LAWS OF THE STATE OF LOUISIANA

PUBLISHED BY AUTHORITY.

AN ACT No. 98.

To regulate the conduct and to maintain the freedom and purity of elections; to prescribe the mode of making returns thereof; to provide for the election of returning officers, and defining their powers and duties; to prescribe the mode of entering on the rolls of the Senate and House of Representatives; and to enforce article one hundred and three of the constitution.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That all elections for State, parish and judicial officers, members of the General Assembly, and for members of Congress, shall be held on the first Monday in November; and said election shall be styled the general elections. They shall be held in the manner and form and subject to the regulations hereinafter prescribed, and no other.

SEC. 2. Be it further enacted, etc., That five persons, to be elected by the Senate from all political parties shall be the returning officers for all elections in the State, a majority of whom shall constitute a quorum, and have power to make the returns of all elections. In case of any vacancy by death, resignation, or otherwise, by either of the board, then the vacancy shall be filled by the residue of the board of returning officers. The returning officers shall, after each election, before entering on their duties, take and subscribe to the following oath before a judge of the Supreme or any district court:

I, A. B., do solemnly swear (or affirm) that I will faithfully and diligently perform the duties of a returning officer as prescribed by law; that I will carefully and honestly canvass and compile the statements of the votes, and make a true and correct return of the election. So help me God.

Within ten days after the closing of the election said returning officers shall meet in New Orleans to canvass and compile the statement of votes made by the commissioners of election, and make returns of the election to the Secretary of State. They shall continue in session until such returns have been compiled. The presiding officer shall, at such meeting, open, in the presence of the said returning officers, the statements of the commissioners of election, and the said returning officers shall, from said statements, canvass and compile the returns of the election in duplicate; one copy of such returns they shall file in the office of the Secretary of State, and of one copy they shall make public proclamation by printing in the official journal and such other newspapers as they may deem proper, declaring the names of all persons and officers voted for, the number of votes for each person and the names of the persons who have been duly and lawfully elected. The return of the election thus made and promulgated shall be prima facie evidence in all courts of justice and before all civil officers until set aside after a contest according to law, of the right of any person named therein to hold and exercise the office to which he shall by such return be declared elected. The Governor shall, within thirty days thereafter, issue commissions to all officers thus declared elected, who are required by law to be commissioned.

SEC. 3. Be it further enacted, etc., That in such canvass and compilation the returning officers shall observe the following order: They shall compile first the statements from all polls or voting places at which there shall have been a fair, free and peaceable registration and election. Whenever, from any poll or voting place, there shall be received the statement of any supervisor of registration or commissioner of election, in form as required by section twenty-six of this act, on affidavit of three or more citizens, of any riot, tumult, acts of violence, intimidation, armed disturbance, bribery or corrupt influences, which prevented, or tended to prevent, a fair, free and peaceable vote of all qualified electors entitled to vote at such poll or voting place, such returning officers shall not canvass, count or compile the statement of votes from such poll or voting place until the statements from all other polls or voting places shall have been canvassed and compiled. The returning officers shall then proceed to investigate the statements of riot, tumult, acts of violence, intimidation, armed disturbance, bribery or corrupt influences at any such poll or voting place; and if from the evidence of such statement they shall be convinced that such riot, tumult, acts of violence, intimidation, armed disturbance, bribery, or corrupt influences did not materially interfere with the purity and freedom of the election at such poll or voting place, or did not prevent a sufficient number of qualified voters thereat from registering or voting to materially change the result of the election, then, and not otherwise, said returning officers shall canvass and compile the vote of such poll or voting place with those previously canvassed and compiled; but if said returning officers shall not be fully satisfied thereof, it shall be their duty to examine further testimony in regard thereto, and to this end they shall have power to send for persons and papers. If, after such examination, the said returning officers, shall be convinced that said riot, tumult acts of violence, intimidation, armed disturbance, bribery or corrupt influences did materially interfere with the purity and freedom of the election at such poll or voting place, or did prevent a sufficient number of the qualified electors thereat from registering and voting to materially change the result of the election, then the said returning officer shall not canvass or compile the statement of the votes of such poll or voting place, but shall exclude it from their returns; provided, that any person interested in said election by reason of being a candidate for office shall be allowed a hearing before said returning officers upon making application within the time allowed for the forwarding of the returns of said election.

SEC. 4. Be it further enacted etc., That elections for Representatives in General Assembly shall be held on the first Monday of November, one thousand eight hundred and seventy-two, and every two years thereafter, and all elections to supply the place of Senators in the General Assembly, whose term of service shall have expired, shall be held at the same time as herein provided for the election of Representatives.

SEC. 5. Be it further enacted, etc., That all elections shall be held in each parish at the several election polls or voting places to be established as is hereinafter prescribed.

