

CIVIL GOVERNMENT
MICHIGAN

COCKER

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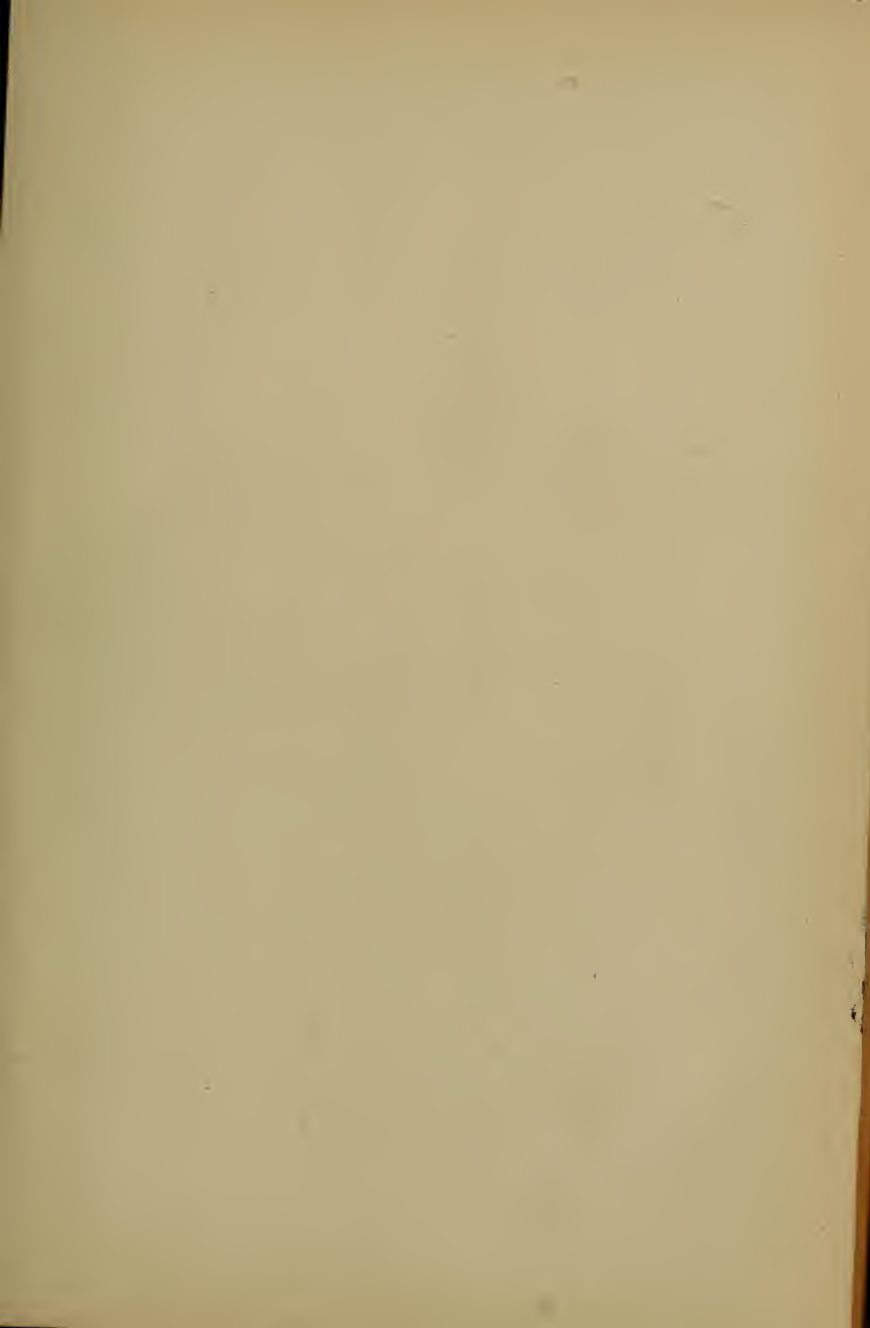
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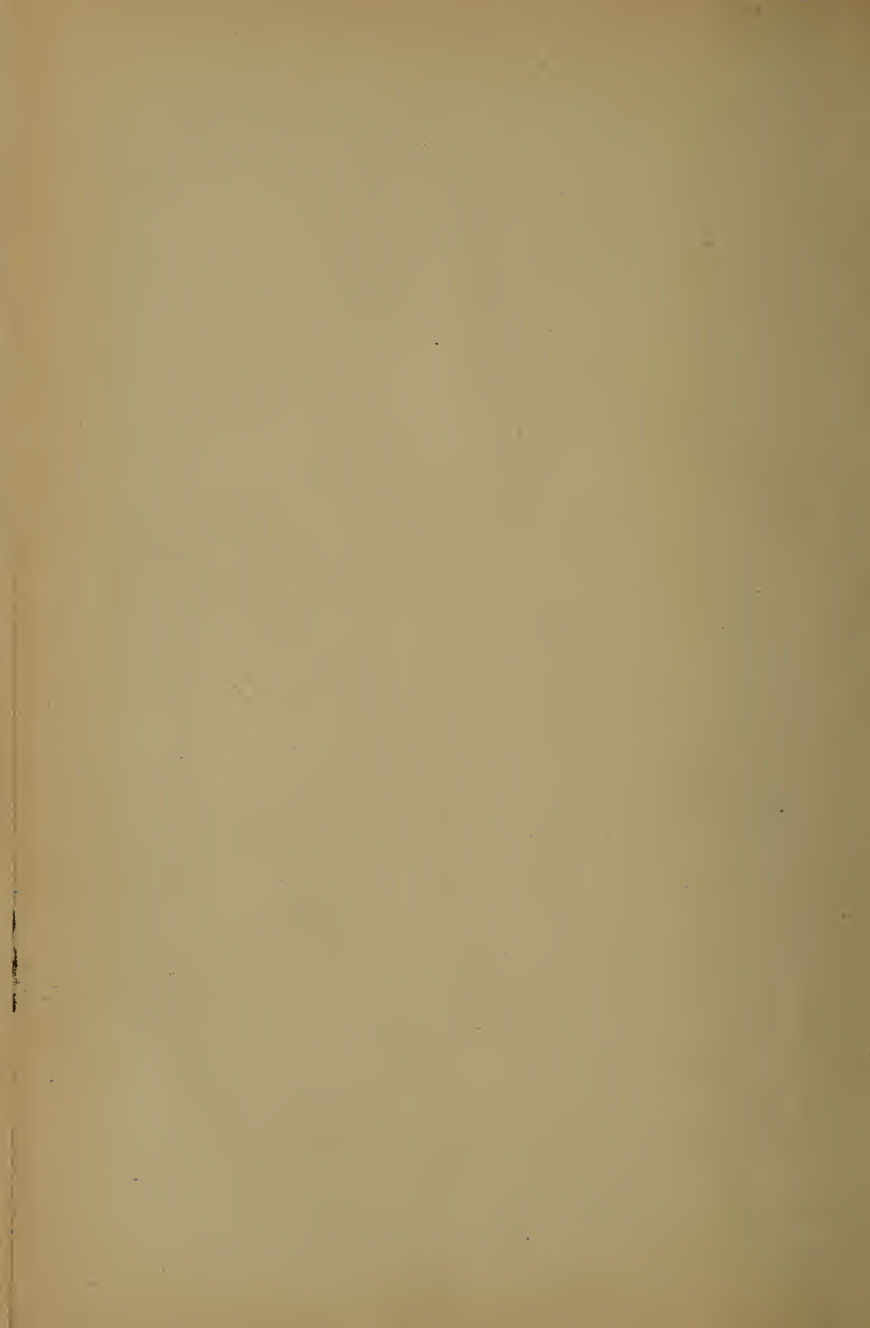
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UNITED STATES OF AMERICA.







—THE—

CIVIL GOVERNMENT OF MICHIGAN,

WITH CHAPTERS ON

POLITICAL MACHINERY,

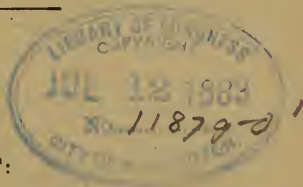
—AND—

The Government of the United States.

By W. J. COCKER, A. M.,

SUPERINTENDENT OF SCHOOLS, ADRIAN, MICH.

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By W. J. COCKER,

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PREFACE.

The design of this book is to meet the want, for some time felt in our public schools, of a text-book on the government of our own State. There is a growing demand for accurate elementary instruction on the nature of our State Government, and the duties of our public officers. The attempt to group together the officers of different States and define their powers, is unsatisfactory, for the reason that States differ greatly in the number of officers, and in the nature of their duties. In text-books which thus treat of State Governments in general, many of our State, county, and township officers are omitted, and duties are assigned to some of our public officers which do not belong to them, although such duties are performed by similar officers in other States. Accurate knowledge concerning the functions of our own officers demands a text-book that deals exclusively with the peculiarities of our own State Government.

The aim of the book is to present, in as concise and clear a manner as possible, the political system of the State, indicate the functions of the departments of our State government, describe the duties and powers of the various executive, legislative, and judicial officers, and give some of the leading features of our educational, charitable, and reformatory institutions. Only the more important duties of officers are described, so that the minds of pupils may not be confused with numerous details, and yet ample means are afforded for obtaining a clear and discriminating knowledge of the powers of these officers.

The book is designed not only for schools, but also for general use. There is a lamentable amount of ignorance, even among educated men, as to the workings of our political system. It is absolutely indispensable in a republic that every one should understand the functions of the government and the obligations of citizenship, so as to discharge intelligently the duties of an elector.

The author is under great obligation to His Excellency, Gov. Charles M. Croswell, for valuable information, and for numerous State documents; and to Hon. C. A. Gower, Superintendent of Public Instruction, for valuable notes and suggestions. He is also indebted to various authorities for suggestions and subject-matter.

W. J. COCKER.

ADRIAN, Mich., Dec. 26, 1879.

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GOVERNMENT OF MICHIGAN.

CHAPTER I.

STATE OFFICERS.

State Constitution.—Prior to the admission of a State into the Union, it is required to form a Constitution that shall be essentially republican. The theory of a republic is that all the powers which are wielded by the government must be conferred by the whole people. A Constitution must determine what powers are conferred, and within what limits the functions of the government shall be exercised. Accordingly provision is made for the calling of a constitutional convention, the office of which is to frame what is called the constitutional or the fundamental principles which lie at the basis of a State government. When their work is completed, it must be submitted to the whole people for ratification. All subsequent legislation must be strictly within the limits which are defined by the Constitution.

In England they have what is called an unwritten constitution, which rests upon common usage, special grants, and judicial decisions. It really consists in the gradual surrender of what are called the vested rights acquired by the aristocracy in feudal times, and of the absolute power of the monarch.

Revision and Amendments.—The Constitution may be revised or amended by a constitutional assembly, the call of which is authorized by the Legislature, and must be again submitted to the people for ratification; or single amendments may be suggested by the Legislature and submitted to the people. This latter method has now come to be the more general practice.

Members of the Legislature, and executive and judicial officers, before entering on the duties of their respective offices, are required to take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of this State, and that I will faithfully discharge the duties of the office of —— according to the best of my ability."

Departments of Government.—The government of the State is divided into three departments,—the legislative, the judicial, and the executive. The legislative department makes the laws, the judicial interprets them, and the executive carries them into effect. No officer belonging to one department can exercise the powers properly belonging to any other. The officer whose duty it is to execute the laws can not decide the guilt or innocence of those accused of breaking the laws, and those who make the laws are not allowed to apply or carry them into execution. The great safeguard of all free governments is to keep these three departments entirely distinct, so so that they may mutually act as a check upon each other. When the legislative, judicial, and executive functions are exercised by one person, the government becomes a despotism.

State Officers.—At the general election, which occurs every two years, State officers are elected. They are called State officers, because their duties pertain to the whole State. The executive officers of the State are,—

1. Governor,
2. Lieutenant Governor,
3. Secretary of State,
4. Treasurer,
5. Auditor General,
6. Commissioner of the Land Office,
7. Attorney General,
8. Superintendent of Public Instruction.

Governor.—The Governor is the chief executive officer of the State. It is his duty to look after the general interests of the State, and to see that the laws are faithfully executed and enforced in all parts of the State. He is required,—

1. To give to the Legislature information, by message, of the condition of the State, call their attention to matters of State interest, and recommend such measures as he may deem expedient.
2. To convene the Legislature when matters arise which require their immediate attention.
3. To preserve peace and good order within the State, suppress riots, and repel invasion. To this end the Governor is Commander-in-Chief of all the military forces of the State.
4. To fill vacancies in State offices, and to appoint certain State boards.

The Governor has the power to grant pardons or to lessen the severity of a sentence. He is aided in the performance of his various duties,—

1. By the State officers ;
2. By boards and commissioners.

No person is eligible to the office of Governor or Lieutenant Governor who has not been a citizen of the United States for five years, and a resident of the State for two years. He must also have attained the age of thirty years.

Lieutenant Governor.—The Lieutenant Governor, by virtue of his office, is the presiding officer of the Senate. If there is a vacancy in the office of Governor, or the Governor is absent from the State, or is incapable of performing the duties of his office, the Lieutenant Governor takes his place and performs his duties.

Secretary of State.—This officer preserves all books and papers belonging to the State, and keeps a record of the official acts and proceedings of the legislative and executive departments. He is required,—

1. To countersign all commissions and proclamations issued by the Governor ;
2. To publish and properly distribute the laws of the State ;
3. To receive returns of State and national elections, and reports from corporations organized under the State law ;
4. To perform various other duties.

Treasurer.—The Treasurer receives and has charge of all money belonging to the State. He is required to make an annual report to the Legislature of all money received and paid out by him during the year, and of the amount remaining in the treasury. No money can be paid out of the treasury except in pursuance of appropriations made by law.

The Treasurer is obliged to give bonds, for the faithful performance of his duties, to the sum of one hundred and fifty thousand dollars.

Auditor General.—The Auditor General is required to examine the Treasurer's account of money received and paid out by him, and the money in the treasury, and he makes a complete statement to the Legislature of the funds and revenues of the State, together with such recommendations for the improvement of the financial condition of the State as he may deem expedient. He examines all claims against the State and orders the payment of those that are just ; superintends the collection of money due to the State, and apportions the State tax among the several counties. He is the guardian of the public treasury. No money can be paid out

of the treasury except on the warrant of the Auditor General, and all receipts for money paid to the Treasurer must be countersigned by him.

Commissioner of the Land Office.—The Commissioner of the Land Office has the general charge and supervision of all lands belonging to the State, and he is authorized to sell or dispose of them in such a manner as may be prescribed by law.

Attorney General.—The principal duties of the Attorney General are,—

1. To give his opinion upon all questions of law submitted to him by any State officer or by the Legislature ;
2. To advise with Prosecuting Attorneys in all matters pertaining to the duties of their office, when so requested by them ;
3. To prosecute and defend all actions in the Supreme Court in which the State is interested, and appear for the people of the State in all suits, when requested by the Governor or by either branch of the Legislature.

Superintendent of Public Instruction.—The Superintendent of Public Instruction has the general supervision of the educational interests of the State. It is his duty to promote, as far as possible, the efficiency of the public school system. Institutions of learning are at any time subject to his visitation and examination, and they are annually required to report to him their condition and progress.

Boards and Commissioners.—Certain boards and commissioners are selected to assist the Governor in the performance of his duties. They have the general supervision and control of various State institutions, and they perform duties which concern the welfare of the whole State. These boards and commissioners are selected in three ways:—

1. Some are appointed by the Governor with the advice and consent of the Senate.
2. Others are elected by the people.
3. State officers by virtue of their office serve on certain State boards.

State Legislature.—The State Legislature is composed of two houses, the Senate and the House of Representatives. The Senate consists of thirty-two members, and the House of one hundred. The Legislature enact laws, devise means for raising money to meet the public expenses of the State, and perform such other duties as the Constitution and laws of the State require. They have power to confer upon the Boards of Supervisors of the several counties, and upon organized townships, and incorporated villages and cities, such local powers of legislation and administration of affairs as they deem proper. Members of the Legislature are elected for two years.

Supreme Court.—The Supreme Court is the highest judicial court in the State. It consists of one Chief Justice and three Associate Judges. They have a superintending control over all the courts of the State, and they decide points of law appealed to them, for their decision, by the lower courts. Questions as to the constitutionality of any legislative enactment are decided by this court. The Judges are elected for eight years, one being elected every two years.

Laws enacted by the Legislature must not conflict with any of the requirements of the State Constitution.

STATE OFFICERS.

THE CHIEF EXECUTIVE.—Governor.

PRESIDING OFFICER OF THE SENATE.—Lieutenant Governor.

ASSISTANT EXECUTIVE OFFICERS.	{	Secretary of State,
		State Treasurer,
	{	Auditor General,
		Commissioner of the Land Office,
	{	Attorney General,
		Superintendent of Public Instruction.
LEGISLATIVE.	{	Senators,
		Representatives.
JUDICIAL.	{	Chief Justice of the Supreme Court,
		Associate Judges.

BOARDS AND COMMISSIONERS.

SALARIES.

Governor,	-	-	-	-	-	\$1,000
Lieutenant Governor,	-	-	-	-	(1)	—
Secretary of State,	-	-	-	-	-	800
Deputy Secretary of State,	-	-	-	-	-	1,800
State Treasurer,	-	-	-	-	-	1,000
Deputy State Treasurer,	-	-	-	-	-	1,800
Auditor General,	-	-	-	-	-	1,000
Deputy Auditor General,	-	-	-	-	-	1,800
Commissioner of the Land Office,	-	-	-	-	-	800
Deputy Commissioner of the Land Office,	-	-	-	-	-	1,800

Attorney General,	-	-	-	-	800
Superintendent of Public Instruction,	-	-	-	-	1,000
Deputy Superintendent of Public Instruction,	-	-	-	-	1,800
Judges of the Supreme Court,	-	-	-	-	4,000
Members of the Legislature,	-	-	-	-	(²) —

(1) The Lieutenant Governor, when performing the duties of Governor, receives the same compensation. As presiding officer of the Senate, he receives the same compensation as other members of the Senate.

(2) Members of the Legislature receive three dollars a day while the Legislature is in session, and ten cents a mile for expenses in going to and returning from the place of meeting. The Legislature may allow extra compensation to members from the Upper Peninsula, of not to exceed two dollars a day. They are supposed to attend a session at a greater inconvenience than those from the Lower Peninsula. When the members are convened in extra session, their compensation is three dollars per day, for the first twenty days, and nothing afterwards. This is for the purpose of limiting the length of the extra session.

CHAPTER II.

COUNTY OFFICERS.

Counties.—It would not be possible for the different State departments to attend to the public business and the special wants of every part of the State. All that they can do is to superintend the welfare of the State as a whole. Then, again, regulations that might be needed in one part of the State might be unnecessary or detrimental to the interests of another, so that there are certain matters that must necessarily be left to the decision of the people of limited districts of territory. The State is accordingly subdivided into counties and officers are appointed in each county to attend to its more immediate interests. This division is necessary for three reasons:—

1. The Governor, and other executive State officers, can not personally see to it that the laws are executed and enforced in all parts of the State, without the assistance of local executive officers.
2. The Legislature can not always adopt measures that will meet the special wants of every part of the State.
3. It is necessary that local courts should be established in all parts of the State, so that the rights of every citizen may be the better protected, and justice be more readily administered.

In England, the word shire is equivalent to our word county; in Prussia, province nearly corresponds to it; in France, departement.

County Officers.—At the general election, when State officers are elected, the following county officers are also elected :

1. Sheriff,
2. Clerk,
3. Treasurer,
4. Register of Deeds,
5. Prosecuting Attorney,
6. Surveyor,
7. Coroners,
8. Circuit Court Commissioners,
9. Probate Judge.

These officers, with the exception of Probate Judge, are elected for two years.

The officers mentioned above, with the exception of Prosecuting Attorney, are required to give bonds to an amount designated by law, for the faithful performance of their duties.

County Seat.—In every county, some town is selected where the business of the county is transacted. This is called the county seat. Here there is a court-house, a jail, county offices, and other public buildings. The county seat stands in about the same relation to the county that the city of Lansing stands to the State.

Sheriff.—The Sheriff is the principal executive officer of the county. He is required,—

1. To preserve peace and good order within the county. To do this he may demand the aid of others, and even employ the assistance of any portion of the State troops.
2. To attend all the sessions of the Circuit Court when held within the county, preserve order in the court room, and execute all writs and orders of the court.

3. To take charge of the county jail. He is responsible for the safe keeping of the prisoners confined in the jail.

The Sheriff appoints an under sheriff and deputies to assist him in the performance of his duties. He is held responsible for their acts.

1. The Sheriff is prohibited by law from holding the office longer than four years in any period of six years. He does not receive a salary, but he receives certain fees fixed by law.

2. When there is a vacancy in the office of Sheriff, the under sheriff performs the duties of the office, until another Sheriff is elected.

Clerk.—The County Clerk is the clerk of the Board of Supervisors. It is his duty to keep a record of the proceedings of the Board, preserve all accounts acted on by them, and perform such other duties as they may require. He is also clerk of the Circuit Court, when it is held within the county. He is required,—

1. To keep a journal of the proceedings of the Circuit Court, and preserve all books and papers belonging to the office ;
2. To administer oaths to witnesses and jurors ;
3. To keep a record of births, deaths, and marriages ;
4. To draw the grand and petit juries, and to perform various other duties.

The Clerk is required to appoint one or more deputies, and to designate one of them as his successor, in case of a vacancy in the office. He receives both a salary and fees, the salary being fixed by the Board of Supervisors.

Treasurer.—The Treasurer, among his other duties, is required,—

1. To receive and have charge of all money belonging to the county ;

2. To receive from the Township Treasurers the State tax, and pay it over to the State Treasurer ;
3. To conduct the annual sales of lands on which the taxes have not been paid.

Money is paid out of the county treasury on the order of the Board of Supervisors. Money orders are signed by the clerk and countersigned by the chairman of the Board.

1. Moneys paid to the Treasurer on account of fines, forfeitures, penalties, and recognizances, are kept separate and distinct from all other accounts, and credited to the school library fund, and paid over to the Treasurers of the several townships, according to the number of school children in each township.

2. The Treasurer receives a salary, fixed by the Board of Supervisors, and fees. If there is a vacancy in the office, the deputy performs his duties. The Board of Supervisors may, however, select another Treasurer, if the interests of the county so require.

Register of Deeds.—It is the duty of the Register of Deeds to keep a record of all deeds, mortgages, and other papers which are required by law to be recorded. In this way it can be readily ascertained when property is mortgaged, and to what extent, and whether the legal title is good. All transfers of property and legal instruments are in this way preserved, so that they can easily be referred to at any time, by interested parties.

The Register of Deeds receives a certain amount, prescribed by law, for every one hundred words recorded. He receives other fees, but no salary.

Definitions.—A deed is an instrument in writing, by which real estate is transferred from one person to another.

A mortgage is the conveyance of land to another as security for the payment of a debt.

A title is an instrument which is the evidence of exclusive possession.

Prosecuting Attorney.—The Prosecuting Attorney is the legal officer of the county. It is his principal duty to prosecute all persons who have been guilty of any crime within the county, give legal advice to county officers in the discharge of their duties when so requested, and prosecute and defend all suits in the county in which the county is interested.

The Prosecuting Attorney receives a salary, but no fees. The salary is fixed by the Board of Supervisors.

Surveyor.—The Surveyor makes such surveys in the county as are required by any court or any person residing in the county. He determines the location and boundaries of lands, and keeps a record of all surveys made by himself or his deputies. All surveys are required to be made in accordance with certain principles established by law, so that there may be a uniform system of land surveying in the several counties of the State.

1. The Surveyor and his deputies receive a compensation of not less than four dollars a day and fees.

2. When there is a vacancy in the office, the Prosecuting Attorney and the County Clerk may appoint some one, for the time being, to perform the duties of Surveyor.

Coroners.—Two Coroners are elected in each county to investigate the causes of all sudden and suspicious deaths within the county. When a dead body is found, a coroner's jury of six men is assembled to ascertain, if possible, the cause of the death, and if they have reason to believe that murder has been committed, a verdict to that effect is rendered, and information of the fact is filed with the proper authorities. Their duty is an important one, and is designed to make life more secure. Coroners are sometimes required to perform the duties of a Sheriff. This is when the Sheriff is an interested party in a suit.

A vacancy in the office of Coroner is filled in the same manner as in that of Surveyor. The Coroners receive fees.

Circuit Judge.—A Circuit Judge is elected in what is called a judicial circuit, which usually consists of two or more counties. He goes from one county to another, and at specified times holds a session of the Circuit Court in each county within the limits of his circuit; so that he may be properly called one of the judicial officers of the county, although he is elected in a district composed of several counties. It is the duty of the Circuit Judge to preside at all sessions of the Circuit Court. He is elected at the spring election in April, for a term of six years.

1. The first circuit consists of the Counties of Lenawee and Hillsdale; the second of Cass and Berrien; the third of Wayne; etc.

2. The salary of a Circuit Judge is two thousand five hundred dollars annually, without any fees or perquisites whatever.

Circuit Court Commissioners.—In each county of the State there is a Circuit Court Commissioner, and in some of the larger counties there are two. They are authorized to perform all the duties and execute all the powers, in all civil cases, which a Circuit Judge may perform and execute out of court, subject, however, to certain limitations. They may, in other words, perform many of the duties that a Circuit Judge would be obliged to perform, if it were not for their assistance.

1. Testimony in a chancery suit may be taken by a Circuit Court Commissioner, and injunctions may also be granted by this officer. Circuit Court Commissioners receive fees, not a salary.

2. In counties containing a population of twenty thousand inhabitants, two Circuit Court Commissioners are required to be elected.

3. The Governor is authorized to fill any vacancy in this office.

Probate Judge.—In each county, a Probate Judge is elected for a term of four years. The election occurs at the same

time as that of Sheriff, Clerk, Treasurer, etc., with this difference, that a Probate Judge is elected once in four years, while other county officers are elected every two years. The Probate Judge has jurisdiction over all matters pertaining to the settlement of the estates of deceased persons.

1. His salary is fixed by the Board of Supervisors. The salary can not exceed fifteen hundred dollars, except in the county of Wayne where the salary of the Judge of Probate is two thousand seven hundred and fifty dollars.

2. The Governor is authorized to fill any vacancy in the office of Probate Judge.

Board of Supervisors.—In each county there is a county Board of Supervisors, consisting of one Supervisor from each township, and one from each ward of a city. The Board of Supervisors is a legislative body. They are the representatives of the county, and they adopt measures for its general welfare. It is their duty,—

1. To have general care and supervision of the county buildings, as the court-house, jail, etc. ;
2. To provide for the raising of money to meet the current expenses of the county, and fix the salaries of certain county officers, as Clerk, Treasurer, Prosecuting Attorney, Probate Judge ;
3. To apportion the State and county tax among the several townships ;
4. To equalize the taxes among the townships of the county ;
5. To examine and settle all claims against the county, and order the payment of those that are just ;
6. To divide the county into representative districts ;
7. To form new townships and alter the boundaries of others.

In Wayne county there is a Board of County Auditors, as well as a Board of Supervisors. The Board of Auditors perform all the duties that are usually performed by a Board of Supervisors, except those relating to taxes. The equalizing of the taxes among the several townships, the apportionment of the State and county tax, and all other matters connected with the assessment and collection of taxes, are powers exercised by the Board of Supervisors.

Superintendents of the Poor.—In every county, three Superintendents of the Poor are elected by the Board of Supervisors. They have,—

1. The care of the poor of the county ;
2. The general management of the county poor-house, and the appointment of a keeper and other necessary officers.

The Superintendents of the Poor are also inspectors of jails.

The Superintendents are elected for three years, one being elected each year. The Board of Supervisors allow them such a sum for the performance of their duties as they deem proper.

The Poor.—Poor persons needing relief are usually supported at the expense of the county in which they reside. When a poor person needs only temporary relief, a Superintendent of the Poor or a Supervisor is authorized to supply his immediate necessities. If, however, it is evident, on examination, that a person is unable to support himself, and that he needs permanent relief, he is sent to the county poor-house, and supported at the expense of the county, under the direction of the Superintendents of the Poor.

Township and County Poor.—In a few counties of the State, there is a distinction made between township poor and county poor. If a poor person has resided in a township for one year, he is said to have gained a settlement in the township, and if he needs relief, it is furnished at the expense of the

township. If such a person has not gained a legal settlement, he is supported at the expense of the county.

COUNTY OFFICERS.

EXECUTIVE.	{	Sheriff,
		Clerk,
		Treasurer,
		Register of Deeds,
		Prosecuting Attorney,
		Surveyor,
		Coroner,
	{	Superintendents of the Poor.
JUDICIAL.	{	Circuit Judge,
		Circuit Court Commissioners,
		Probate Judge.
LEGISLATIVE.	{	Board of Supervisors.

CHAPTER III.

TOWNSHIP OFFICERS.

Townships.—The State is not only divided into counties, but each county is divided into smaller divisions called townships. The township is the smallest division of our political system. It approximates to a pure democracy. Here the people meet together to discuss the affairs of the township, and to adopt measures for the general welfare.

A ward in a city corresponds to a township in the county.

Township Meetings.—The annual meeting of each township is held on the first Monday in April. At this annual meeting officers are elected, money is appropriated to meet the expenses of the township, and matters of interest connected with the township are discussed. Townships have been truly called the nurseries of a free government. Their influence can not be overestimated. In them the people learn the art of self-government.

Special meetings of the township may be ordered by the Township Board to fill vacancies or transact business.

Township Officers.—At the annual meeting of the township the following officers are elected :—

1. Supervisor,
2. Clerk,
3. Treasurer,
4. School Inspector,

5. Highway Commissioner,
6. Drain Commissioner,
7. Justices of the Peace,
8. Constables.

Township officers are elected for one year, with the exception of Justices of the Peace, who are elected for four years, and School Inspectors and the Drain Commissioner, who are elected for two years.

1. Most of the township officers are obliged to give bonds for the faithful performance of their duties.

2. When there is a vacancy in any township office, except Justice of the Peace and Treasurer, the Township Board may make a temporary appointment, until a special town meeting is held for the purpose of choosing some one to fill the vacancy. If the office of Treasurer is vacant, the Township Board is authorized to fill the vacancy for the remainder of the term. A vacancy in the office of Justice of the Peace may be filled by a special township meeting.

