tives in congress who received the highest number of votes, a special election shall be called, as hereinafter provided, for the election of a rep-resentative or representatives in congress, in the district or districts in which said the vote oc-SEC. 44. The electors chosen as aforesaid

SEC. 44. The electors chosen as aforesaid shall, at twelve o'clock on the day directed by the congress of the United States, meet at the seat of government of this state, and then and there perform the duties enjoined on them by the constitution and laws of the United States.

SEC. 45. Every elector of president and vice president of the United States shall, before the hour of twelve on the day next preceding the day fixed by law of congress to elect a president and vice president, give notice to the governor that he is at the seat of government and is ready at the proper time to futfill the duties of an elector; and the governor shall forthwith deliver to the electors present a certificate of all the names of the electors; and if any electors named therein fails to appear before nine o'clock on the morning of the day of election of president and vice president of the United States, the electors then present shall immediately proceed to elect by ballot, in the presence of the governor, persons to fill such vacancies.

SEC. 46. If more than the number of persons required to fill such vacancy as aforesaid have the highest and an equal number of votes, the governor, in the presence of the electors attending, shall decide, by lot, which of said persons shall be elected; otherwise, they, to the number required, having the greatest number of votes shall be considered elected to fill such vacancies.

SEC. 47. Immediately after such choice is

sec. 47. Immediately after such choice is SEC. 47. Immediately after such choice is made, the names of the persons so chosen shall be certified to the governor by the electors making such choice, and the governor shall cause immediately notice to be given in writing to the electors so chosen, and to fill such vacancies, and the persons so chosen shall be electors and shall meet the other electors at the same time and place, and then and there discharge all and singular the duties enjoined on them as electors aforesaid by the constitution and laws of the United States and of this state.

SEC. 48. Every elector attending at the scat of government, as aforesaid, shall receive three dollars for every thenty miles travel going to and returning from, the scat of government, estimated from his place of residence by the most usual route. Such sum shall be allowed by the anditor upon the certificate of the governor, and paid by the state treasurer cut of any money in the treasury not otherwise appropriated.

SEC. 49. At the close of the canvass as pro-

paid by the state treasurer out of any money in the treasury not otherwise appropriated.

SEC. 49. At the close of the canvass as provided in section thirty-nine, the board of canvassers shall declare the person having the highest number of votes for any county office duly elected subject to an appeal to the district count for the proper county; and, in case said county contain a senatorial or representative district, then the person having the highest number of votes for senator or representative shall be declared by said board duly elected. In case of appeal, notice thereof shall be entered with the clerk of said court within twenty days after the day of election.

the day of election.

SEC. 50. The county auditor shall make out for every county officer elected, and also for each of the senators and representatives elected to the legislature, if such county constitutes a senatorial or representative district, a certificate of such election, and shall deliver the same to the person entitled thereto, upon demand, without fee; and he shall also make out for any candidate or elector of his county a statement of votes, as provided in sections thirty-nine, forty and forty-one, upon being paid therefor one dollar.

SEC. 51. The county auditor of each county

Sec. 51. The county auditor of each county which does not constitute a representative or senatorial district shall make out from the returns of his office a statement of the votes for members of the senate and house of representatives, which he shall seal and direct to the county auditor of the senior county in each senatorial or representative district, respectively, and if there be two or more counties in such district of the same age, then the returns shall be directed to the auditor of the county polling the greatest number of votes at the last preceding general election; and said auditor shall forward such statement to the proper auditor within lifteen days after the election.

Sec. 52. When two or more counties are comprised in one senatorial district, the auditor of the senior county, or of the county to which returns are to be made, shall, on the twentieth day after the election, with such other county auditors of the district as choose to attend at his office, call to his assistance two justices of the peace and the chairman of the board of county commissioners of his county, and then and there open the returns of the votes given in the several counties or portions of counties comprising such senatorial district; said auditor of the county to which the returns are made shall immediately make out certificates of election for the persons having the highest number of votes in such senatorial district for the members of the legislature, which certificate shall be delivered to the persons entitled thereto. legislature, which certificate shall be delivered to the persons entitled thereto.

to the persons entitled thereto.

SEC. 53. If on proceeding to canvass the votes it shall appear to said board of canvassers, or a majority thereof, that in any statement produced to them certain matters are omitted in such statements [that] should have been inserted, or that any mistakes that are clerical merely, exist, they shall cause the said statement to be sent by one of their number or by messager sent, by one of their number or by messenger whom they shall depute for that purpose, to the county or district canvassers of the county, town or district from which such statements

county or district canvassers of the county, town or district from which such statements were received, to have the same corrected; and the person so deputed shall immediately proceed and give notice to the said county, town or district canvassers, whose duty it shall be forthwith to assemble together and make such corrections as the facts of the case require; but such county, town or district canvassers shall not at such meeting change or alter any decision before made by them, but shall only cause their canvass to be correctly stated; and such board of canvassers are authorized to adjourn from day to day for the purpose of obtaining and revising such statement, such adjournment not to extend beyond ten days.