SEC. 6. Be it further enacted, etc., That all elections shall be completed in one day, and the polls shall be kept open at each poll or voting place from the hour of six in the morning until six o'clock in the afternoon.

SEC. 7. Be it further enacted, etc., That each parish in the State, except the parishes of Orleans and Jefferson, is hereby fixed as an election precinct, and the police juries shall direct what number of polls or voting places shall be established in each precinct; shall fix the places of holding the election, and appoint commissioners of election for each poll or voting place. For the parish of Orleans, each ward of the city of New Orleans shall constitute a precinct, and the City Council shall fix the voting places in each precinct, and appoint commissioners to hold the election for each voting place. For the parish of Jefferson there shall be two precincts, one on each side of the Mississippi river, the precinct on each side, embracing that portion of the parish on the same side of the river. The police jury of each precinct of said parish shall fix the voting places in their precinct, and appoint commissioners to hold the election at each poll or voting place; provided that there shall be at least one voting place in each justice of the peace ward in every parish except the parish of Orleans; provided further, that in the city of Carrollton the voting places shall be fixed and commissioners appointed by the City Council.

SEC. 8. Be it further enacted, etc., That the election at each poll or voting place shall be presided over by three commissioners of election, residents of the parish for at least twelve months next preceding the day of election, who shall be selected from different political parties, and be of good standing in the party to which they belong, and who shall, before entering upon the discharge of their duties, take and subscribe the oath prescribed for State officers. Should only one of the commissioners appointed be present at the hour for opening the poll he shall appoint another, and both together shall appoint a third, and the commissioners so appointed shall take the oath and perform all the duties of commissioners of election in the same manner as if they had been appointed as provided for regular appointment of commissioners by this act. Any one of the commissioners shall be authorized to administer the oath to the other commissioners. The commissioners of election for the several wards in the city of New Orleans shall be appointed by the Mayor and Administrators of the city of New Orleans.

SEC. 9. Be it further enacted, etc., That it shall be the duty of the commissioners of election to receive the ballots of all legal voters, who shall offer to vote and deposit the same in the ballot box to be provided for that purpose, the commissioners shall deposit the ballot of each voter in the ballot box in the full and convenient view of the voter himself.

SEC. 10. Be it further enacted, etc., That in all cases the vote of the person offering to vote shall be taken from the hand of the voter by one of the commissioners of election, and any commissioner of election receiving a vote from the hands of any person other than the voter, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars, nor more than three hundred dollars; and any person taking a vote from a voter for the purpose of handing the same to the commissioner of election, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars, nor more than three hundred dollars, provided that any voter shall have the right to deposit his own vote in the ballot box with his own hand.

SEC. 11. Be it further enacted, etc., That any commissioner of election, constable, police officer, or election officer, who shall see any person taking from the hands of a voter his ballot with intent to pass it to the commissioners of election, or attempting so to pass such ballot, shall forthwith arrest such person and convey him at least one quarter of a mile from the polls, and keep him there under guard until the close of the poll.

SEC. 12. Be it further enacted, etc., That the commissioners of election shall preserve order and decorum at the election, and shall commit to prison, or, if at any place over one mile from the parish prison, to the custody of an officer, who shall convey the prisoner to a place at least a quarter of a mile from the polls, any disorderly person or persons, for a term not to extend beyond the hour of closing the polls; provided, he be permitted to vote before being imprisoned. It shall be the duty of the commissioners of election, or any of them, to issue a warrant forthwith for the arrest of such person or persons, and the officer making the arrest shall commit such person or persons as above provided until the close of the polls. Such warrants may be directed to any sheriff, constable or police officer, and shall be executed immediately by such officer. As soon as practicable after the closing of the polls, such person or persons shall be brought before the proper magistrate for examination, who shall proceed forthwith to examine the case.

SEC. 13. Be it further enacted, etc., That it shall be the duty of the commissioners of election at each poll or voting place to keep a list of the names of the persons voting at such poll or voting place, which list shall be numbered from one to the end; and said list of voters, with their names and numbers as aforesaid, shall be signed and sworn to as correct by the commissioners immediately on closing of the polls, and before leaving the place, and before opening the box. If no judge or justice of the peace, or other person authorized to administer such oath, be present to do so it may be administered by any voter. The votes shall be counted by the commissioners at each voting place immediately after closing the election and without moving the boxes from the place where the votes were received, and the counting must be done in the presence of any bystander or citizen who may be present. Tally lists shall be kept of the count, and after the count the ballots counted shall be put back into the box and preserved until after the next term of the criminal or district court, as the case may be, and in the parishes, except Orleans, the commissioners of election, or any one of them selected for that purpose, shall carry the box and deliver it to the clerk of the district court, who shall preserve the same as above required; and in the parish of Orleans the box shall be delivered to the clerk of the First District Court for the parish of Orleans, and be kept by him as above directed.

