

election. They choose five election commissioners, with an idea that everybody should be justly represented at the polls.

Mr. WALSH. At each polling place you would have five people.

Mr. WILLIS. At each polling place, five people, plus a watcher, who is a deputy sheriff, to maintain the peace.

Mr. WALSH. Yes.

Mr. WILLIS. The election commissioners must have before them a list of qualified voters.

Mr. WALSH. They have a bound register?

Mr. WILLIS. Well, it is a photostatic copy, or some such thing, of the records of the registrars—no, it cannot be. It is the account of registered voters, containing all names by alphabetical listing. If I am in precinct 1 or ward 1, the registrar of voters must go over his books and pick out all voters entitled to vote in precinct 1 or ward 1, and then he gives to the election commissioners a list of qualified voters.

Mr. WALSH. I see.

Mr. WILLIS. It is the duty of the election commissioners not to permit anybody to vote unless his name appears on that; otherwise, he goes to jail.

Mr. WALSH. I would assume his name would be on the list. Otherwise, the State registrar would be in contempt. In other words, as soon as he gets his qualification order from the judge and the State registrar is served with the order by the judge, the first step, I would assume, would be to go back to the State registrar and have his name entered in the county register. Therefore, his name would be on the list sent out by the commissioners of election.

Mr. WILLIS. Assuming for some reason, mechanical or deliberate, the list of people with these Federal court certificates did not appear on the registration list which is the guide of the election commission, what will they do? And assuming also that these election commissioners have been served with a court order, what are they going to do? Go to jail under the Federal contempt law, or go to jail under the State law?

Mr. WALSH. I think each case is going to have to be decided on its merits.

Mr. WILLIS. I just want to see something worked out that will be practical.

Mr. WALSH. No one is going to jail for any unintentional act. The very authority of contempt includes that. So I don't see how this situation would arise unless somebody was guilty of contempt, before it got down to the commissioners of elections.

Mr. WILLIS. In other words, the registrar of voters, countywide, would have been ordered to prepare his list and include those people on that registration list?

Mr. WALSH. Yes.

Mr. WILLIS. I see.

Mr. WALSH. If they don't do that, they are the people who have to worry about the contempt.

Mr. WILLIS. My final question, and this is a closer one to the election commissioners being in trouble under State law: Page 3, beginning at line 13, provides that "The court may authorize such person or persons appointed pursuant to this subsection (or may appoint any