SEC. 54. Whenever there is no election of any state or county officers, or of the required number of members of the house of representatives or senate, or of representatives in congress by reason of any two or more persons having an equal and the hichest number of votes for any such office; or whenever any vacancy occurs in any of the said offices, which said vacancy is not otherwise provided for, the governor, within ten days after he is informed of such vacancy or failure to elect, shall issue a proclamation directing that a special election be held in the proper election district or districts, at a time to be specified in the proclamation, not more than twenty days from the date thereof, to fill such office; and said election shall be called in the manner hereinbefore provided for calling elections, and the same shall be held and conducted, and the returns thereof made and canvassed in the same manner ageneral eleccalling elections, and the same shall be held and conducted, and the returns thereof made and canvassed in the same manner as general elections are held, conducted, and the returns thereof made and canvassed; provided, that it the vacancy occur in the office of representative in congress, or state senator, or the member of the house of representatives, and there be no session of the legislature or congress between the happening of such vacancy and the next general election occurring fifteen or more days therefifter, such vacancy shall be filled at said general election.

serial election.

Sec. 55. On elections to fill any vacancy under tile preceding section, the auditor shall, within fifteen days after such elections, transmit statements of the votes given, to the office of the secretary of state and take his receipt therefor, under the penalty of five hundred dollars fine, to be recovered from him in a civil action in the name of the county; and the county treasurer for the time being shall sue for and recover the penalty, for the use of the county.

sounty.

Sec. 56. If a vacancy occur in the senate or house of representatives for any cause, and if the county composing the district in which such vacancy occurs have been divided after the election of a member whose seat is vacant, such election shall be ordered in every county, or part of any county, of which such district was originally composed; but no person shall be permitted to vote at such election who does not at that time reside within the limits of the original county or district in which the vacancy of inal county or district in which the vacancy of

sec. 57. Any candidate or elector of the proper county, senatorial, judicial or election district, wishing to contest the validity of an election, or the right of any person declared duly elected to the senate or house of representatives in this state, or to contest his right to a seat therein, shall give notice thereof in writing to the person whose election or right to a seat he intends to contest, or leave a written notice thereof at the house where such person last resided, within twenty days after the votes have been canvassed by the county canvassing board, specifying the

to contest, or leave a written notice thereof at the house where such person last resided, within twenty days after the votes have been canvassed by the county canvassing board, specifying the points on which the election will be contested and naming two justices of the peace, of the covnty in which he resides, who will officiate at the taking of the depositions, and when and where they will attend to take the same; all such notices shall be served at least ten days before the day designated therein for the taking of such depositions, but the time fixed for taking the same shall not exceed forty-five days from the day of election.

Sec. 58. The said justices, or either of them, shall issue subprenas to all persons whose testimony is required by either of the parties; and said two justices shall take, under oath, all testimony relating to such contested election, and certify the same under seal to the presiding officer in that branch of legislature where the person whose seat is contested is returned to serve at the next session.

Sec. 59. If a party whose election is consected desires to offer testimony upon points not specified in the notice of the contestant, he shall, within ten days after the contestant, he shall, within ten days after the contestant, he shall, within ten days after the contestant in his notice is served upon him as aforesaid, serve upon said contestant, in the manner provided in section fifty-seven, a notice specifying a place and day (which shall not by more than ten days later than the time fixed by the contestant in his notice for taking deposition, at which time testimony thereon will be taken before two justices of the same county, which motes that line of taking such testimony thereon and by them transmitted to the presiding officer of that branch of the legislature where the contest is to be decided, with the other documents provided for by section fifty-eight. SEC. 60. In conducting any contested elec-

tion in the house of representatives, the following rules shall be observed:

First—On the day and at the hour appointed for that purpose, the house, with the proper officers, shall assemble at the usual place of meeting: the speaker of the house of representatives shall preside, but, when he is a contestant, a speaker pro tem shall be elected.

Second—The parties to the contest shall then be called by the clerk, and if they answer their appearance shall be recorded.

Third—The contestant shall then first introduce his testimony, and, after the testimony is closed on both sides, the contestant by himself or by his counsel may open the contest, and the officer-elect may then proceed, by himself or counsel, to make his defense and the contestant be heard in reply. After the arrument of both parties is concluded any member of the house may offer the reasons for the vote he intends to give.

Fourth—The clerk shall keep a regular journel.

give. Fourth—The clerk shall keep a regular journal of the proceedings.

Fifth—In deciding the contest, the members shall vote viva roce, and a majority of the votes given shall decide; but no party to the contest shall vote, either upon the flual decision or upon any preliminary question that has reference thereto.

ence thereto.

Sixth—If the contest is in the sence it shall proceed as nearly as may be according to the rules above prescribed.

Sec. 61. Any candidate or elector of the proper county ray contest the election of any

SEC. 61. Any candidate or elector of the proper county may context the election of any person declared elected to any county office. He shall give notice thereof in the manner provided in section fifty-seven for service of such notice. If the person whose election is contested desire to offer testimony upon points not specified in the notice of the contestant, he shall, in the manner provided in section fifty-seven, seve notice on the contestant, specifying such additional points; upon such notices, which are not to be taken as true until proved, and which may be amended, if the court, under all the circumstances, deem it just, all the testimony shall be taken as in civil actions, and all matters relating to said contest shall be heard and tried by the district court of the proper county in the manner that civil actions, and all matters relating to said contest shall be heard and tried by the district court of the proper county in the manner that civil actions are tried by the court. Said contest shall be brought on for hearing, and the costs therein taxed by said district court in the manner that civil actions are conducted. Said district court, at the next general or special term after the expiration of thirty days after the vetes are canvassed, shall hear and determine the contest; and the judge of the said court, in case no general or special term special term special term special term thereof occur within ninety days after the canvass of the votes, shall appoint a special term of said court to convene within ten days after notice of such contest shall have been given to him. When the judgment or decision of the district court abond to the opposite party in such sum, not less than five hundred dellars, and with such surctics as shall be approved by the judge conditioned for the payment of all costs incurred by the respondent, in case the applicant fail in his appeal. The return on said appeal shall be made, settled, cerin case the applicant fail in his appeal. The re-turn on said appeal shall be made, settled, cer-tified and filed in the supreme court within fit-teen days after the date of service of notice of appeal, and upon perfecting said appeal, the same may be brought on for hearing and detersame may be brought on for hearing and determination before said supreme court at any time when the same shall be in session, and upon ten days notice from either party; and the same shall be neard and determined in a summary manner. Such notice of hearing may be served during the term or in vacation. This act shall apply to any case now heading.

