

CHAPTER 2—S. F. No. 7.

An Act to amend sections 181, 182, 184, 186, 187, 189, 193, 196, 197, 199, 200, 201, 217, 218, 241, 247, 251, and 316 of the Revised Laws of 1905, and acts amendatory thereof, relating to registration of voters and to primary and general elections, and to add certain provisions relating to registration of voters and to primary and general elections, and to repeal any acts or parts of acts inconsistent herewith.

Be it enacted by the Legislature of the State of Minnesota:

State-wide primary to be held on Tuesday, seven weeks preceding any election.—Section 1. That Section 181 of the Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Sec. 181. On Tuesday, seven weeks preceding any election, an election of nominees, hereinafter designated as the "Primary Election," shall be held in each election district for the selection of party and other candidates for all elective offices within the state, to be filled at such election except offices of towns, villages and cities of the third and fourth class, and members of school, park and library boards, in cities having less than 100,000 inhabitants, except presidential electors. Every town, city and village clerk shall give at least fifteen days' posted notice of the time and place of holding the same, of the hours during which the polls will be open, and of the offices for which candidates are to be nominated. The day for such primary election shall be the first day of registration in all election districts, except in cities of the first class.

Designation of meaning of political party—Non-partisan primary ballot for judiciary and other offices—Two candidates receiving highest number of votes on non-partisan ballot to run at general election—Certain candidates to run in classes—Duty of officers preparing ballots—Sec. 2. That Section 182 of the Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Sec. 182. A political party, within the meaning of this chapter, is one which shall have maintained in the district or territorial division in question a party organization, and presented

candidates for election at three or more biennial elections within the preceding ten years; or whose members, to a number equal to at least ten per cent of the total number of votes cast at the preceding general election in the county where the application is made, shall present to the auditor a petition for a place on the primary election ballot. Candidates for office shall be chosen at such primary election by voters of the several political parties and not otherwise; provided, however, that the chief justice and the associate justices of the supreme court and judges of the district, probate and municipal courts and county superintendents of schools and municipal officers in cities of the first class, shall be nominated upon separate non-partisan ballots, as hereinafter provided. Provided, further, that all qualified and duly registered voters may participate in the choosing of candidates for city office as provided for in the city charter of cities having home rule charters; the names of all candidates for nomination for the offices of Chief Justice, Associate Justices of the Supreme Court, Judges of the District, Probate and Municipal Courts, County Superintendents of Schools and all municipal offices in cities of the first class shall be placed upon a separate primary ballot hereinafter designated as "Non-partisan primary ballot."

No party or other designation, except as above, shall be placed on such ballot except as herein provided, nor shall any candidate filing for nomination on said non-partisan primary ballot be permitted or required to state his party affiliation. All provisions of law relating to the nomination of party candidates as to the form of ballot, including rotation of names, the endorsements thereon, voting, marking ballots, counting, returning and canvassing results shall apply to nomination of said officers except that the tally sheets and returns shall be made separately. Each voter shall be entitled to vote a non-partisan primary ballot without reference to his party affiliation.

The two candidates for nomination for every such non-partisan office who shall receive the highest number of votes, ascertained as provided by this act, shall be declared the nominees and their names shall be placed upon the election ballot, without party designation, and when two or more persons are to be elected for the same office, at a general election running at large in a city, county, district or in this state, such offices shall be classified and numbered as hereinafter provided and the non-partisan nominees to be placed upon the general election ballot shall be the two candidates in each

such class who shall receive the highest number of votes at such primary election, ascertained by the rules provided by this act, but nothing herein shall prevent the nomination of candidates by groups, individuals or so-called political parties which cannot be recognized as such, by certificate of voters to the number hereinafter specified. The names of candidates nominated by certificate for offices hereinabove designated as non-partisan shall have no party or other designation on the certificate or on the election ballot.

