

**REVISION OF 1911; STATE
OF MICHIGAN; LAWS
RELATING TO ELECTIONS**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649626830

Revision of 1911; State of Michigan; Laws Relating to Elections by Frederick C. Martindale

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

FREDERICK C. MARTINDALE

**REVISION OF 1911; STATE
OF MICHIGAN; LAWS
RELATING TO ELECTIONS**

REVISION OF 1911

STATE OF MICHIGAN

LAWS RELATING TO

ELECTIONS

COMPILED UNDER THE SUPERVISION OF
FREDERICK C. MARTINDALE

SECRETARY OF STATE

Printed and Published by
Wynkoop Hallenbeck Crawford Co.

BY AUTHORITY

LANSING, MICHIGAN
WYNKOOP HALLENBECK CRAWFORD CO., STATE PRINTERS
1911

JK1833
14543
1944

UNIV. OF
CALIFORNIA

TABLE OF CONTENTS.

CHAPTER I.

	Sections.
Constitutional provisions	1-32
Elections defined	83

CHAPTER II.

Registration:	
Act 177 of 1859	84-113
Registration in cities	85-91
Registration in townships	92-100
Death and removal of electors	101-104
Village elections	105-112
In Wayne county	113
Act 4 of 1869—Registration in new townships	114-119
Boards of, not to meet where liquors are sold	120-121

CHAPTER III.

General and Special Elections:	
Act 175 of 1851—Holding of general and special elections	122-130
Notification of elections	131-138
Act 190 of 1891—Manner of conducting, and to prevent fraud	139-183
Act 175 of 1851—Continued.	
Poll lists	184
Canvass of votes	185-193
District canvass	194-200
State canvass	201-216
Representatives and presidential electors	217-220
Miscellaneous provisions	221-226
Act 194 of 1891—Municipal and township elections	227-229
Identifying ballots of unqualified voters	230-235

CHAPTER IV.

Canvass and Return of Votes:	
Act 149 of 1895—Board of county canvassers	236-248
Special canvass for state senators and representatives to fill vacancies	249
Uniformity in returns	250-251
Correction of frauds and errors in returns	252
Preservation of evidence of error or fraud	253-259

CHAPTER V.

Act 203 of 1877—Election districts in townships and villages	260-273
--	---------

CHAPTER VI.

Act 135 of 1895—Primaries in cities	274-295
---	---------

CHAPTER VII.

Township Elections—Duties of Officers: (Chap. 16, R. S. 1846.)	Sections.
Township meetings	296-315
Act 283 of 1909—Overseers of highways	316-318
Manner of conducting elections (Chap. 16, R. S. 1846, continued)	319-329
Canvass of votes	330-334
Township officers	335-345
Resignations, vacancies, etc.	346-349
Duties of township clerk	350-352
Township treasurer	353
Compensation of township officers	354-356
Township business, other than elections	357-361
Qualification of voters and officers	362-368
Act 156 of 1851—First elections in townships	369

CHAPTER VIII.

Offenses Against Election Laws:	
Penalties, R. S. 1846, Chap. 19	370-376
Betting upon elections	377
Betting upon nominations	378-379
Bribery	380-389
Protection of primaries and conventions	390-398
Purity of conventions	399-402
Disturbances	403
Closing of saloons	404

CHAPTER IX.

County officers, election and qualification	405-438
Approval of bonds	439

CHAPTER X.

Resignations, Vacancies and Removals:	
Resignations	440-441
Vacancies	442-443
Removals	444-449
Filling vacancies	450-453

CHAPTER XI.

Election of Certain Officers:	
Circuit judges	454-461
Regents of university	462-465
State board of education	466
Superintendent of public instruction	467
Justices of supreme court	468-475
U. S. senators	476-478
State highway commissioner	479

CHAPTER XII.

Elections in Cities and Villages:	
Fourth class cities	480-526
Villages	527-544

CHAPTER XIII.

Miscellaneous:	
Voting machines	545-580
Return of vote to secretary of state	581-582
Publicity of proposed constitutional amendments	583-584
Apportionment of state senators and representatives	585-587
Local option law	588-606
Legal holidays	607-609

CHAPTER XIV.

Primary Election Law:	Sections.
Act 231 of 1909.....	610-666

APPENDIX.