Supervisor.—The Supervisor is the principal officer of the township. He is,—

1. The moderator of all township meetings for the transaction of any business, except the election of township officers.

Certain officers designated by law have charge of elections.

2. The chairman of the Township Board, and a member of the Board of Supervisors of the county.
3. The representative of his township in the transaction of all legal business. The township sues through him, and all processes against the township are served upon him.

The Supervisor is annually required to make out a complete list of all persons liable to be taxed, together with a correct valuation of all taxable property. He then assesses upon the property of each, his proportion of the tax to be raised for

State, county, and township purposes. This tax-list is handed over to the Township Treasurer for collection. He also provides temporary relief for the poor of his township, and performs various other duties.

Every tenth year the Supervisor is required to take a census of all the inhabitants of his township, and every year he is also required to ascertain the number of births and deaths during the year. He reports the results to the County Clerk.

Clerk.—The Township Clerk is required to keep a correct report of the proceedings of the Township Board and of township meetings. He has the custody of the records, books, and papers of the township, keeps an account of all funds received and paid out by the Treasurer, and performs many other duties.

The Clerk is a member of the Township Board and of the Board of School Inspectors. He appoints a deputy, who discharges his duties in case of absence, sickness, or death.

Treasurer.—The Treasurer receives and has charge of all money belonging to the township, keeps an account of all receipts and expenditures, and accounts to the Township Board for all money received or paid out by him. Money is paid out of the township treasury on the order of the Township Board, signed by the clerk and countersigned by the chairman. The Treasurer collects the taxes, and pays over to the County Treasurer the State and county tax.

No one is eligible to the office of Township Treasurer for more than two years in succession.

School Inspectors.—The School Inspectors are members of the Township Board of School Inspectors, whose duty it is to divide the township into school districts, and to regulate and alter boundaries as circumstances render necessary. They also receive from the Township Treasurer all money

belonging to the township library, they purchase books, and have the general management of the library. The Board of Inspectors consists of the School Inspectors and the Township Clerk.

Highway Commissioner.—The Commissioner of Highways has the general care and supervision of all highways and bridges within the township. He has the power, within certain limitations, of establishing new roads and discontinuing old ones. It is his duty to divide the township into road districts, and to select persons residing within each district to work on the highways. Over each district is placed an Overseer of Highways.

Overseers of Highways.—At each annual meeting of the township, one Overseer of Highways is appointed for each road district. It is his duty to repair and keep in order all the highways within his district, see that persons assessed to work on the highways perform their duties, cause all noxious weeds within the limits of the highways to be destroyed, and execute the orders of the Commissioner of Highways.

If the township meeting neglects to elect Overseers of Highways, or there should be a vacancy in the office, it is the duty of the Commissioner of Highways to fill any such vacancy.

Fence Viewers.—Overseers of Highways act as Fence Viewers. It is their duty to settle disputes respecting the building of partition fences. If persons occupying adjoining lands are unable to agree in regard to the building or repairing of a partition fence, a complaint may be made, by either one of the parties, to two or more Fence Viewers of the Township. The Fence Viewers after due notice to each party, and after proper examination, assign to each his share of the fence to be built or repaired, and designate the time within which the work must be done.

1. Fence viewers are paid one dollar a day by the persons employing them.

2. It is the duty of the occupants of adjoining lands to keep up and maintain partition fences in equal shares, so long as both parties continue to improve the lands.

Drain Commissioner.—It is necessary that there should be a uniform system of drainage within a township, and for this reason an officer is elected to supervise the construction of all drains. This officer is called a Drain Commissioner. It is his duty to establish and open up all water-courses within his township, to locate and construct ditches or drains, and to alter or extend those already established. The Drain Commissioner is elected for a term of two years.

When there is a vacancy in this office, it is the duty of the Township Board to fill the vacancy.

Justices of the Peace.—Justices of the Peace are the judicial officers of the township, and are elected for a term of four years, one being elected each year. They issue warrants and orders, administer oaths, and have jurisdiction, within their own township, of offenses of minor importance. They may also try offenses committed in a neighboring township of the same county. A Justice of the Peace is authorized to solemnize marriages.

Justices of the Peace, as well as ministers, are required to make a record of all marriages solemnized by them, and to send a copy of each to the County Clerk.

Constables.—Constables are the ministerial officers of the Justices of the Peace. Their duties in the township and in a Justice's Court correspond, in a great measure, to the duties of a Sheriff. They preserve the public peace of the township, arrest disorderly persons, have the custody of prisoners, and

serve writs and orders of the court. They also attend upon the sessions of the Circuit Court when notified to do so by the Sheriff.

1. A ministerial officer is one who acts under the orders of another, an executive officer.

2. As many Constables are elected as the township meeting may determine. The number can not exceed four. Constables may serve papers in any township in their county.

Township Board.—The Supervisor, the two Justices of the Peace whose term of office soonest expires, and the Township Clerk, constitute the Township Board. It is the duty of this Board to examine the accounts of the Township Treasurer, and settle all claims against the township. They may call special meetings of the township, and fill vacancies in township offices.

The Township Board may raise money for township purposes, when the township meeting has neglected to do so.

Pound Masters.—A pound is an enclosure in which stray animals are kept until they are claimed by the owners. The person having charge of a pound is called a Pound Master. The township meeting may establish such regulations restraining domestic animals from running at large as it may deem proper, and may maintain one or more pounds. Before the owner can recover an animal confined in a pound, he is required to pay the fees of the Pound Master, of the person driving the animal to the pound, and for the expense of keeping it there. A person whose land has been injured by some stray animal, may cause it to be confined in a pound, until the damages are paid for.

The person driving stray animals to a pound is entitled to fifty cents a head for horses, cows, and other cattle, and ten cents a head for sheep and swine. The Pound Master is entitled to forty cents a head for all animals confined in the pound.

TOWNSHIP OFFICERS.

EXECUTIVE.	{ Supervisor, Clerk, Treasurer, School Inspectors, Highway Commissioner, Overseers of Highways, Fence Viewers, Drain Commissioner, Constables
JUDICIAL.	{ Justices of the Peace.
LEGISLATIVE.	{ Township Meeting.
BOARDS.	{ Board of School Inspectors, Township Board.

Township officers do not receive a salary, but are paid for each day necessarily devoted by them to the service of the township. The School Inspectors and the Highway Commissioner receive one dollar and a half per day; the Drain Commissioner, such amount, not exceeding three dollars per day, as may be fixed by the Township Board; the clerk, one dollar and a half per day and fees; the Justices of the Peace and Constables, fees; members of the various Boards in the township, one dollar and a half per day; the Supervisor, two dollars per day and fees. When the Supervisor attends a meeting of the Board of Supervisors, he receives three dollars per day and mileage. The Township Board allows such compensation to township officers, for services not provided for by law, as they deem reasonable.

CHAPTER IV.

CITIES AND VILLAGES.

Corporations.—When a number of persons are united in a permanent organization, and are authorized by the Legislature to perform certain acts that they otherwise could not do, they are said to be incorporated, and they constitute what is called a corporation. Corporations are created in two ways:—

1. By conforming with certain requirements of the Legislature ;
2. By a special act of the Legislature.

Kinds of Corporations.—Corporations are of three kinds,—

1. Business corporations ; as, railroad companies, insurance companies, banks.
2. Literary, religious, and charitable organizations ; as, denominational colleges, library associations, hospitals.
3. Municipal corporations ; as, counties, townships, cities, villages, State institutions.

Distinguishing Features of a Corporation.—Every corporation has,—

1. A name by which it is known.
2. A continued existence. The individuals composing a corporation may die, but “the rights and duties descend to the successive members of the corporation.”
3. A common seal. The acts of a corporation are made binding by the fixing of the seal.
4. The capacity to sue and be sued.

5. The power to purchase and to hold property.
6. The power to make by-laws and regulations for the government of the corporation.

Cities.—In a thickly settled community, it is impossible for all the voters to meet together to make laws and to adopt measures for the promotion of the common welfare, so that it becomes necessary to select certain persons to perform the legislative functions of a township meeting, and to attend to the general interests of the community. Not only is it necessary to select a limited number to adopt measures for the public welfare, but it is also necessary that greater powers should be conferred upon them than upon a township meeting. Then, again, a greater number of executive officers, with more extensive powers than those of township officers, is needed. It will thus be seen that a different organization is necessary in a thickly settled community than in a township. Such an organization is called a city or village.

Incorporation of a City.—A city is said to be incorporated when certain powers are conferred upon it by the Legislature, and it is authorized to select certain officers. Any village containing a population of three thousand persons may be incorporated as a city. The instrument by which it is incorporated is called a charter.

A city is a corporate town governed by a Mayor and a Board of Aldermen called a Common Council.

Charter.—A charter is an act of the Legislature bestowing certain privileges and powers upon a city or any other corporation. It is really the constitution of the city, as it defines the duties and powers of the city officers and of the Common Council.

Officers.—In all cities, two classes of officers are elected:—

1. City officers,
2. Ward officers.

City Officers.—Although cities vary somewhat in the number and duties of their officers, the following officers are usually elected:—

1. Mayor,
2. Clerk,
3. Treasurer,
4. Collector,
5. Street Commissioner,
6. Marshal,
7. Justices of the Peace.

Ward Officers.—Every city is divided into smaller divisions called wards. In each ward, the following officers are elected:—

1. Supervisor.
2. Constable.
3. Two Aldermen.

Term of Office.—City and ward officers, like the officers of a township, are elected for one year, with the exception of Aldermen, who are elected for two years, one being elected each year. Justices of the Peace in the city, as well as in the township, are elected for four years, one being elected each year. The time of election is the first Monday in April.

Mayor.—The Mayor is the chief executive officer of a city. He stands in about the same relation to the city that the Governor does to the State. It is the duty of the Mayor to look after the general interests of the city, exercise a general supervision over the several departments of the city government, and see that the laws of the city, and the ordinances

and regulations of the Council, are enforced. He is the presiding officer of the Common Council, and he is required from time to time to give information to them concerning the affairs of the city, and to recommend such measures as he may deem expedient. He is also the conservator of the peace, and in order to preserve peace and good order, he may exercise the powers conferred upon a Sheriff, and summon to his assistance all able-bodied citizens, or any portion of the State troops. The powers of a Mayor are very extensive and his responsibilities are very great.

The president *pro tempore* of the Common Council performs the duties of Mayor in his absence, or when there is a vacancy in the office.

Clerk.—The duties of a City Clerk correspond, in a great measure, to the duties of a Township Clerk. He is required to keep a record of the proceedings of the Common Council, preserve all books, papers, and records of the city, and countersign and register all city licenses. He is the general accountant of the city, examines all claims against the city, and reports them to the Common Council for payment, keeps an account of all money received and paid out by the Treasurer, and exercises a general supervision over the financial interests of the city. He also keeps the seal of the corporation.

In some cities, a Comptroller is elected to perform the duties of general accountant instead of the City Clerk. The Clerk is sometimes called Recorder.

Treasurer.—The Treasurer receives and has charge of all money belonging to the city, keeps an account of all receipts and expenditures, and accounts to the Common Council for all money received or paid out by him. Money is paid out of the city treasury on the order of the Common Council, signed by the Clerk and countersigned by the Mayor. The

City Treasurer is also treasurer of the public schools of the city, and he has the care of all school and library money.

Collector.—In a township the Township Treasurer collects the taxes, but in a city a special officer is elected for this purpose called a Collector. It is the duty of this officer to collect all taxes within the city, and to pay over to the City Treasurer the city and school taxes, and to the County Treasurer the State and county taxes.

Street Commissioner.—The Street Commissioner has the general care of all the highways, streets, bridges, reservoirs, drains, sewers, and public grounds within the city limits, and he is required to superintend such labor and make such repairs and improvements as the Common Council may from time to time direct.

Marshal.—The Marshal is chief of the police of the city, and as a police officer he is subject to the direction of the Mayor. It is his duty to see that the laws of the city, and the ordinances and regulations of the Common Council, are promptly enforced. He is required to preserve the peace of the city, and to suppress all disturbances and riots. In order to do this he is vested with the powers of a Sheriff, and may arrest, without a warrant, disorderly persons, or persons in the act of breaking any of the laws of the State or of the ordinances of the city, and take them before the proper magistrate. Persons found drunk on the streets may be arrested by him and imprisoned until they become sober. The Marshal is also required to serve warrants for the arrest of persons who have violated any of the ordinances of the city.

Justices of the Peace.—Justices of the Peace have authority to try cases for violation of the city ordinances. They also

exercise the same powers, and perform the same duties, as Justices of the Peace in the townships, and are elected for four years, one being elected each year.

Supervisor.—The Supervisor occupies about the same relation to the ward of a city that the Township Supervisor does to a township. He prepares a list of all persons liable to be taxed, together with a correct valuation of the taxable property, and assesses upon the property of each his proportion of the taxes. The Supervisor may provide temporary relief for the poor of his ward.

Constables—Constables are required to obey all lawful orders of the Mayor, Aldermen, Marshal, and Justices of the Peace, and to discharge all the duties required of them by any ordinance or resolution of the Common Council. In all civil and criminal matters, they have the same powers and authority as Constables in townships, and may serve warrants issued for the violation of city ordinances. One Constable is elected in each ward.

Aldermen.—Two Aldermen are selected in each ward for a term of two years, one being elected each year. It is their duty to aid in maintaining peace and good order in the city, and in securing the faithful performance of duty by all the officers of the city. The Aldermen are members of the Common Council.

Common Council.—The Mayor and Aldermen constitute the Common Council. The Common Council is the legislative body of the city, and has the power to pass such ordinances and regulations as the interests of the city seem to demand. They have the general supervision of all buildings and property belonging to the city, and of all highways and bridges; they have the power to adopt measures for raising or

borrowing money, to erect and repair public buildings, to lay out and alter streets, and to make such public improvements as they may deem desirable. In short, they are authorized to adopt such measures and make such regulations as the peace and welfare of the city demand. The Mayor is chairman and the City Clerk is the clerk of the Council.

1. The laws passed by the Common Council are called ordinances.
2. A vacancy in the office of Mayor or Alderman must be filled by a special election, if the vacancy occurs more than ninety days before the annual election. A vacancy in the office of Justice of the Peace is not filled till the next annual election. All other vacancies may be filled by a special election or by the Common Council.
3. The Mayor and Aldermen each receive an annual salary of not to exceed fifty dollars. The Marshal, Clerk, Treasurer, Collector, receive such salaries, and all other officers, whether elected or appointed, such compensation, as the Common Council may determine. For compensation of Supervisors, Justices of the Peace, and Constables, see page 30.

Other Officers.—Certain officers are appointed by the Common Council. These are,—

1. City Attorney, who is the legal adviser of the Common Council and city officers ;
2. City Surveyor, who makes all surveys within the city limits ;
3. Chief of the Fire Department.

The Common Council has the power to appoint such officers as the welfare of the city renders necessary. The number of these varies in different cities. The larger the city, the more numerous are the officers required.

Villages.—A village occupies a place midway between a city and a township. The powers conferred upon a village are not as extensive as those conferred upon a city, while, on the other hand, a village exercises greater powers than are

exercised by a township. Villages are less than cities, are not divided into wards, and are governed by a President and six Trustees, called a Board of Trustees or a Village Council.

1. There are a few villages in Michigan larger than some cities; as, Kalamazoo.

2. Any part of a township containing a resident population of not less than three hundred persons, and including within its boundaries a territory of not more than two square miles, may be incorporated as a village.

Officers.—The officers elected in a village are,—

1. President,
2. Clerk,
3. Treasurer,
4. Street Commissioner,
5. Assessor,
6. Constable,
7. Trustees.

The Trustees are elected for two years, three being elected each year; the other village officers, for one year. The Council appoints a Marshal, an Engineer of the Fire Department, and such other officers as they deem necessary.

Powers and Duties.—The President is the chief executive of the village; the legislative power is vested in a Council consisting of the President and six Trustees. The powers of a Village Council are about the same as those of a City Council. The duties of village officers correspond to the duties of similar officers in the city.

General Remark.—As cities and villages are incorporated by a special act of the Legislature, as well as by conforming with certain requirements, they will necessarily vary somewhat in the number of their officers, their powers, and the mode of selecting them. In some cities certain officers are elected

who in other cities are appointed by the Common Council. Each teacher should obtain a copy of the city or village charter, and make such additions to and changes in this chapter as may be necessary.

CITY AND VILLAGE OFFICERS.

CITY.

EXECUTIVE.	{ Mayor, Clerk, Treasurer, Collector, Street Commissioner, Marshal, Attorney, Surveyor, Chief of the Fire Department, &c.
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JUDICIAL.	{ Justices of the Peace.
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LEGISLATIVE.	{ Common Council.
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WARD OFFICERS.	{ Supervisor, Constable, Aldermen.
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, VILLAGE.

EXECUTIVE.

{ President,
Clerk,
Treasurer,
Street Commissioner,
Assessor,
Constable,
Trustees,
Marshal,
Engineer of the Fire Department,
&c.

JUDICIAL.

{ Justices of the Peace in the Township.

LEGISLATIVE.

{ Board of Trustees or Council.

CHAPTER V.

LEGISLATIVE DEPARTMENT.

The Legislature.—The Legislature is composed of two Houses;—

1. The Senate,
2. The House of Representatives.

Members of the Legislature are elected at the same time that State and county officers are elected, for a term of two years. They meet at Lansing, the capital of the State, on the first Wednesday in January of the year immediately following their election. The Legislature meets once every two years, but it may be convened by the Governor on extraordinary occasions. The legislative power of the State is vested in these two Houses.

The Senate is sometimes called the Upper House, and the House of Representatives the Lower.

The Senate.—The Senate consists of thirty-two members. The State is divided into thirty-two senatorial districts, according to the number of inhabitants, and each district elects one Senator. In the formation of districts, no county can be divided, unless it is entitled to two or more Senators. In other words, part of one county and part of another can not be united to form a senatorial district. Thus the county of Lenawee has only one senatorial district, while the county of Wayne has three. Sometimes two or more counties are necessary to form one district. The senatorial districts are numbered, first, second, third, etc.

The House of Representatives.—The House of Representatives consists of one hundred members. Representatives are apportioned among the counties according to population. In some counties there is one representative district, in others from two to four, while some districts include several counties. No township or city can be divided in the formation of districts. Some cities contain a population which entitles them to more than one Representative. Thus Grand Rapids has two, while Detroit has seven.

When a county is entitled to more than one Representative, the division into representative districts is made by the Board of Supervisors.

Members.—Senators and Representatives must be citizens of the United States and legal voters in the district to be represented. If a member, during his term of office, changes his residence from one district to another, he vacates his office. No person holding an office under the United States, or occupying any State or county office, except that of Notary Public, is eligible to a seat in either House. Each Senator and Representative takes an oath to support the Constitution of the United States, and the Constitution of the State of Michigan, and to faithfully discharge the duties of his office.

Powers of the Senate.—The Upper House is expected to be an abler body than the Lower House, and is usually composed of men of greater experience in public affairs. The Senate has power,—

1. To try impeachments.
2. To confirm or reject appointments. Certain appointments are made by the Governor with the advice and consent of the Senate.
3. To originate bills. The Senate has concurrent jurisdiction with the House of Representatives in making laws.

4. To elect a President *pro tempore* and certain other officers. The President *pro tempore* performs the duties of the presiding officer in his absence, and when the Lieutenant Governor acts as Governor.
5. To determine the rules of its proceedings, and to judge of the qualifications, election, and returns of its members.

The officers of the Senate are,—Secretary, Assistant Secretary, Sergeant-at-Arms, Assistant Sergeants-at-Arms, Engrössing and Enrolling Clerk, Assistant Engrössing and Enrolling Clerk, Clerk of the Judiciary Committee, Clerk of Committee on Villages and Cities, Janitors, Keeper of Cloak Room, Governor's Messenger, President's Messenger, Secretary's Messenger, Messengers, Reporters.

Powers of the House of Representatives.—The Lower House is a more numerous body than the Upper House, and it more properly represents the people of the whole State. For this reason it is called the House of Representatives. The House of Representatives has power,—

1. To originate articles of impeachment and present them to the Senate. The Senate acts as a court of impeachment, and the House of Representatives prefers the charges.
2. To originate bills. The House of Representatives has concurrent jurisdiction with the Senate in making laws.
3. To elect a presiding officer called the Speaker, and certain other officers.
4. To determine the rules of its proceedings, and to judge of the qualifications, election, and returns of its members.

1. There are some appointments by the Governor that require the consent of both branches of the Legislature, as, for example, the appointment of Adjutant General.

2. The officers of the House of Representatives are,—Chief Clerk, Corresponding Clerk, Journal Clerk, Engrossing and Enrolling Clerk, Assistant Engrossing and Enrolling Clerk, Clerk of the Judiciary Committee, Clerk of the Committee on Ways and Means, Clerk of Joint Committee on Taxation, Clerk of Committee on Municipal Corporations, Clerk of Committee on State Affairs, Sergeant-at-Arms, Assistant Sergeants-at-Arms, Postmaster, Assistant Postmaster, Keeper of Cloak Room, Speaker's Messenger, Clerk's Messenger, Messengers, Reporters.

Special Privileges of Members.—In order that the business of the Legislature may not be interrupted, the Constitution of the State declares that no Senator or Representative can be arrested during a session of the Legislature, or for fifteen days before the commencement or after the termination of each session, except for treason, or a crime punishable by death or imprisonment, or a violation of the public order. In England it frequently happened that members of Parliament were arrested, so as to prevent the adoption of any measure prejudicial to the interests of the king.

Duties of Some Officers.—The presiding officer of the Senate is the Lieutenant Governor. He is called the President. The presiding officer of the House of Representatives is chosen from among its members. He is called the Speaker. It is the duty of each to preserve order and to see that the business is transacted in the manner prescribed by the rules of each House. The Secretary of the Senate keeps a record of each day's proceedings, preserves and has charge of all papers and bills, and reads them to the Senate. The Clerk of the House of Representatives performs similar duties. The Engrossing and Enrolling Clerks make a true copy of and enroll all bills that are passed. The Sergeants-at-Arms are

required to preserve order, arrest disorderly persons, compel the attendance of absent members, and perform such other like duties as either House may require.

Organization of Each House.—On the day appointed for the assembling of a new Legislature, before any business can be properly transacted, it is necessary that the members of each House should,—

1. Take the oath of office ;
2. Elect officers.

When each member has taken the oath of office, and the Senate and House of Representatives have elected their officers, both Houses are said to be organized and ready for business.

The Clerk of the last House of Representatives calls the House to order, and presides until a Speaker or a Speaker *pro tempore* is elected. A list of members elect is delivered to the Clerk by the Secretary of State.

Message.—When the two Houses are organized and ready for business, the Governor presents his message. This is read at a joint meeting of both Houses, the Senate meeting with the Lower House in the Hall of Representatives. The Governor in his message gives information to the Legislature of the condition of the State, calls their attention to matters of State interest, and recommends such measures as he deems expedient.

The President of the Senate is the presiding officer of both Houses, when they meet in joint convention.

Standing Committees.—In each House, soon after its organization, about forty-two standing committees are appointed. Standing committee is another name for permanent committee. In the Senate these committees are appointed by the Presi-

dent, and in the House of Representatives by the Speaker. In these committees, a great part of the business of the Legislature is transacted. When a subject is presented to either House, it is first referred to some standing committee, and after it has been properly considered, it is reported back to the House in one of three ways:—

1. Without recommendation ;
2. With amendments ;
3. With the recommendation that it be passed.

If a bill is reported back without recommendation, it is seldom passed. It would be impossible for the Legislature to transact all the business brought before it, unless the subjects presented were first considered by appropriate committees. In this way a number of measures can be examined at one time. When a particular matter is presented that can not properly be referred to one of the standing committees, a special committee is appointed to consider it.

Standing Committees in the Senate.—Appropriations and Finances, Judiciary, Federal Relations, State Affairs, University, Agricultural College, State Normal School, State Public School, Education and Public Schools, State Reform School, Banks and Incorporations, Railroads, Cities and Villages, Public Lands, Counties and Townships, etc.

Committees in the House.—Ways and Means, State Affairs, Judiciary, Private Corporations, Municipal Corporations, Internal Improvements, Towns and Counties, University, Education, Railroads, State Prison, Eastern Asylum for the Insane, Geological Survey, etc.

Quorum.—A majority of each House constitutes a quorum for the transaction of business, but a smaller number may adjourn from day to day and compel the attendance of absent members.

How Subjects are Presented to the Legislature.—Subjects for the consideration of the Legislature are presented in three ways:—

1. By the Governor ;
2. By petitions from the people ;
3. By a bill presented by a member of the Legislature.

Passing of Bills.—Supposing that a bill relating to the University is presented by a member of the House of Representatives. It is first referred to the committee on the University, who examine the bill, and return it either without recommendation, or with amendments, or with the recommendation that it be passed. After the bill is reported back to the House, it must be read three times by the Clerk to the House before the final vote. The bill may be amended, or sent back to the committee for modification, or defeated. When the final vote is taken, it must be by yeas and nays, and the result entered on the journal of the House. No bill can be passed without receiving the votes of a majority of all the members elected, and the assent of two-thirds is required for every bill appropriating public money for local or private purposes. After the bill has passed the House, it is sent to the Senate, where a similar course is pursued, the sanction of both Houses being necessary. If it passes both Houses, it is sent to the Governor to receive his signature, and if he signs it, the bill becomes law. If the Governor does not approve of the bill, he returns it, with his objections, to the House of Representatives. When a bill is not approved, it is returned to the House where it originated. This is called vetoing a bill. After the Governor has vetoed a bill, it may still be passed by receiving a two-thirds vote in each House, and it becomes law without his consent.

1. Any bill may originate in either House. In Congress revenue bills must originate in the House of Representatives.

2. Printed copies of all bills are placed on the desks of members. It is the custom for the Secretary or Clerk to read only the title of each bill on the first and second readings, but on the third reading the entire bill is read. The second and third readings must be on different days. Amendments are offered after the second reading.

Acts.—When a subject is reported to the Legislature by a committee, it is usually in the form of what is called a bill. When a bill is passed by both Houses, and is signed by the Governor, it is called an act, and becomes a law of the State. A bill becomes a law,—

1. By receiving a majority vote in each House, and the signature of the Governor ;
2. By receiving a two-thirds vote in each House, without the signature of the Governor ;
3. By not being returned by the Governor to the House from which it originated within ten days, Sundays excepted, after it has been presented to him.

After the Legislature has adjourned, no bill can become law unless it is signed by the Governor. Acts take effect ninety days after the adjournment of the Legislature, unless the members of each House by a two-thirds vote direct otherwise. At the close of each session, the Secretary of State is required to see that the acts passed during the session are printed and bound, and distributed to the proper officers throughout the State.

No new bill can be introduced into either House after the first fifty days of a session have expired.

Remark.—The framers of the Constitution of the State have wisely provided that the Legislature should consist of

two Houses, and that each House should act as a check on the other, and thus prevent too hasty legislation. Not only do the Houses mutually act as a check upon each other, but also the Governor can return a bill to the Legislature to be reconsidered, and, by refusing to sign it, necessitate a two-thirds vote in order that it may become law. One of the great evils of modern legislation is that laws are frequently made without due consideration, and a considerable portion of the time of one Legislature is occupied in amending or undoing what a preceding Legislature has done.

Other Legislative Bodies.—The State Legislature has the power to confer local powers of legislation upon counties, cities, villages, and townships. The legislative body of a county is the Board of Supervisors; of a city, the Common Council; of a village, the Board of Trustees or Village Council; of a township, the township meeting.

Impeachment.—When a State officer or a Circuit or a Probate Judge has been guilty of corrupt conduct in office or of crime, he may be brought to trial before the Senate by the House of Representatives. This is called the impeachment of a public officer. The House appoints a committee to prepare articles of impeachment and to conduct the prosecution. The Senate, as a court, determines the guilt or innocence of the person accused. If the person impeached is convicted by a two-thirds majority of all the Senators, he is removed from office. A public officer, thus removed, is also liable to be tried in one of the courts and punished according to law. The Senate only removes from office; a court of law may afterwards inflict punishment.

1. The Governor may remove for misconduct and neglect of duty any county officer, except Circuit Judge, Judge of Probate, and County

Clerk, and also any Justice of the Peace and township officer. The Circuit Judge and the Circuit Court Commissioner have authority to remove the County Clerk for incompetence, misconduct, or neglect of duty.

2. The Governor has the power, when the Legislature is not in session, of removing, "for gross neglect of duty or for corrupt conduct in office," any State officer, except legislative and judicial, whether elected or appointed, and of appointing a successor for the remainder of the unexpired term of office.

LEGISLATIVE BODIES.

STATE.	{ Senate, House of Representatives.
COUNTY.	{ Board of Supervisors.
CITY.	{ Common Council.
VILLAGE.	{ Board of Trustees, or Council.
TOWNSHIP.	{ Township Meeting.

CHAPTER VI.

JUDICIAL DEPARTMENT.

Judicial Department.—The legislative department makes laws and affixes penalties for their violation ; the judicial department applies these laws to individual cases, interprets them, and imposes the penalties affixed for their violation. Laws made by the Legislature have for their object the “establishment of rights and the prohibition of wrongs,” and it is the duty of the judicial department to see to it that individuals are protected in the enjoyment of these rights and that wrongs are redressed. Various tribunals are established for the administration of justice. These are called courts.

Courts.—The judicial power is vested in the following courts :—

1. A Supreme Court,
2. Circuit Courts,
3. Probate Courts,
4. Justices' Courts,
5. Municipal Courts.

Some of these courts have limited powers, others have more extensive jurisdiction. Each court has a separate organization, each has well defined jurisdiction and powers, and each has fixed times and place for the transaction of business. All these courts have power to summon witnesses, to administer oaths, issue writs, and punish for contempt of court.

Each court has also its proper officers to aid it in the performance of its duties.

Definitions.—In order to properly understand the powers and duties of the various courts, it is necessary to have a clear understanding of what is meant by a civil or criminal action, and original or appellate jurisdiction.

Civil or Criminal Action.—A civil action has for its object the enforcement of the payment of a debt, or the payment of money as a compensation for an injury; a criminal action, the punishment of a person accused of having committed some crime.

Jurisdiction.—A matter is said to be within the jurisdiction of a court, when it is within the limits of its authority, and it has the power to hear and determine the case. A court is said to have original jurisdiction, when it has the authority to take the first steps in a suit, in other words, when a suit may commence there; and appellate jurisdiction, when it has the power to hear and determine cases that are appealed from the judgment of an inferior court.