Where there are two or more offices to be filled by candidates running at large in a city, county, district or in the state, such offices shall be classified and numbered one, two, etc., using as many classes and numbers as there are offices at large to be filled, which said classification, numbers and the manner in which the same shall appear on the primary ballot shall be substantially as follows:

CLASS NO. 1.

(Designated Office.)	First Choice. Vote for One.	Second Choice. Vote for One.
A. B.....		
C. D.....		
E. F.....		
G. H.....		

CLASS NO. 2.

(Designated Office.)	First Choice. Vote for One.	Second Choice. Vote for One.
A. B.....		
C. D.....		
E. F.....		
G. H.....		

The officer preparing said ballot shall provide as many classes and numbers as there are offices at large to be filled. Every person when filing as a candidate for the nomination for any such office shall designate in his affidavit the number and class in which he desires to file and become a candidate and his name shall be placed on the ballot in such designated number and class. Such classes shall be rotated upon the ballots in the same manner as provided by law for the rotation of names of candidates.

Candidates, in any such case, who have filed for nomination prior to the passage of this act, shall designate to the proper officer within twenty days after the approval of this act, in which class they desire to be placed and such officer shall thereupon place the name of such candidates on the ballot in such designated class. The name of the candidate who has filed for such office, or who shall file for the same, shall not be placed on the ballot if he shall fail, neglect or refuse to designate the class and number in which he desires to file and become a candidate, as hereinbefore provided.

Filing to be made with Secretary of State or county auditor twenty days before primary election—Fee to be paid—Filing on non-partisan ballot—Filing fee to be paid by candidates for state offices and judges of supreme court—Sec. 3. That Section 184 of the Revised Laws of 1905, as amended by Section 226 of General Laws of Minnesota for 1907, and Chapter 95, General Laws of Minnesota for 1909, be and the same is hereby amended so as to read as follows:

Sec. 184. At least twenty days before the primary election, any person eligible and desirous of having his name placed upon the primary ballot as a candidate for any office, shall file his affidavit with the secretary of state when to be voted for in more than one county, and with the county auditor when in a single county, stating his residence, that he is a qualified voter in the subdivision where he seeks a nomination, the name of his party, and the office for which he desires to be a candidate; that he affiliated with said party at the last general election, and, either that he did not vote thereat or voted for a majority of the candidates of said party at such election and intends to so vote at the ensuing election. Upon payment by such candidate to the secretary of state of twenty dollars, if for any office to be voted for in more than one county, or if for any office to be voted for in only one county, upon payment of ten dollars to the county auditor thereof, the county auditor shall place the name of such candidate

upon the primary election ballot of the party designated; provided, however, that candidates for the legislature shall pay ten dollars only to the secretary of state when the affidavit or petition is filed with him and ten dollars to the county auditor when filed with him, provided that the name of any eligible person may also be placed upon the non-partisan primary election ballot as a candidate for chief justice, or associate justice of the supreme court or judge of the district court, upon petition in writing of electors filed within the same time and at the same place and upon payment of the same fee as is provided in case of filing of affidavits by candidates as follows: For chief justice or associate justice of the supreme court, upon petition of 500 electors residing within the state; for judge of the district court upon the petition of 250 electors residing within the district. Such petition shall be in writing and signed by each of the electors joining therein and shall be by each of them acknowledged before an officer authorized by law to administer an oath. Upon the compliance with such requirement, such name shall be placed upon the non-partisan primary election ballot. No petition shall contain more than double the number of signatures herein required and no officer shall receive for filing or file any petition containing more than double the number of signatures so required. Any person whose name is so presented and filed may withdraw the same by filing an affidavit of withdrawal thereof in the same office in which such petition is filed. Provided, each candidate for state offices, congressman-at-large and judges of the supreme court shall pay to the secretary of state the sum of fifty (\$50) dollars each at the time of filing his affidavit with said officers.

