

SECTION ELEVEN, SUBSECTION 2 (Continued)

provided that if the offender be present, he may be summarily arraigned and proceeded against by the Police Justice, in the same manner as if a warrant had been previously issued and the offender arrested thereon, but no person shall be punished for contempt of court without an opportunity having first been given him to be heard in his own defense; and provided that such punishment shall be by means of a fine of not more than Twenty (\$20.00) dollars, or imprisonment in the Town Jail for a period of not more than two days, or by both such fine and imprisonment; and provided further that the warrant of commitment shall set forth the particular circumstances of the offense, of such warrant shall be void.

SUBSECTION 3.-- ACTION, HOW COMMENCED - COMPLAINT; WARRANT, SEARCH WARRANT/

That the Police Justice shall have authority to administer all oaths required by law, that he shall receive and file sworn complaints; that any action to be heard before the said Police Justice, shall be commenced by the filing with such Justice of a complaint, stating the name of the State and the Town and the name of the Justice with whom such complaint is filed, the name of the defendant if he be known and if not, such name as given by the complainant; a statement of the facts constituting the charge, in ordinary and concise language, the time and place of the commission of the offense as nearly as may be, the number of the Section and the number and title of the Ordinance alleged to have been violated; but no complaint shall be received or filed by the Police Justice unless such complaint be signed by the complaining witness, under oath; provided that when any complaint has been signed as aforesaid, the Police Justice shall thereupon certify the same and shall file such complaint, and it shall thereupon become his duty, if there be reasonable cause to believe that the offense has been committed and that the accused is guilty thereof, to issue a warrant for the arrest of the accused; but if the Justice have cause to doubt the guilt of the accused person, he may at his discretion refuse to issue any warrant unless the complainant give a bond with good and sufficient sureties, or with cash deposit, in such sum as the Justice may deem necessary, to secure the payment of all costs that may accrue in

6461
1970 Book
33-1401
33-103
33-101
33-14

SECTION ELEVEN, SUBSECTION 3 (Continued)

the action; but if such complainant give such bond, it shall then be the duty of the Justice to issue a warrant for the arrest of the person accused in such sworn and secured complaint; provided further that such warrant shall recite all of the information contained in the complaint, and shall be directed to the Marshal or other Officer of the Town, commanding him forthwith to take the accused and bring him before the Police Justice to be dealt with according to law, in addition to which all search warrants shall clearly and definitely describe the building or place to be searched and the article, articles or goods to be seized if found therein, and shall command the Officer to whom such warrant is directed, to search such premises during the hours of daylight, unless the Justice is satisfied that there is urgent necessity for making such search in the night time, in which case he shall so specify in such warrant, and no search warrant shall be served in the night time unless the issuing Justice shall have in such warrant, so commanded; and all warrants shall be signed by the Police Justice. Provided that all warrants for the arrest of persons above the age of fourteen years shall order the arrest of such persons and shall not require the attendance of any parent or guardian, but warrants for the arrest of persons below the aforesaid age shall order the arrest of the parent or guardian of the accused in addition to the defendant himself and such warrant shall be served upon such parent or guardian instead of upon such defendant; provided that such warrants shall be served upon the father of the defendant, if such father be in custody of such defendant and if not, then upon the mother or other guardian; and provided further that no search warrant shall issue except upon the filing with the Police Justice, in addition to the formal complaint hereinbefore described, an affidavit particularly describing the house or place to be searched, the person to be seized, the things to be searched for, and allege substantially the offense in relation thereto, and that the complainant verily believes that such things are there concealed; and that such affidavit, duly subscribed and certified, shall be attached to the warrant issued pursuant thereto; and that the purposes for which search warrants may be issued

SECTION ELEVEN, SUBSECTION 3 (Continued)

shall be as established by the laws of the State of Wyoming.

SUBSECTION 4. -- TRIAL TO BE WITHOUT JURY, WHEN HEARD - RECOGNIZANCE.

That the Police Justice shall try and determine all cases within his jurisdiction coming before him, without the intervention of a jury; that the proceedings of his court shall, except as herein and otherwise further regulated by Ordinance, conform as nearly as possible to that prescribed by the general laws of the State for courts of Justices of the Peace; that his court shall, if possible, be open every day except Sundays, but it shall be his duty to notify the Town Marshal of the hours during which his court is not open and to furnish the said Marshal with a written order naming the sum of money (not in any case excessive) to be demanded by the said Marshal as recognizance from any defendant apprehended but not committed to the Town Jail pending the time when the Police Justice may be available for the hearing of the case in which such defendant is involved; provided that if the accused appear voluntarily before the Police Justice, such Justice shall enter a statement to that effect upon his docket and shall proceed to trial, judgement and execution, in all respects in the same manner as if a warrant had been issued, served and returned.

33-125

77-1304

6508
1920 Book

SUBSECTION 5.-- CONDUCT OF TRIAL - SUBPOENAING WITNESSES - CONTINUANCE.