Justices' Courts.—In order that justice may be administered in the most convenient and expeditious manner, inferior courts, called Justices' Courts, are established in every township and city of the State. In these courts, persons accused of petty theft, drunkenness, breach of the peace, and various other minor offenses, are tried. Any criminal action, when the penalty is a short imprisonment or a small fine, and any civil action, when the debt or damages do not exceed one hundred dollars, must be brought before a Justice's Court. After a case has been tried in a Justice's Court, it may be appealed to a Circuit Court for a new trial. This is done when one of the parties in a suit is dissatisfied with the decision of a Justice's Court.

Justices of the Peace.—Justices of the Peace are elected for a term of four years. They issue writs and warrants, administer oaths, and have jurisdiction in offenses of minor importance. Usually four Justices of the Peace are elected in each township and city, one being elected each year.

A written instrument, issued by a court, commanding a person to do something therein mentioned, is called a writ. A writ issued by a Justice of the Peace, directing a Constable to arrest and bring before the court a person accused of having committed some offence, is called a warrant.

Constables.—Constables are obliged to obey all lawful orders of Justices of the Peace, Sheriffs, and Coroners. Their duties in a Justice's Court correspond, in a great measure, to the duties of a Sheriff in a Circuit Court. They serve the writs and orders of the court, and have the custody of prisoners. They attend upon the sessions of the Circuit Court, when notified to do so by the Sheriff.

Municipal Courts.—In large cities like Detroit, other courts are established in addition to the usual courts of justice. These are called municipal courts. As cities increase in size and in population, there are greater opportunities for the commission of crime, and the dangerous classes naturally gravitate toward them, so that the frequency and variety of the offenses committed, demand the establishment of additional courts. Municipal courts are established by special act of the Legislature.

Detroit Courts.—In the city of Detroit, the following courts have jurisdiction of offenses committed within the limits of the city:—

1. Superior Court,
2. Recorder's Court,
3. Police Court,
4. Justice's Court.

The Superior Court has jurisdiction in civil cases, and the Recorder's Court in criminal cases, the same classes of actions being tried in these courts that are tried in a Circuit Court. The Police Court has the same jurisdiction in criminal matters, but not civil, that a Justice's Court has. It has, however, somewhat more extensive powers. Both the Superior and Recorder's Court have original jurisdiction only. A case can not be appealed from the Police Court or from a Justice's Court to either of them. The terms of the Circuit Court for the county of Wayne are held in Detroit.

Circuit Courts.—Circuit Courts have jurisdiction in grave offenses, whether civil or criminal. Offenses involving large sums of money, and crimes punishable by heavy fines or long imprisonment, are tried before these courts. Cases tried in an inferior court, that is, a Justice's Court, may be carried to a Circuit Court for a second trial. Circuit Courts, therefore, have original jurisdiction in all matters which are beyond the jurisdiction of an inferior Court, and appellate jurisdiction in matters appealed from a lower court. They also exercise a general control over inferior courts.

Judicial Circuits.—The State is divided into twenty-four judicial circuits, in each of which a Circuit Judge is elected for six years. A circuit generally has within its limits two or more counties, and it is the duty of the Circuit Judge to hold at least two terms of the Court in each county annually.

In counties containing seven thousand inhabitants, not less than three terms in each year are held; in counties containing ten thousand inhabitants, four terms are required to be held annually.

Officers.—The officers of a Circuit Court are,—

1. Judge,
2. Circuit Court Commissioner,

3. Clerk,
4. Stenographer,
5. Prosecuting Attorney,
6. Sheriff, under sheriff, deputies,
7. Attorneys.

Judge.—The Circuit Judge presides at all sessions of the Circuit Court. He is the interpreter of the law. It is his duty to declare what the law is, and to impose penalties for its violation.

Circuit Court Commissioners.—Circuit Court Commissioners are authorized to perform all the duties and execute all the powers, in all civil cases, which a Circuit Judge may perform and execute out of court, subject, however, to certain limitations. They may, in other words, perform many of the duties that a Circuit Judge would be obliged to perform, if it were not for their assistance.

Testimony in a chancery suit may be taken by a Circuit Court Commissioner, and injunctions may also be granted by this officer.

Clerk.—The County Clerk is clerk of the Circuit Court. It is his duty to keep a journal of the proceedings of the court, preserve all books and papers belonging to the office, and administer oaths to witnesses and jurors.

Stenographer.—A Stenographer is one who is skilled in the art of writing in short-hand. Stenographers are appointed by the Governor on the application of the Circuit Judge, sanctioned by the Board of Supervisors. It is the duty of this officer to attend all sessions of the court, and take full reports of the testimony of witnesses and of all proceedings connected with the trial of every case.

The compensation of the Stenographer is determined by the Board of Supervisors. In Wayne county, the salary is two thousand dollars per annum.

Prosecuting Attorney.—The Prosecuting Attorney represents the county in all suits in which the county is interested or a party. It is his principal duty to prosecute, either in the Circuit Court or in a Justice's Court, all persons who have committed any crime within the county.

Sheriff.—The Sheriff attends all sessions of the Circuit Court when held in the county, preserves order in the court room, proclaims the opening and adjourning of the court, summons jurors and witnesses, has charge of prisoners and juries, carries out sentences of the court, and executes and serves all writs and orders of the court. He is aided in the performance of his duties by the under sheriff and deputies, and by constables.

When the Sheriff is an interested party in a suit, the Coroners perform his duties. If there is no Sheriff or under sheriff, one of the Coroners is designated by the Circuit Judge to perform the duties of Sheriff.

Attorneys.—An Attorney is one who is appointed by another to act in his place and transact any business for him. An Attorney at Law acts for another in a suit at law, he is an officer of a court of law, a lawyer, and is legally qualified to prosecute and defend all actions. Persons are licensed to practice in the several courts of the State,—

1. By the Supreme Court ;
2. By the Circuit Court.

All applicants are first examined, and if, on examination, they are found to possess sufficient legal ability to discharge the duties of an Attorney, they are admitted to practice in the courts of the State. When an applicant is a graduate of the law school of the University, he is admitted to practice without an examination.

1. The law requires that all applicants shall be of good moral character, and shall have arrived at the age of twenty-one.

2. It is the usual practice for the Judge of the Circuit Court to appoint a committee of three or more experienced lawyers, who examine the applicant in open court.

Probate Court.—A Probate Court is a court for the proving of wills. It has authority to determine whether a writing “purporting to be the last will of a person deceased is indeed his lawful act.” When a person dies, the Judge of Probate appoints a day for the proving of the will, and if it is clearly proven that the deceased was of sound mind when the will was made, and that it was executed according to law, the judge takes the proper measures for the carrying out of the will. A Probate Court has “original jurisdiction in all matters relating to the settlement of the estates of deceased persons.” It has the power to appoint guardians for minors, and to exercise general control over their estates. It may also appoint persons to settle the estates of those who die without making a will. A Probate Judge is elected in each county for a term of four years.

1. Probate comes from a Latin word, *probare*, which means to prove.

2. The proceedings in a Probate Court may be appealed to a Circuit Court.

A Will.—A will is a written declaration of the manner in which a person wishes his property to be disposed of after his death. It must be signed by the person who makes it, and by at least two competent witnesses.

Executor.—An executor is a person named in a will to see that it is carried into effect, and that the property is disposed of according to the direction of the person by whom the will is made.

Administrator.—If a person dies without making a will,

some one is appointed by the Judge of Probate to settle the estate, that is, pay what debts are due on the estate, and divide what remains among the legal heirs. The person thus appointed is called an administrator. If the person named as executor in a will dies, or is unable, for any reason, to act, the Judge has the power to appoint an administrator.

Codicil.—When an addition is made to a will, explaining its meaning or changing it in any way, it is called a codicil.

Supreme Court.—The Supreme Court is the highest judicial court in the State. It has a superintending control over all inferior courts, and it corrects all errors on questions of law referred to it by the Circuit Courts. When any party in a suit is dissatisfied with the ruling of a Circuit Judge on some law point, the decision of the Judge may be appealed to the Supreme Court, where it is reviewed and either corrected or sustained. In this way, greater uniformity is secured, in the administration of justice, in the various courts of the State.

1. The Supreme Court has power to prevent and correct abuses in the administration of justice in the various courts, and to discharge any person from custody who is unlawfully deprived of his liberty.

2. Four terms of the Supreme Court are annually held at the capital. They commence on the Tuesday after the first Monday in January, April, June, and October and are called the January, April, June, and October terms of the court.

Officers.—The officers of the Supreme Court are,—

1. Judges,
2. Clerk,
3. Reporter,
4. Attorney General,
5. Crier,
6. Sheriff,
7. Attorneys.

Judges.—The Supreme Court consists of one Chief Justice and three Associate Judges. Their term of office is eight years, one being elected every two years. The Judge whose term of office first expires, or, in other words, who has served as judge six years, becomes Chief Justice.

1. When there is a vacancy in the office of Judge of the Supreme Court, it is filled by appointment of the Governor, until a successor is duly elected.

2. The annual salary of each Judge is four thousand dollars.

Clerk.—When the Supreme Court was first organized, its terms were annually held in four different places in the State; afterwards they were held in two, Lansing and Detroit; and finally in one, Lansing. The Constitution then required that the County Clerk should be the clerk of the Supreme Court when it was held within the county, so that the Clerk of Ingham county, in which the city of Lansing is situated, was the clerk of the court. The Constitution has since been so amended that the Supreme Court now appoints its own clerk. It is his duty to keep a record of the proceedings of the court, administer oaths, and have the care of all seals, books, and papers belonging to his office. He performs such other duties as are required of him by the court.

Reporter.—A Reporter is appointed by the court to attend all its sessions, and to prepare for publication its decisions, together with a brief statement of each case, and of the arguments of the counsel, when such a statement is necessary for a proper understanding of the decision. The decisions of the Supreme Court are printed and bound in volumes.

1. The Judges deliver to the Reporter full notes of their decisions.

2. The Reporter receives an annual salary of fifteen hundred dollars, and his expenses while attending the sessions of the court, also not to exceed six hundred dollars for clerk hire.

Attorney General.—The Attorney General is required to

prosecute and defend all actions in the Supreme Court in which the State is interested or a party. He is the Attorney for the State.

Crier.—The Crier attends all sessions of the court and proclaims the opening and adjourning of the court. In a Circuit Court, this duty is performed by the Sheriff or one of his deputies. The Crier may also serve writs and orders, when so directed by the court.

The Crier receives two dollars a day while attending the sessions of the court, and when he serves writs and orders, he receives the same fees as the Sheriff.

Sheriff.—It is the duty of the Sheriff of the county where any term of the Supreme Court is held, to attend the court during its sessions, and either in person or by the under sheriff and deputies serve, when required, all writs and orders issued by the court. The Sheriff of Ingham county is now the Sheriff of the Supreme Court.

The Sheriff summons one or two Constables of his county to attend the sittings of the court.

Juries.—Juries are of two kinds:—

1. Grand juries,
2. Petit juries.

A petit jury in a Justice's Court consists of six persons; in higher courts, of twelve persons. A grand jury consists of not less than sixteen persons, and generally of not more than twenty-three.

Grand Jury.—A grand jury is summoned for the purpose of deciding whether there is sufficient evidence against a person accused of crime to warrant his prosecution. The jury hears the accusation, listens to the testimony of witnesses against the person accused, and decides whether the accusation

is sustained by the evidence. If at least twelve of the grand jurors believe that there is sufficient ground for a trial, a written accusation is presented to the court, called an indictment. The accused is then arrested and held for trial. In this State a grand jury is very seldom summoned. The usual practice is for a complaint to be made before a Justice of the Peace that a crime has been committed. The accused is then arrested, and if it is shown on examination that he is probably guilty, he is bound over to the Circuit Court for trial.

1. The grand jury elects a foreman, who acts as president, and a clerk. The Prosecuting Attorney meets with them to examine witnesses in the presence of the jury, and to give advice concerning points of law.

2. The principal objection to a grand jury is that it meets in secret, and it expresses its belief that a person is guilty of crime, without giving the accused a hearing. Subsequent acquittal does not always remove the unfavorable impression produced by twelve men, under oath, pronouncing a person to be a criminal. On the other hand, a grand jury acts as a check upon the Prosecuting Attorney, and prevents him from unjustly prosecuting innocent persons for the supposed commission of crime.

Petit Jury.—A petit jury is a body of men selected for the purpose of deciding some controversy, or of determining the guilt or innocence of a person accused of crime. A grand jury decides whether the evidence against a person warrants his trial; a petit jury decides whether the accused is guilty or innocent of the crime alleged. The first only examines witnesses for the prosecution; the second hears the testimony both for the prosecution and for the defense. A petit jury must unanimously agree on the guilt of a person, before sentence can be passed upon him. After an accused person has been acquitted, he can not be tried again on the same charge.

Drawing of Jurors.—Lists of persons, competent to act as jurors, are prepared by the proper officers in each township

and ward in the county, and sent to the County Clerk. The names contained in these lists are written on separate slips of paper, and arranged in packages. A few days before the opening of the Circuit Court, the Clerk of the county, in a manner prescribed by law, draws the required number of petit jurors, and, if the court so orders, the names of twenty-three persons to act as grand jurors. The Sheriff summons those whose names are drawn to attend court. If a person duly summoned, is not present at the court on the day specified in the summons, he is subject to a fine of twenty dollars for each day that he neglects to attend, unless he can show reasonable cause for his non-attendance.

1. Jurors in a Justice's Court receive one dollar per day; in a Circuit Court, two dollars per day.

2. The Supervisor and Clerk of each township prepare a list of persons within their township to act as jurors. The whole number selected in a county must not be less than one hundred and not exceed four hundred, one-half being designated as petit jurors and the other half as grand jurors.

3. State officers, judges, clerks of courts, registers of deeds, sheriffs and their deputies, coroners, constables, all officers of the United States, attorneys, officers of the University and of colleges, ministers, teachers, superintendents, engineers, collectors of canals and railroads, ferry-men, firemen, all persons more than sixty years of age, are exempt from serving as jurors. The court may excuse a person from serving as a juror, when the interests of the public or of the juror require his absence.

Notaries Public.—Notaries Public are appointed by the Governor with the advice and consent of the Senate. Their term of office is four years. They are authorized to administer oaths, to take sworn statements in writing, called affidavits, to take the proof and acknowledgment of deeds, mortgages, and other legal instruments, and to perform various other duties connected with commercial paper.

By commercial paper is meant notes, bills of exchange, and the like.

COURTS AND OFFICERS OF COURTS.

SUPREME COURT. STATE.	{ Judges, Clerk, Reporter, Attorney General, Crier, Sheriff, { Under Sheriff, Deputies, Attorneys.
CIRCUIT COURT. DISTRICT.	{ Judge, Circuit Court Commissioners, Clerk, Stenographers, Prosecuting Attorney, Sheriff, { Under Sheriff, Deputies, Attorneys.
PROBATE COURT. COUNTY.	{ Judge, Register.
JUSTICE'S COURT. TOWNSHIP, CITY.	{ Justice of the Peace, Constables.

MUNICIPAL COURTS. DETROIT.	{ Superior Court, Recorder's Court, Police Court, Justices' Court.
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JURIES.	{ Grand Jury, Petit Jury.
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Notaries Public.

The Board of Supervisors of any county may, by a two-thirds vote, authorize the Probate Judge to appoint a Probate Register. The Register has power to receive petitions, fix the time of hearing, administer oaths, and perform all acts required by the Probate Judge, except judicial acts. The salary of this officer is fixed by the Board of Supervisors.

CHAPTER VII.

ELECTIONS.

Elections.—Elections are held at specified times, under the direction of officers designated by law, for the purpose of choosing State, district, county, township, city, and village officers. The purity of the ballot-box is essential to the maintenance of free institutions, and the State, recognizing this fact, has made provision for a full and free expression of the will of the people, described minutely the duties and powers of those having charge of elections, enacted laws to preserve the purity of elections, and affixed severe penalties for their violation.

Officers Elected.—The various officers elected in the State, district, county, township, city, and village, may be classified as follows:—

1. State executive officers ;
2. Members of the State Legislature and Representatives in Congress ;
3. Judges of the Supreme and Circuit Courts ;
4. County officers ;
5. Township and city officers ;
6. Village officers.

Time of Election.—The law provides for three regular elections:—

1. A general election in November ;
2. An April election ;
3. A March election.

These elections are sometimes designated as the fall and spring elections.

Special elections to fill vacancies may be held at other times.

General Election.—The general election occurs on the Tuesday following the first Monday in November of every even year. At this time are elected,—

1. State executive officers ;
2. Members of the State Legislature and Representatives in Congress ;
3. County officers.

These officers are elected for two years, with the exception of the Probate Judge, who is elected for four years.

1. It would not be possible to select a certain date, as, for example, the twelfth of November, for the reason that Sunday sometimes comes on that day.

2. At the same time that the above officers are elected, a member of the State Board of Education is also elected.

April Election.—This election occurs every year, on the first Monday in April. At this time are elected,—

1. Judges of the Supreme and Circuit Courts ;
2. Township and city officers.

Judges of the Supreme Court are elected for eight years, one being elected every two years ; Judges of the Circuit Court,

for six years; township and city officers, for one year, except Justices of the Peace, elected for four years, and Drain Commissioner, for two.

1. In Detroit, city officers are elected on the first Monday in November of every odd year.

2. Two Regents of the University are elected every two years at the April election.

March Election.—On the second Monday in March of each year usually occurs the election of village officers. The term of office of village and city officers is the same.

Qualified Voters.—No person is allowed to vote until he is twenty-one years of age. Every voter must be a citizen of the United States, and must have resided in the State three months and in the township or ward ten days preceding the election. Male citizens having these qualifications are said to be qualified voters.

Any person engaging in a duel, either as principal or accessory, is disqualified, by the Constitution of the State, from holding office or from voting at any election.

Special Privileges of Voters.—Voters, while going to and returning from the polls, are privileged from arrest, except for treason, or a crime punishable by death or imprisonment, or the violation of the public peace. On election days, they are also exempt from military duty, except in time of war or public danger, and they are not obliged to attend court as suitors or witnesses.

Certain Limitations.—Paupers, insane persons, and idiots are not allowed to vote, since they are dependent upon others for their support and protection, and are not capable of acting for themselves. They occupy about the same relation to the State that persons under-age do. Criminals forfeit the right of suffrage during their imprisonment.

Boards.—Certain Boards are designated by law to superintend the registration of voters, and to receive and canvass the votes cast for the various officers. These are,—

1. Boards of Registration,
2. Inspectors of Election,
3. County Canvassers,
4. District Canvassers,
5. State Canvassers.

The Boards of Registration prepare lists of all legal voters; the Inspectors of Election receive votes and prepare statements of the result; the County Canvassers decide what county officers are elected; District Canvassers determine the result in the representative and senatorial districts; the State Canvassers decide what State officers are elected.

Registration.—Every voter is required by law to have his name properly registered in the election district in which he resides, before he is permitted to vote. Previous to an election, the proper officers meet to record the names of all qualified voters who present themselves for registration.

In townships and villages, the time designated by law for registration is the Saturday before an election; in cities, the Saturday before a general election and the day before a charter election, and on such other days, not to exceed three, as the Common Council may appoint. Public notice is always given of the time when persons may register.

Boards of Registration.—In the cities, the Board of Registration consists of the Aldermen, two of whom sit in each ward; in villages, two Trustees appointed each year by the Village Council, and the Clerk; in townships, the Supervisor, Treasurer, and Clerk. These Boards meet at the appointed time to record additional names and to correct the registration lists. These lists are afterwards delivered to the Inspectors of

Election, and they permit only those to vote whose names appear in the lists. In this way, illegal voting is rendered difficult, and the delay that would otherwise be occasioned on election day, in ascertaining the qualifications of voters, is avoided.

A person may be registered on election day by the Inspectors, and allowed to vote, on declaring, under oath, that he is a legal voter, and that sickness, or absence from town on business, prevented him from registering on the regular day.

Inspectors of Election.—In each township, the Supervisor, the Justice of the Peace whose term of office first expires, and the Clerk, constitute the Board of Inspectors; in each ward, the Supervisor and the two Aldermen; in a village, the President, one Trustee, and the Clerk, or three Trustees. The Supervisor is chairman of the Board of Inspectors in a township or ward. In a village, the President is chairman of the Board.

Provision is made by law for the division of a township or village into two or more election districts.

Duties of the Board.—The Inspectors of Election receive the ballots of those who are legally qualified to vote, and deposit them in a ballot-box prepared for that purpose. Each ballot is delivered folded to one of the Inspectors, in the presence of the Board. No ballot can be opened by an Inspector until the close of the polls. The Board have full power to maintain order, and they may commit to the county jail, for a period of not to exceed twenty days, any person guilty of disturbance. The Inspectors of Election see to it that the voting is peaceably and properly done.

1. The polls are opened at eight o'clock in the morning, and are closed at five in the afternoon.

2. Poll is a Saxon word meaning the head. It afterwards came to mean a register of heads, and finally a place where an election is held. Ballot is a French word meaning a little ball. Balls of different color were sometimes used in voting, one color signifying the affirmative, the other the negative. The word now means a written or printed ticket used in voting.

3. The Inspectors, or any voter, may challenge the qualifications of any person desiring to vote, and unless the challenge is withdrawn, the voter is obliged to take an oath that he is qualified to vote.

Clerks.—The Township Clerk acts as clerk of the Township Board of Inspectors, together with some other person selected by the Board ; in the ward, the Supervisor and the two Aldermen select two clerks. To each of the clerks is given a complete list of all legal voters, as determined by the Board of Registration, and as the name of each person presenting his vote is called by one of the Inspectors, the clerks consult the registration lists to see whether the name appears there.

Counting the Votes.—When the polls are closed, the Inspectors proceed to count the votes, while the clerks keep a record of the number of votes cast for each candidate. If the election is a township election, the Inspectors determine who is elected, and publicly declare the result. If, however, State, county, or district officers are to be elected, a statement of the number of votes given for each person voted for, is prepared and sent to the County and District Canvassers.

1. The votes for city officers are canvassed by the Common Council.

2. In addition to the statement sent to the County and District Boards of Canvassers, a similar statement is preserved by the Clerk of the township or city to guard against accident or fraud.

3. If when counting the ballots, two are found folded together, both are destroyed. If the ballots are found to exceed the number of registered voters, they are replaced in the box, and one of the Inspectors publicly draws out and destroys enough ballots unopened to equal the number in excess. The counting of votes must always be public.

County Canvassers.—As there is a local Board in each township to decide what township officers are elected, so it is also necessary that there should be a Board in each county to determine what county officers are elected. The Inspectors of each election district select one of their number to serve on the County Board of Canvassers. To the Inspector thus selected is intrusted the statement prepared by the Board of Inspectors, to be by him delivered to the County Clerk, who is the secretary of the County Canvassers.

The County Canvassers meet on the Tuesday following the general election, and on the second Tuesday succeeding the April election.

Duties of the Board.—The several Inspectors appointed to attend the county canvass constitute the County Board of Canvassers. They select one of their number as chairman, the County Clerk being secretary. They then examine the statements sent by the Boards of Inspectors, and ascertain the number of votes given within the county for State and county officers. They determine what county officers are elected, and prepare statements of the number of votes received by each candidate for a State office. One of these statements is sent to the Secretary of State.

1. The County Canvassers also canvass the votes given for Judges of the Circuit Courts and Representatives in Congress, and they send statements of the result to the State Board of Canvassers.

2. In addition to the statement sent to the Secretary of State, statements are also sent to the Governor and State Treasurer, so as to guard against accident or fraud.

3. When two candidates for a county office, or a seat in the Legislature, receive an equal number of votes, they draw lots for the office, in the presence of the County Clerk. If, however, the office is that of County Clerk, the drawing takes place before the Sheriff.

District Canvassers.—When a county is divided into two

or more senatorial or representative districts, the Inspectors of Election representing the townships and wards in each district, together with the County Clerk or his deputy, constitute the Board of District Canvassers. They meet soon after the county canvass, and determine who are elected in their respective districts.

1. When the county constitutes one senatorial or representative district, the County Board of Canvassers decide who is elected.

2. When a senatorial or representative district is greater than the limits of a single county, there is a Board of Canvassers composed of the Clerks of the several counties within the district, together with the Judge of Probate, and the Sheriff of the county, in which the meeting of the Board is held.

State Canvassers.—The Secretary of State, the State Treasurer, and the Commissioner of the Land Office, constitute the State Board of Canvassers. They examine the statements sent to them by the County Canvassers, and determine what State officers are elected.

1. In addition to canvassing the votes for State officers, the State Canvassers determine who is elected in each congressional and judicial district.

2. If after the votes are canvassed by the Board of State Canvassers, two candidates for any office have received an equal number of votes, the Legislature, in joint session, choose one of them to fill the office. If the determination of the State Canvassers is contested, the Legislature decide what person is elected.

OFFICERS.	WHEN ELECTED.	TERM OF OFFICE.
STATE EXECUTIVE OFFICERS.	General Election.	Two Years.
STATE LEGISLATURE.	General Election.	Two Years.
JUDGES OF THE SUPREME AND CIRCUIT COURTS.	April Election.	Eight Years. Six Years.
COUNTY OFFICERS. PROBATE JUDGE.	General Election.	Two Years. Four Years.
TOWNSHIP & CITY OFFICERS. JUSTICES OF THE PEACE. DRAIN COMMISSIONER. SCHOOL INSPECTORS.	April Election.	One Year. Four Years. Two Years. Two Years.
VILLAGE OFFICERS.	March Election.	One Year.

1. The General election occurs on the Tuesday following the first Monday in November of every even year; the April election, on the first Monday in April of each year; the March election, on the second Monday in March of each year.

2. Probate Judges are elected every four years, commencing with the year 1852; one Judge of the Supreme Court and two Regents of the University, every two years, commencing with the year 1858; Judges of the Circuit Courts, every six years, commencing with the year 1851.

ELECTION OFFICERS.

BOARDS OF REGISTRATION.	{	Ward.	{ Aldermen.
	{	Village.	{ Two Trustees, Village Clerk.
	{	Township.	{ Supervisor, Treasurer, Township Clerk.

INSPECTORS OF ELECTION.	{	Ward.	{ Supervisor, Aldermen.
	{	Village.	{ President, One Trustee, Village Clerk.
	{	Township.	{ Supervisor, Justice of the Peace, Township Clerk.

CANVASSERS.	{	County.	{ One Inspector from each election district.
	{	District.	{ One Inspector from each election district, County Clerk or his deputy.
	{	State.	{ Secretary of State, State Treasurer, Commissioner of Land Office.

1. In elections, the persons receiving the greatest number of votes are declared elected.

2. Severe penalties are enacted for the punishment of bribery, tampering with ballots or ballot-boxes, illegal voting, selling and giving away liquor on election day, and all other means that have for their object the prevention of a full and free expression of the popular will.

CHAPTER VIII.

TAXATION.

Taxation.—To make laws, to execute and enforce them, and to administer justice, necessitate the expenditure of money. Also the erection of public buildings, for State, county, and city purposes, the construction of roads and bridges, the support of schools, and the maintenance of works of public utility, require a considerable outlay of money annually. The money needed for these purposes is raised by taxation. Each person owning property is obliged to contribute a certain amount each year to defray the annual expenses of the State, and of the county, township, city, or village in which he resides.

Duty of the Citizen.—If the government protects the citizen in the enjoyment of his property, and secures to him the rights of citizenship, he is certainly under obligation to maintain and support it. If he is not obliged to spend his time in defending himself and in protecting his property, it is but reasonable to expect him to contribute to the support of the government, which expends both time and money in protecting his life and property.

Property Subject to Taxation.—All real estate and personal property are subject to taxation. By real estate is meant lands, buildings, and fixtures; by personal property is meant goods, furniture, money at interest, stocks, bank shares, vessels, etc. Real estate refers to anything that is fixed or permanent; personal property includes what is movable.

1. Money at interest due a person, more than he pays interest for, is subject to taxation. Debts due a person, more than his indebtedness, are taxable.

2. The property of corporations is taxed like that of private individuals. Partners may be taxed jointly.

3. Although a person may have mortgaged his property, he is nevertheless required to pay taxes as though he was in full possession of his estate.

Property Exempt from Taxation.—Certain property is not subject to taxation. This includes,—

1. All property belonging to the United States, the State, county, township, village, or city.

2. The property of all library, benevolent, charitable, and scientific institutions.

3. All property of religious societies ; as, churches, parsonages, burial grounds.

4. The property of persons, who, by reason of infirmity, age, or poverty, are, in the opinion of the Supervisor, unable to pay taxes.

5. A certain portion of the property of each individual.

1. National bonds are not taxed.

2. Household furniture and utensils not exceeding in value two hundred dollars ; all wearing apparel ; one hundred and fifty dollars worth of library or school books ; all family pictures ; musical instruments, not exceeding in value one hundred and fifty dollars, and other personal property owned and used by any householder in connection with his house or business, of the value of two hundred dollars, are exempted from taxation

Statement of Taxable Property.—Each person is required to make a statement to the Supervisor of all real and personal property in his possession that is subject to taxation. It is the duty of the Supervisor to furnish all persons within his town-

ship or ward with a blank form, containing a list of all property subject to taxation, to be filled out and returned to him.

Although the law requires the Supervisor to furnish each person with a blank form, to be filled out with a correct description of his property and returned to him, this is not usually done. The Supervisor usually goes through his township or ward, and makes a list of property owners, together with the value of their property.

Assessment of Property.—When the Supervisor has received these statements, he estimates the value of the property of each person, for the purpose of taxation. This valuation of property by the Supervisor is called an assessment. An assessment roll is a list of persons subject to taxation, together with the estimated value of the property of each.

The law requires that property shall be estimated at its cash value.

Review of Assessment Roll.—On certain days specified by law, the Supervisor is required to be present at his office for the purpose of reviewing his assessment roll. If any person is dissatisfied with the estimated valuation of his property, and can show sufficient reason why it is too high, it is the duty of the Supervisor to alter the assessment.

The days appointed for this purpose are the third Monday in May and the two following days.

Equalization of Taxes.—The Board of Supervisors, at their annual meeting, examine the assessment roll of each township, and ascertain whether there has been an equal and uniform valuation of the real estate of the several townships. If it is evident that the property in some townships is assessed too high, and in others it is too low, the Board add to or deduct from the valuation, until in their judgment the assessment in each township, village, and ward is relatively equal.

