

R.S. 19:48-6,7

May 7, 1970

LEGISLATIVE HISTORY OF R.S. 19:48-6, 7
(Duties of officials concerning machines; voting machine out of order)

L. 1930, Chapter 187 - S242

General revision of State Election Law (very long and hence, no copy attached).

March 25 - Introduced by Wolber.

April 15 - Reported with committee amendment.

April 15 - Passed in Senate.

April 16 - Passed in Assembly.

April 18 - Approved, Chapter 187.

Amended during passage.

No statement.

COPY NO. 2

Bill drafted and recommended by:

974.90 N.J. Commission to Codify and Revise
E38 Elections Laws.
1930 Report. 1930.

Amended by:

L. 1935, Chapter 302 - A115

January 28 - Introduced by Sanford.

April 8 - Passed in Assembly, amended.

June 10 - Passed in Senate.

June 29 - Approved, Chapter 302.

Amended during passage (copy enclosed).

Statement on bill (copy enclosed).

L. 1945, Chapter 56 - A299

February 19 - Introduced by Lusher.

March 12 - Passed in Assembly, amended.

March 26 - Passed in Senate.

March 31 - Approved, Chapter 56.

Amended during passage.

Statement on bill (copy enclosed).

Copy also attached of original bill showing changes this law made.

DEPOSITORY COPY
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L. 1947, Chapter 168 - A333

March 3 - Introduced by Kates.
March 25 - Reported by Committee Substitutes A & B.
April 8 - Committee Substitutes A & B passed Assembly.
April 15 - Passed in Senate.
May 20 - Committee Substitute A approved, Chapter 167.
May 20 - Committee Substitute B approved, Chapter 168.
No statement on original bill or substitutes.
Not amended during passage.
Copy enclosed of Sec. 25 of Committee Substitute B
which affects this section.

Reports (copies enclosed):

974.90 N.J. State board of voting machine commissioners.
E38 Report.
1906

974.90 N.J. Voting machine commissioners.
E38 ... The report on voting machines.
1910

974.90 N.J. Senate. Committee on Elections.
E38 Public hearing [on elections]
1940b Assembly Bill 14.

974.90 N.J. Legislature. Assembly. Committee on
E38 Revision and Amendment of Laws.
1961a Public hearing ... on A.C.R. 17 and 18
and A.J.R. no. 10 ...

974.90 N.J. Election Law Revision Commission.
E38 Preliminary report.
1966

3 voting machine, one set thereof shall be inserted or placed in or upon the
4 voting machine and the other shall be retained in the custody and possession
5 of the district board of registry and election, unless it shall become necessary
6 during the course of the election to make use of the same upon or in the voting
7 machine; at the close of the election all official ballots (except those actually
8 in or upon the voting machine at the close of the election) whether the same
9 shall have been used in the machine or not, shall be returned to the official
10 providing the same in the manner herein provided.

11 If the official ballots for an election district or precinct, at which a voting
12 machine is to be used, shall not be delivered in time for use on election day
13 or after delivery shall be lost, destroyed or stolen, the municipal clerk whose
14 duty it now is in such cases to provide other ballots for use at such elections
15 in lieu of those lost, destroyed or stolen, shall cause other ballots to be pre-
16 pared, printed or written as nearly as may be of the form and description of
17 the official ballots, and the district boards of registry and election shall cause
18 the ballots so substituted to be used at the election in the same manner, as
19 nearly as may be, as the official ballots would have been.

DUTY OF AUTHORITIES OF MUNICIPALITIES

1 9. It shall be the duty of the municipal clerk of the municipality wherein
2 voting machines have been adopted to have the machine and all necessary fur-
3 niture and appliances at the proper polling place or places before the time
4 fixed for opening the polls, and the counters set at zero (000), and otherwise
5 in good and proper order for use at such election; and for the purpose of
6 placing ballots in the ballot frames of the machine; putting it in order, set-
7 ting, testing, and adjusting and delivering the machine the county election of-
8 ficials may employ or appoint one or more competent persons to be known
9 as custodian or custodians of voting machines; who shall be fully competent,
10 thoroughly instructed by said county election officials and sworn to perform
11 their duties honestly and faithfully, and for such purpose shall be appointed
12 and instructed at least thirty days before the election and shall be considered
13 as officers of elections. Before preparing a voting machine for any election,
14 written notice shall be mailed to the chairman of the county committee of at