apply to any case now pending. Sec. 62. On the trial of any contested election for any of the offices in the fitty-seventh o sixty-first sections of this chapter named, the parties to the contest may introduce either written or oral testimony, but no deposition shall be read at such trial unless the other party had reasonable notice of the time and place of taking

the same.

Sec. 63. In any county in which there is a vote for the removing of the county seat or changing the county lines of said county, or upon any other subject which by law may be submitted to the vote of the people of said county, any elector therein may contest the validity of such election as to the right of the place declared to be selected for the county seat to be such; or as to the result when the proposition to remove a county seat is declared defeated; or as to any county line declared established by said vote; or as to the result of any vote upon any subject submitted as aforesaid. Such elector shallgive notice in writing of such contest to the county in which said vote was taken, by serving copies of said uotice personally upon said commissioners at their place of residence within thirty days after the result of said votes is declared or proclaimed. Said notice shall specify the points on which said election will be contested, and a copy thereof shall be filed with the district clerk of the proper county within ten days after the service thereof upon the county commissioners; and the district court, at its first general or special term, shall hear and determine on such contest upon the oral and written evidence of the parties; and depositions may be taken by any of the parties to the proceedings in the same as in civil actions, but no appeal to said district court shall be necessary in any such case. Such commissioners, or, upon their failure, any elector of the proper county may appear and defend in such contest and introduce evidence as in other actions.

Sec. 64. The regular term of office of all state the same.

SEC. 63. In any county in which there is a

SEC. 64. The regular term of office of all state SEC. 64. The regular term of office of all state and county officers shall commence on the first Tuesday of January next succeeding their election, unless otherwise provided by law.

SEC. 65. Any state, county or district officer elected, or appointed, to fill a vacancy, shall qualify, and enter upon the duties of his office, immediately thereafter, and, when elected, hold the same during the unexpired term for which he was elected, and until his successor is appointed and qualified; but if avacancy is appointed and qualified.

he was elected, and until his successor is appointed and qualified; but if appointed to he shall hold his office until the next general election, when a successor for the remainder of the unexpired term shall be chosen, and until his successor is elected and qualified.

SEC. 66. During any day on which any general, special, town or chatter election is held, no civil process shall be served upon any elector entitled to yote at such election.

SEC. 67. The secretary of state shall provide

entitled to vote at such election.
SEC G7. The secretary of state shall provide uniform blanks for making lists or registers, required by law, and affidavits, and all other blanks necessary to be used in the several election districts at any election: he shall also provide copies of this law and transmit the same to the auditor of each county, at least thirty days before any election; and the auditor shall forthwith deliver to the clerk of every town and city in his county necessary copies of each of

city in his county necessary copies of each of said blanks and one copy of the said law for each election district in his town or city. each election district in his town or city.

SEC. 6S. Every auditor, chairman of the board of county commissioners and justice of the peace shall receive for services performed under this chapter the following fees: For making the statements, for every one hundred words, ten cents: for every certificate, with seal attached to statements, forty cents: which fees shall be allowed by the board of county commissioners of the proper county, and paid by the county treasurer upon the warrant of the county auditor.

SEC. 69. Whenever amendments to the con-

treasurer upon the warrant of the county auditor.

Sec. 69. Whenever amendments to the constitution shall be submitted to the people for their approval or rejection it shall be the duty of the judges of election, in each election district of the state, before the opening of the poils on election day, to post up at the place of holding the election, the proposed amendments, so that the same can be seen and read. Said amendments shall be printed or written, or partly printed and partly written, in the English language. Any judge of election violating the provisions of this section shall be subject to a fine not exceeding five dollars for each offense, which may be recovered before any justice of the peace, or any court of the county.

Sec. 70. No spirituous, malt or intoxicating liquor shall be sold or given away, nor shall any store, salcon or bar room where such liquor is sold or given away, be open on any general or special election day from the hour of five o'clock in the afternoon. Whoever violates the provisions of this section shall be fined not less than one hundred dollars for each offense. It shall be the duty of the mayor, sheriff, constable and other officers and magistrates to see that the provisions of this section are enforced; and it shall be the duty of the mayor on the day noxt preceding any election to issue a proclamation that the provisions of this section will be strictly enforced. In case the mayor fail to perform the duties herein described he shall be subject to a fine of one thousand dollars or imprisonment in the county jail for sixty days, or both, in the discretion of the court.

Sec. 71. The provisions of this chapter shall apply, except in cities having over twelve thousand inhabitants, to all elections hereafter to be held for all, or any, state, district, county, town, city or township officers, and for electors of president and vice president of the United States, and to any vote hereafter to be taken on amendments to the constitution, laws changing the county lines, removing cou

Section 2. The proper section of the section of the section of the county lines, removing county interest the county lines, removing county interest the county lines, removing the proper county lines, removing the removing county lines are collected specification. The removing county lines are collected specification, when the removing county lines are collected and removing county lines are collected specification. The removing county lines are collected and removed them the removing county lines are collected and removed them the removing county lines are collected and removed them the removing county lines are collected and removed them the removing county lines are collected and removed them the removing county lines are collected and removed them the removing county lines are collected to county and the leavest coun

be filled in the same manner as such vacancies are filled at elections.