Duties of Secretary of State and county auditors—Form of primary ballot.—Sec. 4. That Section 186 of the Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Sec. 186. All voting at a primary election shall be by ballot. On the nineteenth day before a primary election, the secretary of state shall certify to the auditors of the several counties the names of all nominees to be voted for within such counties whose certificates have been properly filed with him, and on the fourteenth day before such primary, each auditor shall group all the non-partisan candidates and the candidates of each political party by themselves, and prepare for public inspection a non-partisan ballot and a separate sample ballot for each political party. The names shall be arranged alphabetically according to the sur-

names, and each county auditor shall post the sample ballot in a conspicuous place in his office, and give one week's published notice thereof in the official newspaper of his county. One sample ballot only of non-partisan candidates and of each political party, shall be printed for any county, and thereon shall be placed the names of all candidates to be voted for in such county. Each ballot shall be headed by the party name, the words "Primary election ballot," the names of the county and state, and facsimile of the official signature of the auditor preparing it, and a column for first choice votes and a column for second choice votes. The non-partisan primary ballot shall be headed as provided in Section 2 of this act and shall not contain a column for second choice votes. Otherwise, the ballots shall be arranged in the same general manner as the ballot used at general elections, with suitable divisions and explanatory notes. Only one form of sample ballot for each political party need be printed for any city, and thereon shall be placed the names of all the candidates to be voted for in the entire city, those to be voted for in any single ward being indicated by the words and figures "First ward," and so on. At the foot of the ballot shall be placed the heading "Ballot for women," under which shall be placed the names of candidates to be voted for by women.

Said ballots shall be substantially as follows :

OFFICIAL PRIMARY BALLOT.

.....Party.
Designation of Party.

To vote for a person whose name is printed on the ballot, make a cross (X) after his name in the proper column, as follows :

A voter may vote for one first choice and one second choice for each office to be filled.

Mark your first choice with a cross (X) in the first choice column.

Mark your second choice with a cross (X) in the second choice column.

VOTE FOR ONE FIRST CHOICE AND ONE SECOND CHOICE.

GOVERNOR.	First Choice. Vote for One.	Second Choice. Vote for One.
A. B.....		
C. D.....		
E. F.....		
G. H.....		

The officer preparing the ballots shall provide necessary space for the officers to be nominated pursuant to law; provided, that in city primary elections in cities having home rule charters sample primary election ballots shall be prepared carrying out the intent of said charters of said cities, placing all names of candidates for city office on one ballot in each city without any party designation whatever, if the charter so provide. In such cities, except for the omitting of all party designation, the provisions of this section shall be followed as fully as practicable.

Printing of primary election ballots.—Sec. 5. That Section 187 of the Revised Laws of 1905, be and the same is hereby amended so as to read as follows :

Sec. 187. The auditor of each county in which said primary election is held shall have printed a sufficient number of separate primary election ballots, varied as may be necessary for the several districts and wards. The names of candidates under headings properly designating each official position, shall be rotated upon the ballot in the printing so that the names of all candidates for each office shall be so alternated on the ballots used in each election district that they shall appear thereon substantially an equal number of times at the top, at the bottom, and in each intermediate place, if any, of the list or group in which they belong. All officers charged with the preparation and distribution of such ballots shall cause the printer's forms to be so transposed and the blocks of the ballots to be so made up as to carry out the intent hereof. There shall be no printing on the back of the ballots, or any mark to distinguish them, except the initials of the judge or clerk; provided, that in all city primary elections in cities having home rule charters, the officers designated in said charters shall prepare primary ballots for such city elections as provided in said charters, and this section shall apply therein only in so far as it does not conflict with the provisions of said charters.

Form of blanks for registration of voters.—Sec. 6. That Section 189 of the Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Sec. 189. The blanks provided for registration of voters for general elections shall have an additional column headed "Voted, primary election," and be used at both primary and general elections. No names of voters shall be placed upon said registers prior to the day of such primary election, except in cities of the first class, nor shall any be placed thereon upon said day, except the names of those who appear in person before boards of registration for that purpose.