SEC. 14. Be it further enacted, etc., That in case the right of any person to vote is challenged, the commissioner of election shall have power to administer oaths and affirmations to persons offering to vote at any election conducted by them, and to examine such persons under oath touching their right to vote at such election, and in all cases the commissioners of election shall appoint one of their number to keep a record of the voters during the election, and another to receive the votes; and, whenever a vote is received, the commissioner of election keeping the record shall call the name of the voter aloud, and shall mark the letter V opposite said name on the record.

SEC. 15. Be it further enacted, etc., That all supervisors of registration, commissioners of election, and officers attending supervisors of registration, or commissioners of election, shall be free from arrest during the time of registration, or of the revision of the registration, or of holding the election, or in going to or returning from the place of registration, or poll, or voting place, unless he or they shall be charged with an offense punishable with death, or imprisonment in the Penitentiary.

SEC. 16. Be it further enacted, etc., That all proper expenses incurred for the rent of polling or voting places, and the hire of furniture, and for incidental expenses necessary for holding the election, shall, upon presentation of a detailed account thereof, duly sworn by the officer directed to procure the same, be paid by the authorities of the city of New Orleans, or of the parish, as the case may be, in which the elections are held.

SEC. 17. Be it further enacted, etc., That no person shall be permitted to vote at any election to be held in this State who has not been duly registered as a qualified voter, in accordance with law.

SEC. 18. Be it further enacted, etc., That any voter shall vote in the parish wherein he resides, except in the parishes of Orleans and Jefferson, wherein he shall vote at the election precinct in which he shall be a registered voter.

SEC. 19. Be it further enacted, etc., That all the names of persons voted for by each voter shall be written or printed on one ticket on which the names of the persons voted for, together with the office for which they are voted for, shall be accurately specified, and should two or more tickets be folded together the tickets so folded shall be rejected, provided that no person shall be allowed to vote for ward or municipal offices except in the ward or municipality in which he resides. The commissioners of election shall require every person offering to vote, to exhibit his certificate of registration, and when the vote of such person is received the commissioners of election shall write on or stamp on such certificate or affidavit, the word "voted," and the date of the vote, which shall be signed by one of the commissioners, and any person being guilty of erasing or altering any stamp or mark thus made by the commissioners of election, or any one of them, shall, upon conviction, be deemed guilty of a misdemeanor and fined and imprisoned at the discretion of the court.

SEC. 20. Be it further enacted, etc., That the commissioners shall have the right to require that any person attempting to vote shall be put on his oath and made to declare whether he has voted at another poll or voting place, and in case such person shall make a false oath he shall be subjected to the penalties provided by law for perjury, and it is hereby made the duty of any commissioner of election, upon the request of any voter, to administer the oath herein required, and any commissioner of election refusing or neglecting to administer the oath when so required shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than one hundred dollars and by imprisonment for a term of not less than three months.

SEC. 21. Be it further enacted, etc., That any person offering to vote may be required by the commissioners to make oath and declare that he is the person to whom was issued the registration certificate or any other paper upon which he offers to vote, and that he has not voted at any other poll or voting place, and in case he shall make a false oath, he shall be liable to the pains and penalties of perjury prescribed by law.

SEC. 22. Be it further enacted, etc., That the supervisor of registration for each parish throughout the State shall furnish to the commissioners of election at each poll or voting place within his parish a correct and duly certified list, written or printed, in alphabetical order, of all the registered voters, and the number of the certificate of registration of each voter of the precinct in which the poll or voting place may be situated, and it shall be the duty of the commissioners of election, as soon as a voter has deposited his vote, to erase his name from said list. Any person, except the commissioners of election, who shall mark, disfigure or erase any part of said list, shall be immediately arrested and confined until the close of the polls. It is made the duty of all supervisors of registration, commissioners of election and public officers to enforce the penalty of this section.

SEC. 23. Be it further enacted, etc., That the sheriff of each parish shall furnish to the commissioners of election at each poll or voting place within his parish a box sufficient to contain the votes to be given at such place. Such boxes shall be so bound with iron bands that the same can not be opened, except by the locks, without breaking such bands, and such boxes shall each be furnished with a good lock and key. The expenses for such boxes, on the presentation by the sheriff of a specific account, sworn by him to be correct, shall be paid by the city or parish as the case may be.

SEC. 24. Be it further enacted, etc., That all elections be held in this State to fill any vacancies shall be conducted and managed and returns thereof shall be made in the same manner as is provided for general elections.

SEC. 25. Be it further enacted, etc., That it shall be the duty of the Governor to commission all officers elect except members of the General Assembly, the Governor and the members of the police jury.