SEC. 73. Said registers shall be in form substantially as follows: Voted. Number. Ave White. Years. Years. Months. Years. Months. 0 0 0 Days. E : Ward. District.

Said board shall enter all names in said registers alphabetically by surnames; they shall enter therein the names of all persons residing in theff election district whose names appear on the poll lists kept in said district at the last preceding election as having yoted thereat, except such as are known to the board to have since died, removed from the district or become disqualified; and, so far as known to any of said board, the proper entries shall be made opposite each name in the different columns of said registers. In addition to the names on such poll lists, the board shall enter in said registers the names of all persons who shall personally appear before them for registration. One of the judges of election shall administer to all persons appearing for registration the following oath or affirmation:

"You do solemnly swear (or affirm) that you will fully and truly answer such questions as shall be put to you, touching your place of residence, name, place of birth, your qualifications as an elector, and your right to register and vote under the laws of this state." One of the judges shall then ask each of the said persons the questions necessary to properly fill up the spaces opposite the names of such persons in the various columns of the recisters. The clerks, or other members of the board, shall enter the names of such persons in the registers, and the answers to the questions in the appropriate columns therein. In the column headed "Residence" shall be entered the name and number of the street, or other location of the dwelling, if there be a definite number: if not, such clear and definite description of the place of such dwelling as shall enable it to be readily ascertained. If more than one family be residing in the house, there shall be entered the floor on which the applicant resides, or the number of the room or rooms occupied by him. The registers shall be ruled, and one name shall be written on each line; but no name shall be written on each line; and if the name of any person be so written, the undersigned, judges of election

"We, the undersigned, judges of election in the district of the ward, of the city of in the State of Minnesota, do jointly and severally certify that, at the general registration of electors in such election district on the day of eighteen hundred and there were registered by us in said election precinct the names which in this book are inserted, and that the number of registered and qualified voters was and is the number of mumber to be written in figures and in words." Such registers shall, before ten o'clock in the forence of the next day, be deposited by one of said board in the office of the city clerk or recorder, whose duty it shall be to safely keep the same.

same.

SEC. 74. On Tuesday, two weeks preceding any general election, and on the thirteenth day preceding any special election, said board of registration shall again meet, at the same place as before, and remain in public session from nine o'clock in the forencon until seven o'clock in the atternoon, for the purpose of registering all qualified voters whose names are not yet registered and who shall apply in person for the purpose. They shall obtain from the city clerk or recorder, and use, the same registers as on the first day. The same forms shall be observed in regard to registration as were required upon the first day of registration. At the end of such day's registration the registers shall be compared and made to agree, and shall be signed as at the end of the first day's registration, and similar certificates attached thereto. It shall be the duty of the clerks of election composing said board, during the session of that day and before the board adjourns, to make a copy of all the names upon such registers, together with the addresses as indicated in such registers. Immediately after its completion, said copy shall be conspicuously posted up outside the place of registration, with a notice of the time when said board of registration will meet for completion and final correction of the registers, and shall be accessible to any elector who may desire to examine or copy the same. The registers shall be returned by one of said board to the office of the city clerk or recorder before ten e'clock on the forenoon of the day next succeeding such registration. same.
SEC. 74. On Tuesday, two weeks preceding corder before ten c'clock on the forenoon of the day next succeeding such registration.

SEC. 75. On Tuesday, one week preceding the day of any general election, and on the day one week preceding any special election, said board of registration shall again meet, at the same place as before, for the completion and final correction of said registers. They shall again obtain the same registers before used from the city clerk's or recorder's office, and shall be in session from twelve o'clock, noon, until nine o'clock in the afternoon. Any qualified elector, not already registered, may apply to said board to have his name inserted in said registers; the same rules for registration required on previous days shall be observed by the board. It shall be the duty of said board to erase from the registers the name of any person quirco on previous anys same to the control the board. It shall be the duty of said board to erase from the registers the name of any person inserted therein who shall be proved on the oath of two qualified electors of such district, to the satisfaction of the board, to be in any way disqualified to vote in such district at the ensuing election. At the end of the session the registers shall be again compared and made to agree and correspond, and shall be signed and certified by the board, as before, and deposited in the city clerk's or recorder's office. Before the said board adjourn or separate they shall prepare a copy of all the names and their respective addresses appearing upon such registers, and post the same conspicuously, forthwith, outside the place of registration.

my name be erased from the registers of the isst-mentioned district and a certificate of removal furnished me."

If a person remove from one place in a district to another place in the same district, his yote shall not be received at any election unless he appear personally before the board of registration and cause the registers to be changed.

SEC. 77. The vote of no person whose name does not appear on said registers as a qualified voter shall be received by the judges at any election: except the vote of a person whose name was registered and erased, as provided in the last section, and who takes the oath and makes the proof required by section eighty.

SEC. 78. On the day preceding any election, the judges of election shall procure such registers from the office of the city clerk or recorder, one being procured by a judge representing one of the two leading political parties; the ballot boxes shall be delivered to the clerks of election, with the keys thereof, and with poll books and all blanks and stationery necessary for such election.

