

Guilty of
misdemeanor.

and upon failure so to do the person killing said elk shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than one hundred dollars together with the cost of prosecution in such action.

Passed the Senate March 4, 1901.

Passed the House March 14, 1901.

Approved by the Governor, March 18, 1901.

CHAPTER CXXXV.

[H. B. No. 338.]

DECLARING QUALIFICATION OF ELECTORS AND GOVERNING REGISTRATION OF VOTERS, AND AMENDING FORMER ACT.

AN ACT declaring the qualification of electors and governing the registration of voters, and amending sections 1445, 1455, 1456, 1454, 1393, 1391 and 1373 of Ballinger's Annotated Codes and Statutes of Washington, and carrying into effect the provisions of section 1, article VI, of the Constitution of the State of Washington.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. All male persons over the age of twenty-one years, possessing the following qualifications shall be entitled to vote at all elections: All persons who at the time of the taking effect of this act are qualified electors of this state; all other male persons who are over the age of twenty-one years, citizens of the United States who have lived in the state one year and in the county ninety days and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote, and who shall be able to read and speak the English language: *Provided*, That indians not taxed shall never be allowed the elective franchise.

Who may vote.

Qualifications.

Proviso.

Amendment. **SEC. 2.** That section 1445 of Ballinger's Annotated Codes and Statutes of Washington be and the same is hereby amended to read as follows: "Section 1445. In

all cities and towns and all voting precincts having a voting population of two hundred and fifty or more, who are entitled to the right of suffrage as shown by the number of votes cast at the preceding general election, there shall be a registration of voters prior to all general, special or municipal elections as herein provided.”

In cities having voting population of 250 or more.

SEC. 3. That section 1455 of Ballinger's Annotated Codes and Statutes of Washington be and the same is hereby amended to read as follows: "Section 1455. The poll books aforesaid shall be so arranged as to admit the alphabetical classification of the names of the voters, and ruled in parallel columns with appropriate heads as follows: Date of registration; name; age; occupation; place of residence; place of birth; time of residence in the state, county, ward and precinct, and if of foreign birth, name and place of court and date of declaration of intention to become a citizen of the United States, or date of naturalization, and with column for signature and one for remarks, and one column for checking the name of voter at the time of voting. If the voter registering is of foreign birth he shall at the time of registering produce satisfactory evidence to the registration officer that he was at the time of the adoption of the constitution of the State of Washington a qualified elector of this state, or that he is a naturalized citizen of the United States. Under the head of place of residence shall be noted the number of lot and block or number and street where the applicant resides or some other definite description sufficient to locate the residence; and the voter so registered as provided in this section shall sign his name on the registry opposite the entries above required, in the column headed "signature" unless he is a qualified elector at the time of the taking effect of this act, and shall not be capable of writing his name, in case of physical infirmity he be unable to write his name, in either of which cases he shall on the left hand margin of said column make his mark or cross and such other mark as is usual in indicating his signature, and some person who personally

Amendment.

Poll book, what to contain.

When of foreign birth.

Place of residence.

knows said voter, and who is personally known to the registering officer and who is capable of writing his name shall sign in said column immediately opposite said mark, as an identifying witness thereto."

Amendment.

Must appear in person.

Exception.

SEC. 4. That section 1456 of Ballinger's Annotated Codes and Statutes of Washington be and the same is hereby amended to read as follows: "Sec. 1456. No person shall be registered unless he appears in person before the city or town clerk or officer of registration at his office during office hours and apply to be registered and give his name, age, occupation, number of place or residence, place of birth, time of residence in the state, county, ward or precinct, and if naturalized, furnish satisfactory evidence to such registration officer that he is capable of reading and speaking the English language so as to comprehend the meaning of ordinary English prose, unless he is incapacitated through physical infirmities, in which case he shall furnish satisfactory evidence that he was before such infirmity capable of reading and speaking the English language, unless such person so offering was a qualified elector at the time of the taking effect of this act, in which case the provisions with reference to reading and speaking the English language shall not apply; and such applicant shall make and subscribe to the following oath or affirmation:

STATE OF WASHINGTON, } ss
COUNTY OF

Form of oath.

I, do solemnly swear or affirm that I am a male person over twenty years, eleven months and ten days of age, that I am a native born or naturalized citizen of the United States, or was a legal elector of the Territory of Washington at the time of the adoption of the constitution of the State of Washington; that I have been an actual permanent resident of the State of Washington for eleven months and ten days last past, of the county of for seventy days last past and of the precinct ten days last past, and I have not lost my civil rights by being convicted of an infamous crime; that I was either a qualified elector on the first day of July, 1901, or that I can read and speak the English language.

Subscribed and sworn to before me this day of

Said affidavit shall be bound in book form and preserved with the other records of the city, town or precinct. Preservation of affidavit.