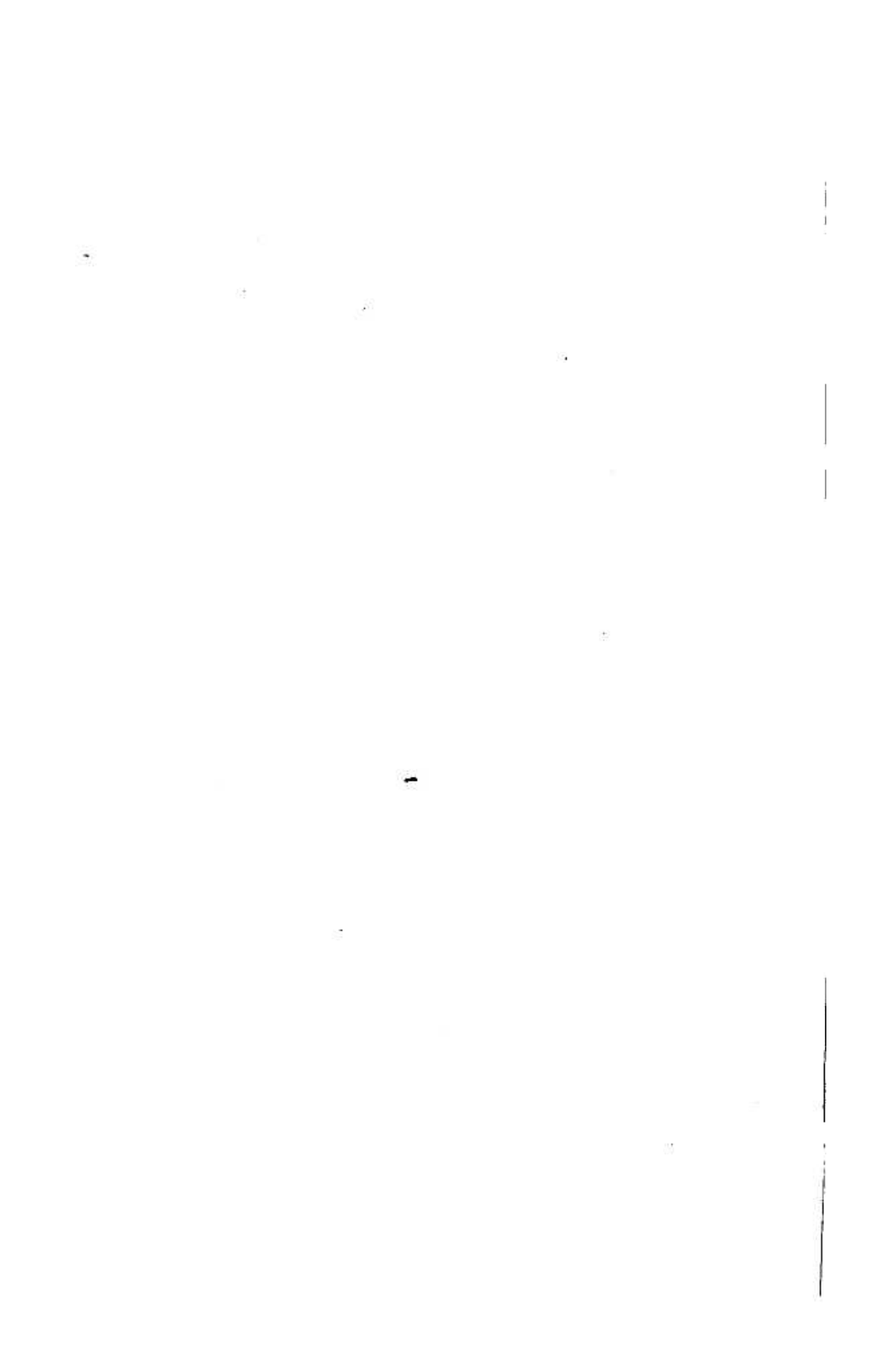
U. S. laws, relative to naturalization of aliens.

NOTE.—This compilation includes only laws of a general nature. Local acts which concern particular localities have been omitted.

The annotations include supreme court decisions to and including the 165th Michigan report. The character / is used in citing cases, to avoid the repetition of Mich.; the section mark § refers to the section number of the compiled laws of 1897.

The section numbers in parentheses, (), are compiler's sections and are consecutive throughout the book, and the notes used refer to these sections.

Abbreviations—Am., amended; C. L., Compiled Laws.



ELECTION LAWS.

CHAPTER I.—CONSTITUTIONAL PROVISIONS.

ARTICLE III.

ELECTIVE FRANCHISE.

(1) SECTION 1. In all elections, every male inhabitant of this state, being a citizen of the United States; every male inhabitant residing in this state on the twenty-fourth day of June, eighteen hundred thirty-five; every male inhabitant residing in this state on the first day of January, eighteen hundred fifty; every male inhabitant of foreign birth who, having resided in the state two years and six months prior to the eighth day of November, eighteen hundred ninety-four, and having declared his intention to become a citizen of the United States two years and six months prior to said last named day; and every civilized male inhabitant of Indian descent, a native of the United States and not a member of any tribe, shall be an elector and entitled to vote; but no one shall be an elector or entitled to vote at any election unless he shall be above the age of twenty-one years, and has resided in this state six months and in the township or ward in which he offers to vote twenty days next preceding such election: Provided, That in time of war, insurrection or rebellion no qualified elector in the actual military service of the United States or of this state, or in the army or navy thereof, shall be deprived of his vote by reason of his absence from the township, ward or state in which he resides; and the legislature shall provide by law the manner in which and the time and place at which such absent electors may vote, and for the canvass and return of their votes.

QUALIFICATION OF ELECTORS: The source of all authority to vote at popular elections is the constitution; the electorate is constituted by the fundamental law; and the qualifications of electors must be uniform throughout the state.—*Coffin v. Election Commissioners*, 97/189; *Att'y Gen. v. Abbott*, 121/545. As to uniformity, see also, *Att'y Gen. v. Common Council*, 58/218; *Maynard v. Canvassers*, 84/239. The qualifications of voters at school meetings have never been identical with those of electors as defined in the constitution.—*Belos v. Burr*, 76/3.

TOWNSHIP OR WARD: No one can vote anywhere but in the township, or ward where he resides, except as now provided in the case of soldiers.—*People v. Blodgett*, 13/127; *People v. Maynard*, 15/463; *Att'y Gen. v. Hollman*, 29/116; *Att'y Gen. v. Common Council*, 58/213; *Warren v. Board of Registration*, 72/401. For election purposes each ward is made by the constitution equivalent to a township.—*Allor v. Wayne Auditors*, 43/76. The intention of the voter is an important factor in determining residence.—*Harbaugh v. Cicott*, 33/241, 250.

CONSOLIDATION OF TOWNSHIPS: The electors of a disorganized township, the disorganization taking effect one day before the annual township election, have a right to exercise in the new township the franchise possessed by them in the old.—*Att'y Gen. v. McColeman*, 144/67.