The annual meeting occurs on the second Monday in October of each year.

Apportionment of Taxes.—After examining and equalizing the assessment rolls, the Board then apportion the taxes among the several townships in the county. By apportioning the taxes is meant the assigning to each township its just proportion of the money to be raised by taxation. Every township not only pays a township tax, but it also contributes its share of the State and county tax. It is therefore necessary for the Board,—

1. To ascertain the township tax ;
2. To determine the county tax ;
3. To ascertain the State tax.

Township Tax.—The Township Clerk furnishes the Supervisor with a statement of the amount to be raised for township purposes. This statement is given by the Supervisor to the County Clerk, who is the clerk of the Board of Supervisors, and it is by him laid before the Board.

The Ward and Village Supervisors obtain statements from the City and Village Clerks.

County Tax.—The Board of Supervisors determine how much money is to be raised in the county for county purposes, and they apportion this amount among the several townships.

State Tax.—The Legislature determines the amount of the State tax, and the Auditor General apportions it among the counties in proportion to the valuation of taxable property in each county, and he notifies each County Clerk what proportion of the tax is to be raised in his county. The Clerk notifies the Board of Supervisors of the amount, and they apportion it among the townships.

Certificates of Apportionment.—The clerk of the Board makes out two certificates of the amount assessed upon the property of each township, for State, county, township, and other purposes, and delivers one to the County Treasurer, and the other to the Supervisor of the proper township, village, or ward.

Assessment by the Supervisor.—The Supervisor then assesses the taxes specified in the certificate, delivered to him by the County Clerk, upon the property of each individual as made out in his assessment roll. Every person is taxed in proportion to the amount of property in his possession. The Board of Supervisors apportion the taxes among the townships; each Supervisor apportions them among the tax payers of his township.

Collection of Taxes.—After assessing the taxes, the Supervisor delivers to the Township Treasurer or the Collector a copy of his assessment roll, which contains the valuation of each person's property, and the amount of State, county, and other taxes, which he is required to pay. The Township Treasurer or City Collector collects the taxes, and pays over to the County Treasurer the State and county tax.

The Township Treasurer is required to give to the County Treasurer a bond in double the amount of the State and county tax that he is to collect.

Time of Collection.—The time fixed for the collection of taxes is the month of December of each year. If a person refuses or neglects to pay his taxes, as much of his property is sold as is necessary to pay them. If taxes are not paid before the first of January, four per cent. is added for collection dues.

TAXES.	BY WHOM DETERMINED.
STATE.	State Legislature.
COUNTY.	Board of Supervisors.
TOWNSHIP.	Township Meeting.
VILLAGE.	Board of Trustees.
CITY.	Common Council.

1. State tax apportioned by the Auditor General among the counties ; by the Boards of Supervisors among the townships, villages, and wards ; by the Supervisors among the tax payers.

2. County tax apportioned by the Board of Supervisors among the townships, villages, and wards ; by the Supervisors among the tax payers.

3. The Supervisors assess the State, county, township, village, and city taxes upon the property of tax payers.

4. The taxes are collected in a township by the Township Treasurer ; in a village by the Marshal ; in a city by the Collector.

CHAPTER IX.

PUBLIC SCHOOL SYSTEM.

Educational System.—The educational system of the State of Michigan is an organic whole, which begins with the primary school and is crowned by the State University. As collateral branches of this system, there is the Normal School for the training of teachers, and the Agricultural College for the special training of farmers.

Support of Public Schools.—The public schools of the State are supported in three ways :—

1. By the interest of the primary school fund ;
2. By a one-mill tax ;
3. By school district taxes.

Origin of the Primary School Fund.—At the close of the Revolutionary War, the government was deeply in debt, and it was of the greatest concern to public men how this debt should be paid. As the United States had control of a vast territory in the northwest, it was thought that by holding out great inducements to purchasers, a considerable revenue could be realized by the sale of the public lands. Among other inducements which were held out, the government promised to all who would settle there that one section of land in each township should be set apart for the advancement of education. It secured to the early settlers and their posterity a permanent means of educating their children. The fund derived from the sale of these lands is called the primary school fund.

Disposition of the Fund.—When Michigan was admitted as a State into the Union, the sections of land set apart for educational purposes, were conveyed to the State for the use of the public schools. All money derived from the sale of these lands remains a perpetual fund, the interest of which is apportioned annually among those school districts that during the year maintain a school the length of time required by law. This apportionment is based on the number of school children in each district. One-half of what the State receives from the sales of swamp lands also goes to this fund.

1. The law provides that district schools must be taught as follows:—
Districts with from 1 to 30 children, not less than three months.

"	"	"	30 to 800	"	"	"	"	five	"
"	"	"	800 or over	"	"	"	"	nine	"

2. The primary school fund is apportioned by the Superintendent of Public Instruction among the townships, and by the Township Clerks among the districts. It can only be used to pay teachers' wages. In 1882, the income from this fund amounted to \$639,068.47. The rate per capita was \$1.24.

3. The swamp lands were given to the State by Congress. A great proportion of the lands are swamp only in name, and comprise some of the most valuable lands in the State.

Sections.—When the public lands of the United States are surveyed, they are laid out in townships and numbered. Each township is six miles square, and consequently contains thirty-six square miles, or 23,040 acres. Every township is subdivided into thirty-six equal divisions, or square miles, called sections. A section, then, is a square mile, or 640 acres. The sixteenth section of every township is set apart for the support of the public schools.

A TOWNSHIP.

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

Townships are first numbered and afterwards named; as, Adrian Township, Ann Arbor Township. Section one is always in the north-east corner of a township, and the numbers run as indicated in diagram.

The One-Mill Tax.—On all the taxable property of the State, there is levied an annual tax of one-mill on the dollar for school purposes. This is called the one-mill tax.

This tax is assessed by each Supervisor upon the taxable property of his township. It amounts, on an average, to about one dollar per child.

School District Taxes.—At the annual meeting of each school district, money is voted for school purposes, as the building of school-houses, keeping them in repair, purchasing the necessary appendages and school apparatus. Money thus voted, together with the amount estimated by the District Board as necessary for hiring teachers, and for

meeting all expenses arising from the proper maintenance of the school during the year, is levied by the Supervisor on the taxable property of the school district.

School Libraries.—Every township is required to maintain a township library. Instead, however, of a township library, a school library in each district may be substituted. All money received from penal fines, is applied to the purchase of books, and a part of the one-mill tax may also be appropriated for the same purpose. The value and importance of school libraries can not be overestimated. Useful information contained in well selected books, affects almost as much good as the schools themselves. As public opinion becomes more enlightened and better informed, the government will become more permanent and equitable.

Superintendent of Public Instruction.—Our system of public instruction, in some of its features, is derived from Prussia. In accordance with the Prussian system, an officer is elected, called the Superintendent of Public Instruction, whose duty it is to devote his entire labor and thought to the perfection of our educational system, and to the oversight, not only of primary schools, but also of the University, high schools, colleges, and all other institutions of a like character established in the State. Although the management of these institutions is intrusted to certain boards, yet over all is placed the State Superintendent, who represents the watchful care of the State over its educational interests.

Duties of the State Superintendent.—The Superintendent of Public instruction has the general supervision of the educational interests of the State, and is, by virtue of his office, a member and secretary of the State Board of Edu-

cation. It is his duty to promote, as far as possible, the efficiency of the public school system. Institutions of learning are at any time subject to his visitation and examination, and are annually required to report to him their condition and progress. His more important duties are,—

1. To apportion the income of the primary school fund among the several townships and cities of the State.
2. To hold teachers' institutes.
3. To appoint a board of visitors to the University, and to all incorporated institutions of learning.
4. To cause to be printed the school laws of the State.
5. To prepare annually a report to the Governor of the apportionment of the primary school money, the condition of the various educational institutions of the State, and such plans for their improvement and better organization as he may deem expedient. This report is transmitted by the Governor to the Legislature.

1. The report of the State Superintendent is printed each year for distribution.

2. A board of visitors consists of three persons. Each board is appointed annually, with the exception of the board of visitors to the University, which is appointed every two years. The members of each board examine the condition of the institution which they are appointed to visit, in all of its departments, and report the result to the Superintendent of Public Instruction, with such suggestions as they may deem proper.

State Board of Education.—The State Board of Education consists of three persons, elected by the people of the State at the general election in November, and the Superintendent of Public Instruction, who, by virtue of his office, is a member and secretary of the Board. All the members, with the exception of the Superintendent of Public Instruc-

tion, are elected for six years, one being elected at each general election. The duties of the Board are,—

1. To examine teachers for State certificates.
2. To prepare questions to be used by the County Board of School Examiners in the examination of teachers.
3. To prepare lists of books suitable for township and district libraries, and make arrangements with responsible parties to furnish these books to school libraries at the lowest rates.
4. To have general supervision of the State Normal School.

Township Board of School Inspectors.—The Township Board of School Inspectors consists of,—

The School Inspectors,
The Township Clerk.

The Inspector whose term of office soonest expires is chairman of the Board and treasurer, and the Township Clerk is the clerk.

Women are eligible to the office of School Inspector.

Duties of the Board.—The most important duties of the Board are,—

1. To divide the township into school districts.
2. To have general supervision of the township library.

The principal duty of the Board is to divide the township into school districts, and to regulate and alter the boundaries as circumstances render necessary. The Board also receives from the Township Treasurer all money belonging to the township library, purchases books, and has the general management of the library.

In townships in which there are district libraries, instead of a township library, the management of the libraries is intrusted to the District Boards. Each Board appoints its own librarian.

Chairman of the Board of School Inspectors.—It is the duty of the chairman of the Board of School Inspectors to visit the schools in his township at least once in each term, and examine carefully the discipline, mode of instruction, and the progress and proficiency of the pupils. It is also his duty to counsel with teachers and District Boards as to courses of study to be pursued, and with reference to any improvement in discipline and instruction in the schools; to note the condition of the school-houses, and, if necessary, suggest plans for their improvement; and to promote, as far as possible, the efficiency of the schools of his township.

1. The chairman is subject to the advice of the County Board of School Examiners.

2. When visiting schools he is entitled to two dollars per day.

3. If a school is not conducted in a successful and profitable manner, it is the duty of the chairman to report the fact to the secretary of the Board of School Examiners.

County Board of School Examiners.—The Board of School Examiners consists of three members, elected for three years, one being elected each year. This Board examines persons desiring to teach, and grants teachers' certificates.

Each School Inspector receives four dollars a day when performing the duties of his office. The secretary of the Board also receives two dollars for each school district in the county, for services and expenses as secretary.

Election of School Examiners.—The School Examiners are elected by the chairmen of the Township Boards of School Inspectors. On a day designated by law, the

chairmen of the Boards of School Inspectors of the several townships in each county, meet at the office of the County Clerk, and elect a School Examiner. The term of office of one Examiner expires each year.

1. The County Clerk is clerk of the election. In case of a tie, he gives the casting vote.

2. The election of School Examiners occurs on the first Tuesday of August.

Joint Meeting.—After the election of a School Examiner, there is a joint meeting of the chairmen of the Township Boards of School Inspectors and the County Board of School Examiners. The object of this meeting is to consult with reference to the general interests of the schools, and to devise plans for greater efficiency in the work of supervision. As the School Examiners are intrusted with the work of ascertaining the character and qualifications of teachers, and the chairmen of the Boards of School Inspectors are required to examine the work actually being done in the schools and exercise a local supervision, it will be seen that, to insure the best results, there must be some unity of action between the County Examiners and the chairmen of Township Boards of School Inspectors.

1. The chairman of the Board of School Examiners presides at the joint meeting, and the secretary of the same Board acts as secretary.

2. The chairmen of the Boards of School Inspectors receive three dollars a day when in attendance at the joint meeting.

Organization of the Board of School Examiners.—The School Examiners meet at the office of the County Clerk and organize as a Board by first electing one of their number as secretary. The secretary is the principal officer of the Board. After the election of secretary, the law requires that the School Examiner, other than the secretary, whose

term of office soonest expires, shall be chairman.

1. The School Examiners meet to organize on the fourth Tuesday of August of each year.

2. If a vacancy occurs in the Board, the Judge of Probate has the power to fill it for the unexpired portion of the term. He also has the power to remove any member of the Board for immorality, incompetency, or neglect of duty.

Examination of Teachers.—The Board of Examiners are required to examine all persons who may offer themselves as teachers, and to grant certificates to all persons who are found qualified in respect to good moral character, learning, and ability to instruct and govern a school. No certificate can be granted to any one who has not passed a satisfactory examination in orthography, reading, writing, grammar, geography, arithmetic, the theory and art of teaching, United States history, and civil government. The Board can suspend or revoke a teacher's certificate for neglect of duty, incompetency to instruct or govern a school, or immorality. No school officer has a right to employ any one to teach who does not have a proper certificate from the County Board of School Examiners, or other lawful authority.

1. School officers may have an understanding with teachers awaiting an examination, but to employ a person to teach who does not hold a proper certificate, is a violation of the law.

2. The law provides for at least two regular public examinations in each year at the county seat, on the last Friday of March and October. Special public examinations are also held at such times and places as the Examiners appoint.

3. By lawful authority is meant the State Board of Education, Board of Instruction of the Normal School, districts having special charters authorizing the School Board to grant certificates, officers of school districts organized in whole or in part in incorporated cities, and the County

Board of School Examiners.

Teachers' Certificates.—There are three grades of certificates. Certificates of the first grade are granted only to those who have taught at least one year with ability and success, and are valid throughout the county for three years; certificates of the second grade are granted to those who have taught at least six months, and are valid for two years; certificates of the third grade license a person to teach for one year. No certificate is valid beyond the county in which it is given.

1. If a teacher's certificate expires during a term of school, care should be taken to renew it in season. Public money can not lawfully be paid to a teacher for services rendered after the time of the certificate has expired.

2. Every male teacher receiving a certificate is required to pay a fee of one dollar; and every female teacher, a fee of fifty cents. No teacher, however, is required to pay this fee more than once in any school year. All money thus paid is used for the support of teachers' institutes.*

3. The Secretary of the Board of School Examiners may, on examination, grant special certificates licensing the holder to teach in a specified district till the next public examination by the Board. In addition to the regular institute fee, the teacher so licensed is required to pay the secretary a fee of one dollar, as a compensation for his services in holding such special examination.

State Certificates.—State certificates entitling the holder to teach in any of the schools of the State without further examination, are granted by the State Board of Education after a thorough and critical examination. Only teachers of considerable scholarship and ability can secure these certificates. State certificates are valid for ten years, unless revoked by the Board.

1. The examination fee is five dollars.

2. The members of the State Board of Education receive three dol-

lars a day and traveling expenses while engaged in examining teachers or preparing examination questions for the use of County Boards of School Examiners.

Something Prohibited.—Superintendents and teachers of public schools are prohibited by law from acting as agents for any author, bookseller, or publisher, or from receiving a reward for their influence in securing the purchase of books, school apparatus, or furniture.

School District.—The school district is the smallest division of our educational system, just as the township is the smallest division of our political system. Every school district organized according to law is a corporate body and is numbered. It is capable of suing and being sued, and of holding and selling real and personal property. In each district a school-house is built.

1. The great evil of our educational system is the division of townships into small school districts. Undoubtedly a township system of graded schools would be much more efficient.

2. Sometimes a school district is formed that lies partly in one township and partly in another, or partly in three or four townships. This is called a fractional district.

School Meetings.—The annual meeting of a school district is held on the first Monday in September of each year, and the school year commences on that day. Special meetings may be called by the District Board at any time.

1. It is the duty of the District Board to call a special meeting at the written request of not less than five legal voters of the district.

2. Only such business can be legally transacted at a special meeting as is indicated in the notice of the meeting.

Powers of School Meetings.—School meetings have the power to direct the building or purchasing of school-houses, impose taxes for school purposes, authorize and direct the

sale of school property, determine the length of time the schools are to be taught, elect members of the District Board, and adopt such measures as may be necessary for the protection and development of school interests.

1. The amount of taxation and indebtedness for school purposes is limited by law.

2. A school month consists of four weeks of five days in each week.

3. If a school is not taught the length of time required by law, it forfeits its share of the income of the primary school fund and of the one-mill tax.

Qualifications of Voters.—Every person of the age of twenty-one years who has taxable property, and has resided in the school district three months preceding the district meeting, is qualified to vote upon all questions. When the raising of money by taxation is not in question, all persons who are entitled by the laws of the State to vote, and who have resided in the district three months, can vote.

1. No person is eligible to office unless he is a tax payer.

2. Women who are tax payers can vote at a school meeting, and are eligible to office.

District Board.—The District Board consists of the,—

1. Moderator,

2. Director,

3. Assessor.

The Moderator is chairman, the Director is clerk, and the Assessor is treasurer. The District Board has the general care and supervision of the school, and it has the power to establish such rules and regulations for its discipline and management as it may deem proper. The success of the school mainly depends on its careful oversight and ability. It is the medium through which the district acts as a corporation. The Board hires teachers, prescribes

text-books, purchases books for the use of children whose parents are not able to furnish them, applies money as directed by the district meeting, and performs such duties as the interests of the school demand. It is required to present to the annual meeting a report, in writing, of all receipts and disbursements.

1. District officers are elected for a term of three years, one being elected each year. A majority vote is necessary to elect.

2. It is the duty of the Board to fill by appointment any vacancy that occurs in its number, or call a special meeting to fill the vacancy by an election.

3. District Boards are required to make reports to the Township Board of School Inspectors, the Township Board to the County Clerk, and the County Clerk to the Superintendent of Public Instruction.

Moderator.—It is the duty of the Moderator to preside at all meetings of the district, preserve order, and perform the usual duties of a presiding officer. He is also chairman and a member of the District Board.

If the Moderator is absent from a school meeting, some other person may be selected to preside.

Assessor.—The Assessor is treasurer and a member of the District Board. No money can legally be paid out by the district except through him. He is required to pay all orders of the Director, countersigned by the Moderator.

1. The Assessor appears for the district in all suits, when no other directions are given at the school meeting, except in suits in which he is interested adversely to the district.

2. He is obliged to give bonds to double the amount of money that is likely to come into his hands.

Director.—The Director is clerk and a member of the District Board, and he is also clerk of all district meetings. He keeps a record of all proceedings, and preserves all

books and papers belonging to his office. It is also his duty,—

1. To give notice of all school meetings, and draw all warrants and orders.
2. To draw books from the township library, and distribute them in his district.

This, however, is not in force in townships having district libraries.

3. To keep the school-house in repair during the time school is taught.

Although the District Board has the general care of the school-house and school property, the Director is intrusted more especially with this duty.

4. To make a report, at the end of each school year, to the School Inspectors, of such facts as are prescribed by law, or required by the Superintendent of Public Instruction.

The Director is required to take a census of the school children of his district, unless some other person is appointed to do so by the District Board.

Graded Schools.—When the voters of any school district, containing more than one hundred school children, desire to establish a graded school, they may elect a Board of six Trustees with power to choose their own officers and to establish such a school. Two or more contiguous districts, having together more than two hundred school children, may unite for the same purpose.

1. The term union school-house is used to designate the school established by the union of two or more districts.

2. The annual meeting of graded schools may be held on the second Monday in July.

A Graded School Defined.—A graded school is one in which the pupils are divided into classes according to their

attainments. In the ordinary district school, there is very little opportunity for a uniform gradation of classes, but pupils enter promiscuously when the term commences, and leave in about the same way when it ends. In a graded school, pupils may enter the lowest class in the primary department, and by a series of promotions from one grade to another, may finally reach the high school. The advantages of graded schools are very evident, and the Legislature has made provision for their establishment and maintenance.

Powers of Trustees.—The Board of Trustees, like the District Board, has the general care and supervision of the schools, and they have power to establish such rules and regulations for their discipline and management as they may deem proper. They hire teachers, prescribe textbooks, purchase books for the use of children whose parents are not able to furnish them, apply money as directed by the annual school meeting, and perform such duties as the interests of the schools demand. They are also obliged to present to the annual school meeting a report, in writing, of all receipts and disbursements. In addition to these the usual duties of a District Board, they adopt means for the proper grading of the schools, and they have the power to establish a high school, and to collect tuition for instruction in any branches, not only from non-resident pupils, but also from resident pupils.

1. The Trustees are elected for three years, two being elected each year.
2. Additional powers are sometimes conferred on Boards of Trustees or school districts by special act of the Legislature.

City Superintendent of Schools.—In the large cities of

the State, the Board of Trustees delegates the more immediate management of the schools to an officer called the Superintendent. The powers of a City Superintendent are varied, and his duties and responsibilities are great. He is the executive officer of the Board, and is required to devote most of his time to the general oversight of teachers and schools. He is responsible for the internal management of the schools.

In graded schools where the principal teacher devotes most of his time to teaching, and but little to supervising the work of others, his proper title is Principal and not Superintendent.

The Normal School.—One of the first measures essential to the success and good government of the public schools was to provide for the training of teachers for their special work. Without competent teachers the most perfect system must fail of securing permanent results. In order, therefore, to properly qualify persons to teach in the public schools of the State, a Normal School has been established in the city of Ypsilanti. The aim of this school is to give instruction,—

1. In the theory and practice of teaching ;
2. In all the various branches that are taught in the public schools of the State.

Applicants for admission are required to sign a declaration of their intention to follow the business of teaching.

1. In connection with the Normal School is a practice school, which comprises two departments,—primary and grammar. In this school, the pupils are afforded the means of teaching, and observing the practical working of, a graded school.

2. Form of Declaration.—“I hereby declare that my object in entering the Normal School is to prepare myself for the work of teaching.”

Revenues of the Normal School.—The Normal School

has a permanent endowment derived from the sale of lands dedicated to that purpose. In addition to the income derived from this fund, the State makes an annual appropriation for its support. The pupils are also required to pay a small tuition fee. Each member of the State Legislature may designate two pupils from his district to receive instruction free of tuition.

Twenty-five sections of land, 16,000 acres, were appropriated by the estate for the Normal School. From the sale of these lands, a permanent endowment fund of more than \$69,000 has been realized. The annual expenses of the school are about \$24,000.

Board of Education.—The general management of the Normal School is intrusted to the State Board of Education. This Board has power to appoint and remove teachers, and prescribe their duties, fix salaries, prescribe text-books, and make such regulations and by-laws as are necessary for the good government and management of the school.

1. Persons are appointed each year by the Board of education to examine into the management and mode of instruction of the school, and to report to the Superintendent of Public Instruction their views with regard to its condition, together with such suggestions as they may deem proper.

2. The members of the Board, and persons appointed as visitors, are entitled to two dollars a day for actual services, and to their necessary traveling expenses.

3. The Superintendent of Public Instruction is required by law to visit the school at least once in each term, and to annually make a full report to the Legislature of the doings of the Board of Education.

Normal School Certificates.—In addition to the diplomas conferred by the State Board of Education upon all those who have completed full courses of study, the faculty of the Normal School are required to grant certificates to all receiving diplomas, which legally qualify them to teach in the

public schools of the State, without any examination.

The University.—To complete and give unity to the educational system of the State, a University has been established at Ann Arbor. It stands at the head of the public schools in the State, and is the culmination of our public school system. Any course commenced in a well organized high school finds its completion in the University. Thus the State has not only bountifully provided all with the means of securing the benefits of an elementary education in the public schools, but it has also generously placed, within the reach of all, the means of securing a liberal culture in all departments of human knowledge.

1. Graduates from schools approved by the faculty are admitted without an examination.

2. In 1882, there were eighty-seven professors and assistants, and fifteen hundred and thirty-four students.

Revenues of the University.—The University, like the Normal School, has a permanent endowment fund derived from the sale of lands dedicated to that purpose. In addition to the interest derived from the endowment fund, it receives,—

1. A twentieth of a mill tax on all the taxable property of the State;
2. An annual State appropriation;
3. Students' fees.

1. It is a curious fact that it was the design of the founders of the University that part of its support should be derived from lotteries, and provision was made for their establishment. This, however, was no unusual thing in early days, and even now in some States there are literary and benevolent institutions supported by this means.

2. Two townships were given by Congress to Michigan for the support

of a University. From the sale of public lands thus given, the University has secured a permanent fund of about \$543,000.

3. In 1882, the interest of the University fund was \$38,398.47; the twentieth of a mill tax amounted to \$38,250; the annual State appropriation to \$76,000; students' fees to \$69,295.

Board of Regents.—The general management of the University is intrusted to a Board of Regents, eight in number, elected by the people of the State for a term of eight years. The election of Regents occurs at the same time as that of Judges of the Supreme Court, on the first Monday in April. They have power to appoint and remove professors, tutors, and officers, and prescribe their duties, fix salaries, regulate the courses of instruction, prescribe, under the advice of professors, the books and authorities to be used in the several departments, confer degrees, and make all such regulations and by-laws as are necessary for the good government and management of the University. The more immediate management of the several departments is intrusted to the president of the University and the respective faculties.

1. The presiding officer of the Board is the president of the University. He does not, however, have the right to vote.

2. The Regents, and persons appointed as visitors, receive pay for actual and necessary expenses incurred by them in the performance of their duties.

Agricultural Colleges.—It is only within a few years that agricultural colleges have been generally established. In 1862, Congress gave to the several States public lands to the amount of 30,000 acres for each Senator and Representative in Congress, provided that each State, within five years, should establish an agricultural college. The colleges have given a wonderful impulse to agricultural pursuits,

and have created a demand for agricultural literature. Newspapers recognizing this fact, devote considerable space to general information on agricultural topics.

State Agricultural College.—The State of Michigan was the first to put into successful operation a State Agricultural College. The leading object of this institution is to teach such branches as are related to agriculture. Connected with the college is a farm and garden, in which students are required to work three hours each week-day, except Saturdays, and they are paid for most of their labor according to their ability and fidelity, the maximum rate being eight cents per hour. This college is located at Lansing.

1. Candidates for admission into the freshman class are examined in arithmetic, geography, grammar, reading, spelling, and penmanship. Tuition is free.

2. The farm consists of six hundred and seventy-six acres. The long vacation occurs during the winter months.

Revenues of the Agricultural College.—The Agricultural College has a permanent endowment derived from the partial sale of the public lands given by Congress, and the Legislature also makes appropriations for its support. When all the public lands belonging to the college are disposed of, the endowment will in all probability be sufficient for its support.

The Agricultural College has received 235,673.37 acres of land. Up to 1882, 104,612.24 acres have been sold, from which has been realized \$339,058.32.

State Board of Agriculture.—This Board consists of six members, besides the Governor and the president of the Agricultural College, who are members by virtue of their office. Members of the Board are appointed by the Governor for six years, with the consent of the Senate, two

being appointed every two years. They have general control and supervision of the college and farm.

1. Any vacancy in the Board may be filled by a majority of the members.
2. The members are paid their traveling and other expenses, while employed on the business of the Board.

Secretary of the State Board of Agriculture.—A secretary is appointed by the Board, whose duty it is to keep a record of the transactions of the Board and of the Agricultural College and farm. He receives reports from the various agricultural societies in the State. It is also his duty to correspond with societies and farmers with a view to obtain information upon the newest and best methods in agriculture, stock-raising, and the dairy; to purchase and distribute rare and valuable seeds, plants, shrubbery, and trees; to encourage the importation of live stock, and the invention and improvement of labor saving machines; and to promote, as far as possible, such domestic industries as are calculated to promote the general thrift, wealth, and resources of the State. He is also required to make an annual report to the Legislature at every regular session, and to the Governor when the Legislature is not in session. The report is printed, and distributed among the agricultural societies and farmers of the State.

1. This report embraces statements, accounts, statistics, essays, and other information relative to agriculture, the proceedings of the State Board of Agriculture, of the State Agricultural College and farm, of the State Agricultural Society, and of county agricultural societies.
2. An appropriation is made by the Legislature to meet the annual expenses which are incurred in the purchase and transportation of seeds, and other contingent expenses of the office.

Institutes for the Promotion of Agriculture.—Under the

auspices of the State Board of Agriculture, institutes are held in various parts of the State during the winter months. The exercises at these institutes consist of essays, lectures, and discussions on agricultural topics, by members of the faculty of the Agricultural College, and others interested in agricultural pursuits.

State Agricultural Society.—To promote the interests of agriculture, and to encourage the manufacturing interests of the State, a State Agricultural Society has been established. This society holds meetings for the discussion of agricultural topics, and to devise plans for the better development and encouragement of agricultural and domestic industries. It also holds an annual fair, to which exhibitors are invited from all parts of the State. Premiums are offered to exhibitors in order to encourage competition.

There is a State Horticultural Society, and in many counties there are county agricultural and horticultural societies.

Teachers' Institutes.—Whenever any number of teachers assemble for the purpose of receiving instruction in methods of teaching, school discipline, and school management, such an assemblage is called a teachers' institute. Teachers of established reputation in the State are selected to take charge of them. The value of well conducted institutes can not be overestimated, and their importance and influence through the teachers on the schools is so great that the Legislature has made provision for their encouragement and support. They are of two kinds,—

1. County institutes,
2. State institutes.

County Institutes. In counties having not less than one thousand children between the ages of five and twenty years,

the Superintendent of Public Instruction is required annually to appoint a time and place, and make all suitable arrangements for a county institute. He is either obliged to conduct the institute himself or to appoint some suitable person to do so. The fees received for teachers' certificates are used to defray all necessary expenses, as the hiring of rooms, procuring teachers and lecturers, etc. If the fees thus received are not sufficient to defray all expenses, the deficiency is met by the State.

1. In counties having less than one thousand children, the holding of an institute is optional with the State Superintendent, unless he is requested to hold one by fifteen teachers. If there is not a sufficient number of teachers in a county to make such request, the teachers of two or more adjoining counties may unite for this purpose.

2. All fees received by the County Board of School Examiners for teachers' certificates are paid over to the County Treasurer of the county in which they are collected, and set apart for the support of teachers' institutes.

3. In case the county fund is insufficient, a sum not to exceed sixty dollars can be drawn from the State treasury for the expenses of each institute of five days' duration.

State Institute.—In addition to county institutes, a State institute is usually held each year, under the direction of the Superintendent of Public Instruction. This is designed to furnish thought and give direction to county institutes. With this end in view, distinguished educators are secured to present the best methods of instruction and discipline, and the ripest thoughts on educational subjects. The expenses of this institute are defrayed by the State.