First and second choice—How indicated.—Sec. 7. That Section 193 of the Revised Laws of 1905, be and the same hereby is amended so as to read as follows:

Sec. 193. (a) Each elector shall be entitled to designate on his political party ballot, in the manner herein provided, the name of his first choice and also the name of his second choice as nominee for each office.

(b) The voter shall mark his ballot in the following manner to indicate his first and second choice:

(1) He shall place a cross (X) in the first column after the name of his first choice candidate, and a cross (X) in the second column after the name of his second choice candidate.

(2) He shall place but one mark in any one designated space.

(3) If a voter votes either in the first or in the second choice column, for two persons, such vote shall be counted as a first choice vote for the person voted for whose name appears first in such column, and as a second choice for the person voted for whose name appears lower in such column. Provided, if the voter votes for more than two persons for any one office, or if for any reason it be impossible to determine his choice for any office, his ballot shall not be counted for such office; but the rest of his ballot, if properly marked, shall be counted. No ballot shall be rejected for any technical error which does not render it impossible to determine the voter's choice, even though such ballot be somewhat soiled or defaced.

(4) A vote for one person only shall be counted as a first choice vote, whether the voter places his cross in the first or in the second choice column.

(5) A first and second choice vote cast for the same person shall be counted as a first choice vote only for such person.

(c) A voter shall designate his choice on the non-partisan primary ballot by marking a cross (X) in the small square opposite the name of each candidate for whom he wishes to vote.

(d) The rules of law governing the determination of the intention of the voter in all other elections shall apply to this act, except as herein otherwise provided.

Canvassing of votes and form of tally sheets.—Sec. 8. That Section 196 of the Revised Laws of 1905, be and the same hereby is amended so as to read as follows:

Sec. 196. Canvass of votes on primary ballots shall be made in the same manner and by the same officers as is provided by Chapter 6 of the Revised Laws of 1905, except as herein otherwise provided. The ballots shall be counted in the following manner: The election officers shall take the ballots from the boxes, count those cast by each political party and for non-partisan candidates, place them in separate piles and fasten together. As the first and second choice votes are called off from the political party primary ballots by the primary officers, they shall be en-

tered by such officers on the tally sheets, a form for which shall be substantially as follows:

OFFICIAL TALLY SHEET.

For Governor.

Candi- dates	First Choice	Second Choice			
		A. B.	C. D.	E. F.	G. H.
A. B....	IIII IIII IIII IIII IIII IIII IIII IIII IIII IIII 50		IIII IIII IIII IIII IIII IIII IIII IIII IIII 30	IIII IIII IIII IIII IIII IIII IIII IIII IIII 15	IIII 5
C. D....	IIII IIII IIII IIII IIII IIII IIII IIII IIII IIII 40	IIII IIII IIII IIII IIII 25		IIII IIII 10	IIII 5
E. F....	IIII IIII IIII IIII IIII 25	IIII IIII IIII 15			IIII 3
G. H....	IIII 5	IIII 1 3		1 1	1

Such officers' tally sheets on which the count has been so entered shall be included in the returns of such election. The officers of election shall on blanks to be provided for that purpose make full and accurate returns of the votes cast for each candidate, giving both first and second choice votes as herein provided. The returns shall set forth opposite the name of each candidate the number of first choice votes cast for such candidate, followed horizontally by a statement of the number of second choice votes cast by his supporters for each of the other candidates. Such tabular statement shall be substantially in the following form:

.....Precinct.....Party

FOR GOVERNOR.

FIRST CHOICE.	SECOND CHOICE.			
	Candidates.	A. B.	C. D.	E. F.	G. H.
A. B.....(50)	....	30	15	5
C. D.....(40)	25	....	10	5
E. F.....(25)	15	7	....	3
G. H.....(5)	3	3	1	....
(120)	....	....	....	....