SEC. 79. The election shall be conducted as tion.
SEC. 79. The election shall be conducted as hereinbefore provided, except as required by the next section.

sec. 80. One of said judges of election shall receive the ballot, or ballots, from each person offering to vote, and shall announce the name and residence of said person, in an andible voice. The other two judges shall use and handle the two registers delivered to said judges by said city clerk or recorder, each using one. When the name is found by both upon the registers, and the residence given by the voter corresponds with the residence on such registers, and the name is not erased, then said judges shall receive such ballots, or ballots, unless such voter is challenged. Said judges shall then put the ballot, or ballots, in the proper box, or boxes, in the presence of the voter and of the judges and elerks of election and in the prosence of the pudges shall then, in a column prepared thereon, in the same line of the voter's name, mark "Voted" or the lotter "V. If such person so registered shall be challenged as disqualified, the person challenging shall assign has reasons therefor, and thereupon one of said judges shall administer to him an early and the reach cause of challenging shall assign this reasons therefor, and thereupon one of said judges shall administer to him an early shall proven the cause of challenging and touching any other cach cause of challenging and touching any other cach cause of challenging him in recard to his qualification, and he may also be questioned they all judges are on opinion that he is the person so registered and a qualified voter, his vote shall be received accordingly. But if such vote he rejected by the judges, and the such judges and allowed the present as such polling place, in which it shall be stated how long he has resided in such district, sently and deliver to such judges an affidavit subscribed and sworn to by him before one of said judges, or any other person authorized by law to administer caths, who shal be precised and sworn to be considered to such person shall desired, and is the identical person mamed in said registers. He shall also produce the affidavit

prison not less than one month nor more than one year.

SEC. 86. Whoever aids, assists, counsels or advises another to vote, knowing that such person is not duly qualified to vote at the place where and the time when the vote is to be given, is guilty or a misdemeanor, and on conviction thereof shall be subject to a fine of not more than five hundred dollars, nor less than one hundred dollars, or be imprisoned in the county jail not less than one month, nor more than six months. SEC. 87. Whoever procures, aids, assists, counsels or advises another to go or come into any county, town or election district for the purpose of giving his vote therein, knowing that the person is not duly qualified to vote therein, is guilty of a felony, and, on conviction thereof, shall be punished by imprisonment in the state prison for a term not less than six moths nor more than one year.

shall be punished by imprisonment in the state prison for a term not less than six moths nor more than one year.

SEC. 88. Whoever, by threat or bribery, attempts to influence any elector in giving his vote or ballot, or, by such means, attempts to deter him from giving his vote or ballot, is guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than one hundred nor more than one thousand dollars, and by imprisonment in the county jail not less than one month, nor more than six months.

SEC. 89. Whoever furnishes an elector, who cannot read the language in which such ticket is printed or written, with a ticket, informing him that it contains a name or names different from those written or printed theron, with an intent to deceive and induce him to vote contrary to his inclination, or who fraudulently changes a ballot of any elector, by reason of which such elector is prevented from voting for such candidate as he intended, is guilty of a misdemeanor, and, on conviction thereof, shall be punished by imprisonment in the county jail not less than two months nor more than one year.

SEC. 90. Whoever, after proclamation is made of the opening of the polls, and at any time before the vote is fully canvassed, shall willfully offer or deliver to a judge of election, to be placed in a box or boxes, more than one ballot for the same candidate or candidates, or shall fraudulently put a ballot or ticket into any box or boxes, is guilty of a felony, and on conviction thereof shall be punished by imprisonment in the state prison for a term not less than six months nor more than one year.

the state prison for a term not less than six months nor more than one year.

SEC. 91. If any person challenged, as unqualified to vote, be guity of false or corrupt swearing or affirmation in taking any oath or affirmation prescribed by this chapter, he shall deemed to have committed willful and corrupt perjury, and upon conviction thereof shall suffer the punishment attached by the laws of this state to the crime of perjury.

the punishment attached by the laws of this state to the crime of perjury.

SEC. 92. If any judge or clerk of election, or any other person, shall willfully or corruptly ascertain, in any manner, or shall [allow any other person to ascertain in any manner.] or shall willfully publish or reveal how any elector voted at an election, he shall, on conviction thereof, be fined in any sum not exceeding one thousand dollars, or be imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

SEC. 93. Whoevershall willfully take or carry away from the place where it has been deposit-

SEC. 93. Whoever shall willfully take or carry away from the place where it has been deposited, or shall deface or mutitate, change or add to any poll book, ballot, list or register, or any name or figures therein, shall, on conviction thereof, be fined in a sum not exceeding one thousand dollars, or be imprisoned in the state prison not longer than one year, or both, in the discretion of the court.

SEC. 94. Any person who shall take down or deface any list of names posted by any board of registration as hereinbefore provided for, shall be guilty of a misdemeanor, and on conviction thereof be punished by a fine of fifty dollars, or be imprisoned in the county jail for the term of sixty days, or both, in the discretion of the court.

or return of the ballots cast or vote taken at such primary, he shall be deemed guilty of a misdemeanor.

SEC. 102. If any person elected a delegate at any such primary or convention shall accept or receive any money or valuable thing as a consideration for his vote as such delegate, he shall be deemed guilty of a misdemeanor.

SEC. 103. The words "primary election" as used in this act shall be construed so as to embrace all elections held by any political party, convention, organization or association, or delegates therefrom, for the purpose of choosing candidates for office, or the election of delegates to other conventions, or for the purpose of electing officers of any political party, organization, convention or association.

SEC. 104. No person shall be entitled to vote at any primary election unless he is a qualified elector of this state.