A sum not to exceed four hundred dollars can be drawn from the State treasury for the expenses of a State institute.

State Teachers' Association.—To promote the interests

of education, and to secure co-operation among the teachers of the State, a State Teachers' Association has been established. It numbers among its members teachers in the public schools, professors in the Normal School, in the University, and in denominational schools and colleges, together with others interested in educational work. At these annual meetings, there are lectures, essays, and discussions on educational topics, methods of instruction and discipline are compared, and means are adopted to secure such legislation as may be needed for the successful working of the public school system.

In some counties there is also a county association of teachers.

Remark.—There is a marked distinction between a teachers' institute and a teachers' association. A teachers' institute is really a training school for teachers, and performs the work of a normal school. A teachers' association consists of a number of teachers united for mutual benefit and improvement in educational matters.

Other Educational Institutions.—Besides the institutions so generously maintained by the State, there are other schools and colleges supported by religious denominations and by private enterprise

INCORPORATED EDUCATIONAL INSTITUTIONS.

NAME OF INSTITUTION.	LOCATION.	DENOMINATION.
Adrian College.	Adrian.	Methodist Protestant.
Albion College.	Albion.	Methodist Episcopal.
Battle Creek College.	Battle Creek.	Seventh Day Adventists.
Grand Traverse College.	Benzonia.	Congregational.
Hillsdale College.	Hillsdale.	Free Will Baptist.
Hope College.	Holland City.	Dutch Reformed.
Kalamazoo College.	Kalamazoo.	Baptist.
Olivet College.	Olivet.	Presbyterian and Congregational.
Michigan Female Seminary.	Kalamazoo.	Presbyterian.
Detroit College.	Detroit.	Catholic.
Michigan Military Academy.	Pontiac.	Non-sectarian.
Monroe Young Ladies' Institute.	Monroe.	Non-sectarian.
Raisin Valley Seminary.	Adrian.	Friends.
Somerville School.	St. Clair.	Non-sectarian.
Spring Arbor Seminary.	Spring Arbor.	Free Methodist.

BOARDS AND OFFICERS.	NUMBER, TERM, WHEN ELECTED.	DUTIES OF.
SUPERINTENDENT OF PUBLIC INSTRUCTION.	One, two years. at general election in November.	General supervision of the educational interests of the State.
BOARD OF REGENTS	Eight, eight years, two every two years, at the April election.	General management of the University.
STATE BOARD OF AGRICULTURE.	Six, six years, two appointed by the Governor every two years. The Governor and the President of the college are also members <i>ex officio</i> .	General management of the Agricultural College.
STATE BOARD OF EDUCATION.	Three, six years, one at each general election in November, and the Superintendent of Public Instruction, who is a member <i>ex officio</i> , and secretary of the Board.	Grants State certificates, prepares examination questions, and lists of books for school libraries, and has the general management of the Normal School.

BOARDS AND OFFICERS.	NUMBER, TERM, WHEN ELECTED.	DUTIES OF.
BOARD OF TRUSTEES.	Six, three years, two at each annual school meeting.	General management of graded schools.
COUNTY BOARD OF SCHOOL EXAMINERS	Three, three years, one elected each year by the chairmen of the Township Board of School Inspectors.	The examination of teachers.
TOWNSHIP BOARD OF INSPECTORS. SCHOOL INSPECTORS. TOWNSHIP CLERK.	Two Inspectors in each township, two years, at the annual township election in April. The Township Clerk is a member <i>ex officio</i> .	The division of the township into school districts, and the general supervision of the township library.
DISTRICT BOARD. MODERATOR. DIRECTOR. ASSESSOR.	Three in each school district, three years, one at each annual school meeting.	General management of the district school.

The annual school meeting occurs on the first Monday in September. In districts having graded schools, the annual meeting is held on the first Monday in September, or the second Monday in July.

CHAPTER X.

STATE INSTITUTIONS.

Other State Institutions.—In addition to the educational institutions described in the preceding chapter, there are also others which have been established and are maintained by the State. These may be classified as follows:—

1. Charitable,
2. Reformatory,
3. Penal.

Charitable Institutions.—The charitable institutions are,—

1. State Public School at Coldwater;
2. Institution for Educating the Deaf and Dumb at Flint, and school for the Blind at Lansing;
3. Asylums for the Insane at Kalamazoo, Pontiac, and Traverse City.

State Public School.—The State Public School is designed as a temporary home for dependent and neglected children. Here the homeless and poor-house children of the State are clothed and fed and educated, until suitable homes can be procured for them in private families. In this way, abandoned and neglected children, instead of growing up in idleness and crime, are well cared for, and placed in the way of becoming useful citizens. This public charity is peculiar to our own State.

1. A record is kept of the parentage and history of each child.
2. The general management of this school is intrusted to a board known as the Board of Control of the State Public School. It consists

of three members, who are appointed by the Governor, with the advice and consent of the Senate, for six years, one being appointed every two years. They receive three dollars a day for actual services, in addition to their necessary expenses.

Internal Management.—The children are divided into families, each family occupying a cottage and being under the care of a lady cottage manager. Thus the children have the surroundings and influences of a well regulated home. A good school is maintained, which each child is obliged to attend, and those who are old enough to perform labor are required to work a certain number of hours each day.

The Deaf and Dumb.—Among some barbarous nations, it was the custom to put to death all deaf children when three years of age. They were regarded as monsters. Other nations have regarded them as being under the curse of heaven. Among the Romans, they were debarred from all civil rights. In all ages, the condition of these unfortunates has been sad in the extreme, and it was thought beyond the limits of possibility to instruct them or fit them for any of the occupations of their fellow beings. Recent observations and modern philanthropy have changed the opinion entertained by the ancients, and in all Christian countries, efforts are now being made to educate and fit them for some useful occupation. The result has been that many deaf-mutes have become distinguished in the various walks of life.

1. It was said by the poet Lucretius, who was born in 95 B. C.,—

“To instruct the deaf, no art can reach;
No care improve and no wisdom teach.”

2. The first institution for the education of deaf-mutes in the United States was established in 1817. In 1880, there were fifty-six.

The Blind.—The condition of the blind has always been better than that of the deaf and dumb. The ancients had a certain degree of reverence for them, and they regarded some

of them as having the gift of prophecy. During the Middle Ages, provision was made for their support and protection; but it is only in modern times that any attempt has been made to educate them.

The first institution for the blind in the United States was opened in 1832. In 1880, there were thirty-one.

Institutions for Educating the Deaf and Dumb, and the Blind.—These institutions are not in any sense asylums or hospitals, but they were established for the purpose of educating the deaf and dumb, and the blind. They really form a part of the free public school system of the State. Pupils between the ages of ten and twenty one years are admitted and permitted to remain for eight years. Board, tuition, and books are furnished free of charge, and if parents or guardians are unable to furnish clothing, this also is provided at the expense of the county in which the pupil resides. In this way, the privileges of the two schools are brought within the reach of all.

1. The Board of Control of each institution consists of three members appointed by the Governor, with the advice and consent of the Senate, for six years, one member of each Board being appointed every two years.

2. The members receive for their services three dollars a day, and their necessary expenses.

Occupation.—The pupils, in addition to their regular school duties, spend several hours each day in learning trades, so that when they leave school, they may be able to earn a livelihood.

Insane Persons.—Although in ancient times, insanity was considered by some to be a sacred disease and full of blessing, and insane persons were regarded as having prophetic power, as a general rule, the condition of insane

persons, in all ages, has been very deplorable. During the Middle Ages, there were a few hospitals for the insane, but stripes and chains were the only medical treatment. "The amelioration of the condition of the insane has its commencement in modern times."

1. In 1882, there were ninety-six institutions for the insane in the United States.

2. The earliest references to insanity are the madness of Saul, the feigned madness of David, and that of Ulysses after the Trojan war.

Asylums for the Insane.—In this State there are three asylums for the insane, one at Kalamazoo, another at Pontiac, and a third at Traverse City. In each of these, two classes of patients are received:—

1. Indigent patients, sent at the expense of the counties or towns in which they reside;
2. Private patients, sent at the expense of relatives or friends.

The Probate Judge, when application is made, is authorized to send to the asylums insane persons who are paupers or in indigent circumstances. In the case of paupers, application must be made by County Superintendents of the Poor, or by Supervisors. Although private patients are received, preference in admission is given to the poor and indigent, and the counties or townships sending them are obliged to pay for their board, medical treatment, clothing, and incidental expenses. These asylums are really hospitals, and are designed for the care and treatment of either curable or incurable patients.

1. It is illegal to consign an insane person to a county poor-house, when there is room for insane persons in one of the asylums.

2. The asylum located at Pontiac is known as the Eastern Michigan

Asylum; the one at Kalamazoo, as the Michigan Asylum for the Insane; at Traverse City, as the Northern Asylum for the Insane.

3. When indigent patients are discharged, they are furnished with suitable clothing, and also with money, not exceeding twenty dollars, to defray necessary expenses.

4. The general management of each asylum is intrusted to a separate Board of Trustees, each Board consisting of six members appointed by the Governor, with the advice and consent of the Senate. They hold office for six years, two being appointed every two years, and are paid their traveling and other necessary expenses. Each Board appoints a medical superintendent, to whom is intrusted the more immediate management of the asylum.

Reformatory and Penal Institutions.—There are three grades of institutions for the reformation and discipline of persons guilty of offenses against the State:—

1. The Reform School, for boys between the ages of ten and sixteen.
2. The Industrial Home, for girls between the ages of seven and seventeen.
3. The House of Correction, for young men between the ages of sixteen and twenty-five, and for those guilty of minor offenses.
4. The State Prison, for criminals guilty of grave offenses, and for hardened criminals.

Reform School.—This school is established for the purpose of reclaiming children who have been subject to evil influences, and have entered upon a life of vice and crime. Boys between the ages of ten and sixteen who have been convicted of offenses not punishable by law with imprisonment for life, may be sent to this school, and kept there until they are eighteen years of age. The Board of Control has the power to liberate any inmate who has been so far reformed as to justify his discharge, or to bind any for a

number of years to suitable persons. It may also give boys leave of absence for a limited period or during good behavior. The Reform School is located at Lansing.

1. The Board of Control consists of three members appointed by the Governor, with the advice and consent of the Senate, for six years, one being appointed every two years. They are allowed for their services three dollars a day, and their necessary expenses.

2. When the presence of a boy is prejudicial to the discipline of the school, the Board of Control may return him to the authorities of the county or city from which he was received, for punishment in some other institution.

Occupation and Instruction.—This institution is not a prison, but a reform school. There are no bars or iron bolts. The aim of the school is,—

1. To inculcate industrial and moral habits;
2. To educate and throw around young offenders the influences of home life;
3. To inculcate the habit of cheerful and prompt obedience to lawful authority.

All are obliged to attend school about five hours each day, and they are also employed during a portion of each day in some industrial occupation. They are allowed certain hours, morning, noon, and evening, for recreation and play.

There is a farm connected with the school, containing two hundred and twenty-four acres.

Industrial Home for Girls.—The general plan and aim of this institution, and that of the Reform School, are the same. It is designed for the reformation of girls between the ages of seven and seventeen who have been subject to evil influences, and have committed offenses not punishable by law with imprisonment for life. The girls are placed in cottages, the inmates of each cottage forming a family, and being in charge of a cottage manager.

There are five members of the Board of Control, three women and two men, appointed by the Governor in the same manner as other Boards are appointed. The powers of the Board are similar to those exercised by the Board of Control of the Reform School. They also receive the same compensation.

House of Correction.—This prison is designed more especially for young men guilty of a first offense, and for criminals not wholly depraved. They are not associated with hardened criminals, guilty of grave offenses, but they are placed under a discipline and training which aims to reform the criminal. All young men between the ages of sixteen and twenty-five, convicted of crimes not punishable by imprisonment for life, and all male persons guilty of a misdemeanor, where the imprisonment is not less than ninety days, may be sent to the House of Correction. This institution is located at Ionia.

1. The general supervision and management is intrusted to the Governor and three Managers appointed by him, with the advice and consent of the Senate. They hold office for six years, one being appointed every two years, and they receive three dollars for each day necessarily occupied in the inspection and management of the institution, together with their traveling expenses.

2. A warden is appointed by the Governor, with the advice and consent of the Senate, for two years. He is responsible for the more immediate management of the institution.

Occupation and Discipline.—All inmates of the House of Correction are required to labor, and are taught some of the mechanical trades. As the name implies, an effort is made to correct, by right influences, the evil tendencies of criminals, and to make them law abiding citizens. This is attempted by inculcating habits of industry, by moral and religious training, and by books and schooling.

Detroit House of Correction.—This institution was built

by the city of Detroit, and it is under the control of the Common Council. Although it is a local and not a State institution, the Board of Supervisors of any county may make an arrangement with the Common Council of the city of Detroit to receive and keep persons guilty of any offense except murder and treason. Young men between the ages of sixteen and twenty-one, guilty of a first offense, or of a crime not punishable with imprisonment for life; every female convicted of crime; and all others convicted of minor offenses, may be sent there. The counties sending criminals pay the city of Detroit for their care and support. The general plan of Detroit House of Correction and that at Ionia is the same, with the exception that females are not sent to the House of Correction at Ionia.

1. The Detroit House of Correction is self-supporting, and has accumulated property to the value of \$200,000, in addition to what it has received from the city of Detroit. During the last four years, it has paid into the city treasury \$140,000.

2. The general management is entrusted to four Inspectors, nominated by the Mayor of the city, and appointed by the Common Council. They hold office for four years, one being appointed each year, and they receive no compensation for their services.

State Prison.—This prison is located at Jackson. It is designed as a place of confinement for hardened criminals, and for those who have been guilty of atrocious crimes. Criminals guilty of murder are here confined for life.

1. The general supervision and management is entrusted to the Governor and three Inspectors. Their appointment, term of office, etc., are the same as that of the Board of Managers of the House of Correction at Ionia. They receive four dollars for each day occupied in the inspection and management of the institution, and their traveling expenses.

2. The more immediate management is entrusted to a warden, who is appointed in the same manner, and for the same term, as the warden of the House of Correction.

Occupation and Discipline.—The prisoners are kept constantly employed at hard labor, at an average of not less than ten hours a day. Although it is very difficult to restore hardened criminals to a life of honor and usefulness, yet separation from evil associations, the opportunity for reflection, and the moral and religious influences which are brought to bear upon them, are all designed for this end. No system, however, has yet been devised that will reach all criminals, and it is a lamentable fact that but a very few become good citizens, after serving a term in the State Prison.

Board of Corrections and Charities.—The Governor, with the advice and consent of the Senate, appoints a Board of Corrections and Charities for the general supervision of charitable, penal, pauper, and reformatory institutions. It is the duty of this Board to visit and thoroughly examine the prisons, asylums, and reformatories, as well as the jails and poor-houses of the several counties. It cannot interfere with the functions of the boards of control having immediate care of these institutions, nor can it interfere directly with the internal management of any of these establishments; but it scrutinizes their management, points out their defects, reports to the Governor their excellencies and their faults, and makes such suggestions as it may deem proper. Two evils are liable to arise in all public and private institutions:

1. Officials are in danger of exercising too arbitrary power, and of neglecting and abusing those intrusted to their care.
2. When institutions are left to themselves, they are in danger either of running in familiar ruts or of degenerating.

Frequent visitation and inspection have a tendency to

prevent these evils. Abuse of power is thus brought to the knowledge of the public, a greater regard is paid to the welfare of the inmates, and improved methods are suggested and carried out.

The Board consists of four members appointed by the Governor, with the advice and consent of the Senate, for eight years, one being appointed every two years. They are paid their traveling and other necessary expenses. The Governor is a member of the Board by virtue of his office.

County Agents of the State Board.—In many of the counties of the State, an agent of the Board of Corrections and Charities is appointed by the Governor. The duties of this officer are exceedingly important. He is required,—

1. To look after the interests of juvenile offenders in his county. When an offense, not punishable with imprisonment for life, has been committed by any boy or girl, it is the duty of the county agent to examine into all the facts and circumstances, and advise with the magistrate who has jurisdiction of the case, as to how the public interest and the interest of the child can be best subserved.
2. To visit, as often as once a year, all children in his county who have been placed in charge of others by any State Board or officer of the State, and see whether they are properly treated and cared for.
3. To watch over and care for deserted and neglected children, and to assist in finding homes for them. He represents the watchful care of the State over the homeless and dependent children.

County agents, in addition to their expenses, receives three dollars for each child that has been properly attended to. The compensation in any one year can not exceed one hundred dollars, except in the county of Wayne, where it is limited to two hundred dollars.

STATE INSTITUTIONS.

1. CHARITABLE.

- a. State Public School,
Coldwater.
- b. Institution for Educating the Deaf and Dumb,
Flint.
- c. School for the Blind,
Lansing.
- d. Asylums for the Insane,
Kalamazoo, Pontiac, and Traverse City.

2. REFORMATORY.

- a. State Reform School,
Lansing.
- b. Industrial Home for Girls,
Adrian.

3. PENAL.

- a. State House of Correction,
Ionia.
- b. Detroit House of Correction,
Detroit.
- c. State Prison,
Jackson.

CHAPTER XI.

THE MILITIA.

Military Forces.—It is the custom among foreign nations to support, at great expense, large armies in time of peace, in order to maintain the authority of the government, and to defend the State in case of war. The necessity of supporting a large army is not as great in our own country as it is among foreign nations, and it is not in keeping with the spirit of American institutions. There is a deep seated prejudice against maintaining a large military force in time of peace, for the reason that standing armies have been the instruments of despotisms in the past, they necessitate the expenditure of large sums of money for their support, thus diminishing the industrial resources of the country, and they endanger the liberties of the people. The national government maintains a small military force to protect its frontiers and to garrison its forts, but the States are forbidden by the Constitution of the United States to keep standing armies.

The Militia.—That the State may at all times be able to enforce its laws and to protect its institutions, a State militia is established. The militia is a body of citizens enrolled or trained for military duty. They are liable at any time to be called out to aid the civil authorities in the enforcement of the laws, or to defend the State in case of war with a foreign power. The militia is of two kinds,—

1. Enrolled,
2. Active.

Enrolled Militia.—All able-bodied male citizens between the ages of eighteen and forty-five years, with a few exceptions, are subject to military duty, and constitute what is called the enrolled militia. They are not subject to active military duty, except in case of war, rebellion, invasion, the suppression of riots, and to aid the civil authorities in the execution of the laws. The Governor may order out for actual service, either by voluntary enlistment or by draft, as many of the enrolled militia as the public necessity may demand.

The Supervisor of each township and ward is required to annually send to the County Clerk a list of all persons liable to do military duty. These lists are filed in the office of the County Clerk, and the number of persons enrolled in each county is sent to the Adjutant General.

Persons Exempt from Military Duty.—The following persons are exempt from military duty:—

1. Ministers of the gospel, and teachers in public institutions and in the public schools;
2. Judges of the various courts;
3. Members and officers of the Legislature;
4. All State and county officers, except notaries public;
5. Officers and guards of the State Prison;
6. All commissioned officers of the militia who have served as such for the term of six years.

Paupers, idiots, lunatics, vagrants, and convicted criminals are not enrolled.

Active Militia.—The active militia is composed of volunteers between the ages of eighteen and forty-five years, trained to military duty, and known as the State troops. In case of war, rebellion, invasion, the suppression of riots, and to aid the civil authorities in the execution of the laws of the State, the active militia is first ordered into service. The

State troops are divided into regiments, each regiment consisting of a certain number of companies.

1. There are at present three regiments.

2. Before any person is mustered into the service of the State, he is required to take the following oath:—I, ———, do solemnly swear (or affirm) that I will bear true allegiance to the United States of America, and to the State of Michigan; that I will serve them honestly and faithfully against all their enemies and opposers whatever; and that I will observe and obey the orders of the President of the United States, the Governor of this State, and the orders of the officers appointed over me, according to the rules and articles for the government of the armies of the United States and of this State.

Military Companies.—Military companies are formed in different parts of the State. They come together at specified times to drill in their armories, and they are annually required to meet with their respective regiments, at places designated by the Governor, for military instruction and camp duty. In case of riot or violent resistance to the execution of the laws by the proper officers, it is the duty of the militia to promptly aid the civil authorities in the preservation of peace and order, and in the enforcement of the laws. It should always be remembered that the military power is subordinate to the civil, and it can be lawfully used by the civil authorities in times of urgent necessity.

The term of enlistment in this State is three years. Persons having enlisted may at any time obtain a discharge for good and sufficient reasons.

Equipments.—Each company is furnished with arms, uniforms, and all necessary equipments, at the expense of the State. All articles thus furnished remain the property of the State, and when a company is disbanded, the commissioned officers are responsible for their safe return to the Quartermaster General. A suitable armory is also provided for each company at the expense of the State.

1. Commissioned officers provide themselves with uniforms.
2. Captains receive fifty dollars a year for the care and safe keeping of the arms furnished to their companies by the State.
3. When the State troops are employed in actual service, suppressing riots, etc., each private receives one dollar and twenty-five cents per day and rations; non-commissioned officers and musicians, one dollar and twenty-five cents per day; commissioned officers, the same pay that officers of the same rank in the United States army receive.
4. For the time spent in the annual encampment, and in traveling from and returning to their homes, each member of the several companies receives one dollar and twenty-five cents per day, seventy-five cents per day for subsistence, and the necessary transportation.

Principal Officers.—The principal officers of the State militia are,—

1. Commander-in-Chief,
2. Adjutant General,
3. Inspector General,
4. Quartermaster General.

There are also regimental officers, officers of companies, and a State Military Board.

The Adjutant General, Inspector General, and Quartermaster General rank as Brigadier Generals, and are appointed for two years. They each receive one thousand dollars a year.

Commander-in-Chief.—In order that the Governor may at all times be able to enforce the laws and preserve the peace, he is by virtue of his office Commander-in-Chief of all the military forces of the State, and they are at any time subject to his orders.

The Staff of the Commander-in-Chief consists of four Aids, who rank as Colonels; one Judge Advocate, who has general supervision of everything relating to the administration of justice among the military forces of the State; and a Military Secretary. Both of the last named officers rank as Majors.

Adjutant General.—Next to the Commander-in-Chief, the Adjutant General is the highest military officer in the State. It is through him that the Governor issues his orders to the troops, and it is through him that all recommendations and reports from military officers are presented to the Commander-in-Chief. Among other duties, he is required to keep a record of the number of enrolled and active militia in the State.

Inspector General.—The Inspector General has the general care and supervision of the instruction and discipline of all the State troops. He musters new companies into service, inspects the condition of armories and military property, and tests the proficiency of each company in the manual of arms.

Quartermaster General.—The Quartermaster General has charge of arsenals, munitions of war, and all military property of the State. He furnishes military companies with arms and other equipments, and the use of suitable armories. In a word, he has the care of everything pertaining to the safe keeping and proper distribution of military property.

He is required to give bonds to the sum of fifty thousand dollars that he will faithfully perform the duties of his office.

State Military Board.—The State Military Board consists of the Inspector General and two other members appointed by the Governor. They hold office for two years. This Board is an advisory body to the Commander-in-Chief on all matters relating to the interests of the State militia. They examine all military claims and accounts against the State, and order the payment of those that are just, and they may prepare and adopt such rules and regulations for the government of the State troops as do not conflict with the laws of the United States or of this State.

1. The same system of instruction is followed in the military drills of the militia that is adopted by the United States army.

2. The two members of the Board appointed by the Governor receive three dollars a day, while attending the meetings of the Board, and five cents a mile in going to and returning from the place of meeting.

Court Martial.—All offenses against the rules and regulations established for the government of the State troops, are tried by a court martial consisting of commissioned officers. The jurisdiction of this court is confined to military offenses committed by persons enlisted in the active militia.

The Judge Advocate examines, and reports to the Governor, the proceedings of all courts martial.

Remark.—Although the military forces of the State are subject to the orders of the Governor, yet all money for their support must come from the Legislature. The Legislature acts as a check upon any unlawful use of the militia by the chief executive, and by refusing to make the necessary appropriations for its maintenance, it may at any time put a stop to an improper or tyrannical use of the military power. The number of companies established throughout the State is also limited by law.

MILITARY OFFICERS.

Commander-in-Chief.

STAFF OFFICERS.

1. Four Aids,
2. Judge Advocate,
3. Military Secretary.

GENERAL OFFICERS.

1. Adjutant General,
2. Inspector General,
3. Quartermaster General.

Staff officers and general officers are appointed by the Governor.

REGIMENTAL OFFICERS.

1. Colonel,
2. Lieutenant Colonel,
3. Major,
4. Surgeon,
5. Assistant Surgeon,
6. Adjutant,
7. Quartermaster.

Regimental officers are elected by the commissioned officers of the regiment, and they receive their commissions from the Commander-in-Chief.

COMPANY OFFICERS.

Commissioned.

1. Captain,
2. First Lieutenant,
3. Second Lieutenant.

Non-Commissioned.

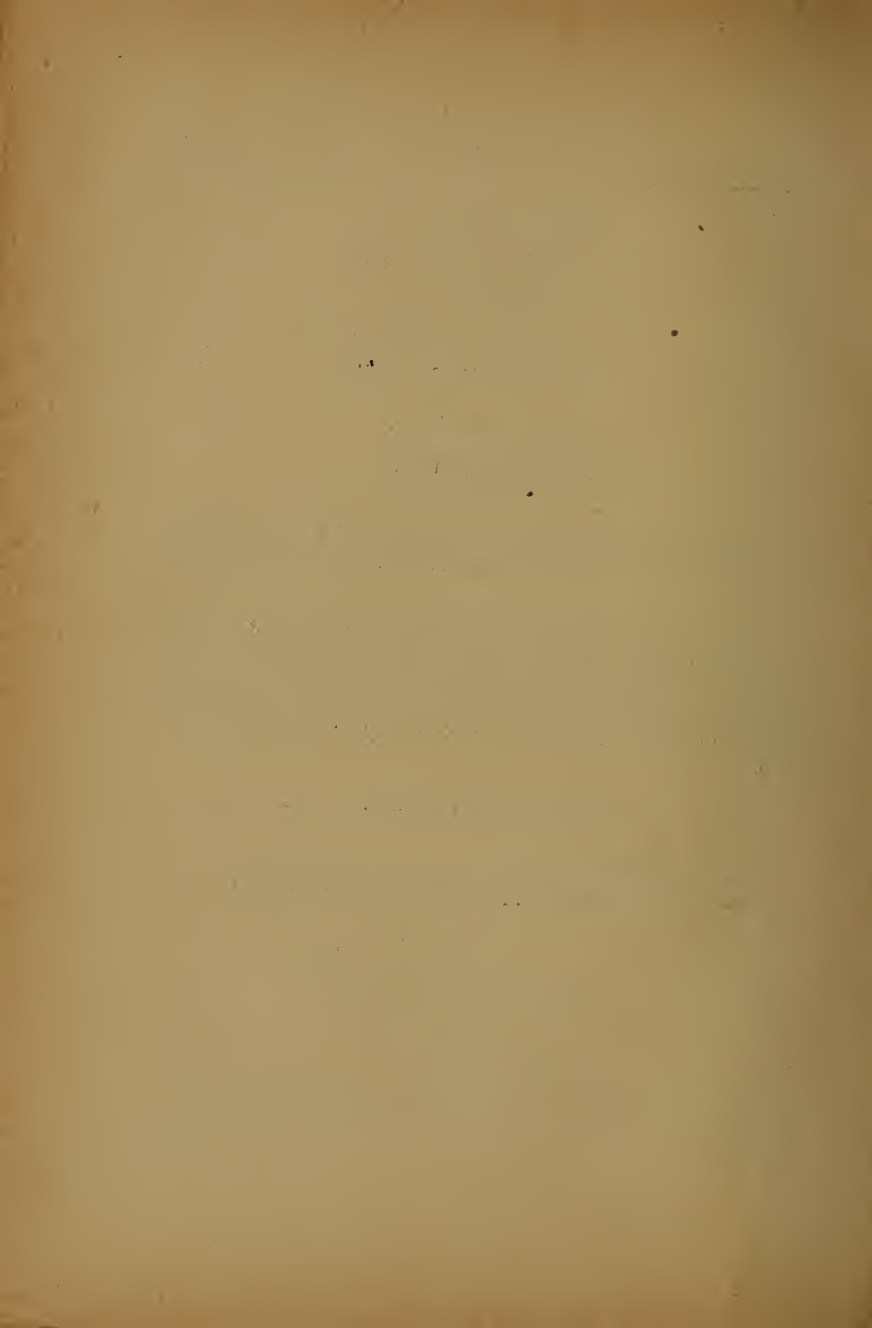
1. Five Sergeants,
2. Eight Corporals.

1. Sergeant Major, a Quartermaster Sergeant, and a Color Sergeant are appointed by the Colonel from among the best instructed Sergeants of the companies.

2. The commissioned officers are elected by the companies, and receive their commissions from the Commander-in-Chief. The non-commissioned officers are either appointed by the Captain or elected by the company, and they receive warrants from the commanding officer of the regiment. In some companies, officers are elected for one year, in others for two.

STATE MILITARY BOARD.

1. Inspector General,
2. Two members appointed by the Governor.



POLITICAL MACHINERY.

CHAPTER XII.

POLITICAL MACHINERY.

Parties.—On all public questions, there will be great differences of opinion, and parties will always be formed on all great questions of public policy. In a republican government like our own, the only way in which public measures can be successfully carried out, is to select persons as officers who are in sympathy with, and will promote the policy of, the party they represent. Political parties are a necessity, and the nomination of officers to represent these parties is necessarily associated with all free governments.

Nomination of Officers.—Officers are nominated at caucuses and conventions held for that purpose. These are,—

1. Primary meetings or caucuses,
2. City conventions,
3. County conventions,
4. District conventions,
5. State conventions.

The primary meeting, or, as it is sometimes called, the caucus, is held for the purpose of nominating township and ward officers, and for selecting persons to attend city, county, and district conventions, when the district forms but a part of a county. The city convention nominates city officers; the county convention, county officers, and selects delegates to State conventions and to district conventions, when the dis-

tricts embrace more than one county, as judicial and congressional districts; district conventions nominate district officers, as representatives, senators, judges, members of Congress; State conventions, State officers.