The officers shall seal the returns and return the same to the auditor in the manner and as provided by law.

Auditor to furnish ballots and tally sheets for each party.—Sec. 9. That Section 197 of the Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Sec. 197. The auditor shall furnish to each district, with the ballots, two sets of tally sheets or tally books for each political party having candidates and for non-partisan candidates to be voted for. Each tally sheet or the first sheet of each tally book shall be headed "TALLY SHEET for.....(name of political party).....(name of city or village).....(county).....(ward or town).....election district, for a primary election held.....(date)."

The names of candidates shall APPEAR on the tally sheets, or tally books, in the order in which they appear on the official sample ballots, and in each case shall have the proper designation at the head thereof; provided, that in primary elections for city officers in cities having home rule charters, but two books or tally sheets shall be provided for each district, and party designations shall be omitted in headings and returns, if so provided in said charter.

Reports of county canvassing board—Auditor to certify to the Secretary of State.—Sec. 10. That Section 199 of the Revised Laws of 1905, be and the same hereby is amended so as to read as follows:

Sec. 199. The canvassing board shall prepare, sign and file with the county auditor the following report:

1. A separate statement of each political party of the names of all candidates thereof voted for at the primary election, the number and total of first choice and second choice votes received by

each and for what office, showing for whom such second choice votes were cast and from the supporters of which candidate said second choice votes were received, in form as indicated in Section 8 hereof.

2. A separate statement of the names of the candidates of each political party who are nominated.

3. A statement of the whole number of votes registered and the number of ballots cast at such primary election, men and women separately.

4. A separate statement of the votes received by each of the non-partisan candidates and the names of the non-partisan candidates nominated.

Whenever two or more candidates of the same political party receives an equal number of votes for the same nomination, the board shall determine the tie by lot. Upon completion of the canvass and on or before ten o'clock A. M. of the fourth day succeeding the canvass, the auditor shall certify to the secretary of state the vote, as shown by such report, for all candidates to be voted for in more than one county, and shall mail or deliver to each nominee to be voted for in his county alone, a notice of his nomination, and that his name will be placed upon the official ballot; provided, that in primary elections for city officers in cities having home rule charters said canvassing board shall file such statement as will show the persons nominated for each office under the provisions of said charter, with as complete details as are provided for in this section, omitting all party designation, if so provided in said charters.

Canvassing by state canvassing board—Secretary of State to certify to nominees—Rules for determining nominees.—Sec. 11. That Section 200 of the Revised Laws of 1905, be and the same hereby is amended so as to read as follows:

Sec. 200. The state canvassing board, as constituted for canvassing the returns of general elections, shall open and canvass the returns of a primary election made to the secretary of state, at the usual place and hour of meeting, on the seventh day after such primary election. It shall determine ties between candidates as in the case of general elections. Upon the completion of the canvass, the secretary of state shall certify to the several auditors the names of the persons found to be nominated, and mail to each nominee a notice of his nomination.

1. The state, county and city boards of canvassers shall be guided by the following rules, except as herein otherwise provided:

(a) If any candidate for an office received a majority of the first choice votes he shall be declared nominated for such office.

(b) If no candidate is thus nominated, drop the name of the one having the least number of first choice votes and add the second choice votes cast by his supporters to the first choice votes of the remaining candidates for whom they were cast, and

(c) If no candidate then has a majority, drop from the remaining candidates the one having the least number of first choice votes combined with the second choice votes received through such elimination, and add the second choice votes cast by his supporters to the votes of the remaining candidates for whom they were cast.

(d) Repeat this operation until some candidate has a majority or until only two candidates remain. Then the one having the greatest number of votes to his credit shall be declared nominated.

(e) No second choice vote shall be counted when it is cast for a candidate whose name shall have been dropped as herein provided.

(f) Any tie shall be decided by lot by the canvassers.