That when the accused person stands before the Police Justice, whether upon return of warrant or voluntarily as aforesaid, the said Justice shall declare his court to be in session and shall clearly and distinctly read to the said defendant the charge brought against him and shall inquire whether the said defendant be named by his right name in the charge so read and whether the said defendant be guilty or not guilty of the said charge; following which the Justice shall hear the reply of the said defendant and, if such defendant plead not guilty, the statements of any witnesses the said defendant may produce in his own behalf, having first placed both such defendant and all such witnesses under oath or affirmation under pain of perjury, to tell the truth, the whole truth and nothing

1902
1903
6499
6507
6508
5813
5843
5819
All 1920
Book

77-1305

SECTION ELEVEN - SUBSECTION 5, (Continued)

but the truth; and the complaining witness and others alleged to possess knowledge supporting the charge against the said defendant, shall then be sworn likewise and their statements with regard to the case at issue heard by the said Justice; but if either side shall name a person possessing knowledge of the case but refusing to appear voluntarily in court to make a statement concerning the same, the Justice shall continue the case and shall issue a subpoena, naming the said person and directing the Town Marshal or other Officer to bring him (or her) in at a time appointed for continuance of the proceedings, to answer proper questions concerning the case; provided that any witness so subpoenaed shall be paid One (\$1.00) dollar for his attendance before the said Justice and that such payment shall be tendered in advance to the said witness; provided further that upon continuance of any case as herein provided, or in the case of any postponement of the hearing of a cause (which may be for any good and sufficient cause) the Police Justice shall require the defendant to enter into recognizance, with sufficient security or with cash deposit of the amount thereof, conditioned that he will appear before the said Justice at the time and place appointed, then and there to answer the complaint alleged against him; and should the person so recognized fail to appear and comply with all the requirements of the said Bond, the Police Justice shall, unless there be valid mitigating circumstances, at once declare the Bond forfeited and shall order the cash so deposited to be turned into the general fund of the treasury of the Town; and provided that the verbal declaration of such continuance or postponement by the Justice and the announcement by him of the time and place at which the hearing of such case is to be resumed, shall be deemed sufficient notice to all persons present, other than the defendant, and shall be binding upon all witnesses and others concerned with the case the same as though the said Justice had issued to each a written order for them to attend at the continuance of such hearing; and provided further that, upon being brought before the Police Justice, if a witness subpoenaed, or any witness, shall refuse to testify or to answer such pertinent and proper questions as directed by the

SECTION ELEVEN, SUBSECTION 5 (Continued)

said Justice, the said witness shall be held in contempt of court and punished as hereinbefore provided, unless there be good reason for such refusal to testify.

SUBSECTION 6.-- JUDGEMENT - COSTS - RIGHT TO PRODUCE SURETIES FOR FINE.

That if at any time during the conduct of a trial before him, the Police Justice shall be convinced that the defendant is not guilty, he may forthwith dismiss the case and order the discharge of the said defendant;

27-445
33-136
35-109
37-105
37-106
7384
1926 Book
67-2302
62-406
but if the defendant confess his guilt, or if following the hearing of all pertinent testimony, the Justice be convinced of the guilt of the accused person, that the act was committed by him as charged and that the said act did constitute a violation of the Ordinance of the Town as stated, or of any lawful Ordinance of the said Town, the Justice shall render this verdict that the defendant is found guilty as charged, and shall assess the punishment and render judgement according to the Ordinances of the town of Mills; and that it shall be part of his judgement that the defendant stand committed until judgement be complied with; and in any case wherein there is involved any disobedience by the defendant of any lawful order of any Officer of the Town, the judgement of the Police Justice shall include the requirement that such disobeyed order be complied with; provided that the defendant shall have the right to produce before the Police Justice, one or more sureties to the satisfaction of the said Justice ~~shall enter such confession and judgement upon his docket and render judgement accordingly in the name of the State of Wyoming, against them for the amount of the said fine and costs; and if said judgement is not paid within ninety days from the date of such confession, the said Justice shall issue execution and collect the amount of said fine and costs, in the manner provided by law for collecting judgement by execution in Justice's court; provided further that no costs of execution shall be assessed against any~~ which sureties shall with the defendant confess a judgement for the amount of the fine or penalty imposed, with costs of suit if such costs therek be, and the said Justice shall enter such confession of judgement upon his docket, and render judgement accordingly in the name of the State of Wyoming, against them for the amount of the said fine and costs; and if said judgement is not paid within ninety days from the date of such confession, the said Justice shall issue execution and collect the amount of said fine and costs, in the manner provided by law for collecting judgement by execution in Justice's court; provided further that no costs of execution shall be assessed against any

PROVIDING FOR THE GOVERNMENT OF THE TOWN OF MILLS BY A TOWN COUNCIL, ETC.-

SECTION ELEVEN, SUBSECTION 6.- (Continued)

defendant in the municipal court of the town of Mills, except in those cases in which such costs have actually accrued by reason of the necessity of subpoenaing witnesses, or for the purpose of reimburing the Fire Warden in those cases in which he is by law entitled to such reimbursement; but no costs shall be included for the issuance or serving of any process, nor for the hearing of the case, nor for the payment of any witness who voluntarily attends the hearing of any case; and that punishment assessed shall be by means of fine only, and not by judgement of imprisonment, except in cases of contempt of court, and that no fine assessed shall be for a sum of more than One Hundred (\$100.00) dollars for any one offense.