SEC. 105. The punishment of any of the offenses in this act declared to be misdemeanors shall be a fine not exceeding three thousand dollars, or imprisonment not exceeding three years, or both such fine and imprisonment: provided, however, that all herein contained relating to primary elections shall apply only to cities of five thousand or more inhabitants.

SEC. 104. This act shall take effect immediately, and shall be known as the General Election Law of the State of Minnesota.

Approved March 8th, A. D. 1887.

shall be a body corporate with power to sue and be sued, plead and be impleaded, contract and be contracted with. They shall have the general supervision and control of all drainage matters pertaining to their district subject to the provisions and requirements of this act. While acting as a drainage board they shall hold meetings for the transplict of drainage board they shall hold meetings for the transplict of drainage board. ings for the transaction of drainage busines separate and distinct from their meetings as separate and distinct from their meetings as a board of country commissioners, and shall be paid for their services as a drainage board the same per diem and mileage as is now allowed them by law for their services as country commissioners, which fees shall be paid by the treasurer of the country upon the warrant of the clerk of the drainage board out of the drainage fund hereinafter provided for; but they shall in no case draw pay for the same day in both capacities.

hereinafter provided for; but they shall in no case draw pay for the same day in both capacities.

The chairman of the board of county commissioners shall be ex-officio chairman of the board of drainage commissioners.

SEC. 3. The county anditor of each county so organized into a drainage district shall be the clerk of the board of drainage commissioners of his county. He shall be the custodian of all books, papers and records pertaining to drainage matters in his county, and shall keep in a well bound book to be known as the "Drainage Record" a record of all the proceedings of the board of drainage commissioners of his county, and shall enter at length therein all orders and findings of the drainage commissioners pertaining to the subject of drainage.

In addition to the salary allowed him by law as county auditor he shall be paid for his services as clerk of such board of drainage commissioners three deliars (\$3) per day for each day such board shall be in session, ten cents per folio for the records he is required to make by the provisions of this act, five cents for filing each petition, order or other paper which he shall be required to file and preserve as such cierk, and a sum equal to one per cent in each year of the amount raised by special assessment for drainage purpo-sed in his county for such year as compensation for all other services herein required of him; all such fees and compensation to be audited and allowed to him by the drainage found hereinafter provided for.

SEC. 4. The county treasurer of each county so organized into a drainage district shall be the treasurer of such district. He shall give a bond

onard of discounty and part out of the drainage fund hereinafter provided for.

Sec. 4. The county treasurer of each county so organized into a drainage district shall be the treasurer of such district. He shall give a bond to the board of drainage commissioners of his county, with sufficient sureties to be approved by such board, and in such amount as they shall determine, but in no case for less than the whole amount of mon y likely to come into his hands in any one year as such treasurer. Said bond shall be conditioned that such treasurer will faithfully discharge the duties of his office, and that he will receive, safely keep and pay over, according to law, all moneys which shall come into his hands as treasurer of such drainage district. He shall receive and safely keep all moneys directed by law to be paid him as such treasurer, and shall pay out the same only on the warrant of the drainage clerk or order of the board of drainage commissioners, signed by the chairman and attested by the clerk thereof. He shall keep the funds of the drainage district separate and distinct from those of the county, and keep proper accounts of the same in suitable books to be provided by the drainage commissioners, and they may at any time require the treasurer to exhibit and count in their presence the funds in his hands belonging to the drainage district when the board deem it advisable. They may make the same arrangements for the deposit of the funds of the drainage district when the same arrangements for the deposit of the runds of the drainage district when the same arrangements for the deposit of the funds of the drainage district when the board deem it advisable. They may make the same are authorized by law for such deposits of county funds. As compensation for the services required of him by this act the treasurer shall be allowed two (2) per cent on all sums of money coming into his hands as such treasurer from the proceeds of the assessments provided for in this act, the same to be autifited and allowed to him out

other person, or shall intentionally vote without the right to do so, or shall willfully and wrongraing obstruct any common drainage outlet. who own one-third (%) shall be right to do so at such primary common drainage outlet who own one-third (%) shall translated the right to do so at such primary common drainage outlet. Who own one-third (%) shall but the right to do so at such primary common drainage outlet who own one-third (%) shall but one thank the primary of the shall be deemed guilty of a mide melection, he shall be deemed guilty of a mide melection, he shall be deemed guilty of a mide melection, he shall be deemed guilty of a mide melection for the guilt of the shall be deemed guilty of a mide melection for the guilt of the shall be deemed guilty of a mide melection for the guilt of the shall be deemed guilty of a mide melection for the guilt of the shall be deemed guilty of a mide melection for the guilt of the guilt

or roturn of the hallots cast or vote taken at midemenson, he shall be deemed guilty of a midemenson, he shall be deemed guilty of a midemenson.

SEC 102. If any person elected a delegate stany such primary or convention shall accord or sideration for his vote valuable thing as a consideration of the properties of the construction of the properties of the construction of the properties of the construction of the purpose of clear the construction, organization or association, or delegate thereion, for the purpose of electric officer of any political party, organization, consideration, consideration, consideration of the properties of the construction of the purpose of the tother conventions, or for the purpose of electric of the conventions, or for the purpose of electric of the purpose of the convention of any political party, organization, consideration of the properties of the properties of the convention of the properties of the properti

as finally to be organized, and who shall be as many to be organized, and who shall be owners in the aggregate of one-third (4) or more in area of such land shall have signed the petition, which facts said viewers shall find and put such findings in writing, and the same shall be fitted with the clerk who shall enter the same in his drainage record, which finding shall be conclusive.

be filed with the clerk who shall enter the same in his drainage record, which finding shall be conclusive.

