

**CHAPTER 6 OF THE REVISED  
LAWS OF 1913 BEING THE  
GENERAL ELECTION LAWS  
OF MINNESOTA**

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Chapter 6 of the Revised Laws of 1913 Being the General Election Laws of Minnesota by Julius A. Schmahl

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**JULIUS A. SCHMAHL**

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GENERAL ELECTION LAWS  
OF MINNESOTA**



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Chapter 6 of the Revised Laws of 1913

BEING THE

GENERAL  
ELECTION LAWS  
OF  
MINNESOTA

ALSO

The Congressional and Legislative  
Reapportionments of 1913

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SECTION NUMBERS CORRESPOND WITH  
THOSE OF REVISED LAWS OF 1913

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SECRETARY OF STATE



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## Qualifications of Electors

Amendment to Section 1, Article 7, State Constitution.

Section one (1) **What persons are entitled to vote.**—Every male person of the age of twenty-one (21) years or upwards, belonging to either of the following classes, who has resided in this state six (6) months next preceding any election, shall be entitled to vote at such election in the election district of which he shall at the time have been for thirty (30) days a resident, for all officers that now are, or hereafter may be, elective by the people.

First—Citizens of the United States who have been such for the period of three (3) months next preceding any election.

Second—Persons of mixed white and Indian blood, who have adopted the customs and habits of civilization.

Third—Persons of Indian blood residing in this state, who have adopted the language, customs and habits of civilization, after an examination before any district court of the state, in such manner as may be provided by law, and shall have been pronounced by said court capable of enjoying the rights of citizenship within the state.

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### OPINIONS OF ATTORNEY GENERAL

Under the recently adopted amendment to our Constitution only those are entitled to vote who have been citizens of the United States for three months or more preceding the day of election.

#### WHO ARE CITIZENS OF THE UNITED STATES WITHOUT ANY ACTION ON THEIR PART.

1. Persons born in the United States and not subject to the jurisdiction of some foreign power; that is, persons born in the United States, no matter what the nationality of their parents unless such parents were here in some capacity as representatives of a foreign nation.

2. Children born in foreign countries but whose fathers became full citizens of the United States before such children reached the age of twenty-one years.

3. A foreign born woman who marries a citizen, or whose husband becomes fully naturalized, is thereby made a full citizen.

#### HOW TO BECOME CITIZENS

Except in certain instances hereafter mentioned the applicant must first secure what are known as "first papers" or "declaratory papers," and at least two years must elapse thereafter before final or papers of citizenship can issue. The applicant must have resided in the United States at least five years before final papers can issue.

tion respectively, "district" an election district, and "voter" an elector qualified to vote at the election or upon the question referred to. "Senator" and "representative" shall mean senators and representatives in the legislature, and "polls" shall include the place of voting. "Contestant" shall mean the person who begins any proceeding to contest the result of an election, and "contestee" the party adverse thereto.

**Sec. 300. Term of office, when it begins**—The term of office of every state and county officer shall begin on the first Monday in January next succeeding his election, unless otherwise provided by law.

**Sec. 301. Election districts—How constituted and altered**—Each town, each village that is separated from the town for election purposes, and each city ward, shall constitute at least one election district. No district, when first formed, shall contain more than four hundred male voters, and the council or town board shall so divide, consolidate, and rearrange the districts from time to time that the number of voters in each shall be substantially equal, and not exceed four hundred.

All such changes shall be made by resolution adopted at least six weeks before the next ensuing election, and sixty days' posted notice thereof shall be given before the change shall take effect.

Provided, that in cities or villages in this state having less than two thousand population, divided into separate wards or when such city or village is so platted so as to be situate in two adjoining counties, the city or village council of such city or village may by resolution adopted at least thirty days prior to any general or special election designate a single voting place in said city or village in which election for the entire city or village shall be held and one set of election officials presiding thereat shall be sufficient, providing, however, that a separate ballot box for each election district shall be provided, in which the votes of such election district shall be deposited and separate record kept therefor. When such single voting place has been so designated, it shall so continue until changed by resolution of said council adopted at least thirty days prior to a subsequent election.—Amdt. Chap. 365, Laws 1913; Chap. 175, Laws 1909.

**Sec. 302. Map or description to be made and posted**—When a ward is so divided, the council shall make a map or description of each division, defining it by known boundaries, and file the same with the city or village clerk, who shall keep the same open for inspection at all times and post copies of the same in at least five of the most public places in each district. Such council shall furnish copies thereof to the judges for use at the election.

**Sec. 303. Notices to be furnished auditors and clerks**—Between

July 1 and September 1 in each election year the secretary of state shall cause to be delivered to the auditor of each county a notice, specifying all the officers to be voted for throughout such county at the next general election, and each auditor, on receipt thereof, shall cause a like notice to be delivered to each town, city and village clerk in his county.

**Sec. 304. Blanks and copies of law, how provided and distributed—**At least sixty days before every general election, the secretary of state shall transmit to each county auditor a sufficient number of suitable blank forms for lists, registers, and affidavits, and such other blanks as are required in preparation for and conduct of such election; also copies of this chapter, or of so much thereof as pertains to the duties of election officers. The auditor shall forthwith deliver to the clerk of every city, town and village in his county the necessary copies of each of such blanks, and one copy of the law for each judge.

**Sec. 305. Special elections, when and how called and conducted—**Whenever, by reason of a tie vote, there shall be a failure to elect any state or county officer, member of the legislature, or representative in Congress, and whenever any vacancy occurs in any of such offices which is not otherwise provided for, the governor, within ten days after he is informed of such failure or vacancy, shall issue a proclamation directing a special election to be held, at a time therein specified not more than twenty days from the date thereof, to fill such office. One copy of such proclamation shall be mailed to the auditor of each county wherein such special election is to be held. But if the vacancy occurs in the office of representative in Congress or member of the legislature, and there be no session of the Congress or legislature between the happening thereof and the next general election occurring twenty-eight or more days thereafter, the vacancy shall be filled at such general election. Such special election shall be called, held and conducted, and the returns thereof made and canvassed, in the same manner as in the case of general elections; and within fifteen days thereafter the auditor shall transmit a statement of the vote cast thereat to the secretary of state.

**Sec. 306. Special elections in cities having more than 10,000 and less than 20,000 inhabitants—**That whenever a special election shall be required in any city of this state having a population of more than ten thousand inhabitants and less than twenty thousand inhabitants, to fill any vacancy in the offices of such city and the charter of such city shall not provide by whom or by what body such special election may or shall be ordered, then in every case, such election may be ordered by the City council of such city.

**Sec. 307. Same—Candidates, How Nominated—**That whenever a