33-145
SUBSECTION 7. -- DEFENDANT TO BE INFORMED OF RIGHT TO APPEAL. That in all cases wherein the fine assessed by the court is not less than the sum of Ten (\$10.00) dollars, the defendant must be informed by the Justice of his right to appeal his case to the District Court in and for Natrona County, but no appeal shall be taken unless such defendant shall within ten days enter into recognizance with sufficient sureties to be approved by the Police Justice, conditioned for the payment of the fine and costs of appeal, and that the defendant will abide the judgement of the court and not depart without leave of the same, or that he will pay to the town of Mills the sum of \$ _____; the procedure of such appeal shall be as prescribed for appeals from courts of Justices of the Peace in criminal cases.

33-136
SUBSECTION 8.-- COMMITMENT OF PRISONER. That when a fine is assessed and is not paid, nor sureties produced for the later payment of such fine as hereinbefore provided, the Police Justice shall deliver the defendant to the Town Marshal or the Deputy Marshal, together with a written statement of his findings in the case against the said defendant and an order contained therein for the commitment of the said defendant to the Town Jail, or other place of confinement as provided by the Town Council for such purpose, for the period of time necessary to satisfy the judgement of the court against the said prisoner as provided by Ordinance for satisf

OR-52 PG 62

ORDINANCE NUMBER FIFTY-TWO -- PAGE 63
PROVIDING FOR THE GOVERNMENT OF THE TOWN OF MILLS BY A TOWN COUNCIL, ETC.-

SECTION ELEVEN, SUBSECTION 8, (continued)

satisfaction of fines by
commitment of a defendant to the Town Jail.

SUBSECTION 9.-- SHALL PAY FINES AND OTHER MONEYS INTO TOWN TREASURY.

That the Police Justice shall remit to the Town Treasurer, to be covered into the Town Treasury, all moneys accrued from fines collected and forfeited recognizance or other costs and/or penalties collected by virtue of his Office, such remittance to be upon the first day of each month.

SUBSECTION 10. -- JUSTICE SHALL KEEP DOCKET, ENTER RECORD OF ALL CASES.

That the Police Justice shall keep a docket in which he shall record the title of all cases commenced before him; the time when process was issued against the defendant, the particular nature thereof and the name of the officer to whom such process was delivered; the time when the parties appeared before the Justice, whether without or upon return of process, the time when the trial was begun, every adjournment thereof and stating the reason therefor and at whose request granted and for what time; his findings in the case and stating the time at which his verdict was rendered; and in those cases in which the judgement of the court is in favor of the defendant, the time at which such defendant was discharged; and in those cases in which the judgement of the court is against the defendant, the amount of the fine assessed, together with all information as to whether the fine was immediately paid or whether sureties were accepted for its payment later, or whether the defendant was committed to the Town Jail; and in the latter case, the time of execution against the defendant and the name of the officer into whose custody he was committed; the satisfaction of judgement and when made or completed; the fact that the amount of the fine and all moneys collected from the defendant in the case have been paid into the Town Treasury, with the date of such payment; that entries in the said docket of the Police Justice may be, in so far as the said form is applicable to any particular case at hand, in substantially the form appended to this section, to be found on Page Sixty-

One of this Ordinance.
Four

SECTION ELEVEN - POLICE JUSTICE

SUBSECTION 11.-- MAYOR TO ACT IN ABSENCE OF POLICE JUSTICE. That in the absence or disability of the Police Justice for any period of time longer than forty-eight hours, the Mayor shall have authority and it is hereby made his duty to perform the duties of the Police Justice, either until that Officer return or until his successor in Office is appointed and duly qualified; provided however that the Town Council may, by vote, duly entered upon their journal, name any other Bonded Officer of the Town to perform the duties of an absent Police Justice, instead of the Mayor as herein provided.

FORM FOR POLICE COURT DOCKET

TOWN OF MILLS, VERSUS _____, DEFENDANT(S)

SAID DEFENDANT(S) ACCUSED OF _____

_____ AGAINST THE PERSON (PROPERTY) OF _____

COMPLAINANT, IN VIOLATION OF AND CONTRARY TO THE PROVISIONS OF SECTION _____, OR ORDINANCE NUMBER _____, ENACTED _____, 19____, BY THE TOWN OF MILLS.