Sec. 12. If the viewers after examination of the proposed work and consideration of the report of the engineer shall find in favor of the proposed work and determine to report in favor of the organization of the proposed sub-drainage district they shall together with said engineer make an accurate survey of the proposed work, and they shall together with said engineer make an accurate survey of the proposed work, and they shall cause stakes and monuments, consecutively numbered, to be set along the line or lines of the proposed drain or drains, ditch or ditches, embankment or embankments at each one hundred teet, and they shall make a computation of the total number of cubic vards of earth to be excavated and removed from such drain or drains, duch or ditches, or the total number of cubic vards of earth to be used in raising such embankment or embankments, and a detailed estimate of the cost of the whole work. They shall accurately describe, as the same is described upon the county tax duplicate each parcel of land to be assessed for the construction of the proposed work giving the number of acres in each tract assessed and the estimated number of acres benefited, the amount that each tract is assessed therefor, and they shall in tabular form give the depth of the cut or height of the embankment, width at the bottom and width at the top at each one hundred-foot stake or monument of such drain, ditch or embankment, and said viewers shall also assertain and give the names of the construction of such works of ar as they can be ascertained upon reasonable inquiry and search of the public records of the county in which such lands are situated.

SEC. 13. All lands owned by any person or persons or by any corporation except the State of Minnesota or the United States which are benefited by any of such work shall be assessed in proportion to the benefits for the construction thereof whether such work passes through or is partially located upon said lands or not; and the viewers in estimating the benefits to lands not traversed by any drain, ditch or embankment shall not consider what benefits such lands will receive after some other drain, ditch or embankment shall be constructed but only the benefit that will be received by reason of the drain, ditch or embankment then contemplated as it affords an outlet for the drainage of said lands or protection to the same from overflow; and any owner of land within the proposed subdrainage district who signed the petition for the organization of such proposed subdrainage district, shall be forever borred from objecting that the lands of such owner situated in such sub-drainage district are not subject to assessments for benefits as provided in this act.

SEC. 14. Whenever any railroad is benefited by such drain, ditch or embankment such railroad shall be assessed its just proportion of benefits the same as lands benefited are assessed, which assessments shall be collected from the owner of such railroad in the same manner as personal property taxes are collected be law.

SEC. 15. Whenever any public highway is SEC. 13. All lands owned by any person

the same in the manner hereinafter provided, and in all cases in which the line of any drain, and in all cases in which the line of any drain, ditch or embankment is located along any highwas already established, such work shall not be so constructed as to interfere with the free use of such highway for all purposes of travel thereon.

so constructed as to interfere with the free use of such highway for all purposes travel thereon.

SEC. 18. The viewers in making the special assessments for benefits shall proceed by classifying the lands in the proposed sub-drainage district in tracts of forty acres, more or less, according to the legal or recognized sub-divisions on a graduated scale, to be numbered according to the benefits to be received by the contemplated work, and whenever any railroad or public highway is benefited such benefit shall be assessed to the same upon the same scale as lands are assessed, as near as practicable. The tracts of lands which will receive the most and about equal benefits shall be numbered one hundred (100), and such as all adjudge to receive less benefits shall be marked with a less number, denoting its per cent of benefits. This classification, when established as hereinafter provided, shall remain as a basis for such assessments as may be needed for the lawful and proper uses of such sub-drainage district. When such classification is completed it shall be properly tabulated and shown by a map, which tabulation and map shall be made a part of the viewers' report, hereinafter provided for.

SEC. 19. Every person or persons or corporation owning Lass over or upon which any drain or drains, ditch or ditches, embankment or embankment shall be constructed under the provisions of this act, shall be allowed adequate damages and compensation for the taking of the lands upon which such drain or drains, ditch or ditches, embankment or embankments are located, and for the injuries to such lands caused thereby; and the board of county commissioners of the county in which such drains are situated shall order such damages to be paid out of the county treasury to the person or persons or corporation entitled thereto, and the amount of

cared, and nor the injuries to such lands caused thereby; and the board of county commissioners of the county in which such lands are situated shall order such damages to be paid out of the county treasury to the person or persons or corporation entitled thereto, and the amount of damages to which they are entitled shall be specified by said viewers in their report to the beard of drainage commissioners as herein provided; and the county shall be reimbursed for such payment out of the drainage fund of the sub-drainage district for and on account of which such damages and compensation are paid. SEC. 20. It shall be the duty of said viewers to perform the duties enjoined upon them by this act with all convenient speed and diligence, and within fifteen (15) days after the completion thereof to make and file a full report of all their proceedings under their appointment, verified upon their oatns with the clerk of the drainage district. If said viewers report in favor of the proposed work, and that the same is of public benefit and utility and conducive to the public health; such report shall contain an accurate map or plat of the proposed work, showing the lines thereof, and the stakes and monuments along the same, the width of the strip of land along the line of each drain, ditch or embankment; a computation of such drain, ditch or embankment; a computation of the number of cubic yards of earth to be excavated and removed upon each one hundred feet as shown by said stakes and monuments from such drain or drains, ditch or ditches and the number of cubic yards of earth to be excavated and removed upon each one hundred feet as shown by said stakes and monuments from such drain or drains, ditch or embankment; a computation of the number of cubic yards of earth to be excavated and removed to complete the whole of the proposed work; and a detailed estimate of the cost of the whole work. Said report shall also contain an accurate description, as the same is described upon the county tax duplicate of each parcel of land

viewers and the proposed work not of public benefit or utility they may report against the same, in which leasel their report need only state that they find the proposed work not to be of public benefit or utility.