Caucuses.—A caucus is a general meeting of the voters of a political party for the purpose of selecting candidates for public offices, or electing delegates to attend conventions, or for the purpose of adopting measures to promote party interests. Any number of persons representing a political party may meet together at any time to adopt plans for party management, or to devise means for promoting party interests, or to advance the interests of candidates for any office.

Any legal voter who is in sympathy with the party holding the caucus, may attend the meeting, and take part in the proceedings.

The Importance of Caucuses.—Caucuses shape the policy of political parties, and it is of the utmost importance that all qualified voters should attend their party caucuses. One of the most discouraging features of our political institutions is the lack of interest displayed by many in the primary meetings of the party to which they belong, so that it often happens that, by intrigue and adroit combination, unworthy and incompetent men are selected as candidates for important offices. The policy of a party is necessarily shaped by its caucuses, and when these are controlled by unscrupulous men, the party will become corrupt, and will bring disgrace upon the government and calamity to the State, if it succeeds in obtaining control of affairs. It is therefore the imperative duty of every good citizen to attend primary meetings, and see to it that competent men are selected for public offices. As the caucuses are, so the government will be.

State Convention.—Some time previous to the meeting of

a State convention to nominate State officers, caucuses are held in the townships and wards for the purpose of selecting delegates to county conventions. The county conventions select persons to attend the State convention.

Time of Meeting.—The time and place for holding a State convention is designated by what is called the State Central Committee. A State Central Committee is appointed at each State convention for this purpose,

Meeting of the Convention.—On the day named for the meeting of the convention, the delegates assemble at the appointed time and place, and are called to order by the chairman of the State Central Committee, who nominates some person, previously agreed upon by the committee, as temporary chairman of the convention.

1. After calling the convention to order, and before nominating a temporary chairman, the chairman of the State Central Committee sometimes makes a few remarks to the convention.

2. The hall in which the convention is held is usually divided into county and congressional districts, so that the various delegations may be seated conveniently together. The hall is mapped out by the Central Committee.

Temporary Chairman.—A temporary chairman is one appointed to preside, until it has been properly ascertained who are entitled to seats in the convention, and until permanent officers are selected. The office of chairman of a political convention is considered so important, and candidates for important offices are so desirous of securing a chairman who is favorable to their interests, that a temporary organization is at first necessary. In this way, a permanent presiding officer will be more likely to be afterwards chosen, who will be acceptable to a majority of the delegates. It is the custom

for the temporary chairman to make a short address to the convention.

Temporary Secretary.—After the appointment of a temporary chairman, and the usual address which follows, a temporary secretary is elected. This officer performs the usual duties of a secretary.

Committees.—When a temporary organization is thus effected, the next business in order is the appointment of,—

1. A Committee on Credentials;
2. A Committee on Permanent Organization and Order of Business;
3. A Committee on Resolutions.

One delegate from each congressional district is appointed on each committee. Each delegation meets before the assembling of the convention, selects a chairman and secretary, and decides what persons shall serve on the committees.

Committee on Credentials.—The duty of this committee is to ascertain the names of those who are entitled to seats in the convention, and prepare a list of those having proper credentials. They also report doubtful cases, with recommendations, to the convention. Only those can take part in the deliberations of the convention, whose right to act as delegates is undisputed.

Committee on Permanent Organization and Order of Business.—It is the duty of this committee to select a permanent presiding officer, a number of vice-presidents and secretaries, and to determine the order in which the business of the convention shall be transacted. The selection of a number of vice-presidents and secretaries is designed as a compliment to active and prominent members of the party.

The vice-presidents and secretaries are always invited to take seats on the platform.

Committee on Resolutions.—This committee is the most important of the three, from the fact that it has to set forth the principles of the party in a series of resolutions called the platform. On the general tenor of these resolutions depends, in a great measure, the success of a party in a political campaign. Opposing factions have to be conciliated, and it is a difficult and delicate task to prepare a series of resolutions that will be acceptable to all the delegates or to the party at large. The key-notes of political campaigns are the platforms of opposing parties.

Adjournment.—After the selection of these three committees, it is the custom of the convention to adjourn till afternoon, so as to give the necessary time to the committees to perform the various duties assigned to them.

Reports of Committees.—When the convention assembles again, the first thing in order is the report of the Committee on Credentials. The list of delegates is read by the chairman of the committee, together with such recommendations as the committee desire to make. After which the Committee on Permanent Organization and Order of Business report through their chairman.

Permanent Officers.—If the report of the Committee on Permanent Organization is adopted, the person selected as permanent president takes the place of the temporary chairman, thanks the convention for the honor conferred upon him, and makes an address on the political issues of the day. The vice-presidents and secretaries are then invited to take seats on the platform.

Other Business.—When the convention is permanently

organized, that is, after it has been determined who are the regular delegates, and permanent officers are elected, three important steps have to be taken,—

1. The nomination of State officers ;
2. The adoption of a platform ;
3. The appointment of a State Central Committee.

Nomination of State Officers.—The nomination of officers is made in the order designated by the Committee on Permanent Organization and Order of Business. Officers are nominated either by ballot or by acclamation. It is considered a marked compliment to a candidate for a public office to be nominated by acclamation.

The Adoption of a Platform.—Although it might seem to be more appropriate for the Committee on Resolutions to report at the same time that the other committees present their reports, it is the usual custom to defer the reading of the resolutions till after the nomination of State officers. One reason of this is that it usually requires more time for this committee to prepare its report than it does for the others. The resolutions are read by the chairman of the committee, and either adopted as a whole or each resolution is acted on separately. Sometimes there is considerable opposition to some features of the platform, and vigorous speeches for and against are made by various delegates. The resolutions are sometimes amended, before they are adopted by the convention.

Appointment of a State Central Committee.—Before the convention adjourns, a State Central Committee is appointed, each congressional district selecting two members. The committee afterwards select one of their own number chairman, and appoint a secretary. The State Central Committee exer-

cises a general control over the party machinery of the State, engages speakers during the campaign, provides means to defray expenses, and endeavors to secure the election of those nominated at the State convention. They also designate the time and place for holding the next State convention.

In addition to the State Central Committee, there are also committees in each county, district, city, and ward to secure the election of local officers.

Campaign.—After the nomination of officers by each party, what is called the campaign follows. Politicians address political gatherings on the issues of the day, the record of public men is reviewed, the achievements of one party are glorified and the failures of the opposing party are paraded, newspapers criticize men and measures, the platforms of parties are praised or denounced, and voters are solicited by candidates for their votes. The campaign is under the direction of the various committees appointed for that purpose.

CAUCUSES AND CONVENTIONS.

- I. Caucus.
- II.
 - 1. Caucus,
 - 2. City Convention.
- III.
 - 1. Caucus,
 - 2. District Convention, when the district is less than a county.
- IV.
 - 1. Caucus,
 - 2. County Convention,
 - 3. District Convention, when the district embraces two or more counties.
- V.
 - 1. Caucus,
 - 2. County Convention.
- VI.
 - 1. Caucus,
 - 2. County Convention,
 - 3. State Convention.

STATE CONVENTION.

I. MORNING.

- 1. Called to Order by the Chairman of the State Central Committee.
- 2. Election of a Temporary Chairman.
- 3. Remarks of the Temporary Chairman.
- 4. Election of a Temporary Secretary.
- 5. Appointment of Committees.
 - a. Committee on Credentials.

- b. Committee on Permanent Organization
and
Order of Business.
- c. Committee on Resolutions.
- 6. Adjournment.

II. AFTERNOON.

- 1. Called to Order.
- 2. Reports of Committees.
 - a. Committee on Credentials,
 - b. Committee on Permanent Organization
and
Order of Business.
- 3. Address of Permanent Chairman.
- 4. Vice-Presidents and Secretaries invited to take
seats on the Platform.
- 5. Nominations of State Officers.
- 6. Report of Committee on Resolutions.
- 7. Appointment of a State Central Committee.
- 8. Adjournment *sine die*.

CAMPAIGN.

THE GOVERNMENT OF THE UNITED STATES.



CHAPTER XIII.

THE GOVERNMENT OF THE UNITED STATES.

United States Constitution.—Not only has each State a Constitution which determines the limits within which the functions of the State government are exercised, but also the United States have adopted a Constitution which is the fundamental law of the whole land, and which takes the precedence of all State Constitutions. After the Revolutionary War, representatives from each State met in general convention, and framed a Constitution which was afterwards adopted by all the States. No State Constitution, or acts of Congress or of State Legislatures, must conflict with its requirements, and all executive, legislative, and judicial officers of the State are required to take an oath to support not only the State Constitution, but also the Constitution of the United States.

All amendments must be ratified by three-fourths of all the States, before they can become a part of the Constitution.

Departments of Government.—The Government of the United States, like the State government, is divided into three departments :—

1. The executive,
2. The legislative,
3. The judicial.

The Executive Department.—The executive power is vested in the President alone. It is his duty to see to it that all the laws of the United States are faithfully executed and

enforced. To this end he is Commander-in-Chief of the army and navy. He is aided in the performance of his duties,—

1. By his Cabinet ;
2. By subordinate executive officers appointed by himself, with the advice and consent of the Senate.

The President is Commander-in-Chief of the militia of the several States, when called into the actual service of the United States.

The Cabinet.—The President's Cabinet consists of seven members appointed by himself, with the consent of the Senate. The members of the Cabinet are the confidential advisers of the President, and each of them is placed at the head of some branch of the executive department. They are the,—

1. Secretary of State,
2. Secretary of the Treasury,
3. Secretary of War,
4. Secretary of the Navy,
5. Secretary of the Interior,
6. Postmaster General,
7. Attorney General.

Secretary of State.—The Secretary of State is considered to be the most important Cabinet officer. In rank he stands next to the President. His duties are not only similar to the duties of the Secretary of State of our State government, but he also has charge of all business arising between the government of the United States and that of foreign countries.

Secretary of the Treasury.—The Secretary of the Treasury superintends the financial affairs of the country, the collection of the revenues for the support of the government, and has the care of all money paid into the United States treasury.

He also has the general supervision of the coinage of money, light-houses, and custom-houses.

Secretary of War.—The Secretary of War has the general oversight of the army, the Military Academy at West Point, arsenals, military stores, and all matters relating to military affairs.

Secretary of the Navy.—The Secretary of the Navy has the general oversight of the navy, the Naval Academy at Annapolis, navy yards and stores, and all matters relating to naval affairs.

Secretary of the Interior.—The Secretary of the Interior has the general charge of public lands and buildings, Indian affairs, patents, pensions, the taking of the census, and the distribution of information relating to education.

Postmaster General.—The Postmaster General has the general supervision of everything relating to the carrying of the mails, and the establishment of post-offices and postal communications.

Attorney General.—The Attorney General attends to all suits, in the Supreme Court, in which the United States is interested, and he is required to give his opinion upon questions of law submitted to him by the President or the members of the Cabinet.

Election of President and Vice-President.—Instead of voting directly for President and Vice-President, electors, previously nominated at a State convention, are chosen, who meet at the capital of the State at a time designated by law, and cast their votes for the candidates nominated by the party they represent. These votes are sent to Washington, and, together with the votes of electors from other States, are counted in the presence of both Houses of Congress, and

the result declared by the President of the Senate. Each State is entitled to as many presidential electors as it has Senators and Representatives. If no person receives a majority of all the electoral votes, the House of Representatives chooses the President; and the Senate, the Vice-President. The President and Vice-President are elected for four years.

1 This State is entitled to thirteen electors.

2 No Senator or Representative or person holding an office of trust or profit under the United States can be an elector.

3 Only a native born citizen is eligible to the office of President or Vice-President.

Legislative Department.—The legislative power is vested in,—

1. The Senate,

2. The House of Representatives.

The powers of each House are defined by the Constitution. They are somewhat similar to those exercised by the two Houses of our State Legislature, with the exception that all revenue bills must originate in the House of Representatives. The presiding officer of the Senate is the Vice-President. In the House, a presiding officer is elected called the Speaker.

Election of Senators.—Two Senators are chosen in each State by the Legislature for six years. Their term of office is so arranged as not to expire at the same time.

Election of Representatives.—Each State is divided into congressional districts, according to the number of inhabitants. In this State there are eleven districts, in each of which a Representative is elected, at the same time that State officers are chosen, for a term of two years

Judicial Department.—The judicial department is vested in,—

1. A Supreme Court,
2. Circuit Courts,
3. District Courts,
4. A Court of Claims.

The judges of these courts are appointed by the President, with the advice and consent of the Senate, and they hold office during good behavior.

The Supreme Court.—The Supreme Court is the highest judicial court in the United States. It interprets the Constitution and laws of the United States, and decides questions as to the constitutionality of any legislative enactment. Although it has original jurisdiction in a few cases, its principal business is to decide questions appealed to it by inferior courts.

1. The Supreme Court has original jurisdiction in cases affecting ambassadors, other public ministers and consuls, and in all cases in which a State is a party.

2. The officers of the court are the Judges, the Attorney General, and a clerk, crier, and reporter appointed by the court. The Marshal of the District of Columbia attends its sessions.

Circuit Courts.—The United States are divided into nine judicial circuits, in each of which a Circuit Judge is appointed. These courts have original jurisdiction in very grave offenses against the laws of the United States, and appellate jurisdiction in cases tried in District Courts. Each circuit comprises several States.

1. Suits between citizens of different States and between aliens and citizens, when the amount in dispute exceeds five hundred dollars, and all

crimes against the laws of the United States punishable by death or heavy penalties, are tried in these courts.

2. Michigan is in the sixth judicial circuit. The circuit comprises Michigan, Ohio, Kentucky, and Tennessee.

3. One of the Judges of the Supreme Court is assigned to each circuit. The presiding judge of a Circuit Court may be the Judge of the Supreme Court, or the Circuit Judge, or both may sit together. The Judge of the district in which the Circuit Court is held, sometimes sits with the Circuit Judge.

4. The officers of the court are the Circuit Judge, the Attorney and Marshal of the district in which the court is held, and a clerk appointed by the court.

District Courts.—At least one District Court is established in each State. In Michigan there are two. These courts have original jurisdiction in minor offenses against the laws of the United States. In each district, a District Judge is appointed by the President, with the advice and consent of the Senate.

1. Minor offenses committed on the sea or on navigable rivers and lakes, and all offenses against the laws of the United States, not punishable by severe penalties, are tried in these courts.

2. The District Courts in Michigan are designated as the Eastern and Western. The terms of the Eastern are held in Detroit; of the Western, in Grand Rapids.

3. The officers of the court are the District Judge, Attorney, Marshal, appointed by the President and Senate, and a clerk appointed by the court.

Court of Claims.—In addition to the courts already mentioned, a Court of Claims is established, consisting of five judges. It is the duty of this court to settle all claims against the government of the United States. The sessions of this court are held in Washington.

UNITED STATES GOVERNMENT.

THE CHIEF EXECUTIVE.—President.

PRESIDING OFFICER OF THE SENATE.—Vice-President.

CABINET.	{	Secretary of State, Secretary of the Treasury, Secretary of War, Secretary of the Navy, Secretary of the Interior, Postmaster General, Attorney General.
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CONGRESS.	{	Senate, House of Representatives.
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COURTS.	{	Supreme Court, Circuit Courts, District Courts, Court of Claims.
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SALARIES OF UNITED STATES OFFICERS.

President,	- - - - -	\$50,000.
Vice-President,	- - - - -	8,000.
Members of the Cabinet,	- - - - -	8,000.
Speaker,	- - - - -	8,000.
Senators,	- - - - -	5,000.

CONSTITUTION OF THE STATE.



CONSTITUTION OF THE STATE OF MICHIGAN.

THE PEOPLE OF THE STATE OF MICHIGAN DO ORDAIN THIS
CONSTITUTION.

ARTICLE I.

BOUNDARIES.

The State of Michigan consists of and has jurisdiction over the territory embraced within the following boundaries, to wit : Commencing at a point on the eastern boundary line of the State of Indiana, where a direct line drawn from the southern extremity of Lake Michigan to the most northerly cape of the Maumee Bay, shall intersect the same—said point being the north-west corner of the State of Ohio, as established by act of Congress entitled “An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed,” approved June fifteenth, one thousand eight hundred and thirty-six ; thence with the said boundary line of the State of Ohio, till it intersects the boundary line between the United States and Canada, in Lake Erie ; thence with said boundary line between the United States and Canada, through the Detroit River, Lake Huron, and Lake Superior, to a point where the said line last touches Lake Superior ; thence in a direct line through Lake

Superior, to the mouth of the Montreal River ; thence through the middle of the main channel of the said river Montreal, to the head waters thereof ; thence in a direct line to the centre of the channel between Middle and South Islands, in the Lake of the Desert ; thence in a direct line to the southern shore of Lake Brule ; thence along said southern shore and down the river Brule, to the main channel of the Menominee river ; thence down the centre of the main channel of the same to the centre of the most usual ship channel of the Green Bay of Lake Michigan ; thence through the centre of the most usual ship channel of the said bay to the middle of Lake Michigan ; thence through the middle of Lake Michigan, to the northern boundary of the State of Indiana, as that line was established by the act of Congress of the nineteenth of April, eighteen hundred and sixteen ; thence due east with the north boundary line of the said State of Indiana, to the northeast corner thereof ; and thence south with the eastern boundary line of Indiana, to the place of beginning.

ARTICLE II.

SEAT OF GOVERNMENT.

SEC. 1. The seat of government shall be at Lansing, where it is now established.

ARTICLE III.

DIVISION OF THE POWERS OF GOVERNMENT.

SEC. 1. The powers of government are divided into three departments : Legislative, Executive, and Judicial.

SEC. 2. No person belonging to one department shall exercise the powers properly belonging to another, except in the cases expressly provided in this Constitution.

ARTICLE IV.

LEGISLATIVE DEPARTMENT.

SEC. 1. The Legislative power is vested in a Senate and House of Representatives.

SEC. 2. The Senate shall consist of thirty-two members. Senators shall be elected for two years, and by single districts. Such districts shall be numbered from one to thirty-two, inclusive; each of which shall choose one Senator. No county shall be divided in the formation of Senate districts, except such county shall be equitably entitled to two or more Senators.

*SEC. 3. The House of Representatives shall consist of not less than sixty-four, nor more than one hundred members. Representatives shall be chosen for two years, and by single districts. Each representative district shall contain, as nearly as may be, an equal number of inhabitants, exclusive of persons of Indian descent who are not civilized, or are members of any tribe, and shall consist of convenient and contiguous territory; but no township or city shall be divided in the formation of a representative district. When any township or city shall contain a population which entitles it to more than one Representative, then such township or city shall elect, by general ticket, the number of Representatives to which it is entitled. Each county hereafter organized, with

* Amendment adopted by the Legislature of 1869, approved by the people at the general election of 1870.

such territory as may be attached thereto, shall be entitled to a separate Representative, when it has attained a population equal to a moiety of the ratio of representation. In every county entitled to more than one Representative, the Board of Supervisors shall assemble at such time and place as the Legislature shall prescribe, and divide the same into representative districts, equal to the number of Representatives to which such county is entitled by law, and shall cause to be filed in the offices of the Secretary of State and clerk of such county, a description of such representative districts, specifying the number of each district, and population thereof, according to the last preceding enumeration.

SEC. 4. The Legislature shall provide by law for an enumeration of the inhabitants in the year eighteen hundred and fifty-four, and every ten years thereafter ; and at the first session after each enumeration so made, and also at the first session after each enumeration by the authority of the United States, the Legislature shall re-arrange the Senate districts, and apportion anew the Representatives, among the counties and districts, according to the number of inhabitants, exclusive of persons of Indian descent, who are not civilized, or are members of any tribe. Each apportionment, and the division into representative districts by any Board of Supervisors, shall remain unaltered until the return of another enumeration.

SEC. 5. Senators and Representatives shall be citizens of the United States, and qualified electors in the respective counties and districts which they represent. A removal from their respective counties or districts shall be deemed a vacation of their office.

SEC. 6. No person holding any office under the United

States [or this State], or any county office except Notaries Public, officers of the militia, and officers elected by townships, shall be eligible to, or have a seat in either House of the Legislature; and all votes given for any such person shall be void.

SEC. 7. Senators and Representatives shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest. They shall not be subject to any civil process during the session of the Legislature, or for fifteen days next before the commencement and after the termination of each session; they shall not be questioned in any other place for any speech in either House.

SEC. 8. A majority of each House shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as each House may prescribe.

SEC. 9. Each House shall choose its own officers, determine the rules of its proceedings, and judge of the qualifications, elections, and returns of its members, and may, with the concurrence of two-thirds of all the members elected, expel a member. No member shall be expelled a second time for same cause, nor for any cause known to his constituents antecedent to his election; the reason for such expulsion shall be entered upon the journal, with the names of the members voting on the question.

SEC. 10. Each House shall keep a journal of its proceedings and publish the same, except such parts as may require secrecy. The yeas and nays of the members of either House, on any question, shall be entered on the journal at the request of one-fifth of the members elected. Any member of either

House may dissent from and protest against any act, proceeding, or resolution which he may deem injurious to any person or the public. and have the reason of his dissent entered on the journal.

SEC. 11. In all elections by either House, or in joint convention, the votes shall be given *viva voce*. All votes on nominations to the Senate shall be taken by yeas and nays, and published with the journal of its proceedings.

SEC. 12. The doors of each House shall be open, unless the public welfare require secrecy. Neither House shall, without consent of the other, adjourn for more than three days, nor to any other place than where the Legislature may then be in session.

SEC. 13. Bills may originate in either House of the Legislature.

SEC. 14. Every bill and concurrent resolution, except of adjournment, passed by the Legislature, shall be presented to the Governor before it becomes a law. If he approve, he shall sign it; but if not, he shall return it, with his objections, to the House in which it originated, which shall enter the objections at large upon their journal, and reconsider it. On such reconsideration, if two-thirds of the members elected agree to pass the bill, it shall be sent, with the objections, to the other House, by which it shall be reconsidered. If approved by two-thirds of the members elected to that House, it shall become a law. In such case the vote of both Houses shall be determined by yeas and nays; and the names of the members voting for and against the bill shall be entered on the journals of each House respectively. If any bill be not returned by the Governor within ten days, Sundays excepted, after it has been presented to him, the same shall become a

law, in like manner as if he had signed it, unless the Legislature, by their adjournment, prevent its return; in which case it shall not become a law. The Governor may approve, sign, and file in the office of the Secretary of State, within five days after the adjournment of the Legislature, any act passed during the last five days of the session, and the same shall become a law.

SEC. 15. [The compensation of the members of the Legislature shall be three dollars per day for actual attendance, and when absent on account of sickness, but the Legislature may allow extra compensation to the members from the territory of the Upper Peninsula, not exceeding two dollars per day during the session.*] When convened in extra session, their compensation shall be three dollars per day for the first twenty days, and nothing thereafter; and they shall legislate on no other subjects than those expressly stated in the Governor's proclamation, or submitted to them by special message. They shall be entitled to ten cents, and no more, for every mile actually traveled, in going to and returning from the place of meeting, on the usually traveled route; and for stationery and newspapers, not exceeding five dollars for each member during any session. Each member shall be entitled to one copy of the laws, journals, and documents of the Legislature of which he was a member; but shall not receive, at the expense of the State, books, newspapers, or other perquisites of office, not expressly authorized by this Constitution.

SEC. 16. The Legislature may provide by law for the payment of postage on all mailable matter received by its members and officers during the sessions of the Legislature, but not on any sent or mailed by them.

*Amendment adopted by the Legislature of 1859, approved by the people in 1860.

SEC. 17. The President of the Senate and the Speaker of the House of Representatives shall be entitled to the same per diem compensation and mileage as members of the Legislature, and no more.

SEC. 18. No person elected a member of the Legislature shall receive any civil appointment within this State, or to the Senate of the United States, from the Governor, the Governor and Senate, from the Legislature, or any other State authority, during the term for which he is elected. All such appointments, and all votes given for any person so elected for any such office or appointment, shall be void. No member of the Legislature shall be interested, directly or indirectly, in any contract with the State, or any county thereof, authorized by any law passed during the time for which he is elected, nor for one year thereafter.

SEC. 19. Every bill and joint resolution shall be read three times in each House before the final passage thereof. No bill or joint resolution shall become a law without the concurrence of the majority of all the members elected to each House. On the final passage of all bills, the vote shall be by ayes and nays, and entered on the journal.

SEC. 20. No law shall embrace more than one object, which will be expressed in its title. No public act shall take effect or be in force until the expiration of ninety days from the end of the session at which the same is passed, unless the Legislature shall otherwise direct by a two-thirds vote of the members elected to each House.

SEC. 21. The Legislature shall not grant nor authorize extra compensation to any public officer, agent, or contractor, after the service has been rendered or the contract entered into.

SEC. 22. The Legislature shall provide by law, that the furnishing of fuel and stationery for the use of the State, the printing and binding the laws and journals, all blanks, paper, and printing for the executive departments, and all other printing ordered by the Legislature, shall be let by contract to the lowest bidder or bidders, who shall give adequate and satisfactory security for the performance thereof. The Legislature shall prescribe by law the manner in which the State printing shall be executed, and the accounts rendered therefor; and shall prohibit all charges for constructive labor. They shall not rescind nor alter such contract, nor release the person or persons taking the same, or his or their sureties, from the performance of any of the conditions of the contract. No member of the Legislature, nor officer of the State, shall be interested, directly or indirectly, in any such contract.

SEC. 23. The Legislature shall not authorize by private or special law, the sale or conveyance of any real estate belonging to any person; nor vacate nor alter any road laid out by commissioners of highways, or any street in any city or village, or in any recorded town plat.

SEC. 24. The Legislature may authorize the employment of a chaplain for the State Prison; but no money shall be appropriated for the payment of any religious services in either House of the Legislature.

SEC. 25. No law shall be revised, altered, or amended, by reference to its title only; but the act revised, and the section or sections of the act altered or amended, shall be re-enacted and published at length.

SEC. 26. Divorces shall not be granted by the Legislature.

SEC. 27. The Legislature shall not authorize any lottery, nor permit the sale of lottery tickets.

SEC. 28. [No new bill shall be introduced into either House of the Legislature after the first fifty days of a session shall have expired.*]

SEC. 29. In case of a contested election, the person only shall receive from the State per diem compensation and mileage who is declared to be entitled to a seat by the House in which the contest takes place.

SEC. 30. No collector, holder, nor disburser of public moneys shall have a seat in the Legislature, or be eligible to any office of trust or profit under this State, until he shall have accounted for and paid over, as provided by law, all sums for which he may be liable.

SEC. 31. The Legislature shall not audit nor allow any private claim or account.

SEC. 32. The Legislature, on the day of final adjournment, shall adjourn at twelve o'clock at noon.

SEC. 33. [The Legislature shall meet at the seat of government, on the first Wednesday in January, in the year one thousand eight hundred and sixty-one, and on the first Wednesday in January in every second year thereafter, and at no other place or time, unless as provided in the Constitution of the State, and shall adjourn without day at such time as the Legislature shall fix by concurrent resolution.†]

SEC. 34. The election of Senators and Representatives, pursuant to the provisions of this Constitution, shall be held on the Tuesday succeeding the first Monday of November, in the year one thousand eight hundred and fifty-two, and on

* Amendment adopted by the Legislature of 1859, approved by the people at the general election of 1860.

† Amendment adopted by the Legislature of 1859, approved by the people at the general election of 1860.

the Tuesday succeeding the first Monday of November of every second year thereafter.

SEC. 35. The Legislature shall not establish a State paper. Every newspaper in the State which shall publish all the general laws of any session, within forty days of their passage, shall be entitled to receive a sum not exceeding fifteen dollars therefor.

SEC. 36. The Legislature shall provide for the speedy publication of all statute laws of a public nature, and of such judicial decisions as it may deem expedient. All laws and judicial decisions shall be free for publication by any person.

SEC. 37. The Legislature may declare the cases in which any office shall be deemed vacant, and also the manner of filling the vacancy, where no provision is made for that purpose in this Constitution.

SEC. 38. The Legislature may confer upon organized townships, incorporated cities and villages, and upon the Board of Supervisors of the several counties, such powers of local, legislative, and administrative character as they may deem proper.

SEC. 39. The Legislature shall pass no law to prevent any person from worshipping Almighty God according to the dictates of his own conscience; or to compel any person to attend, erect, or support any place of religious worship, or pay tithes, taxes, or other rates, for the support of any minister of the gospel, or teacher of religion.

SEC. 40. No money shall be appropriated or drawn from the treasury for the benefit of any religious sect or society, theological or religious seminary; nor shall property belonging to the State be appropriated for any such purpose.

SEC. 41. The Legislature shall not diminish or enlarge the civil or political rights, privileges, and capacities of any person on account of his opinion or belief concerning matters of religion.

SEC. 42. No law shall ever be passed to restrain or abridge the liberty of speech or of the press ; but every person may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of such right.

SEC. 43. The Legislature shall pass no bill of attainder, *ex post facto* law, or law impairing the obligation of contracts.

SEC. 44. The privilege of the writ of *habeas corpus* remains, and shall not be suspended by the Legislature, except, in case of rebellion or invasion, the public safety require it.

SEC. 45. The assent of two-thirds of the members elected to each House of the Legislature shall be requisite to every bill appropriating the public money or property for local or private purposes.

SEC. 46. The Legislature may authorize a trial by jury of a less number than twelve men.

SEC. 47. *

SEC. 48. The style of the laws shall be, "The people of the State of Michigan enact."

ARTICLE V.

EXECUTIVE DEPARTMENT.

SEC. 1. The Executive power is vested in a Governor, who shall hold his office for two years. A Lieutenant Governor shall be chosen for the same term.

* By amendment proposed by the Legislature of 1875, and approved by the people at the general election of 1876, Section 47, Article IV., was stricken out.

SEC. 2. No person shall be eligible to the office of Governor or Lieutenant Governor who has not been five years a citizen of the United States, and a resident of this State two years next preceding his election; nor shall any person be eligible to either office who has not attained the age of thirty years.

SEC. 3. The Governor and Lieutenant Governor shall be elected at the times and places of choosing the members of the Legislature. The person having the highest number of votes for Governor or Lieutenant Governor shall be elected. In case two or more persons shall have an equal and the highest number of votes for Governor or Lieutenant Governor, the Legislature shall, by joint vote, choose one of such persons.

SEC. 4. The Governor shall be Commander-in-Chief of the military and naval forces; and may call out such forces to execute the laws, to suppress insurrections, and to repel invasion.