SEC. 26. Be it further enacted, etc., That in any parish, precinct, ward, city or town in which during the time of registration or revision of registration, or on any day of election, there shall be any riot, tumult, acts of violence, intimidation and disturbance, bribery or corrupt influences, at any place within said parish, or at or near any poll or voting place, or place of registration, or revision of registration, which riot, tumult, acts of violence, intimidation and disturbance, bribery or corrupt influences shall prevent, or tend to prevent, a fair, free, peaceable and full vote of all the qualified electors of said parish, precinct, ward, city or town, it shall be the duty of the commissioners of election if such riot, tumult, acts of violence, intimidation and disturbance, bribery or corrupt influences occur on the day of election, or of the supervision of registration of the parish, if they occur during the time of registration, or revision of registration, to make on duplicate and under oath a clear and full statement of all the facts relating thereto and of the effect produced by such riot, tumult, acts of violence, intimidation and disturbances, bribery or corrupt influences in preventing a fair, free, peaceable and full registration or election, and of the number of qualified voters deterred by such riots, tumult, acts of violence, intimidation and disturbance, bribery or corrupt influences from registering or voting, which statement shall also be corroborated under oath by three respectable citizens, qualified electors of the parish. When such statement is made by a commissioner of election or a supervisor of registration, he shall forward it in duplicate to the supervisor of registration of the parish, if in the city of New Orleans, to the Secretary of State, one copy of which, if made to the supervisor of registration shall be forwarded by him to the returning officers, provided for in section two of this act, when he makes the returns of election in his parish. His copy of said statement shall be so annexed to his returns of elections by paste, wax, or some adhesive substance, that the same can be kept together, and the other copy the supervisor of registration shall deliver to the clerk of the court of his parish for the use of the district attorney.

SEC. 27. Be it further enacted, etc., That as soon as possible after the expiration of the time of the making of the returns of the election for Representatives in Congress, a certificate of the returns of the election for such Representatives shall be entered on record by the Secretary of State, and signed by the Governor, and a copy thereof subscribed by said officers shall be delivered to the person so elected, and another copy transmitted to the House of Representatives of the Congress of the United States, directed to the clerk thereof.

SEC. 28. Be it further enacted, etc., That in case of vacancy by death or otherwise in the said office of Representatives in Congress between the general election, it shall be the duty of the Governor by proclamation to cause an election to be held according to law to fill the vacancy.

SEC. 29. Be it further enacted, etc., That in every year in which an election shall be held for electors of President and Vice President of the United States, such election shall be held at the time fixed by act of Congress.

SEC. 30. Be it further enacted, etc., That whenever the seat of any Senator or Representative shall become vacant, and there shall be a session of the General Assembly then sitting, or to be held before the next general election, it shall be the duty of the Governor, within five days after such vacancy has come to his knowledge in any credible shape, to issue his writ of election, directed to the supervisor or supervisors of registration in and for the parish or parishes in which such vacancy may exist, whose duty it shall be within three days after its receipt to give public notice that an election will be held to fill such vacancy on a day to be named by them, which day shall not be less than eight nor more than fifteen days after the publication of such notice, it such election be held during or within fifteen days next preceding a session of the General Assembly; but, if not, then the election shall be held not less than twenty nor more than thirty days after the publication of such notice, and shall be held and conducted, and the returns thereof made in the manner and form provided by law for general elections.

SEC. 31. Be it further enacted, etc., That in all future elections for Senators, Representatives, sheriffs, coroners, clerks of the district courts and other officers if there should be an equal number of votes given for two or more candidates for the same office, the election for such office or offices thus not filled, shall be again returned to the people in the parish or district as the case may be, public notice of ten days to be first given in the same manner as in the general elections.

SEC. 32. Be it further enacted, etc., That the provisions of this act, except as to the time of holding elections, shall apply in the election of all officers whose election is not otherwise provided for.

SEC. 33. Be it further enacted, etc., That it shall be the duty of the Governor, at least six weeks before every general election, to issue his proclamation giving notice thereof, which shall be published in the official journal of the State, and copies thereof forwarded to the several supervisors of registration throughout the State.

SEC. 34. Be it further enacted, etc., That notice of every general election held under the provisions of this act shall be given at least thirty days before the election by notices posted up in each precinct, or if there be an official newspaper published in the parish by publishing the notice in such paper.

SEC. 35. Be it further enacted, etc., That the supervisors of registration, or commissioners of election, shall on the day of election close all drinking saloons, dram shops, groggeries, or places where liquor is sold by the glass or bottle, situated in the radius of two miles of any poll or voting place, and said supervisors of registration or commissioners of election shall have the power to call on any sheriff, constable, or police officer, to enforce this regulation. If such sheriff, constable, or police officer, shall refuse to obey any order issued under the authority of this section, the supervisor of registration giving the order shall summarily arrest and imprison such sheriff, constable or police officer, such imprisonment not to extend beyond the hour of closing the polls. And such sheriff, constable or police officer so refusing to obey such order, shall be deemed guilty of a misdemeanor in office, and upon conviction thereof shall be punished by imprisonment for a term not to exceed six months, nor less than three months, and by a fine of not more than five hundred dollars, nor less than one hundred dollars.