(g) The person receiving the highest vote at such primary election, determined under the rules herein provided, as the candidate of any political party for an office shall be the nominee of that party for such office. Candidates on non-partisan ballots receiving the highest and next highest votes determined under the rules herein provided, shall be the nominees for the office for which they are candidates; provided, however, that if the number of votes cast for any candidate or candidates of any party for any office at such primary election shall aggregate the number of votes equal to ten per cent or more of the average vote cast for state officers of that party at the last general election in the territory within which such candidates are to be voted for, then all candidates of that party within that territory shall be deemed to be the party nominees of such party; otherwise no candidates of that party within that territory shall be deemed nominated and in such case, such party candidates of such party may be nominated by petition as provided for in Secs. 213 to 216 inclusive, Revised Laws 1905, and the candidates of any such party failing to receive such ten per cent of such vote shall be eligible for nomination under the terms of this provision. The term "state officers" as used in this act for the purpose of computing the average vote to determine the ten per cent vote as above provided shall be and is hereby de-

fined to be the following officers: Governor, lieutenant governor, secretary of state, state treasurer and attorney general.

Provided, further, that if less than three persons file for a non-partisan office such lesser number shall be the nominee or nominees, as the case may be, for such office.

Nominees of the several parties to be printed on official ballot for ensuing election.—Sec. 12. That Section 201 of the Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Sec. 201. The persons certified by such canvassing boards to be nominated, shall constitute the nominees of the several political parties or the nominees under the terms of a home rule charter, or the non-partisan nominees, as the case may be, to be voted for at the next ensuing general election, and their names shall be printed upon the official ballots prepared for the ensuing election.

Vacancies—How filled.—Sec. 13. That Section 217 of the Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Sec. 217. If a vacancy occurs after nominations have been made or by reason of the failure of any party to receive ten per cent of the vote as provided in subdivision (g) of Section 11 of this act, it may be filled at any time before the general election by filing with the proper officer a nomination certificate in form and substance as hereinbefore provided, executed by the chairman and secretary of the proper committees of the party whose voters make the original nomination, under the direction of such committee, and the chairman and secretary when so filing such certificate must attach thereto an affidavit to the effect that such candidate has been duly selected by said committee and that the persons signing said certificate and making such affidavit as such, are the duly authorized chairman and secretary of said committee. If there is no proper committee to fill such vacancy, as above provided, then in that event the person receiving the next highest number of votes for such office at such primary election shall be the candidate for such office, and if there is no other candidate for such office and a vacancy exists by reason of this fact, the vacancy may be filled by the proper officer placing upon the ballot the name or names of such candidates as are nominated by petition in the manner provided in Sections 213, 214, 215 and 216, Revised Laws 1905, provided that every registered voter of such

party who was qualified and participated in the primary election is eligible to sign a petition choosing a nominee to fill said vacancy.

Adhesive stickers to be used in case ballots have been prepared and printed.—Sec. 14. That Section 218 of the Revised Laws of 1905, be and the same is hereby amended to read as follows:

Sec. 218. If the ballots have been printed, the officer whose duty it may be to have such ballots prepared and printed, shall, if such ballots be still in his hands, attach to said ballots over the name of the candidate who causes said vacancy, adhesive stickers, containing the name only of the candidate selected under the next previous section of this act. Should such ballots have been distributed before such vacancy occurs, then and in that event, said officer shall cause to be printed and distributed to the election judges to whom the ballots have been distributed, a sufficient number of adhesive stickers to correct the ballots as provided herein, and said election judges shall correct said ballots as herein provided.