SEC. 5. He shall transact all necessary business with officers of government, and may require information, in writing, from the officers of the executive department, upon any subject relating to the duties of their respective offices.

SEC. 6. He shall take care that the laws be faithfully executed.

SEC. 7. He may convene the Legislature on extraordinary occasions.

SEC. 8. He shall give to the Legislature, and at the close of his official term to the next Legislature, information, by message, of the condition of the State, and recommend such measures to them as he shall deem expedient.

SEC. 9. He may convene the Legislature at some other

place, when the seat of government becomes dangerous from disease or a common enemy.

SEC. 10. He shall issue writs of election to fill such vacancies as occur in the Senate or House of Representatives.

SEC. 11. He may grant reprieves, commutations, and pardons, after convictions, for all offenses except treason and cases of impeachment, upon such conditions, and with such restrictions and limitations, as he may think proper, subject to regulations provided by law, relative to the manner of applying for pardons. Upon conviction for treason, he may suspend the execution of the sentence until the case shall be reported to the Legislature at its next session, when the Legislature shall either pardon or commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall communicate to the Legislature at each session, information of each case of reprieve, commutation, or pardon granted, and the reason therefor.

SEC. 12. In case of the impeachment of the Governor, his removal from office, death, inability, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant Governor for the residue of the term, or until the disability ceases. When the Governor shall be out of the State in time of war, at the head of a military force thereof, he shall continue Commander-in-Chief of all the military force of the State.

SEC. 13. During a vacancy in the office of Governor, if the Lieutenant Governor die, resign, be impeached, displaced, be incapable of performing the duties of his office, or absent from the State, the President *pro tempore* of the Senate shall act as Governor, until the vacancy be filled, or the disability cease.

SEC. 14. The Lieutenant Governor shall, by virtue of his office, be President of the Senate. In committee of the whole he may debate all questions; and when there is an equal division, he shall give the casting vote.

SEC. 15. No member of Congress, nor any person holding office under the United States, or this State, shall execute the office of Governor,

SEC. 16. No person elected Governor or Lieutenant Governor shall be eligible to any office or appointment from the Legislature, or either House thereof, during the time for which he was elected. All votes for either of them, for any such office, shall be void.

SEC. 17. The Lieutenant [Governor] and President of the Senate *pro tempore*, when performing the duties of Governor, shall receive the same compensation as the Governor.

SEC. 18. All official acts of the Governor, his approval of the laws excepted, shall be authenticated by the great seal of the State, which shall be kept by the Secretary of State.

SEC. 19. All commissions issued to persons holding office under the provisions of this Constitution, shall be in the name and by the authority of the people of the State of Michigan, sealed with the great seal of the State, signed by the Governor, and countersigned by the Secretary of State.

ARTICLE VI.

JUDICIAL DEPARTMENT.

SEC. 1. The Judicial power is vested in one Supreme Court, in Circuit Courts, in Probate Courts, and in Justices of the Peace. Municipal Courts, of civil and criminal jurisdiction may be established by the Legislature in cities.

SEC. 2. For the term of six years and thereafter, until the Legislature otherwise provide, the Judges of the several Circuit Courts shall be Judges of the Supreme Court, four of whom shall constitute a quorum. A concurrence of three shall be necessary to a final decision. After six years the Legislature may provide by law for the organization of a Supreme Court, with the jurisdiction and powers prescribed in this Constitution, to consist of one Chief Justice and three Associate Justices, to be chosen by the electors of the State. Such Supreme Court, when so organized, shall not be changed or discontinued by the Legislature for eight years thereafter. The Judges thereof shall be so classified that but one of them shall go out of office at the same time. Their term of office shall be eight years.

SEC. 3. The Supreme Court shall have a general superintending control over all inferior courts, and shall have power to issue writs of error, *habeas corpus*, *mandamus*, *quo warranto*, *procedendo*, and other original and remedial writs, and to hear and determine the same. In all other cases it shall have appellate jurisdiction only.

SEC. 4. Four terms of the Supreme Court shall be held annually, at such times and places as may be designated by law.

SEC. 5. The Supreme Court shall, by general rules, establish, modify, and amend the practice in such court and in the Circuit Courts, and simplify the same. The Legislature shall, as far as practicable, abolish distinctions between law and equity proceedings. The office of master in chancery is prohibited.

SEC. 6. The State shall be divided into eight judicial circuits; in each of which the electors thereof shall elect one Circuit Judge, who shall hold his office for the term of six

years, and until his successor is elected and qualified.

SEC. 7. The Legislature may alter the limits of circuits, or increase the number of the same. No alteration or increase shall have the effect to remove a Judge from office. In every additional circuit established, the Judge shall be elected by the electors of such circuit, and his term of office shall continue, as provided in this Constitution for Judges of the Circuit Court.

SEC. 8. The Circuit Courts shall have original jurisdiction in all matters, civil and criminal, not excepted in this Constitution, and not prohibited by law; and appellate jurisdiction from all inferior courts and tribunals, and a supervisory control of the same. They shall also have power to issue writs of *habeas corpus*, *mandamus*, *injunction*, *quo warranto*, *certiorari*, and other writs necessary to carry into effect their orders, judgments, and decrees, and give them a general control over inferior courts and tribunals within their respective jurisdictions.

SEC. 9. Each of the Judges of the Circuit Courts shall receive a salary, payable quarterly. They shall be ineligible to any other than a judicial office during the term for which they are elected, and for one year thereafter. All votes for any person elected such Judge, for any office other than judicial, given either by the Legislature or the people, shall be void.

SEC. 10. The Supreme Court may appoint a Reporter of its decisions. The decisions of the Supreme Court shall be in writing, and signed by the Judges concurring therein. Any Judge dissenting therefrom shall give the reasons of such dissent in writing, under his signature. All such opinions shall be filed in the office of the Clerk of the Supreme Court.

The Judges of the Circuit Court, within their respective jurisdictions, may fill vacancies in the office of County Clerk and of Prosecuting Attorney; but no Judge of the Supreme Court, or Circuit Court, shall exercise any other power of appointment to public office.

SEC. 11. A Circuit Court shall be held at least twice in each year in every county organized for judicial purposes, and four times in each year in counties containing ten thousand inhabitants. Judges of the Circuit Court may hold courts for each other, and shall do so when required by law.

SEC. 12. The Clerk of each county organized for judicial purposes, shall be the clerk of the Circuit Court of such county, and of the Supreme Court when held within the same.

SEC. 13. In each of the counties organized for judicial purposes, there shall be a Court of Probate. The Judge of such court shall be elected by the electors of the county in which he resides, and shall hold his office for four years, and until his successor is elected and qualified. The jurisdiction, powers, and duties of such court shall be prescribed by law.

SEC. 14. When a vacancy occurs in the office of Judge of the Supreme, Circuit, or Probate Court, it shall be filled by appointment of the Governor, which shall continue until a successor is elected and qualified. When elected, such successor shall hold his office the residue of the unexpired term.

SEC. 15. The Supreme Court, the Circuit and Probate Courts of each county, shall be Courts of Record, and shall each have a common seal.

SEC. 16. The Legislature may provide by law for the election of one or more persons in each organized county, who may be vested with judicial powers not exceeding those of a Judge of a Circuit Court at Chambers.

SEC. 17. There shall be not exceeding four Justices of the Peace in each organized township. They shall be elected by the electors of the township, and shall hold their offices for four years, and until their successors are elected and qualified. At the first election in any township, they shall be classified as shall be prescribed by law. A Justice elected to fill a vacancy shall hold his office for the residue of the unexpired term. The Legislature may increase the number of Justices in cities.

SEC. 18. In civil cases, Justices of the Peace shall have exclusive jurisdiction to the amount of one hundred dollars, and concurrent jurisdiction to the amount of three hundred dollars, which may be increased to five hundred dollars, with such exceptions and restrictions as may be provided by law. They shall also have such criminal jurisdiction, and perform such duties, as shall be prescribed by the Legislature.

SEC. 19. Judges of the Supreme Court, Circuit Judges, and Justices of the Peace shall be conservators of the peace within their respective jurisdictions.

SEC. 20. The first election of Judges of the Circuit Court shall be held on the first Monday in April, one thousand eight hundred and fifty-one, and every sixth year thereafter. Whenever an additional circuit is created, provision shall be made to hold the subsequent election of such additional Judge at the regular elections herein provided.

SEC. 21. The first election of Judges of the Probate Courts shall be held on the Tuesday succeeding the first Monday of November, one thousand eight hundred and fifty-two, and every fourth year thereafter.

SEC. 22. Whenever a Judge shall remove beyond the limits of the jurisdiction for which he was elected, or a Justice

of the Peace from the township in which he was elected, or by a change in the boundaries of such township shall be placed without the same, they shall be deemed to have vacated their respective offices.

SEC. 23. The Legislature may establish Courts of Conciliation, with such powers and duties as shall be prescribed by law.

SEC. 24. Any suitor in any court of this State shall have the right to prosecute or defend his suit, either in his own proper person, or by an attorney or agent of his choice.

SEC. 25. In all prosecutions for libels, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party shall be acquitted. The jury shall have the right to determine the law and the fact.

SEC. 26. The persons, houses, papers, and possessions of every person shall be secure from unreasonable searches and seizures. No warrant to search any place or to seize any person or things, shall issue without describing them, nor without probable cause supported by oath or affirmation.

SEC. 27. The right of trial by jury shall remain, but shall be deemed to be waived in all civil cases, unless demanded by one of the parties in such manner as shall be prescribed by law.

SEC. 28. In every criminal prosecution, the accused shall have the right to a speedy and public trial by an impartial jury, which may consist of less than twelve men in all courts not of record; to be informed of the nature of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and have the assistance of counsel for his defense.

SEC. 29. No person, after acquittal upon the merits, shall be tried for the same offense. All persons shall, before conviction, be bailable by sufficient sureties, except for murder and treason, when the proof is evident or the presumption great.

SEC. 30. Treason against the State shall consist only in levying war against [it], or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless upon the testimony of two witnesses to the same overt act, or on confession in open court.

SEC. 31. Excessive bail shall not be required; excessive fines shall not be imposed; cruel or unusual punishments shall not be inflicted; nor shall witnesses be unreasonably detained.

SEC. 32. No person shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law.

SEC. 33. No person shall be imprisoned for debt, arising out of or founded on a contract, express or implied, except in cases of fraud, or breach of trust, or of moneys collected by public officers, or in any professional employment. No person shall be imprisoned for a militia fine in time of peace.

SEC. 34. No person shall be rendered incompetent to be a witness on account of his opinions on matters of religious belief.

SEC. 35. The style of all process shall be: "In the name of the people of the State of Michigan."

ARTICLE VII.

ELECTIONS.

*SEC. I. In all elections, every male citizen, every male inhabitant residing in the State on the twenty-fourth day of June, one thousand eight hundred and thirty-five; every male inhabitant residing in the State on the first day of January, one thousand eight hundred and fifty, who has declared his intention to become a citizen of the United States, pursuant to the laws thereof, six months preceding an election, or who has resided in this State two years and six months, and declared his intention as aforesaid, 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 citizen or inhabitant 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 three months, and in the township or ward in which he offers to vote, ten 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, in the army and 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 have the power, and shall provide the manner in which, and the time and place at which, such absent electors may vote, and for the canvas and return of their votes

*By amendment proposed by the Legislature of 1869, and approved by the people at the general election of 1870, the word "white," as in the article originally, was stricken out.

†Amendment proposed by the Legislature of 1865, (Joint Resolution No. 26), and approved by the people at the general election in November, 1866, by a majority of 73,260.

to the township or ward election district in which they respectively reside, or otherwise.

SEC. 2. All votes shall be given by ballot, except for such township officers as may be authorized by law to be otherwise chosen.

SEC. 3. Every elector, in all cases except treason, felony, or breach of the peace, shall be privileged from arrest during his attendance at election, and in going to and returning from the same.

SEC. 4. No elector shall be obliged to do military duty on the day of election, except in time of war or public danger, or attend court as a suitor or witness.

SEC. 5. No elector shall be deemed to have gained or lost a residence by reason of his being employed in the service of the United States, or of this State; nor while engaged in the navigation of the waters of this State, or of the United States, or of the high seas; nor while a student of any seminary of learning; nor while kept at any almshouse or other asylum at public expense; nor while confined in any public prison.

SEC. 6. Laws may be passed to preserve the purity of elections, and guard against abuses of the elective franchise.

SEC. 7. No soldier, seaman, nor marine, in the army or navy of the United States, shall be deemed a resident of this State in consequence of being stationed in any military or naval place within the same.

SEC. 8. Any inhabitant who may hereafter be engaged in a duel, either as principal or accessory before the fact, shall be disqualified from holding any office under the Constitution and laws of this State, and shall not be permitted to vote at any election.

ARTICLE VIII.

STATE OFFICERS.

SEC. 1. There shall be elected at each general biennial election a Secretary of State, a Superintendent of Public Instruction, a State Treasurer, a Commissioner of the Land Office, an Auditor General, and an Attorney General, for the term of two years. They shall keep their offices at the seat of government, and shall perform such duties as may be prescribed by law.

SEC. 2. Their term of office shall commence on the first day of January, one thousand eight hundred and fifty-three, and of every second year thereafter.

SEC. 3. Whenever a vacancy shall occur in any of the State offices, the Governor shall fill the same by appointment, by and with the advice and consent of the Senate, if in session.

SEC. 4. The Secretary of State, State Treasurer, and Commissioner of the State Land Office shall constitute a Board of State Auditors, to examine and adjust all claims against the State not otherwise provided for by general law. They shall constitute a Board of State Canvassers to determine the result of all elections for Governor, Lieutenant Governor, and State officers, and of such other officers as shall by law be referred to them.

SEC. 5. In case two or more persons have an equal and the highest number of votes for any office, as canvassed by the Board of State Canvassers, the Legislature, in joint convention, shall choose one of said persons to fill such office. When the determination of the Board of State Canvassers is contested, the Legislature, in joint convention, shall decide which person is elected.

ARTICLE IX.

SALARIES.

SEC. 1. The Governor shall receive an annual salary of one thousand dollars; the Judges of the Circuit Courts shall each receive an annual salary of one thousand five hundred dollars; the State Treasurer shall receive an annual salary of one thousand dollars; the Auditor General shall receive an annual salary of one thousand dollars; the Superintendent of Public Instruction shall receive an annual salary of one thousand dollars; the Secretary of State shall receive an annual salary of eight hundred dollars; the Commissioner of the Land Office shall receive an annual salary of eight hundred dollars; the Attorney General shall receive an annual salary of eight hundred dollars. They shall receive no fees or perquisites whatever for the performance of any duties connected with their offices. It shall not be competent for the Legislature to increase the salaries herein provided.

ARTICLE X.

COUNTIES.

SEC. 1. Each organized county shall be a body corporate, with such powers and immunities as shall be established by law. All suits and proceedings by or against a county shall be in the name thereof.

SEC. 2. No organized county shall ever be reduced, by the organization of new counties, to less than sixteen townships, as surveyed by the United States, unless, in pursuance of law, a majority of electors residing in each county to be affected thereby shall so decide. The Legislature may organize any city into a separate county when it has attained a population

of twenty thousand inhabitants, without reference to geographical extent, when a majority of the electors of a county in which such city may be situated, voting thereon, shall be in favor of a separate organization.

SEC. 3. In each organized county there shall be a Sheriff, a County Clerk, a County Treasurer, a Register of Deeds, and a Prosecuting Attorney, chosen by the electors thereof, once in two years, and as often as vacancies shall happen, whose duties and powers shall be prescribed by law. The Board of Supervisors in any county may unite the offices of County Clerk and Register of Deeds in one office or disconnect the same.

SEC. 4. The Sheriff, County Clerk, County Treasurer, Judge of Probate, and Register of Deeds shall hold their offices at the county seat.

SEC. 5. The Sheriff shall hold no other office, and shall be incapable of holding the office of Sheriff longer than four n any period of six years. He may be required by law to renew his security from time to time, and in default of giving such security, his office shall be deemed vacant. The county shall never be responsible for his acts.

SEC. 6. A Board of Supervisors, consisting of one from each organized township, shall be established in each county, with such powers as shall be prescribed by law.

SEC. 7. Cities shall have such representation in the Board of Supervisors of the counties in which they are situated, as the Legislature may direct.

SEC. 8. No county seat once established, shall be removed until the place to which it is proposed to be removed shall be designated by two-thirds of the Board of Supervisors of the county, and a majority of the electors voting thereon shall

have voted in favor of the proposed location, in such manner as shall be prescribed by law.

SEC. 9. The Board of Supervisors of any county may borrow or raise by tax one thousand dollars, for constructing or repairing public buildings, highways, or bridges; but no greater sum shall be borrowed or raised by tax for such purpose in any one year, unless authorized by a majority of the electors of such county voting thereon.

SEC. 10. The Board of Supervisors, or in the county of Wayne the Board of County Auditors, shall have the exclusive power to prescribe and fix the compensation for all services rendered for, and to adjust all claims against their respective counties; and the sum so fixed or defined shall be subject to no appeal.

SEC. 11. The Board of Supervisors of each organized county may provide for laying out highways, constructing bridges, and organizing townships, under such restrictions and limitations as shall be prescribed by law.

ARTICLE XI.

TOWNSHIPS.

SEC. 1. There shall be elected annually, on the first Monday of April, in each organized township, one Supervisor, one Township Clerk, who shall be *ex officio* School Inspector, one Commissioner of Highways, one Township Treasurer, one School Inspector, not exceeding four Constables, and one Overseer of Highways for each highway district, whose powers and duties shall be prescribed by law.

SEC. 2. Each organized township shall be a body corporate, with such powers and immunities as shall be prescribed

by law. All suits and proceedings by or against a township shall be in the name thereof.

ARTICLE XII.

IMPEACHMENTS AND REMOVALS FROM OFFICE.

SEC. 1. The House of Representatives shall have the sole power of impeaching civil officers for corrupt conduct in office, or for crimes and misdemeanors; but a majority of the members elected shall be necessary to direct an impeachment.

SEC. 2. Every impeachment shall be tried by the Senate. When the Governor or Lieutenant Governor is tried, the Chief Justice of the Supreme Court shall preside. When an impeachment is directed, the Senate shall take an oath or affirmation, truly and impartially to try and determine the same according to the evidence. No person shall be convicted without the concurrence of two-thirds of the members elected. Judgment in case of impeachment shall not extend further than removal from office; but the party convicted shall be liable to punishment according to law.

SEC. 3. When an impeachment is directed, the House of Representatives shall elect from their own body three members, whose duty it shall be to prosecute such impeachment. No impeachment shall be tried until the final adjournment of the Legislature, when the Senate shall proceed to try the same.

SEC. 4. No judicial officer shall exercise his office after an impeachment is directed, until he is acquitted.

SEC. 5. The Governor may make a provisional appointment to a vacancy occasioned by the suspension of an officer until he shall be acquitted, or until after the election and qualification of a successor.

SEC. 6. For reasonable cause, which shall not be sufficient ground for the impeachment of a Judge, the Governor shall remove him on a concurrent resolution of two-thirds of the members elected to each House of the Legislature; but the cause for which such removal is required shall be stated at length in such resolution.

SEC. 7. The Legislature shall provide by law for the removal of any officer elected by a county, township, or school district, in such manner and for such cause as to them shall seem just and proper,

[SEC. 8. The Governor shall have power, and it shall be his duty, except at such time as the Legislature may be in session, to examine into the condition and administration of any public office, and the acts of any public officer, elective or appointed, to remove from office for gross neglect of duty, or for corrupt conduct in office, or any other misfeasance or malfeasance therein, either of the following State officers, to wit: The Attorney General, State Treasurer, Commissioner of the Land Office, Secretary of State, Auditor General, Superintendent of Public Instruction, or Members of the State Board of Education, or any other officer of the State, except legislative and judicial, elective or appointed, and to appoint a successor for the remainder of their respective unexpired term of office, and report the causes of such removal to the Legislature at its next session.*]

* Amendment adopted by the Legislature of 1861, approved by the people at the general election of 1862.

ARTICLE XIII.

EDUCATION.

SEC. 1. The Superintendent of Public Instruction shall have the general supervision of Public Instruction, and his duties shall be prescribed by law.

SEC. 2. The proceeds from the sales of all lands that have been or hereafter may be granted by the United States to the State for educational purposes, and the proceeds of all lands or other property given by individuals, or appropriated by the State for like purposes, shall be and remain a perpetual fund, the interest and income of which, together with the rents of all such lands as may remain unsold, shall be inviolably appropriated and annually applied to the specific objects of the original gift, grant, or appropriation.

SEC. 3. All lands, the titles of which shall fail from a defect of heirs, shall escheat to the State; and the interest on the clear proceeds from the sales thereof shall be appropriated exclusively to the support of primary schools.

SEC. 4. The Legislature shall, within five years from the adoption of this Constitution, provide for and establish a system of primary schools, whereby a school shall be kept without charge for tuition, at least three months in each year, in every school district in the State; and all instruction in said schools shall be conducted in the English language.

SEC. 5. A school shall be maintained in each school district, at least three months in each year. Any school district neglecting to maintain such school shall be deprived for the ensuing year of its proportion of the income of the primary school fund, and of all funds arising from taxes for the support of schools.

SEC. 6. [There shall be elected in the year eighteen hundred and sixty-three, at the time of the election of a Justice of the Supreme Court, eight Regents of the University, two of whom shall hold their office for two years, two for four years, two for six years, and two for eight years. They shall enter upon the duties of their office on the first of January next succeeding their election. At every regular election of a Justice of the Supreme Court thereafter, there shall be elected two Regents, whose term of office shall be eight years. When a vacancy shall occur in the office of Regent, it shall be filled by appointment of the Governor. The Regents thus elected shall constitute the Board of Regents of the University of Michigan.*]

SEC. 7. The Regents of the University and their successors in office shall continue to constitute the body corporate known by the name and title of "The Regents of the University of Michigan."

SEC. 8. The Regents of the University shall, at their first annual meeting, or as soon thereafter as may be, elect a President of the University, who shall be *ex officio* a member of their Board, with the privilege of speaking but not of voting. He shall preside at the meetings of the Regents, and be the principal executive officer of the University. The Board of Regents shall have the general supervision of the University, and the direction and control of all expenditures from the University interest fund.

SEC. 9. There shall be elected at the general election in the year one thousand eight hundred and fifty-two, three members of a State Board of Education; one for two years,

*Amendment adopted by the Legislature of 1861, approved by the people at the general election of 1862.

one for four years, and one for six years; and at each succeeding biennial election there shall be elected one member of such Board, who shall hold his office for six years. The Superintendent of Public Instruction shall be *ex officio* a member and secretary of such board. The board shall have the general supervision of the State Normal School, and their duties shall be prescribed by law.

SEC. 10. Institutions for the benefit of those inhabitants who are deaf, dumb, blind, or insane, shall always be fostered and supported.

SEC. 11. The Legislature shall encourage the promotion of intellectual, scientific, and agricultural improvement; and shall, as soon as practicable, provide for the establishment of an Agricultural School. The Legislature may appropriate the twenty-two sections of salt spring lands now unappropriated, or the money arising from the sale of the same, where such lands have been already sold, and any land which may hereafter be granted or appropriated for such purpose, for the support and maintenance of such school, and may make the same a branch of the University, for instruction in agriculture and the natural sciences connected therewith, and place the same under the supervision of the Regents of the University.

SEC. 12. The Legislature shall also provide for the establishment of at least one library in each township; and all fines assessed and collected in the several counties and townships, for any breach of the penal laws, shall be exclusively applied to the support of such libraries.

ARTICLE XIV.

FINANCE AND TAXATION.

SEC. 1. All specific State taxes, except those received from the mining companies of the Upper Peninsula, shall be applied in paying the interest upon the primary school, University, and other educational funds, and the interest and principal of the State debt, in the order herein recited, until the extinguishment of the State debt, other than the amounts due to educational funds, when such specific taxes shall be added to, and constitute a part of, the primary school interest fund. The Legislature shall provide for an annual tax, sufficient, with other resources, to pay the estimated expenses of the State government, the interest of the State debt, and such deficiency as may occur in the resources.

SEC. 2. The Legislature shall provide by law a sinking fund of at least twenty thousand dollars a year, to commence in eighteen hundred and fifty-two, with compound interest at the rate of six per cent. per annum, and an annual increase of at least five per cent., to be applied solely to the payment and extinguishment of the principal of the State debt, other than the amounts due to educational funds, and shall be continued until the extinguishment thereof. The unfunded debt shall not be funded or redeemed at a value exceeding that established by law in one thousand eight hundred and forty-eight.

SEC. 3. The State may contract debts to meet deficits in revenues. Such debts shall not, in the aggregate, at any one time, exceed fifty thousand dollars. The moneys so raised shall be applied to the purposes for which they were obtained, or to the payment of the debts so contracted.

SEC. 4. The State may contract debts to repel invasion, suppress insurrection, or defend the State in time of war.

The money arising from the contracting of such debts shall be applied to the purposes for which it was raised, or to repay such debts.

SEC. 5. No money shall be paid out of the treasury except in pursuance of appropriations made by law.

SEC. 6. The credit of the State shall not be granted to or in aid of any person, association, or corporation.

SEC. 7. No scrip, certificate, or other evidence of State indebtedness shall be issued, except for the redemption of stock previously issued, or for such debts as are expressly authorized in this Constitution.

SEC. 8. The State shall not subscribe to or be interested in the stock of any company, association, or corporation.

SEC. 9. The State shall not be a party to or interested in any work of internal improvement, nor engaged in carrying on any such work, except in the expenditure of grants to the State of land or other property.

SEC. 10. The State may continue to collect all specific taxes accruing to the treasury under existing laws. The Legislature may provide for the collection of specific taxes, from banking, railroad; plank-road, and other corporations hereafter created.

SEC. 11. The Legislature shall provide an uniform rule of taxation, except on property paying specific taxes; and taxes shall be levied on such property as shall be prescribed by law.

SEC. 12. All assessments hereafter authorized shall be on property at its cash value.

SEC. 13. The Legislature shall provide for an equalization by a State Board in the year one thousand eight hundred and fifty-one, and every fifth year thereafter, of assessments on all taxable property, except that paying specific taxes.

SEC. 14. Every law which imposes, continues, or revives a tax, shall distinctly state the tax and the object to which it is to be applied; and it shall not be sufficient to refer to any other law to fix such tax or object.

ARTICLE XV.

CORPORATIONS.

[SEC. 1. Corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes. All laws passed pursuant to this section may be amended, altered, or repealed. But the Legislature may, by a vote of two-thirds of the members elected to each House, create a single bank with branches.*]

[SEC. 2. No general banking law shall have effect until the same shall, after its passage, be submitted to a vote of the electors of the State at a general election, and be approved by a majority of the votes cast thereon at such election.†]

[SEC. 3. The officers and stockholders of every corporation or association for banking purposes, issuing bank notes or paper credits, to circulate as money, shall be individually liable for all debts contracted during the term of their being officers or stockholders of such corporation or association, equally and ratably, to the extent of their respective shares of stock in any such corporation or association.‡]

[SEC. 4. For all banks organized under general laws, the Legislature shall provide for the registry of all bills or notes issued or put in circulation as money, and shall require secu-

*Amendment adopted by the Legislature of 1861, approved by the people at the general election of 1862.

†Amendment adopted by the Legislature of 1861, approved by the people at the general election of 1862.

‡Amendment adopted by the Legislature of 1859, approved by the people at the general election of 1860.

rity to the full amount of notes and bills so registered, in State or United States stocks, bearing interest, which shall be deposited with the State Treasurer for the redemption of such bills or notes, in specie.*]

SEC. 5. In case of the insolvency of any bank or banking association, the bill holders thereof shall be entitled to preference in payment, over all other creditors of such bank or association.

SEC. 6. The Legislature shall pass no law authorizing or sanctioning the suspension of specie payments by any person, association, or corporation.

SEC. 7. The stockholders of all corporations and joint stock associations, shall be individually liable for all labor performed for such corporation or association.

SEC. 8. The Legislature shall pass no law altering or amending any act of incorporation heretofore granted, without the assent of two-thirds of the members elected to each House; nor shall any such act be renewed or extended. This restriction shall not apply to municipal corporations.

SEC. 9. The property of no person shall be taken by any corporation for public use, without compensation being first made or secured, in such manner as may be prescribed by law.

SEC. 10. No corporation, except for municipal purposes, or for the construction of railroads, plank-roads, and canals, shall be created for a longer time than thirty years.

SEC. 11. The term "corporation," as used in the preceding sections of this article, shall be construed to include all associations and joint stock companies having any of the

*Amendment adopted by the Legislature of 1861, approved by the people at general election of 1862.

powers or privileges of corporations, not possessed by individuals or partnerships. All corporations shall have the right to sue, and be subject to be sued in all courts, in like cases as natural persons.

SEC. 12. No corporation shall hold any real estate hereafter acquired, for a longer period than ten years, except such real estate as shall be actually required by such corporations in the exercise of its franchises.

SEC. 13. The Legislature shall provide for the incorporation and organization of cities and villages, and shall restrict their powers of taxation, borrowing money, contracting debts, and loaning their credit.

SEC. 14. Judicial officers of cities and villages shall be elected, and all other officers shall be elected or appointed, at such time and in such manner as the Legislature may direct.

SEC. 15. Private property shall not be taken for public improvements in cities and villages without the consent of the owner, unless the compensation therefor shall first be determined by a jury of freeholders, and actually paid or secured in the manner provided by law.

SEC. 16. Previous notice of any application for an alteration of the charter of any corporation shall be given in such manner as may be prescribed by law.

ARTICLE XVI.

EXEMPTIONS.

SEC. 1. The personal property of every resident of this State, to consist of such property only as shall be designated by law, shall be exempted to the amount of not less than five hundred dollars, from sale on execution or other final process of any court, issued for the collection of any debt contracted after the adoption of this Constitution.

SEC. 2. Every homestead of not exceeding forty acres of land, and the dwelling house thereon, and the appurtenances, to be selected by the owner thereof, and not included in any town plat, city, or village ; or, instead thereof, at the option of the owner, any lot in any city, village, or recorded town plat, or such parts of lots as shall be equal thereto, and the dwelling-house thereon, and its appurtenances, owned and occupied by any resident of the State, not exceeding in value fifteen hundred dollars, shall be exempt from forced sale on execution, or any other final process from a court, for any debt contracted after the adoption of this Constitution. Such exemption shall not extend to any mortgage thereon, lawfully obtained, but such mortgage or other alienation of such land by the owner thereof, if a married man, shall not be valid without the signature of the wife to the same.