SEC. 36. Be it further enacted etc., That the Governor, any justice of the peace, alderman, mayor, judge, or any State officer who may be present at or have knowledge of any drinking saloon, dram shop, groggery or place where liquor is sold by the glass or bottle, which is open contrary to the provisions of the foregoing section within the limits therein proscribed, may in writing order any police officer or constable to seize any such liquors, or any carriages or vessels containing the same, or any booths or tents erected within said limits for the purpose of exposing such intoxicating liquors for sale.

SEC. 37. Be it further enacted, etc., That the constable or police officer to whom such orders shall be delivered shall thereupon seize all such liquor carriages, vessels and materials of any such tent or booth, and hold and detain the same until twenty-four hours after the close of the election; then to be delivered on demand to the owner or the person from whom they were taken, on the payment of ten dollars for the safe keeping of said articles.

SEC. 38. Be it further enacted, etc., That if these effects be not thus demanded, the same shall be sold at public auction by the police officer or constable making the seizure; and the proceeds of such sale, after deducting costs of sale and safe-keeping, shall be paid to the owner of the articles sold or the person from whom the same were taken.

SEC. 39. Be it further enacted, etc., That no voter, whose name is registered according to law, shall be challenged at the polls on any question of residence, but it shall be the duty of the comissioners of election to require every person whose name appears on the registration books to prove his identity if required by the commissioners of election; and any commissioner of election who shall receive a second vote on the same day, by virtue of the same certificate of registration, and any person who shall offer to vote a second time upon any certificate of registration, shall be deemed guilty of a misdemeanor, and on conviction thereof be fined or imprisoned, or both, at the discretion of the court, but the fine shall not exceed one hundred dollars in each case, nor the imprisonment one year, and the like punishment shall, on conviction, be inflicted on any commissioner of election who shall neglect or refuse to make the indorsement required as aforesaid on the said registration certificate.

SEC. 40. Be it enacted, etc., That if any clerk of a court, or deputy of any such court, or any other person shall affix the seal of office, to any naturalization paper, or commit the same to be affixed, or give out, or cause, or permit the same to be given out, in blank whereby it may be fraudulently used, or furnish a naturalization certificate to any person who shall not have been duly examined and sworn in open court, in the presence of some of the judges thereof according to the act of Congress, or shall aid in, connive at, or in any way permit the issue of fraudulent naturalization certificates he shall be guilty of a misdemeanor, or if any one shall fraudulently use any such certificate of naturalization, knowing it to have been fraudulently issued, or shall vote or attempt to vote thereon, or if any one shall vote or attempt to vote on any certificate of naturalization not issued to him, he shall be guilty of a misdemeanor, and either or any of the persons, their aiders or abettors, guilty of either of the misdemeanors aforesaid, shall, on conviction, be fined in a sum not exceeding one thousand dollars and imprisoned in the Penitentiary for a period not exceeding three days.

SEC. 41. Be it further enacted, etc., That if any person, on oath or affirmation in or before any court in the State, or officer authorized to administer oath, shall, to procure a certificate of naturalization for himself or any other person, willfully depose, declare or affirm any matter to be facted, knowing the same to be false, or shall, in like manner, deny any matter to be fact, knowing the same to be true, he shall be deemed guilty of perjury, and any certificate of naturalization issued in pursuance of any such deposition or affirmation shall be null and void; and it shall be the duty of the court issuing the same, upon proof being made before it that it was fraudulently obtained, to take immediate measures for recalling the same for cancellation; and any person who shall vote or attempt to vote on any paper so obtained, or who shall in any way aid in, connive at, or have any agency whatever in the issue, circulation or use of any fraudulent naturalization certificate shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall undergo an imprisonment in the Penitentiary for not more than two years and pay a fine not more than one thousand dollars and one thousand dollars for every such offense, or either, or both, at the discretion of the court.

SEC. 42. Be it further enacted, etc., That at all general elections the names of all candidates to be voted for in the city of New Orleans shall be written or printed on one ticket or slip of paper, and the number of the ward and election precinct in which the ticket is to be voted for shall be printed or written on the outside fold thereof.

