An Ordinance to provide for the manner of holding City Elections, and to punish illegal or fraudulent voting.—

Be it ordained by the City Council of the City of San Antonio:

Sec. 1. That the Mayor, and in case of vacancy in that office, or inability, failure or refusal of the Mayor to act, then any two Aldermen shall order all City Elections, and when any Election is ordered at least twenty days notice shall be given by notice posted up at the places designated for holding the Election in each ward, and by proclamation published in the official Journal.—

Sec. 2. All writs and forms of returns shall be furnished the several Presiding officers by the City Clerk, in which writs shall be stated particularly the officer or officers to be chosen, the day of Election, and within what time the returns shall be made and to whom made.—

Sec. 3. The Mayor or other authority ordering the Election shall appoint the Presiding officers, and the City Council shall select the Judges of Election, but on failure of the City Council to select, or refusal or failure of those selected to act, then the Presiding officer of each Election precinct shall on or before the day of Election select two Judges, and two clerks from the different political parties, if demanded, so far as practicable, who together with the Presiding officer shall be the managers of Election; and the Presiding officer shall administer to each of them an oath, "that they will each, well and truly conduct the Election without partiality or prejudice and agreeably to law, according to the best of their skill and understanding;" and one of the judges shall thereupon administer the same oath to the Presiding officer.—

Sec. 4. That all presiding officers, Judges and clerks of Election, are hereby authorized to administer all oaths necessary or proper in the discharge of their duties as such, and to administer all oaths connected in any way with the holding of Elections.—

Sec. 5. That at all Elections in this City the polls shall be open from 8 o'clock A.M. to 6 o'clock P.M.—

Sec. 6. That the following classes of persons shall not be allowed to vote, to wit:

1st Persons under twenty one years of age.
2nd Idiots and Lunatics.
3rd All paupers supported by the County or City.
4th All persons convicted of any felony
5th All soldiers or marines employed in the service of the army or navy of the United States.—

Sec. 7 Every male person subject to none of the foregoing disqualifications, who shall be a citizen of this State and of the United States, or shall have

declared his intention to become a citizen as provided by law, and shall have resided within the limits of this City for six Months immediately preceeding an Election, shall have the right to vote for Mayor and all other Elective officers, and provided that all electors shall vote in the Ward wherein they respectively reside. The residence of a married man if not seperated from his wife, shall be where his family reside; and that of a single man where he boards and sleeps, and he shall not vote in any other precinct or ward, and should any single man board in one ward or precinct and sleep in another then his residence shall be in the ward or precinct in which he sleeps. —

Sec. 8. It shall be the duty of the Presiding officer or Judge of Election, when requested by any by-stander, to swear any person offering to vote, as to his residence, and to have placed in writing opposite his name the word "sworn" and any person voting at any other place than that of his residence shall be guilty of a misdemeanor and be punished as provided by the State law, governing such cases. —

Sec. 9. That each of the clerks shall write and number the name of each voter, at the time of voting; and one of the Judges in every case, at the time of receiving the ticket or ballot shall write upon it the voters number, corresponding with the number on the clerks list; and no manager or other officer of Election shall unfold or examine the vote received, nor shall they examine the endorsement on the tickets, by comparing it with the Clerks list of voters, when the votes are counted out, nor shall they examine or permit to be examined by any other person the tickets subsequent to their being received into the ballot-box, except as hereinafter provided; and any presiding officer, judge or clerk of Election who shall violate any provisions of this section, upon conviction thereof shall be deemed guilty of a Felony and punished as provided by the State law, in like cases. No ticket not numbered as herein provided shall be counted or noticed in counting out the votes, nor shall either of two or more tickets folded together be counted. That immediately after counting the votes by the Managers of Election, the Presiding officer thereof shall place all the tickets or ballots voted, into a wooden or metal box and securely fasten the same with nails, screws or locks, he shall within five days thereafter deliver said box to the City Clerk, whose duty shall be to keep the same securely, and in the event of any contest growing out of said Election thereafter he shall deliver said box to any competent officer having a writ

or subpoena therefor from the authority authorized to issue such process. Any presiding officer, judge or Clerk of Election, who shall divulge how any person voted at any election, from an inspection of the tickets, unless in a judicial investigation, shall be deemed guilty of a misdemeanor, and on conviction be punished as is provided by the State Law. —

Sec. 10. Immediately after closing the polls, the managers of Election shall proceed to count the votes, in the presence of two voters of the City of good repute, and also of different politics, if convenient to get, and shall continue such count without interruption, until all the ballots voted at such Election are counted and make out a return, signed by the Managers, which shall be sealed up and delivered to the Mayor of the City, (or in case of his absence, to the City Clerk, who shall file the same in his office and deliver them to the Mayor on the day appointed to open and Compare the polls) by the presiding officer or one of the Judges of Election, a duplicate of which return, shall be kept by the presiding officer of the Election. —

Sec. 11. The Election returns shall not be opened by the officer to whom the are returned before return day, which shall be ten days after the Election, Sundays excluded; at the expiration of that time he shall open them and estimate the result, recording the state of the polls of each precinct, in a book to be kept for that purpose; and after making such estimate he shall deliver to the candidate or candidates for whom the greatest number of votes have been polled, a certificate of election, naming therein the office to which he has been elected, the number of votes polled for him, and the day on which the Election was held, and shall sign the same and cause the seal of the City to be thereon impressed. —

Sec. 12. That the Judges of Election, while in the discharge of their duties, shall have the power of a peace officer to preserve order and keep the peace. —

Sec. 13. That during the entire day of any election for City-officers, it shall be unlawful for any bar-room, saloon or other place, house or establishment, where vinous, malt or spirituous or intoxicating liquors are sold or given away to be open; any person having charge of any such place or establishment refusing to close the same when ordered by the proper authority shall be deemed guilty of a misdemeanor and upon conviction before the Recorder shall be fined in any sum not less than ten nor more than One hundred dollars. —

Sec. 14. 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 be punished upon conviction as provided by the State Law. - Any person who shall disturb any election by inciting or encouraging a

tumult or mob, or shall cause any disturbance in ~~any~~ the vicinity of any poll or voting place, or any person who shall wilfully aid or abet, or advise anyone not legally qualified, in voting or attempting to vote at any Election, or any person or persons who shall by force or intimidation obstruct or attempt to obstruct, or influence any voter in his free exercise of the elective franchise, shall be deemed guilty of an offence, and punished as provided by the State Law. —

Sec. 15. That it shall be the duty of the Mayor to see that all complaints ~~for~~ for violations of such of the provisions of this ordinance, as are specially provided for under the State Law are properly presented and prosecuted in the Courts of the County or State having jurisdiction of the offence as defined by the State Election Law; and that all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed, and that this ordinance take Effect and be in force from and after its passage. —

Passed and approved December 5th 1876.

02-37

An Ordinance to amend Sec. 223 of the City Digest. —

Be it ordained by the City Council of the City of San Antonio:

Sec. 1. That Sec. 223 of the City Digest be amended so that the same shall ~~shall~~ hereafter read as follows, to wit: "That for the convenience of the inhabitants of the City, stalls for the vending of meat may be erected by any person desiring to do so upon authority granted by the Mayor, one near Lachapelle's store on lower Flores Street, one at or near Franklin Square on the west side of the San Pedro Creek; one at or near Milam Square and one at or near the Mission Store in the Fourth Ward, provided that the persons so erecting such stalls and vending meat at those places shall pay to the City the same rate which is paid by the butchers in the Alamo Market, and they shall likewise be subject to all ordinances concerning the Markets.

Passed and approved January 4th 1872