SEC. 3. The homestead of a family, after the death of the owner thereof, shall be exempt from the payment of his debts, contracted after the adoption of this Constitution, in all cases, during the minority of his children.

SEC. 4. If the owner of a homestead die, leaving a widow, but no children, the same shall be exempt, and the rents and profits thereof shall accrue to her benefit during the time of her widowhood, unless she be the owner of a homestead in her own right.

SEC. 5. The real and personal estate of every female, acquired before marriage, and all property to which she may afterwards become entitled by gifts, grant, inheritance, or devise, shall be and remain the estate and property of such female, and shall not be liable for the debts, obligations, or engagements of her husband, and may be devised or bequeathed by her as if she were unmarried.

ARTICLE XVII.

MILITIA.

*SEC. 1. The militia shall be composed of all able bodied male citizens between the ages of eighteen and forty-five years, except such as are exempted by the laws of the United States, or of this State; but all such citizens, of any religious denomination whatever, who, from scruples of conscience, may be averse to bearing arms, shall be excused therefrom, upon such conditions as shall be prescribed by law.

SEC. 2. The Legislature shall provide by law for organizing, equipping, and disciplining the militia, in such manner as they shall deem expedient, not incompatible with the laws of the United States.

SEC. 3. Officers of the militia shall be elected or appointed, and be commissioned in such manner as may be provided by law.

ARTICLE XVIII.

MISCELLANEOUS PROVISIONS.

Sec. 1. Members of the Legislature, and all officers, executive and judicial, except such officers as may by law be exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of this State, and that I will faithfully discharge the duties of the office———according to the best of my ability." And no other oath, declaration, or test shall be required as a qualification for any office or public trust.

* By an amendment proposed by the Legislature of 1869, and approved by the people at the general election of 1870, the word "white" was stricken out of this section.

SEC. 2. When private property is taken for the use or benefit of the public, the necessity for using such property, and the just compensation to be made therefor, except when to be made by the State, shall be ascertained by a jury of twelve freeholders, residing in the vicinity of such property, or by not less than three commissioners, appointed by a Court of Record, as shall be prescribed by law. [*Provided*, The foregoing provision shall in no case be construed to apply to the action of commissioners of the highways in the official discharge of their duties as Highway Commissioners.*]

SEC. 3. No mechanical trade shall hereafter be taught to convicts of the State Prison of this State, except the manufacture of those articles of which the chief supply for home consumption is imported from other States or countries.

SEC. 4. No navigable stream in this State shall be either abridged or damned without authority from the Board of Supervisors of the proper county, under the provisions of law. No such law shall prejudice the right of individuals to the free navigation of such streams, or preclude the State from the further improvement of the navigation of such streams.

SEC. 5. An accurate statement of the receipts and expenditures of the public moneys shall be attached to and published with the laws at every regular session of the Legislature.

SEC. 6. The laws, public records, and the written judicial and legislative proceedings of the State, shall be conducted, promulgated, and preserved in the English language.

SEC. 7. Every person has a right to bear arms for the defense of himself and the State.

SEC. 8. The military shall, in all cases, and at all times, be in strict subordination to the civil power.

* Amendment adopted by the Legislature of 1859, approved by the people at the general election of 1860.

SEC. 9. No soldier shall, in time of peace, be quartered in any house without the consent of the owner or occupant, nor in time of war except in a manner prescribed by law.

SEC. 10. The people have the right peaceably to assemble together, to consult for the common good, to instruct their Representatives, and to petition the Legislature for redress of grievances.

SEC. 11. Neither slavery nor involuntary servitude, unless for the punishment of crime, shall ever be tolerated in this State.

SEC. 12. No lease or grant hereafter, of agricultural land, for a longer period than twelve years, reserving any rent or service of any kind, shall be valid.

SEC. 13. Aliens who are, or who may hereafter become, *bona fide* residents of this State, shall enjoy the same rights in respect to the possession, enjoyment, and inheritance of property, as native-born citizens.

SEC. 14. The property of no person shall be taken for public use without just compensation therefor. Private roads may be opened in the manner to be prescribed by law; but in every case the necessities of the road, and the amount of all damages to be sustained by the opening thereof, shall be first determined by a jury of freeholders; and such amount, together with the expenses of proceedings, shall be paid by the person or persons to be benefited.

SEC. 15. No general revision of the laws shall hereafter be made. When a reprint thereof becomes necessary, the Legislature, in joint convention, shall appoint a suitable person to collect together such acts and parts of acts as are in force, and, without alteration, arrange them under appropriate heads and titles. The laws so arranged shall be submitted to

two commissioners, appointed by the Governor, for examination, and if certified by them to be a correct compilation of all general laws in force, shall be printed in such manner as shall be prescribed by law.

ARTICLE XIX.

UPPER PENINSULA.

SEC. 1. The counties of Mackinac, Chippewa, Delta, Marquette, Schoolcraft, Houghton, and Ontonagon, and the islands and territory thereunto attached, the islands of Lake Superior, Huron, and Michigan, and in Green Bay, and the Straits of Mackinaw, and the River Ste. Marie, shall constitute a separate judicial district, and be entitled to a District Judge and District Attorney.

SEC. 2. The District Judge shall be elected by the electors of such district, and shall perform the same duties, and possess the same powers, as a Circuit Judge in his circuit, and shall hold his office for the same period.

SEC. 3. The District Attorney shall be elected every two years by the electors of the district, shall perform the duties of Prosecuting Attorney throughout the entire district, and may issue warrants for the arrest of offenders in cases of felony, to be proceeded with as shall be prescribed by law.

SEC. 4. Such judicial district shall be entitled at all times to at least one Senator, and until entitled to more by its population, it shall have three members of the House of Representatives, to be apportioned among the several counties by the Legislature.

SEC. 5. The Legislature may provide for the payment of the District Judge a salary not exceeding one thousand dollars a year; and of the District Attorney, not exceeding seven

hundred dollars a year; and may allow extra compensation to the members of the Legislature from such territory, not exceeding two dollars a day during any session.

[SEC. 6. That elections for all district or county officers, State Senators or Representatives, within the boundaries defined in this article, shall take place on the Tuesday succeeding the first Monday of November, in the respective years in which they may be required; the county canvass shall be held on the first Monday thereafter, and the district canvass on the third Monday of said November.*]

SEC. 7. One-half of the taxes received into the treasury from mining corporations in the Upper Peninsula, paying an annual State tax of one per cent. shall be paid to the Treasurers of the counties from which it is received, to be applied for township and county purposes, as provided by law. The Legislature shall have power, after the year one thousand eight hundred and fifty-five, to reduce the amount to be refunded.

SEC. 8. The Legislature may change the location of the State Prison from Jackson to the Upper Peninsula.

SEC. 9. The charters of the several mining corporations may be modified by the Legislature, in regard to the term limited for subscribing to stock, and in relation to the quantity of land which a corporation shall hold; but the capital shall not be increased, nor the time for the existence of charters extended. No such corporation shall be permitted to purchase or hold any real estate, except such as shall be necessary for the exercise of its corporate franchises.

* Amendment adopted by the Legislature of 1861, approved by the people at the general election of 1862.

*ARTICLE XIX—A.

OF RAILROADS.

SEC. 1. The Legislature may, from time to time, pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on different railroads in this State, and shall prohibit running contracts between such railroad companies whereby discrimination is made in favor of either of such companies as against other companies owning connecting or intersecting lines of railroads.

SEC. 2. No railroad corporation shall consolidate its stock, property, or franchises with any other railroad corporation owning a parallel or competing line; and in no case shall any consolidation take place except upon public notice given of at least sixty days to all stockholders, in such manner as shall be provided by law.

ARTICLE XX.

AMENDMENT AND REVISION OF THE CONSTITUTION.

SEC. 1. Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives. If the same shall be agreed to by two-thirds of the members elected to each House, such amendment or amendments shall be entered on the journals respectively, with the yeas and nays taken thereon, and the same shall be submitted to the electors at the next [†spring or autumn election thereafter, as the Legislature shall direct;] and if a majority of the electors qualified to vote for members of the Legislature, voting thereon, shall ratify and approve such amendment or amendments, the same shall become part of the Constitution.

*Amendment adopted by the Legislature in extra session, 1870, approved by the people at the general election of 1870.

†Amendment adopted by the Legislature of 1875, approved by the people at the general election of 1862.

[SEC. 2. At the general election to be held in the year one thousand eight hundred and sixty-six, and in each sixteenth year thereafter, and also at such other times as the Legislature may by law provide, the question of the general revision of the Constitution shall be submitted to the electors qualified to vote for members of the Legislature; and in case a majority of the electors so qualified, voting at such election, shall decide in favor of a convention for such purpose, the Legislature, at the next session, shall provide by law for the election of such delegates to such convention. All the amendments shall take effect at the commencement of the year after their adoption,*]

SCHEDULE.

That no inconvenience may arise from the changes in the Constitution of this State, and in order to carry the same into complete operation, it is hereby declared that,

SEC. 1. The common law, and the statute laws now in force, not repugnant to this Constitution, shall remain in force until they expire by their own limitations, or are altered or repealed by the Legislature.

SEC. 2. All writs, actions, causes of action, prosecutions, and rights of individuals and of bodies corporate, and of the State, and all charters of incorporation, shall continue; and all indictments which shall have been found, or which may hereafter be found, for any crime or offense committed before the adoption of this Constitution, may be proceeded upon as if no change had taken place. The several courts, except as

*Amendment adopted by the Legislature of 1861, approved by the people at the general election of 1862.

herein otherwise provided, shall continue with the like powers and jurisdiction, both at law and in equity, as if this Constitution had not been adopted, and until the organization of the judicial department under this Constitution.

SEC. 3. That all fines, penalties, forfeitures, and escheats accruing to the State of Michigan under the present Constitution and laws, shall accrue to the use of the State under this Constitution.

SEC. 4. That all recognizances, bonds, obligations, and all other instruments entered into or executed before the adoption of this Constitution, to the people of the State of Michigan, to any State, county, or township, or any public officer, or public body, or which may be entered into or executed under existing laws, "to the people of the State of Michigan," to any such officer, or public body, before the complete organization of the departments of government under this Constitution, shall remain binding and valid, and rights and liabilities upon the same shall continue, and may be prosecuted as provided by law. And all crimes and misdemeanors and penal actions shall be tried, punished, and prosecuted as though no change had taken place, until otherwise provided by law.

SEC. 5. A Governor and Lieutenant Governor shall be chosen under the existing Constitution and laws, to serve after the expiration of the term of the present incumbent.

SEC. 6. All officers, civil and military, now holding any office or appointment, shall continue to hold their respective offices, unless removed by competent authority, until superseded under the laws now in force, or under this Constitution.

SEC. 7. The members of the Senate and House of Representatives of the Legislature of one thousand eight hundred

and fifty-one, shall continue in office, under the provisions of law, until superseded by their successors, elected and qualified under this Constitution.

SEC. 8. All county officers, unless removed by competent authority, shall continue to hold their respective offices until the first day of January, in the year one thousand eight hundred and fifty-three. The laws now in force as to the election, qualification, and duties of township officers, shall continue in force until the Legislature shall, in conformity to the provisions of this Constitution, provide for the holding of elections to fill such offices, and prescribe the duties of such officers respectively.

SEC. 9. On the first day of January, in the year one thousand eight hundred and fifty-two, the terms of office of the Judges of the Supreme Court under existing laws, and of the Judges of the County Courts, and of the Clerks of the Supreme Court, shall expire on the said day.

SEC. 10. On the first day of January, in the year one thousand eight hundred and fifty-two, the jurisdiction of all suits and proceedings then pending in the present Supreme Court shall become vested in the Supreme Court established by this Constitution, and shall be finally adjudicated by the court where the same may be pending. The jurisdiction of all suits and proceedings at law and equity, then pending in the Circuit Courts and County Courts for the several counties, shall become vested in the Circuit Court of the said counties, and District Court for the Upper Peninsula.

SEC. 11. The Probate Courts, the Courts of Justices of the Peace, and the Police Court authorized by an act entitled "An act to establish a Police Court in the city of Detroit," approved April second, one thousand eight hundred and fifty,

shall continue to exercise the jurisdiction and powers now conferred upon them respectively, until otherwise provided by law.

SEC. 12. The office of State Printer shall be vested in the present incumbent until the expiration of the term for which he was elected under the law then in force; and all the provisions of the said law relating to his duties, rights, privileges, and compensation, shall remain unimpaired and inviolate until the expiration of his said term of office.

SEC. 13. It shall be the duty of the Legislature, at their first session, to adapt the present laws to the provisions of this Constitution, as far as may be.

SEC. 14. The Attorney General of the State is required to prepare and report to the Legislature, at the commencement of the next session, such changes and modifications in existing laws as may be deemed necessary to adapt the same to this Constitution, and as may be best calculated to carry into effect its provisions; and he shall receive no additional compensation therefor.

SEC. 15. Any territory attached to any county for judicial purposes, if not otherwise represented, shall be considered as forming part of such county, so far as regards elections for the purpose of representation.

SEC. 16. This Constitution shall be submitted to the people for their adoption or rejection, at the general election to be held on the first Tuesday of November, one thousand eight hundred and fifty; and there shall also be submitted for adoption or rejection, at the same time, the separate resolution in relation to the elective franchise; and it shall be the duty of the Secretary of State, and all other officers required to give or to publish any notice in regard to the said general

election, to give notice, as provided by law in case of an election of Governor, that this Constitution has been duly submitted to the electors at said election. Every newspaper within this State publishing, in the month of September next, this Constitution as submitted, shall receive as compensation therefor the sum of twenty-five dollars, to be paid as the Legislature shall direct.

SEC. 17. Any person entitled to vote for members of the Legislature, by the Constitution and laws now in force, shall, at the said election, be entitled to vote for the adoption or rejection of this Constitution, and for or against the resolution separately submitted, at the places and in the manner provided by law for the election of members of the Legislature.

SEC. 18. At the said general election, a ballot-box shall be kept by the several Boards of Inspectors thereof, for receiving the votes cast for or against the adoption of this Constitution; and on the ballots shall be written or printed, or partly written and partly printed, the words "Adoption of the Constitution—yes," or "Adoption of the Constitution—no."

SEC 19. The canvass of the votes cast for the adoption or rejection of this Constitution, and the provision in relation to the elective franchise separately submitted, and the returns thereof, shall be made by the proper canvassing officers, in the same manner as now provided by law for the canvass and return of the votes cast at an election for Governor, as near as may be; and the return thereof shall be directed to the Secretary of State. On the sixteenth day of December next, or within five days thereafter, the Auditor General, State Treasurer, and Secretary of State shall meet at the Capital, and proceed, in presence of the Governor, to examine and

canvass the returns of the said votes, and proclamation shall forthwith be made by the Governor of the result thereof. If it shall appear that a majority of the votes cast upon the question have thereon "Adoption of the Constitution—yes," this Constitution shall be the supreme law of the State from and after the first day of January, one thousand eight hundred and fifty-one, except as is herein otherwise provided; but if a majority of the votes cast upon the question have thereon "Adoption of the Constitution—no," the same shall be null and void. And in case of the adoption of this Constitution, said officers shall immediately, or as soon thereafter as practicable, proceed to open the statements of votes returned from the several counties for Judges of the Supreme Court and State officers under the act entitled "An act to amend the revised statutes, and to provide for the election of certain officers by the people, in pursuance to an amendment of the Constitution, approved February sixteenth, one thousand eight hundred and fifty," and shall ascertain, determine, and certify the results of the election for said officers under said acts, in the same manner, as near as may be, as is now provided by law in regard to the election of Representatives in Congress. And the several judges and officers so ascertained to have been elected, may be qualified and enter upon the duties of their respective offices on the first Monday of January next, or as soon thereafter as practicable.

SEC. 20. The salaries or compensation of all persons holding office under the present Constitution shall continue to be the same as now provided by law, until superseded by their successors elected or appointed under this Constitution; and it shall not be lawful hereafter for the Legislature to increase or diminish the compensation of any officer during the term for which he is elected or appointed.

SEC. 21. The Legislature, at their first session, shall provide for the payment of all expenditures of the Convention to revise the Constitution, and of the publication of the same as is provided in this article.

SEC. 22. Every county except Mackinac and Chippewa, entitled to a Representative in the Legislature at the time of the adoption of this Constitution, shall continue to be so entitled under this Constitution ; and the county of Saginaw, with the territory that may be attached, shall be entitled to one Representative ; the county of Tuscola, and the territory that may be attached, one Representative ; the county of Sanilac, and the territory that may be attached, one Representative ; the counties of Midland and Arenac, with the territory that may be attached, one Representative ; the county of Montcalm, with the territory that may be attached thereto, one Representative ; and the counties of Newaygo and Oceana, with the territory that may be attached thereto, one Representative. Each county having a ratio of representation and a fraction over, equal to a moiety of said ratio, shall be entitled to two Representatives, and so on above that number, giving one additional member for each additional ratio.

SEC. 23. The cases pending and undisposed of in the late Court of Chancery, at the time of the adoption of this Constitution, shall continue to be heard and determined by the Judges of the Supreme Court. But the Legislature shall, at its session in one thousand eight hundred and fifty-one, provide by law for the transfer of said causes that may remain undisposed of on the first day of January, one thousand eight hundred and fifty-two, to the Supreme or Circuit Court, established by this Constitution, or require that the

same may be heard and determined by the Circuit Judges.

SEC. 24. The term of office of the Governor and Lieutenant Governor shall commence on the first day of January next after their election.

SEC. 25. The territory described in the article entitled "Upper Peninsula," shall be attached to and constitute a part of the third circuit for the election of a Regent of the University.

SEC. 26. The Legislature shall have authority, after the expiration of the term of office of the District Judge first elected for the Upper Peninsula, to abolish said office of District Judge and District Attorney, or either of them.

SEC. 27. The Legislature shall, at its session of one thousand eight hundred and fifty-one, apportion the Representatives among the several counties and districts, and divide the State into Senate districts, pursuant to the provisions of this Constitution.

SEC. 28. The terms of office of all State and county officers, of the Circuit Judges, members of the Board of Education, and members of the Legislature, shall begin on the first day of January next succeeding their election.

SEC. 29. The State, exclusive of the Upper Peninsula, shall be divided into eight judicial circuits, and the counties of Monroe, Lenawee, and Hillsdale shall constitute the first circuit; the counties of Branch, St. Joseph, Cass, and Berrien shall constitute the second circuit; the county of Wayne shall constitute the third circuit; the counties of Washtenaw, Jackson, and Ingham shall constitute the fourth circuit; the counties of Calhoun, Kalamazoo, Allegan, Eaton, and Van Buren shall constitute the fifth circuit: [the] counties of St. Clair, Macomb, Oakland, and Sanilac shall constitute the sixth cir-

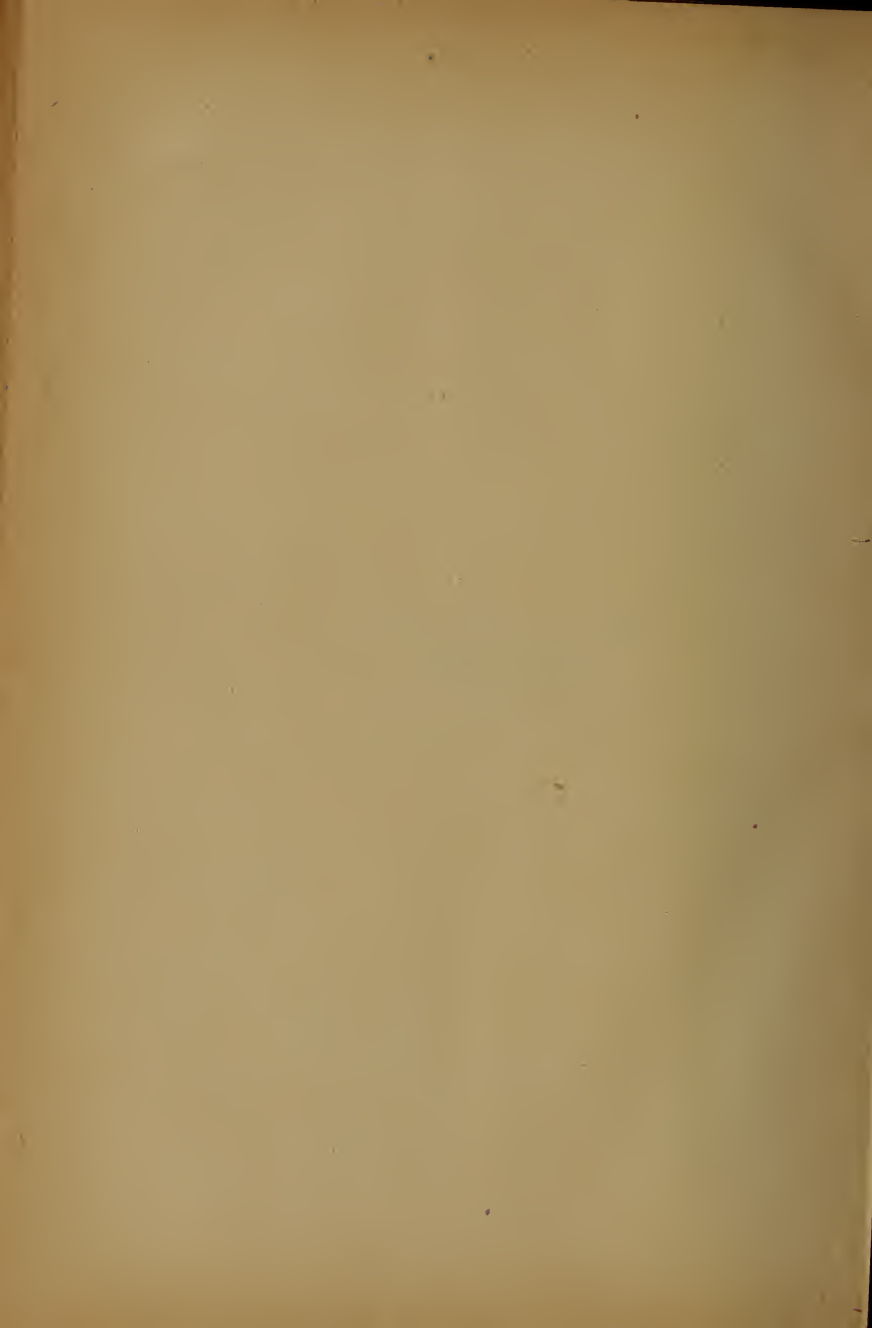
cuit ; the counties of Lapeer, Genessee, Saginaw, Shiawassee, Livingston, Tuscola, and Midland shall constitute the seventh circuit ; and the counties of Barry, Kent, Ottawa, Ionia, Clinton, and Montcalm shall constitute the eight circuit.

Done in Convention, at the Capital of the State, this fifteenth day of August, in the year of our Lord one thousand eight hundred and fifty, and of the Independence of the United States the seventy-fifth.

D. GOODWIN,
President.



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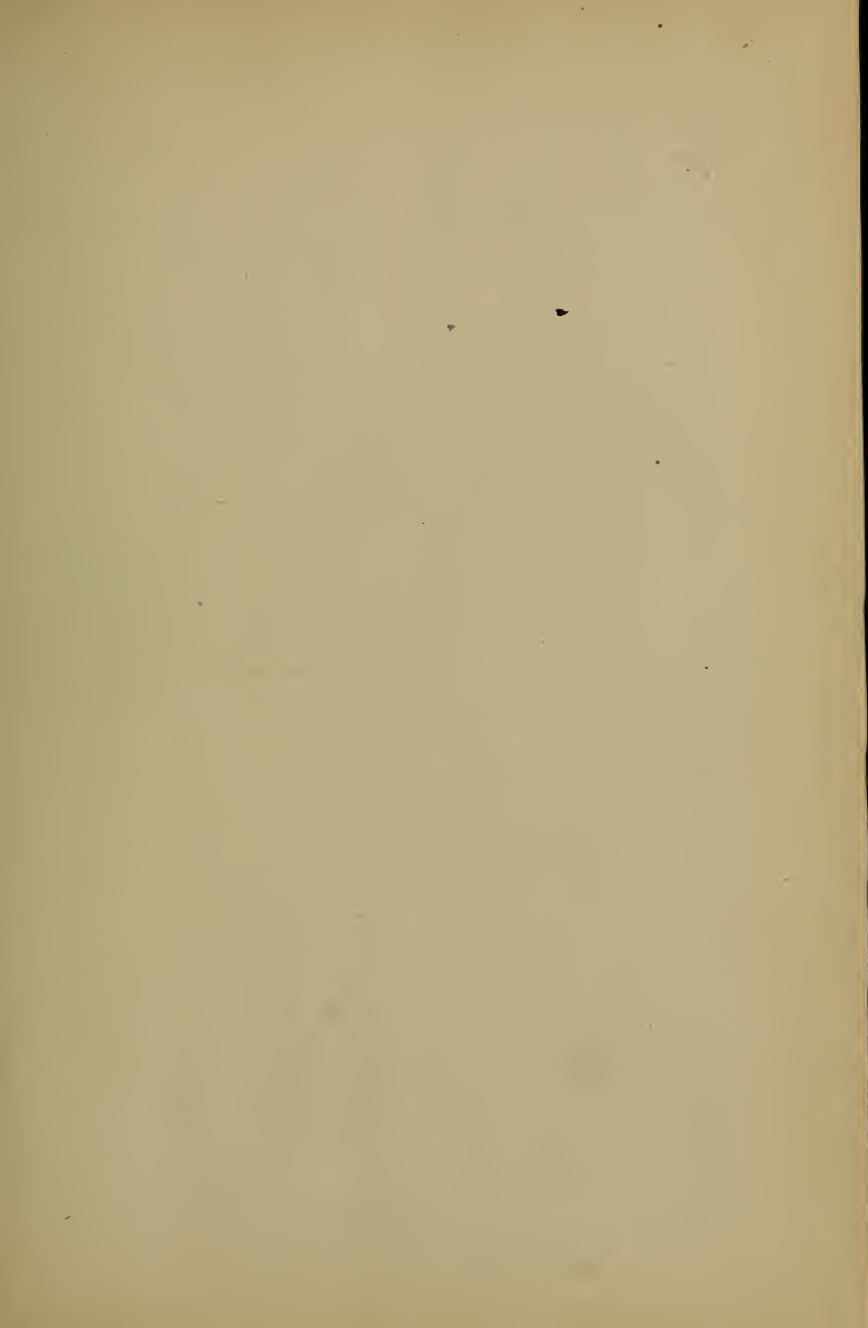
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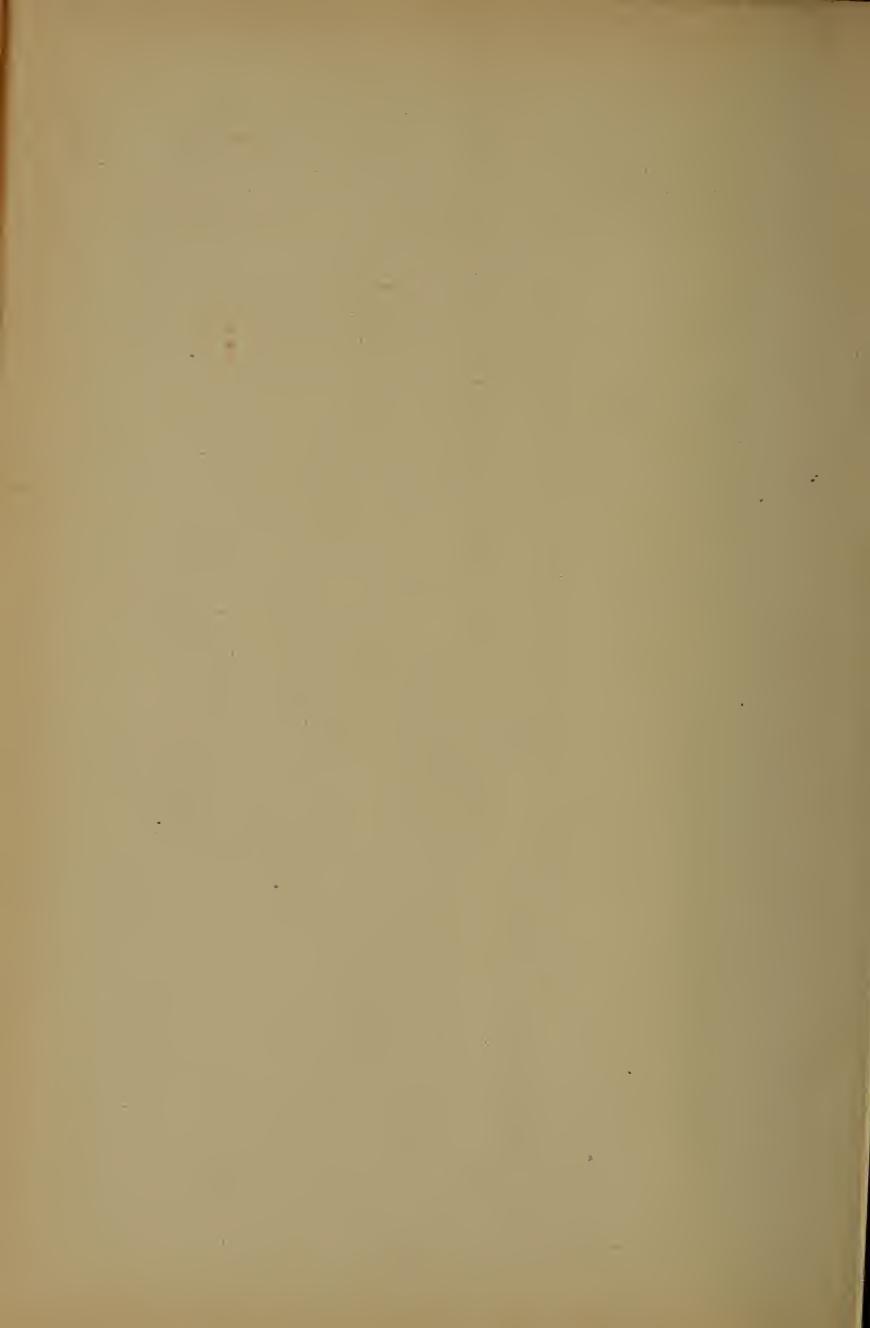
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