SEC. 43. Be it further enacted, etc., That immediately upon the close of the polls on the day of election, the commissioners of the election at each poll or voting place shall proceed to count the votes, as provided in section thirteen of this act, and after they shall have so counted the votes and made a list of the names of all the persons voted for, and the offices for which they were voted for, and the number of votes received by each, the number of ballots contained in the box, and the number rejected, and the reasons therefor, duplicates of such lists shall be made out, signed and sworn to by the commissioners of election of each poll, and such duplicate lists shall be delivered, one to the supervisor of registration of the parish, and one to the clerk of the district court of the parish, and in the parish of Orleans, to the Secretary of State, by one or all such commissioners in person, within twenty-four hours after the closing of the polls. It shall be the duty of the supervisors of registration, within twenty-four hours after the receipt of all the returns for the different polling places to consolidate such returns to be certified as correct by the clerk of the district court and forward the consolidated returns with the originals received by him to the returning officers provided for in section two of this act, the said report and returns to be enclosed in an envelope of strong paper or cloth, securely sealed and forwarded by mail. He shall forward a copy of any statement as to violence or disturbance, bribery or corruption, or other offenses specified in section twenty-six of this act, if any there be, together with all memoranda and tally lists used in making the count, and statement of the votes.

SEC. 44. Be it further enacted, etc., That it shall be the duty of the Secretary of State to transmit to the Clerk of the House of Representatives and the Secretary of the Senate of the last General Assembly a list of the names of such persons as, according to the returns, shall have been elected to either branch of the General Assembly; and it shall be the duty of the said Clerk and Secretary to place the names of the Representatives and Senators elect so furnished upon the roll of the House and of the Senate, respectively; and those Representatives and Senators whose names are so placed by the Clerk and Secretary, respectively, in accordance with the foregoing provisions, and none other, shall be competent to organize the House of Representatives or Senate. Nothing in this act shall be construed to conflict with article thirty-four of the constitution of the State.

SEC. 45. Be it further enacted, etc., That any civil officer or other person who shall assume or pretend to act in any capacity as a commissioner or other officer of election to receive or count votes, to receive returns or ballot boxes or to do any other act toward the holding or conducting elections, or the making returns thereof in violation of or contrary to the provisions of this act, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the Penitentiary for a term not to exceed three years, nor less than one year, and by a fine not exceeding three hundred dollars, nor less than one hundred dollars.

SEC. 46. Be it further enacted, etc., That any person or persons, who shall obstruct, hinder, or by violence or threats of violence, abusive language or other species of intimidation, interfere with a supervisor or commissioner of election, or with any person or persons duly appointed to execute orders of the supervisor of registration or commissioners of election in the discharge of their duties, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding three hundred dollars nor less than one hundred dollars, and by imprisonment for a period not exceeding three months, nor less than one month.

SEC. 47. Be it further enacted, etc., That any person or persons who shall counsel, aid, connive at, abet, encourage or participate in any riots, tumults, acts of violence, intimidation or armed disturbance at or near the office of any supervisor of registration on any day of registration or revision of registration, or at or near any poll or voting place on any day of election, shall be deemed guilty of a felony, and on conviction thereof shall be punished by fine not exceeding five hundred dollars nor less than one hundred dollars, and by imprisonment in the Penitentiary for a period not exceeding two years nor less than six months.

SEC. 48. Be it further enacted, etc., That any person who shall register, or cause to be registered, his name, or that of any other person, as a legal voter, in violation of law, or vote, or induce or cause another to vote, in violation of the laws or of the constitutional provisions in such cases made and provided, shall be deemed guilty of a felony, and on conviction thereof shall be punished by a fine of not more than five hundred dollars, nor less than one hundred dollars, and by imprisonment in the Penitentiary for a period of not less than one year, nor more than three years.

SEC. 49. Be it further enacted, etc., That any person or persons who shall purchase, or cause to be purchased, the registration papers, or certificate of registration, of any person duly registered according to law, shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by a fine not exceeding five hundred dollars nor less than one hundred dollars, and by imprisonment in the Penitentiary for a term not less than one year nor more than three years.

SEC. 50. Be it further enacted, etc., That any person who shall vote or attempt to vote on any false and fraudulent paper or certificate of registration, or upon any paper or certificate of registration issued to a person other than the the one voting or attempting to vote on said paper or certificate of registration shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by a fine not exceeding five hundred dollars nor less than one hundred dollars and by imprisonment in the Penitentiary for a term not less than one year nor more than three years.

SEC. 51. Be it further enacted, etc., That any person who shall induce, by offer of reward, by threats of violence, or otherwise, any person to vote, or attempt to vote, on any false or fraudulent paper or certificate of registration, or upon any papers or certificate of registration belonging to a person other than the one voting or attempting to vote on said paper or certificate of registration shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by a fine not exceeding five hundred dollars, nor less than one hundred dollars, and by imprisonment in the Penitentiary for a period not exceeding three years, nor less than one year.