WARRANT FOR THE ARREST OF THE ACCUSED, ISSUED BY ME AT _____ O'CLOCK, _____, 19____; DELIVERED TO _____ TOWN MARSHAL (DEPUTY MARSHAL) PROCESS RETURNED BY SAID OFFICER WITH DEFENDANT(S), AT _____ O'CLOCK, _____, 19____; DEFENDANT(S) RELEASED (WITHOUT) UNDER RECOGNIZANCE IN THE SUM OF \$ _____; ORDERED TO APPEAR FOR TRIAL AT _____ O'CLOCK, _____, 19____; TRIAL BEGUN AT TIME SPECIFIED (OR WITHIN AN HOUR THEREOF) POSTPONED UNTIL _____ O'CLOCK _____, 19____, BY REQUEST OF DEFENDANT (COMPLAINANT) FOR PURPOSE OF OBTAINING FURTHER EVIDENCE (NO CONTINUANCE OR POSTPONEMENT REQUESTED)

DEFENDANT FOUND GUILTY AS CHARGED (DEFENDANT FOUND NOT GUILTY BY REASON OF INSUFFICIENT EVIDENCE TO SUPPORT THE CHARGE AGAINST HIM) (DEFENDANT FOUND NOT GUILTY BY REASON THAT ACT, AS PROVEN, IS NOT IN VIOLATION OF ORDINANCE NUMBER _____ AS ALLEGED, NOR OF ANY OTHER ORDINANCE OF THE TOWN OF MILLS) (DEFENDANT FOUND GUILTY OF MISDEMEANOR, EVIDENCE INDICATING THAT ACT OF SAID DEFENDANT IS IN VIOLATION OF ORDINANCE NUMBER _____, SECTION _____, ENACTED BY THE TOWN OF MILLS _____, 19____.)

62-301

PROVIDING FOR THE GOVERNMENT OF THE TOWN OF MILLS BY A TOWN COUNCIL, ETC.-

SECTION ELEVEN -- POLICE JUSTICE

FORM FOR POLICE COURT DOCKET
(Continued)

FINE IMPOSED IN THE SUM OF _____ DOLLARS; SAID SUM PAID TO ME FORTHWITH
(DEFENDANT RELEASED UPON SATISFACTORY SURETY; AMOUNT OF FINE PAID TO ME
_____, 19__ ; PRISONER DISCHARGED FROM FURTHER OBLIGATION TO THE TOWN OF
MILLS) (FINE UNPAID, DEFENDANT DELIVERED INTO CUSTODY OF _____
TOWN MARSHAL (DEPUTY MARSHAL) TO BE COMMITTED TO THE TOWN JAIL UNTIL
PAYMENT IS MADE OR JUDGEMENT OTHERWISE SATISFIED) MARSHAL REPORTS _____
DAYS IMPRISONMENT OF DEFENDANT, WITH PAYMENT OF _____ DOLLARS, REMAINDER
OF FINE, AT _____ O'CLOCK, _____ 19__ ; DEFENDANT DISCHARGED)
SUM OF _____ DOLLARS PAID BY ME INTO TOWN TREASURY _____, 19__.

SECTION TWELVE -- BUILDING INSPECTOR, APPOINTMENT, QUALIFICATION,
DUTIES, TERM OF OFFICE, POWERS, REMOVAL FROM OFFICE/

SUBSECTION 1.-- APPOINTMENT, QUALIFICATION, TERM OF OFFICE, DUTIES,
REMOVAL FROM OFFICE.

That the Building Inspector of the town of Mills shall be appointed in such manner and for such period of time as established in Section One, Subsection 1, and in Section Two, Subsection 3, of this Ordinance; shall qualify for his Office as required by Section One, Subsection 2, subject to all provisions and regulations applicable to his Office, as therein contained, and to removal from Office as provided in Section Two, Subsection 8, and in Section Three, Subsection 4, of this Ordinance; and that he shall have such rights and authority and shall perform such duties for the town of Mills, as provided in Ordinance Number Forty-nine and in this and other Ordinances of the said town of Mills.

SUBSECTION 2.-- RENUMERATION. That unless and until otherwise established by Ordinance of the Town Council, the Building Inspector shall receive no salary nor other remuneration for his services for the town of Mills in connection with this Office.

22-1449

PROVIDING FOR THE GOVERNMENT OF THE TOWN OF MILLS BY A TOWN COUNCIL, ETC.-

SECTION TWELVE -- BUILDING INSPECTOR

SUBSECTION 3.-- SHALL RECEIVE APPLICATIONS FOR BUILDING PERMITS, SUBMIT TO TOWN COUNCIL - SHALL ISSUE PERMITS - MAKE INSPECTIONS WHERE NECESSARY.