SEC. 5. That section 1454 of Ballinger's Annotated Codes and Statutes of Washington be and the same is hereby amended to read as follows: Sec. 1454. The poll-books in this chapter provided for shall be open at all times during the year for the registration of voters, except that they shall be closed on any day in which a primary election shall be held in such city or town under the laws governing primary elections in cities and towns, and excepting that they shall be closed in all general, special and municipal elections for the purpose of organization, twenty days preceding any election to be held in said city, town or precinct. The city or town clerk or officers of registration shall give notice of the closing of said books by notice to be published at least ten days in a newspaper of general circulation in such city, town or precinct, and by posting written or printed notices in three of the most public places in any such city, town or precinct, at least ten days preceding the day of such closing, and such notice of publication shall have at least two insertions in such newspaper; in all special city, town or precinct elections such notice shall be given by the posting aforesaid only at least five days before such closing and the poll-books shall be closed ten days preceding all such special or local elections. Amendment. Poll books. Notice of closing poll books. Posting of notice.

SEC. 6. That section 1373 of Ballinger's Annotated Codes and Statutes of Washington be and the same is hereby amended to read as follows: Sec. 1373. Any voter who declares to the judges of election, or when it shall appear to the judges of election that he can not read, and was at the time of the taking effect of this act a qualified elector, or that by blindness or other physical disability he is unable to mark his ballot, shall upon request receive the assistance of one or two of the election officers in the marking thereof, and such officer or officers shall certify on the outside thereof that it has been so marked, with his or their assistance, and shall thereafter give no information regarding the same. The Amendment. When voter can not read, etc.

Judges may require declaration.

judges may in their discretion require from such person so offering to vote a declaration of such disability, that he was at the time of the taking effect of this act a qualified elector and of his disability to read and speak the English language, to be made by the voter under oath before them and they are hereby qualified to administer the same. No elector, other than the one who

No information to be given as to intention to vote.

may, because of his inability to read, or physical disability, be unable to mark his ballot, shall divulge to any person within the polling-place the name of any candidate for whom he intends to vote or to ask or receive the assistance of any one within the polling-place in the preparation of his ballot.

Amendment.

SEC. 7. That section 1391 of Ballinger's Annotated Codes and Statutes of Washington be and the same is hereby amended to read as follows: Sec. 1391. When

Challenges.

any person offering to vote is challenged, it shall be the duty of the judges to declare to him the qualifications of an elector, and the inspector or one of the judges shall tender him the following oath: "You do swear

Oath.

(or affirm) that you will truly and fully answer all questions as shall be put to you touching your place of residence and qualifications as an elector." The in-

Examination by judges.

pector or one of the judges shall then proceed to question the person challenged in relation to his name, place of residence, how long he has resided in the precinct and county, where his last place of residence was, also as to his citizenship and whether a native or naturalized citizen and if the latter, when, where, and in what county or before what officer he was naturalized; whether he can read and speak the English language, and may submit to him for reading extracts of English prose, and all such other questions as shall tend to test his qualifications as to citizenship and the right to vote.

Amendment.

SEC. 8. That section 1393 of Ballinger's Annotated Codes and Statutes of Washington be and the same is hereby amended to read as follows: Section 1393. If

When challenge is not withdrawn.

such person shall insist that he is entitled to vote, and the board of judges find no cause to reject his vote

under the preliminary examination, and the challenge shall not be withdrawn, he shall not be entitled to vote unless he takes the following oath to be administered by the inspector or one of the judges, viz.: "You do swear (or affirm as the case may be) that you have resided in this state twelve months preceding this election; in this county ninety days; and in this precinct or ward thirty days, and have not voted this day, and that you are otherwise qualified to vote at this election;" and in case the person offering a vote is a naturalized citizen he shall produce evidence of his citizenship.

Oath.

Evidence of citizenship.

Passed the House March 4, 1901.

Passed the Senate March 13, 1901.

Approved by the Governor March 18, 1901.

CHAPTER CXXXVI.

[H. B. No. 353.]

RELATIVE TO CLASSIFICATION OF COUNTIES.

AN ACT relating to the classification of counties, and amending section 1563 of Ballinger's Annotated Codes and Statutes of Washington.

Be it enacted by the Legislature of the State of Washington

SECTION 1. That section 1563 of Ballinger's Annotated Codes and Statutes of Washington be and the same is hereby amended to read as follows: Section 1563. For the purpose of regulating the compensation of county officers and for all other purposes herein provided for the several counties of this state are hereby classified according to their population:

Counties containing a population of eighty thousand or over shall belong to and be known as counties of the first class;

Counties containing a population of seventy thousand and under eighty thousand shall belong to and be known as counties of the second class;