SEC. 52. Be it further enacted, etc., That any person who shall vote, or attempt to vote more than once at the same election, shall be deemed guilty of a felony, and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars and by imprisonment in the Penitentiary for a term of not less than three years.

SEC. 53. Be it further enacted, etc., That it shall be the duty of any commissioner of election to forthwith arrest any person who shall vote, or attempt to vote, more than once, and commit him to the parish prison, and to immediately file an information against such person with the district attorney or district attorney pro tempore, whose duty it shall be to prosecute such person before the proper court, and upon his failure so to do, the Attorney General shall appoint some attorney to prosecute such person; and also to prosecute such district attorney or district attorney pro tempore for such failure. Any supervisor of registration, commissioner of election, district attorney or district attorney pro tempore, who shall refuse, neglect or fail to comply with the provisions of this section of this act shall be deemed guilty of a misdemeanor in office, and upon conviction thereof, shall be removed from office and punished by a fine of not less than one hundred dollars and imprisoned for not less than three, nor more than six months.

SEC. 54. Be it further enacted, etc., That any person who shall by threats of discharge from employment, of withholding wages, or proscription in business, influence or attempt to influence any voter in the casting of his vote at any election, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five hundred dollars, which shall go to the school fund of the parish, and be imprisoned in the parish prison for not less than three months.

SEC. 55. Be it further enacted, etc., That any person who shall discharge from his employment any laborer, employe, tenant, or mechanic, who shall have been working for such person under contract, written or oral, for a specified time, before such time shall have expired; or who shall withhold from any laborer, employe, tenant, or mechanic, any part of the wages due to such laborer, employe, tenant or mechanic on account of any vote which such laborer, employe, tenant or mechanic, has given or proposes to give, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than five hundred dollars, one-half of which shall go to the school fund of the parish in which the offense was committed, and by imprisonment in the parish prison for not less than three months.

SEC. 56. Be it further enacted, etc., That any person who shall molest, disturb, interfere with, or threaten with violence, any commissioner of election, or person in charge of the ballot boxes, while in charge of the same, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine of not less than five hundred dollars, or by imprisonment in the Penitentiary not less than one year, or both, at the discretion of the court.

SEC. 57. Be it further enacted, etc., That any person, not authorized by this law to receive or count the ballots at any election, who shall during or after any election and before the votes have been counted disturb, displace, conceal, destroy, handle or touch any ballot after the same has been received from the voter by a commissioner of election, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than one hundred dollars or by imprisonment for not less than six months, or both, at the discretion of the court.

SEC. 58. Be it further enacted, etc., That any person not authorized by this law to take charge of the ballot boxes at the close of the election, who shall take, receive, conceal, displace, or in any manner handle or disturb any ballot box at any time between the hour of the closing of the polls and the transmission of the ballot box to the clerk of the district court, or during such transmission, or at any time prior to the counting of the votes, shall be deemed guilty of a felony, and on conviction thereof, shall be punished by a fine of not less than five hundred dollars, or by imprisonment in the Penitentiary for not less than one year, or both, at the discretion of the court.

SEC. 59. Be it further enacted, etc., That it shall be unlawful for any person to carry any gun, pistol, bowie knife, or any other dangerous weapon, concealed or unconcealed, on any day of election during the hours the polls are open, or any day of registration or revision of registration, within a distance of one-half mile of any place of registration, or revision of registration, or election poll. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by a fine of not less than one hundred dollars and by imprisonment in the parish jail for not less than one month; provided, that the provisions of this section shall not apply to any commissioner or officer of the election or supervisor of registration, police officer, or other persons authorized to preserve the peace on days of registration or election.

SEC. 60. Be it further enacted, etc., That no person shall give, sell, barter any spirituous or intoxicating liquors to any person on the day of election, and any person found guilty of violating the provisions of this section shall be fined in a sum of not less than one hundred dollars nor more than three hundred dollars, which shall go to the school fund.

SEC. 61. Be it further enacted, etc., That whoever, knowing that he is not a qualified voter, shall vote or attempt to vote at any election shall be fined in a sum not to exceed one hundred dollars, to be recovered by prosecution before any court of competent jurisdiction.

SEC. 62. Be it further enacted, etc., That whoever shall knowingly give or vote two or more ballots voted as one at any election, shall be fined in a sum not to exceed one hundred dollars, to be recovered by prosecution before any court of competent jurisdiction.

SEC. 63. Be it further enacted, etc., That whoever, by bribery or by promise to give employment or higher wages to any person, attempts to influence any voter at any election, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars, and by imprisonment in the Parish Prison for not less than three months.

SEC. 64. Be it further enacted, etc., That whoever willfully aids or abets any one not legally qualified to vote at any election shall be fined in a sum of not less than fifty dollars, to be recovered by prosecution before any court of competent jurisdiction.