That the Building Inspector shall receive applications for building permits and shall see that such permits contain all required information as to: 1. Type of building to be erected, 2. Number of rooms (if dwelling), 3. Approximate cost, 4. Street and location, 5. Type of materials to be used; and that he shall submit such applications to the Town Council at the next succeeding regular meeting of the said Council and if the Council agrees to grant the permit applied for, he shall issue the said permit, and shall collect therefor, a fee of One (\$1.00) dollar; provided that in cases in which there is no reason to believe there may be any objection to the erection of a building, the Building Inspector may, with the consent of the Town Council, issue such permits upon application being made therefor and without submission of such applications, individually, to the said Council; and provided further that in the case of an application filed for the moving of a building, the Building Inspector shall see that the application therefor shall contain information as to what street or streets or parts of what street or streets, are to be traversed in such moving and the time of day such moving is to be done; and if the Town Council grant such permit, or if the Building Inspector, with the consent of the Council, grant it, the Building Inspector shall see that the Town Marshal is notified of the time of day of such moving and what street or streets are to be traversed, in order that the said Marshal may supervise such moving and may take necessary precaution against the disturbance of electric and telephone wires and/or other installations; provided that the fee for moving a building shall be the same as that for the erection of a building; provided also that in any case where there is doubt that the proposed building would be free from hazard because of either unsanitary or unsafe conditions, or because of a possible violation of any Town Ordinance, the Building Inspector shall inspect such building and

SECTION TWELVE, SUBSECTION 3 (Continued)

investigate thoroughly into its condition as to sanitation and safety and shall report the result of his investigation to the Town Council at the next regular meeting thereof, and the said Council shall decide whether the permit for such a building is to be granted.

SUBSECTION 4. -- FEES FOR BUILDING PERMITS TO BE PAID INTO TOWN TREASURY. That all moneys collected by the Building Inspector by virtue of his Office, as fees for building permits, shall be paid into the general fund of the Town; such payment to take place on or about the First day of each month.

Subsection 5.-- ABSENCE.-- That in the absence of the Building Inspector, any capable person named by the said Inspector and agreeable to the Town Council, shall perform the duties of the Building Inspector, and if no such person has been named, such duties shall be performed temporarily by the Mayor.

SECTION THIRTEEN -- ELECTION JUDGES AND CONSTABLES, APPOINTMENT, QUALIFICATION, DUTIES, POWERS, TERM OF OFFICE.

SUBSECTION 1.-- APPOINTMENT, QUALIFICATIONS, DUTIES, POWERS, TERM OF OFFICE.

That the Election Judges and Constables of the town of Mills shall be appointed in the manner provided in Section One, Subsection 1, and in Section Two, Subsection 3, of this Ordinance, as indicated in Section Three, Subsection 11, hereof, for a period of one year, or until other Election Judges and Constables are appointed and qualified; that the Constable shall qualify for his office as do other Officers of the Town, but the Inspectors of Election shall take and subscribe the following Oath or Affirmation;

36-902 "I do solemnly swear (or affirm) that I will impartially and to the best of my
36-1106 knowledge and ability, perform the duties of Judge of this election, and I will studiously endeavor to prevent all frauds, deceit and abuse in conducting the same. I do further swear (or affirm) that I will perform all the duties of Registry Agent in and for this municipality according to law and the best of my ability, and that in the discharge of my duties as such agent I will honestly endeavor to prevent fraud, deceit or any other manner of abuse of the elective franchise, so help me God (or for which I will answer under the pains and penalty of perjury.)"

such Oaths to be taken before some Officer qualified to administer Oaths, but if no such Officer be present, the said Judges shall administer the said Oath to each other as provided in Section 36-1107 of the Wyoming Election Law (1940); that the Constables appointed as herein provided, shall have authority and it is hereby made their duty to

SECTION THIRTEEN, SUBSECTION 1 (Continued)

36-1317 preserve order in and about the polls; that they shall have authority to arrest without warrant any disorderly person or persons and to suppress any riot or other disorder and to call a sufficient number of persons to their assistance in the discharge of their duties; and that the Inspectors of Election shall have such powers and authority and shall perform such duties for the Town as hereinafter and by the laws of the State provided.

SUBSECTION 2.-- JUDGES SHALL APPOINT CLERKS, FILL VACANCIES - DUTIES OF CLERKS TO KEEP POLL LIST.

22-1428
36-1104 That the Election Judges shall appoint two persons having the same qualifications as themselves, to act as Clerks of Election, and the said Clerks shall take and subscribe an Official Oath similar to that filed by the Judges, in so far as the Oath of the Judges is applicable to the duties of the said Clerks, such Oath to be administered to the said Clerks by one of the Judges, and the said Clerks of Election shall hold Office during the pleasure of the Judges who appointed them; and the Judges shall have authority to fill vacancies in their own board and to administer the Oath of Office to such Appointees; and the Clerks of Election shall keep a Poll list as provided by Section 36-1323 of the Wyo. Election Laws (1940).

