect or disregard any duty imposed in
5 any of said sections, or make or permit to be made any registration, statement or list, except
6 at the time and place and in the manner in said sections prescribed, or shall knowingly

7 make or permit to be made any false statement, as aforesaid, or if any person shall willfully
8 make, or authorize to be made any statement in said sections required, false in any particu-
9 lar, or shall violate any provisions thereof, every such register or judge of election, and every
10 such person or persons, shall be deemed guilty of a misdemeanor, and on conviction thereof
11 shall be fined in a sum not less than fifty nor more than two hundred dollars, or be impris-
12 oned in the county jail not less than twenty days nor more than six months or both at the
13 discretion of the court.

SEC. 11. Registers shall be allowed for the services rendered under the preceding sections
2 such compensation *per diem* as is allowed by law to judges of election, one half at the expense
3 of the county and the other half at the expense of the city.

SEC. 12 The times and places of making registrations of voters shall be published by the
2 Mayor in the two leading political party daily newspapers published in every such city for
3 a period of three days prior to the opening of the registry book, or if there are no daily pa-
4 pers of the two leading political parties published in such city, then the notice shall be pub-
5 lished one week before the date for the opening of the registry book, in the weekly paper of
6 each of such political parties, inviting the voters to present themselves for registration at
7 their respective precincts within the proper time, under the risk of being debarred the priv-
8 ilege of voting at such election.

SEC. 13. That during the receiving and counting of the ballots in any voting pre-
2 cincts of such cities, it shall be unlawful for persons to congregate or loiter within one
3 hundred feet of the voting place, or to hinder or delay in any manner, any elector in reach-
4 ing or leaving the place fixed for casting his ballot. It shall be unlawful for any person
5 within said distance of one hundred feet, to give or offer to give or offer to give any ticket
6 or ballot to any one not a judge of election, or to fold or unfold, or display any ballot which
7 he intends to cast so as to reveal its contents or to solicit the vote of any elector, or attempt
8 in any way to influence him in the matter of casting his vote. The judges of election shall
9 so far as practicable, prevent any violation of this section, by having printed copies of this
10 section conspicuously posted within one hundred feet of the voting place and in other ways,
11 and they and each of them shall order the arrest of any person guilty of violating any of its
12 provisions, or guilty of any breach of the peace, or disorderly conduct, and all special police-
13 men and all other persons are authorized and required to obey the lawful orders and com-
14 mands of said judges of elections, given to prevent violations of this section. But
15 orders for the arrest of such persons shall not prevent them from properly casting their
16 votes. The city council is authorized and required to detail and employ on the nomina-
17 tion of the principal political committee of each political party recognized as the two
18 leading parties from citizens or the police force of the city, from two to four special police-
19 men for each precinct, and duly empower them for the special occasion of each election,
20 who shall be men of good character and reputation, in equal numbers from each of the

21 leading political parties, to prevent the violation of any of the terms, provisions or require-
22 ments of this section, or of any order or command made in pursuance of any provision
23 hereof, and any person violating or attempting to violate any of such terms, provisions.
24 requirements, orders or commands shall be deemed guilty of a misdemeanor, and shall upon
25 conviction thereof, be punished as provided in the last penal clause of section ten of this
26 act, and no other peace officer for preserving order, shall exercise his authority at or near
27 such voting places than those above named unless called in by an unexpected dire emer-
28 gency. *Provided*; that nothing in this section shall be construed to prohibit the presence
29 at the polls, of any persons who are authorized by law to perform or charged likewise with
30 the performance of official duties at the election, or of any persons not exceeding three
31 from each political party having candidates to be voted for, at such elections, to act as
32 challenging committees who are duly appointed and accredited by the principal committee
33 of such political parties, or organizations, respectively or of persons not exceeding three
34 from each such political parties, appointed and accredited in the same manner, as before
35 prescribed, for challenging committees to witness the counting of ballots.

SEC. 14. Voting precincts made up of the townships outside of the city limits of the city
2 which is situated in such township or townships may, if preferred for the convenience of
3 the voters therein, have their polling places for all election purposes, at some room or rooms
4 in the court house, or other buildings within the corporate limits of such city as the board
5 of supervisors may provide Section 618, chapter 3, title five of the Code is hereby repealed.