Who shall constitute board of registration.—Sec. 15. That Section 241 of the Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Sec. 241. In cities of the first, second and third classes the judges shall constitute boards of registration in their respective districts. In cities of the first class on Tuesday, nine weeks preceding any general state or city election, and in cities of the second and third classes, seven weeks preceding any general state or city election, and fourteen days before any special election the judges shall meet at six o'clock A. M. at the place where the last election was held or in such other place as may be lawfully designated as the polling place for the district and there remain in session until nine o'clock P. M. and register all persons entitled to vote in such districts at the ensuing election. Such registration shall be known as the register of voters and made in duplicate. The board shall have the same right to preserve order at its meetings as judges on election and vacancies shall be filled in the same manner as upon election day. Nothing in this section shall be construed as amending Chapter 148 of the Laws of 1907.

Registration in cities of first, second and third class.—Sec. 16. That Section 247 of the Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Sec. 247. In cities of the first class on Tuesday, eight weeks preceding any general state or city election, and on Tuesday, seven weeks preceding any general or city election, and in cities of the second and third classes on Tuesday two weeks preceding any general election and on the thirteenth day preceding any special election, such board shall meet at the same place as before and remain in public session from six o'clock A. M. until nine o'clock P. M. for the purpose of registering qualified voters. It shall obtain from the clerk and use the same registers as on the first day, and observe the same forms.

Who shall be permitted to vote.—Sec. 17. That Section 251 of the Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Sec. 251. Only the votes of qualified registered voters shall be received by the judges at any general election in a city of the first, second or third classes, except the vote of a person whose name was erased as provided for in Section 250, who takes the oath and proves his identity by the oath of another as hereinafter prescribed; provided, that in cities of the first class, only the votes of qualified voters who have registered on either of the first two registration days in said city shall be received by the judges at the primary election, but any person who has not registered but who is a qualified voter in the district wherein he resides, shall be entitled to vote at such primary election if he registers on said primary election day and complies with the following provisions, and not otherwise, namely: He shall at the time he offers his ballot deliver to the judges his affidavit in which he shall state that he is a resident of the election district in which he offers to vote, naming the same and that he is entitled to vote therein; that he has resided in said election district thirty days next preceding said election and shall give street and number of his residence; that he is a citizen of the United States; that he is twenty-one years of age; that he has resided in the state six months immediately preceding said primary election, which said affidavit shall be substantiated by the affidavit of two freeholders, elector in such district, corroborating all the material statements therein. No compensation shall be received for taking or certifying such affidavit. No one freeholder shall be competent to make corroborating affidavits for more than five voters. All such affidavits shall be sworn to before some officer authorized by the laws of this state to administer oaths.

Composition of committees of various political parties in different divisions—Meeting of candidates at state capitol—County candidates to meet at court house—City candidates to meet at city hall—Powers of committees.—Sec. 18. Each political party shall provide a state central committee, a congressional committee for each congressional district, a county committee for each county, and a committee for each city in the manner following:

(a) The nominees for state offices, state legislature, senators and representatives in congress and United States senators and state senators whose term of office extend beyond the first Monday in January next ensuing, of each political party, shall meet on the second Thursday after said primary election at the state capitol at twelve o'clock noon, at which time they shall elect a state central committee, herein provided for, of such size as they shall at said time determine, and shall also elect a congressional committee for each congressional district, of such size as they shall at said time determine, the members of each congressional committee to be chosen from among the electors of the several congressional districts respectively.

(b) The nominees for state legislature and the several county officers and such senators and county officers whose terms of office extend beyond the first Monday in January next ensuing of each political party, shall meet on the first Tuesday after said primary election at the court house in their respective counties, at twelve o'clock noon, at which time they shall elect a county committee of such size as they shall, at said time determine, and shall provide for the selection of such precinct and other committees within their respective counties as they shall determine to be necessary.

(c) The nominees for city offices of each political party in each city shall meet at the city hall in their respective cities, on the first Monday after said primary election at twelve o'clock noon, at which time they shall elect a city committee of such size as they shall, at said time, determine and such precinct committees for the respective cities as they shall determine to be necessary.