36-1109 SUBSECTION 3.-- REMUNERATION, JUDGES, CLERKS, CONSTABLES. That the Judges, Clerks and the Constables of Elections shall receive a salary of Three (\$3.00) dollars for each day of actual service to the town of Mills, provided that for the purpose of computing the said salary, ten hours shall constitute one day and all employed time, in addition to the said ten hours, shall be paid for at such rate as the Town Council shall provide; provided further that all of the aforesaid Election Officers shall be entitled, on election day, to receive two meals each; all such salaries as herein provided and all costs of meals as aforesaid, to be paid out of the general fund of the Town.

SUBSECTION 4.-- SHALL RECEIVE BALLOTS AND STAMP AND ABSENT VOTER BALLOTS - SHALL DEAL WITH ABSENT VOTER BALLOTS.

That the Election Judges shall receive the ballots and the stamp with ink pad for the purpose of stamping or designating the official ballots, as provided in Sec. 36-1015 of the Election Laws of Wyo. (1940) from the Town Clerk, together with all absent voter ballots and the certificate of the Town Clerk stating the number of ballots delivered or mailed to absent voters, as well as those marked

SECTION THIRTEEN - SUBSECTION 4.- (Continued) before him, if any, and the names of the voters to whom such ballots shall have been delivered or mailed or by whom they shall have been marked, if marked before him; and that the said Election Judges shall at some time between the opening and the closing of the polls on election day, open the outside envelope on such absent voter ballots as provided in Sec. 36-1413, of the aforesaid election laws, and shall further deal with such absent voter ballots as provided in the said section of the said election law.

SUBSECTION 5.-- PROCLAMATION OF OPENING AND CLOSING OF THE POLLS - PUBLIC INSPECTION OF BALLOT BOX.

36-1315 That when opening the polls, one of the Clerks of Judges of the Election shall make proclamation of the same and at least thirty minutes before the closing of the polls, proclamation shall be made in like manner of the time of the said closing of the polls; and before any ballot shall be deposited in the ballot box, the said box shall be publicly opened and exhibited and the Judges and Clerks shall see that no ballot is in the said box; after which the ballot box shall be locked and the key delivered to one of the Judges to be designated by the others, and shall not 36-1318 again be opened until the close of the polls; and that the ballot box shall not be removed from the presence of the Judges and Clerks of Election after locking said box as herein provided, until all the ballots shall have been counted and poll lists made of all the names on said ballots; and that all the Judges and Clerks of Election shall at all times be present when the ballots are being cast and counted and any ballot cast in the absence of any Judge shall be invalid, and any proceeding had in the count and canvass of the votes by the Judges, during the absence of any Judge, shall be 36-1105 invalid.

SUBSECTION 6.-- JUDGES TO BE EX OFFICIO REGISTRY AGENTS, ADMINISTER OATH TO PERSONS REGISTERING -- MANNER OF REGISTERING.

That the Judges of Election shall be ex officio Registry Agents and that, in their capacity as such Registry Agents, they shall appoint 36-901 two of their number, at the opening of the polls, to check the name of each registered 36-923 voter voting, or applying to vote, against the registry list, or if they have for any 36-916 reason received no such registry list, then against the copy of the written list of registered voters in the Mills precinct, as provided in Section 36-1320 of the Compiled Election Laws of 1940, and only those names appearing upon the said Registry list or the list of registered voters as aforesaid shall be deemed to have qualified for

36-919
36-924
SECTION THIRTEEN, SUBSECTION 6, (Continued) voting; and that the said Election Judges shall require that all other persons offering to vote shall take and subscribe one of the oaths provided in Section 36-907 of the aforesaid Election Laws, and the said Judges, or one of them, shall administer the said oath to the said elector without charge, and the said oath shall be returned by the Election Judges with the poll lists. And the Election Judges shall be returned by the Election Judges with the poll lists. And the Election Judges shall require and see that the Clerks of Election register all electors voting, giving full particulars in the proper columns of the records prepared by them, such register to include, 1. Number of Register, 2. Date of Registry, 3. Name of elector, 4. Age of elector, 5. Where born, 6. Name of polling precinct, and 7. Description of residence, as required by Section 36-903 of the aforesaid compiled Election Laws of the State of Wyoming.

36-1337
36-1339
SUBSECTION 7.-- JUDGES TO ENDORSE OFFICIAL BALLOTS, HELP VOTERS IF NECESSARY, SEE THAT NO PERSON IS MOLESTED OR INTERFERED WITH WHILE VOTING - TIME BOOTHE MAY BE OCCUPIED.