SEC. 21. A majority of the viewers shall be competent to perform the duties required of them by this act. Provided, That for work extending into more than one county there shall be present a majority from each county interested; and any person appointed a viewer under the provisions of this act shall qualify by taking and subscribing an oath to faithfully discharge the duties of a viewer as prescribed by this act, and while in the discharge of their duties they shall have the right to enter upon any lands within the proposed sub-drainage district for the purpose of making all surveys and estimates required of them.

SEC. 22. It shall be the duty of the clerk of such drainage districts on such report being such drainage districts on such report being fited, if it be in favor of the proposed work, to call a meeting of the board of drainage commismed, it is to an tayor of the proposed work, to call a meeting of the board of drainage commissioners of such drainage district to be held at his office not more than forty (40) nor less than thirty (30) days after said report has been filed in his office. The clerk shall give notice of the time and place of such meeting by causing written or printed notices signed by him as clerk to be posted in at least six different places within such proposed sub-drainage district and by mailing a copy of such notice to each town clerk and member of the town board of supervisors of each town in which any of the lands proposed to be included in such subdrainage district fare situated, and to all non-resident owners of any each town in which any of the lands proposed to be included in such subdrainage district fare situated), and to all non-resident owners of any of said lands whose postoffice address is known to him or can be ascertained in the office of the auditor or treasurer of such county at least twenty (20) days prior to the time of such meeting. Said notice shall contain a description of the lands by sections proposed to be included in such sub-drainage district and a statement that the viewers' report is filed with the cierk; that a plat and description of the proposed work is on file with said report, and that at the time and place mentioned in said notice the said report of the viewers will be acted upon by the board of drainage commissioners at which time and place any person interested may appear and contest the report of said viewers upon any and all matters therein affecting his interests.

SEC. 23. It shall be the duty of the board of drainage commissioners of such drainage district to meet at the time and place mentioned.

SEC. 23. It shall be the duty of the board of drainage commissioners of such drainage district to meet at the time and place mentioned in said notice, and the clerk snall lay before them the said report of the viewers for their consideration. They shall first ascertain if proper notice has been given of their meeting, and if they so find they shall make such finding in writing and cause the same to be entered in the drainage record. If they find that such notice has not been properly given they shall adjourn to such time as will give the clerk opportunity to complete service of notice of such meeting and the time to which the same has been adjourned. After the board shall have found that due notice of the time and place of their meeting has been given they shall proceed to consider the report of said viewers. If any objectious are made to the report of the viewers and any person or persons or corporation appear for the nurrones of contesting said report, the

to consider the report of said viewers. If any objections are made to the report of the viewers and any person or persons or corporation appear for the purpose of contesting said report the board shall proceed to hear and determine the same and for that purpose the board shall have full power and authority to administer oaths, to examine all witnesses produced and to decide all questions arising upon the consideration of said report and the objections made thereto by any person or persons interested and the board may adjourn from day to day until such hearing is completed.

SEC. 24. If upon the hearing it shall appear that the report ought to be modified in any particular the board shall modify the same to conform to the equities in the premises. If after hearing and determining all questions arising thereupon the board is of the opinion that the sub-drainage district petitioned for should be organized they shall make an order confirming the report of said viewers as made or as modified, if any modification has been made by the board, and organizing the lands described in said report into a sub-drainage district to be known as Sub-Drainage District No.... of the .... County Drainage District, which order shall be entered in the drainage record. If after such hearing the board is of opinion that such sub-drainage district should not be organized it shall make an order dismissing the proceedings, which order shall be entered in the drainage record.

ceedings, which order shall be entered in the drainage record.

SEC. 25. Any person or persons or corporation owning any real estate within such proposed sub-drainage district aggrieved thereby may appeal to the district court of the proper county from such order and upon such appeal any or either of the following matters may be determined: 1st. Whether the assessment made for the construction of the proposed work upon any tract of land is in proportion to the benefits to be derived therefrom. 2d. The amount of damages allowed to any person or persons or corporation. The party appealing shall file with the clerk of the drainage district an appeal bond in the sum of five hundred dollars (\$500) with at least two freehold sureties to be approved by said clerk conditioned that he will duly prosecute such appeal and pay all costs that may be adjudged against him in the district court. Provided; That such appeal and appeal bond shall be filed with the clerk of such drainage district within thirty (30) days after such arther of the bord of drainage convenies for appeal bond shall be filed with the clerk of such drainage district within thirty (30) days after such order of the board of drainage commissioners is made and after the lapse of thirty (30) days from the making of such order no appeal can be taken. Upon any appeal being taken the clerk of the said drainage district shall within twenty (20) days thereafter make a complete transcript of the proceedings had before said board of drainage commissioners and of such appeal and appeal bond and certify the same together with a transcript of all papers filed in his office pertaining to the organization of the proposed sub-drainage district to the clerk of the district court.

Sec. 25. Said appeal shall be placed upon the

the district court.

SEC. 26. Said appeal shall be placed upon the court calendar and brought on for trial in the same manner and under the same rules as appeals from justice court are placed upon the calendar and brought on for trial and shall be tried and disposed of in the same manner as other civil actions. Provided: That the party appealing may waive a jury trial and the appeal shall thereupon be tried by the court.

SEC. 27. If the decision, upon the trial of such appeal, shall be in favor of the appellant, judgment shall be rendered modifying or chang-