SEC. 65. Be it further enacted, etc., That whoever is disorderly at any poll or voting place during the election shall be fined in a sum not less than twenty dollars, to be recovered by prosecution before any court of competent jurisdiction.

SEC. 66. Be it further enacted, etc., That whosoever shall molest, interrupt or disturb any meeting of citizens assembled to transact or discuss political matters, shall be fined in a sum not less than fifty dollars, to be recovered by prosecution before any court of competent jurisdiction; any sheriff, constable, or police officer present at the violation of this section shall forthwith arrest the offender or offenders and convey him or them as soon as practicable before the proper court.

SEC. 67. Be it further enacted, etc., That the court imposing any fine as directed in sections fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four and sixty-five of this act, shall commit the person so fined to the parish prison until the fine is paid; provided, that said imprisonment shall not exceed six months.

SEC. 68. Be it further enacted, etc., That in case where any oath or affirmation shall be administered by any supervisor of registration or commissioner of election in the performance of his duty as prescribed by law, any person swearing or affirming falsely in the premises shall be deemed guilty of perjury, and subjected to the penalties provided by law for perjury.

SEC. 69. Be it further enacted, etc., That the violation of any provision of the act or section of the act repealed by this act shall not be considered as exempting the persons so offending from prosecution and punishment according to the provisions of said act.

SEC. 70. Be it further enacted, etc., That any person duly appointed commissioner of election, and duly notified by the police jury of such appointment, who shall fail to attend the election and perform the duties of commissioner as herein provided, except in case of sickness, shall forfeit the sum of one hundred dollars to the parish, to be recovered before any court of competent jurisdiction at the suit of the parish, to be prosecuted by the district attorney or district attorney pro tempore, who are hereby directed to proceed to collect such fine when it shall be brought to their knowledge.

SEC. 71. Be it further enacted, etc., That this act shall take effect from and after its passage, and that all others on the subject of election laws be and the same are hereby repealed.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
Approved November 20, 1872.
A true copy:
Y. A. WOODWARD,
Assistant Secretary of State.

AN ACT No. 95.

To incorporate the Shreveport Bridge Company, and to authorize the company to issue its bonds and to build a road from Red river to and across Red Chute to the hills, in Bossier parish, and to collect tolls thereon, and for other purposes.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That Frank M. Smith, A. H. Leonard, E. P. O'Key, Charles W. Keating, S. Peters, George W. Dillard, M. H. Crowell, M. A. Walsh, D. D. Smith, S. M. Thomas, and their successors and assigns, and such other persons as they may hereafter associate with themselves, be and are hereby constituted a body corporate and politic, to act in their corporate capacity as one person, and are hereby authorized, in their corporate capacity, to do and perform all acts an individual can do, to purchase, lease, sell or exchange real or personal property, rights or credits, as an individual can do, and to sue and be sued, and to do all things an incorporation can do; that service of citation or other legal process shall be made on the president of the company, or, in the absence of the president, on the secretary thereof; that the domicile of this company is fixed in the city of Shreveport, in the parish of Caddo, in the State of Louisiana. This company shall have a seal, and may change or alter the same at pleasure.

SEC. 2. Be it further enacted, etc., That the name and style of this corporation shall be "The Shreveport Bridge Company," and the capital stock of this company shall be five hundred thousand dollars, to be divided into shares of one hundred dollars each, making five thousand shares. It shall be competent for the stockholders of this company to fix the amount of the capital stock from time to time, as in their judgment they may deem best, not to exceed one million dollars.

SEC. 3. Be it further enacted, etc., That this company shall have the exclusive right to build, equip and maintain a bridge across the Red river, to terminate on the east bank of Red river, opposite the city of Shreveport, for the purpose of passing vehicles of all kinds, animals, produce of all kinds, merchandise and foot passengers, and for all purposes a bridge may be used for; and no other bridge shall be built across said river within a distance of five miles in either direction for the period of thirty years, reserving the right to any railroad company to build bridges within said limits solely for railroad purposes, but in no way to be used for any of the purposes above stipulated, except as belonging to the actual business and operating of the railroad; and that same company shall have the right to charge such tolls thereon as may be fixed by the board of directors of said company, and shall have the right to police such bridge, so that no one or thing shall be allowed to pass over the same except in accordance to the regulations made by the directors.

SEC. 4. Be it further enacted, etc., That the affairs of the company shall be conducted by a board of directors, the first board of directors to consist of the incorporators named in the first section of this act; in the event of the death of any such incorporators the balance shall compose the board of directors until the end of the term; and in the event of any of such incorporators transferring their entire interest in this company during their term of service they shall cease to act as directors during the residues of the term, and their place shall be filled by the selection of some other stockholders by the other directors. This board of directors shall hold office for two years from the first Monday of July,