36-1331
36-1333
36-1334
That the Judges of Election shall designate two of their number to deliver the ballots to the qualified electors, and before delivery of any ballot to an elector the two said Judges, or one of them, shall print on the back and near the top of the ballot with a rubber or other stamp provided for that purpose the designation "Official ballot," and the other words on the said stamp as provided in Section 36-1015 of the Wyoming Election Laws (1940), and one of the Judges shall write his name or initials upon the back of each ballot and directly under the said official stamp. No number or any mark for identification shall be put upon any official ballot except as herein provided, each qualified elector shall receive from the said Judges one ballot prepared as aforesaid, and it shall be the duty of the Judges of Election to see that the Official endorsement herein provided for appears upon each ballot before the same is deposited in the ballot box. That two Election Judges, not of the same political party, shall render assistance in the marking of his ballot to any elector who, hindered by blindness or other physical disability, shall request such assistance; and that the said Judges shall certify on the outside of the said ballot that it was so marked by their assistance, and shall thereafter give no information regarding the same. And that except as herein provided, the Judges of Election shall see that no person engaged in marking an official ballot, shall be in any

PROVIDING FOR THE GOVERNMENT OF THE TOWN OF MILLS BY A TOWN COUNCIL, ETC., - - -

SECTION THIRTEEN -- SUBSECTION 7, (Continued) manner molested or interfered with, and that not more than one person shall occupy any one booth at any one time and that no person shall remain in or occupy a booth longer than may be necessary and in no event longer than five minutes, if the other booths are occupied.

36-1335
36-1336
36-1338
SUBSECTION 8.-- SPOILED BALLOTS. That any voter who shall by accident or mistake spoil his ballot may, upon returning such spoiled ballot, but not otherwise, receive another in place thereof, but no voter shall receive more than three ballots altogether. And all ballots spoiled by a voter shall by the Judges be immediately cancelled and together with those not distributed to voters, shall be preserved and all returned to the Town Clerk when the election returns are made; but no person shall take or remove any official ballot from the polling place before the close of the polls.

SUBSECTION 9.-- CHALLENGE OF VOTERS - CHALLENGERS TO BE ALLOWED WITHIN POLLING PLACE - JUDGES AND CLERKS TO CHALLENGE WHEN IN DOUBT OF QUALIFICATION OF ELECTOR - PROCEDURE - DUTY OF CLERKS.

36-1313
36-1328
36-1325 and
36-1326
36-1329
That the Judges of Election shall permit at least one and not more than two legal voters of each party to the contest, to be chosen by the parties respectively, to enter the room where the election is held and to act as challengers of voters, and to remain during the time that the votes are being canvassed and the returns made up; such challengers shall be residents of the town of Mills; and that any Judge or Clerk of Election shall challenge any person whom he shall know or suspect of not being a qualified elector; and that no person challenged shall vote until he has complied with the provisions of Section 36-1325 and 36-1326 of the Election Laws of Wyoming (1940) and the Clerks of Election shall write after the name of every person who has been challenged and voted the word "sworn", and the names of the electors making affidavit to the qualifications of the person voting; and that the oath in each case where challenge is given may be administered by either of the Judges of Election, or by any Officer, resident of the town of Mills, authorized by law to administer oaths.

SECTION 10.9- CANVASS OF VOTES - MAKING POLL LISTS AGREE - REJECTION OF CERTAIN BALLOTS.

That as soon as the polls are closed the Judges shall proceed immediately to canvass the vote given and shall continue without adjournment until the canvass is completed; that the canvass shall commence with a comparison of the poll lists and that they must be made to agree; that the ballot box shall then be opened and the ballots counted by the Judges

SECTION THIRTEEN - SUBSECTION 10, (Continued)

and Clerks, unopened, and if there are more ballots than names upon the poll list, it shall be the duty of the Judges to reject all ballots which are not endorsed with the official stamp or which have not endorsed the initials or name of the Election Judge as provided by law, until the number of ballots in the box shall agree with the number on the poll list, if the number of such rejected ballots is sufficient to make the remainder so agree; and any two or more ballots being found so folded as to bear the appearance of having been voted by one person, shall not be counted, but shall be preserved with the poll books; but if the number of ballots in the ballot box still is greater than the number on the poll list, the ballots must be returned to the box, shaken up, and one of the Judges shall draw from such box ballots enough to make the remainder agree with the poll list, which ballots so withdrawn, shall be destroyed.

36-1503

SUBSECTION 11.-- COUNTING OF VOTES - HOW TALLIED. That the poll list and number of ballots having been made to agree, the Judges and Clerks shall then proceed to count and ascertain the number of votes for each person named upon the said ballots; that all the ballots counted by the Judges of Election shall, after being read, be strung upon a strong thread or twine in the order in which they have been read, to be delivered to the Town Clerk, together with the poll books, as hereinafter provided; that the Clerks shall tally the ballots as they are counted by the Judges, such tallies to be set opposite the name of each candidate and shown by one vertical or diagonal mark for each vote counted for such candidate; and provided that such tally marks shall be taken as showing the actual number of votes received by the said candidate, as provided in Section 36-1501 of the Election Laws of Wyoming (1940).

36-1506

SUBSECTION 12.-- RECORD AND CERTIFICATE OF BALLOTS CAST - DELIVERY OF ELECTION RECORDS AND RETURN.