(d) Each committee and its officers shall have the powers which have been customarily used by such committees and by the officers thereof, in so far as is consistent with this act. The various committees and their officers now in existence, shall exercise the powers and duties herein prescribed until their successors are chosen in accordance with this act.

Handling and care of ballots in certain cities and counties.—Sec. 19. That Section 316 of the Revised Laws of 1905, as amended by Chapter 214 of the Laws of 1905, be amended by adding thereto the following provisions:

In counties having a population of 200,000 or more, and in all cities having a population of 50,000 or more, whether operating under home rule charters or otherwise, the ballots in each precinct shall, as soon as practicable after the canvass is completed, and in the presence of all the judges, be strung and fastened together into a single package by passing a substantial twine string through and around all the ballots cast in such precinct, tying the ends of the twine and sealing the same with wax over the knots, with a seal provided by the county auditor or the city clerk, as the case may be. After the ballots have been so strung, fastened and sealed, they shall be replaced in the ballot boxes in the presence of all the judges, and each ballot box be locked and shall then be sealed by pasting a firm paper across the lid and body thereof, in such manner that the box cannot be opened without breaking the seal and each judge shall write his name upon said paper, so that such signature shall cross the opening between the lid and the body of the box. Such sealing shall be done before the board separates or adjourns, but not until by a canvass of the ballots in all the boxes, it has been ascertained that all of the ballots to be sealed in a box have been placed therein.

In counties having a population of 200,000 or more, and in all cities having a population of 50,000 or more, whether operating under home rule charters or otherwise, the ballot boxes, after the ballots have been placed therein and the boxes have been properly sealed, shall be returned to the office of the county auditor or city clerk, as the case may be, by at least two of the election judges in person, and shall thereafter be stored in such manner as to admit at all times of actual, visual inspection of the exterior of the said boxes. Any candidate for office at such election, upon demand made upon the custodian of the ballots shall be entitled, either by himself, or his duly authorized agent, or agents, not exceeding two at any one time, to maintain continuous, visual watch over said boxes at all hours of the day and night until the expiration of the time for instituting contests; and in case of the instituting of contest or contests, either party to such contest, upon demand upon the custodian of the said ballots and upon notice to the opposing party to such contest, shall be entitled by himself, or his duly

authorized agent or agents, not exceeding two at any one time, to maintain an actual, visual watch over such ballot boxes at all hours of the day and night. In event of such demand, either by candidate or party to a contest, the custodian of such ballots shall be authorized to appoint some suitable person as watchman over such ballot boxes during such hours as he shall deem necessary, in order to prevent leaving the same in the sole custody of such candidate or contestant, or his agent or agents.

Use of voting machines.—Sec. 20. Where voting machines shall be provided in the manner permitted by law, such voting machines may be used at all primary and general elections insofar as the use of the same is applicable, and not inconsistent with this act. If the mechanism of such machines will not permit the voter to record his vote in the manner provided in this act, said machines may be used in the manner now provided by law so far as is applicable, and as to offices to which such voting machines will not apply separate paper ballots conforming with the law shall be used. All votes on voting machines shall be recorded and counted and the results thereof ascertained, canvassed and returned as provided by this act.

Repeal of certain sections.—Sec. 21. That all acts or parts of acts inconsistent with the provisions of this act, be and the same are hereby repealed, except so much of Chapter 267 of the General Laws of 1905 and the acts amendatory thereof as applies to the purchase of voting machines and the use of the same at general elections, except Chapter 388 of the General Laws for the year 1911, providing for the nomination of candidates and the selection of a candidate for senator in congress from this state by direct vote of the people, which said act shall remain in full force and effect except that the provisions in this act for the preparation of the ballot providing for first and second choice votes and the provisions in this act for the casting, counting and canvassing of said first and second choice votes and for determining nominees, shall apply to the persons and candidates mentioned in said Chapter 388 of the General Laws for the year 1911.

Sec. 22. This act shall take effect and be in full force from and after its passage.

Approved June 19, 1912.