That when the votes shall have been examined and counted, the Clerks shall set down in their poll books the total number of persons voting in this precinct at such election; the name of every person voted for, written at full length; the office for which said person receives such vote, and the number he did receive, the number being expressed in words at full length and also in figures; such entries to be made substantially in ~~and~~ the form written at length in Sec. 36-1502 of the 1940 compiled Election Laws of Wyoming; and the Judges of Election shall sign the said certificate, as provided in

SECTION THIRTEEN, SUBSECTION 12, (Continued)

the aforesaid Section, and the Clerks shall attest the same; and the Judges and Clerks shall make out and sign a duplicate record and certificate and shall forward such duplicate to the Secretary of State, as provided in the same Section. That the Judges of Election shall then enclose and seal one of the poll books, together with all the ballots cast and affidavits of electors concerning the qualifications of persons voting, all ballots returned by voters as spoiled and all ballots not cast, accounting for those posted as by law required, under cover to the Town Clerk, and the packet thus sealed shall be conveyed by one of the Judges or Clerks of Election, to be determined by lot if they cannot agree otherwise, but informality in the delivery of the returns, in the absence of fraud, shall not invalidate the vote.

SUBSECTION 13. -- OTHER DUTIES. That the Judges, Clerks and Constables of Election shall perform all duties for the town of Mills, as provided by the laws of the state of Wyoming, either heretofore or hereafter enacted, and shall conduct their respective offices in all respects in accordance with such State Law, as provided in Article 17 of the said Laws (1940) and subject to such penalties for violation thereof as provided by the said State Law.

SECTION FOURTEEN - REPEALING ORDINANCE NUMBER TWO. That Ordinance Number Two, which is an ordinance entitled: "Arrests," shall be, and is, hereby repealed.

SECTION FIFTEEN - REPEALING ORDINANCE NUMBER FIVE. That Ordinance Number Five, which is an ordinance entitled: "Fines, Collection thereof, commitments, Working of Prisoners, Records," shall be, and is, hereby repealed.

SECTION SIXTEEN - REPEALING ORDINANCE NUMBER SEVENTEEN. That Ordinance Number Seventeen, which is an ordinance entitled: "Electrical Rules," shall be, and is, hereby repealed.

SECTION SEVENTEEN - REPEALING ORDINANCE NUMBER FORTY-TWO. That Ordinance Number Forty-two, which is an ordinance entitled: "An Ordinance Provided that a Certified Accountant Shall Compile a Financial Statement of the Town of Mills, Wyoming, which shall be Published on or before the 20th Day of April Each Year," shall be, and is, hereby repealed.

SECTION EIGHTEEN - REPEALING ORDINANCE NUMBER FORTY-THREE. That Ordinance Number Forty-three, which is an Ordinance entitled: "An Ordinance Prescribing the Duties of Police Judge of the Town of Mills, Wyoming, and Describing Fees to be Received by Police Judge and Marshal of the Town of Mills, Wyoming," shall be, and is, hereby repealed.

SECTION NINETEEN - PENALTIES FOR VIOLATION. That except as otherwise provided, any person violating any Section or part of this Ordinance, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum not less than Five (\$5.00) dollars and not more than Twenty-five (\$25.00) dollars.

PROVIDING FOR THE GOVERNMENT OF THE TOWN OF MILLS BY A TOWN COUNCIL; ETC., - - - - -

SECTION TWENTY - ORDINANCE NOT TO BE INVALIDATED BY ANY PART HEREOF. That if any Section, sentence, clause or phrase of this Ordinance, is, for any reason, declared unconstitutional or in violation of the Statutes of the state of Wyoming, such decision shall not affect the remaining portion of this ordinance, which shall continue in force, the same as though no deletion had been made.

SECTION TWENTY-ONE - THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE AS A LAW OF THE TOWN OF MILLS, FOLLOWING ITS POSTING FOR A PERIOD OF TEN DAYS IN THREE PUBLIC PLACES WITHIN THE SAID TOWN AS REQUIRED BY LAW.

APPROVED AND PASSED THIS 12th day OF SEPTEMBER, 1947.

Signed Fred Steinle
Mayor

(Seal)

Attest Elwanda L. Burke
Town Clerk

I, Elwanda L. Burke, Town Clerk of the town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance Number Fifty-two, entitled: "Providing for the Government of the Town of Mills by a Town Council, etc. - - -" approved and passed by the Town Council of the Town of Mills, at a reconvened meeting held on the Twelfth day of September, 1947, and that the ayes and nays were taken and entered upon the journal of the said meeting.

Signed Elwanda L. Burke

I, regularly appointed and duly qualified Town Clerk of the town of Mills, Wyoming, and acting in that capacity, do hereby certify that signed, attested, sealed and certified copies of this Ordinance (Number Fifty-two) approved and passed as certified above, were, following its approval by the Town Council, posted up in three public places within the town of Mills for a period of ten days, as required by law; and that this Ordinance took effect and became in force as a legal Ordinance of the Town of Mills, the 13th day of July, A.D., 1948.

Signed G. Martha Kethley