15 least two of the principal political parties, stating the time and place where
16 the machines will be prepared, at which time one representative of each such
17 political parties shall be afforded an opportunity to see that the machines
18 are in proper condition for use in election; such representatives shall be
19 sworn to faithfully perform their duties and shall be regarded as election of-
20 ficials, but shall not interfere with the custodians or assume any of their du-
21 ties. When a machine has been so examined by such representatives it shall
22 be sealed with a numbered metal seal. Such representatives shall certify,
23 upon a form to be provided by the municipal clerk, to the numbers of the ma-
24 chines, that all of the counters are set at zero (000), and as to the number
25 registered on the protective counter, if one is provided, and on the seal. After
26 the preparation of the machines, the said municipal clerk shall inspect each
27 machine, and report in writing, to the county board of elections, certifying
28 to the facts as to whether or not all of the registering counters are set at zero
29 (000), the machine is arranged in all respects in good order for the election
30 and locked; and as to the number registered on the protective counter; and
31 on the seal. When a voting machine has been properly prepared for elec-
32 tion, it shall be locked against voting and sealed; and the keys thereof shall
33 be delivered to the county election officials together with a written report
34 made by the custodian stating that it is in every way properly prepared for
35 the election. After the voting machines shall be transferred to the polling
36 places by the municipal clerk, it shall be the duty of the governing body of
37 said municipality to provide ample police protection against molestation, or
38 injury to the machine. Every voting machine shall be furnished with a lan-
39 tern, or an electric light fixture, which shall give sufficient light to enable vot-
40 ers while voting to read the ballots and suitable for use by the district board
41 of registry and election in examining the counters. The lantern or electric
42 light fixture shall be prepared in good order by the said municipal clerk for
43 use before the opening of the polls.

INSTRUCTION OF ELECTION OFFICERS

1 10. Not less than ten nor more than twenty-one days before each elec-
2 tion, the custodian or custodians of the machines shall instruct the members

12 term "official ballot" shall mean the printed strips of cardboard, or paper
13 containing the names of the candidates nominated and a statement of the
14 questions submitted. The term "irregular ballot" shall mean a vote cast, by
15 or on a special device, for a person whose name does not appear on the bal-
16 lots. The term "voting machine custodian" shall mean the person who shall
17 have charge of preparing and arranging the voting machine for elections.
18 The term "protective counter" shall mean a separate counter built into the
19 voting machine which cannot be reset, which records the total number of
20 movements of the operating lever.

APPLICATION

1 26. All laws relating to elections now in force in this State shall apply
2 to all elections under this act so far as the same may be applicable thereto;
3 and so far as such provisions are not inconsistent with the provisions of the
4 act pertaining to the use of the paper ballots and ballot boxes.

STATEMENT

This bill provides for the legal use of the mechanical ballot at all elections held in this State.

The voting machine or mechanical ballot provides the following advantages over the paper ballot:

It affords an easier and speedier method of voting.

It insures absolute secrecy in voting.

It makes impossible spoiled and defective ballots.

It produces an accurate automatic count of the votes cast.

Results of an election are known immediately after the close of the polls.

It preserves a permanent record of the vote that cannot be tampered with.

It reduces election expenses to a minimum and makes any necessary recount a simple and inexpensive proceeding.

The voting machine is not an experiment nor a new idea. It was first introduced in Buffalo and Rochester, New York, thirty-five years ago and has been in

constant use since that time. Today voting machines are used at every election in upward of 3,000 communities in the States of Arizona, New York, Pennsylvania, Connecticut, Michigan, Wisconsin, Indiana, Iowa, Washington, California, Maryland, and Texas.

The use of the mechanical ballot is being extended to other States as fast as legislative restrictions are removed and proper voting machine laws enacted.

The purpose of this act is expressed in its title.

The Commission for the Revision of Election Laws, composed of members of the two major parties, in its report in 1930, recommended the use of voting machines.

Page 4, section 4, strike out the title "providing machines" and substitute therefor "custody and care of machines." Strike out the entire section and substitute the following section: "When voting machines are installed in any county or municipality they shall be placed and remain in the custody of the county board of elections or the officials in charge of elections or the municipal clerk as the case may be, who shall preserve and keep them in repair."

Page 4, section 5, line 1, add the following after the numeral 5: "any voting machines owned and in use by a municipality at the time of a county-wide installation at county expense may be taken over by the county if mutually agreeable between the county and municipality. In no case, however, shall the municipality be reimbursed to the extent of more than the original cost of the machines."

Page 4, section 5, line 3, strike out the word "may" and substitute therefor the word "shall". Insert after the word "thereof" the following: "in such manner as the governing body of such governmental unit deems best according to the financial of said unit and said governing body may meet the necessary expenditure by budget appropriation."

Page 5, section 7, line 7, after the word "sample" insert the words "or instruction."

Page 5, section 8, line 1, after the numeral "8" insert the words "at least one week prior to any primary, local, or general election," and substitute a small "t" for the capital "t" in the word "too."

Page 6, section 8, line 5, strike the words "district board of registry and election" and substitute therefor the word "custodian".

Page 6, section 8, strike out lines 11 to 19 inclusive.

Page 6, section 9, strike out the title "duty of authorities of municipalities" and substitute therefor the title "duties of municipal officials."

Page 6, section 9, line 1, after the words "duty of the county officials in charge of elections or". After the word "municipality" insert the words "as the case may be"

Page 6, section 9, line 5, after the word "election" insert a period and strike out the word "and" and substitute a capital "I" for the small "f" in the word "for".

Page 6, section 9, line 8, after the first two syllables "ficials" insert the words "or the municipal clerk as the case may be."

Page 6, section 9, line 10, after the word "officials" insert "or municipal clerk as the case may be."

Page 7, section 9, line 23, after the words "provided by the" insert the words "county election official or." After the word "clerk" insert the words "as the case may be".

Page 7, section 9, line 25, after the word "sal" insert the following sentence: "such certificate shall be filed with the county election officials or the municipal clerk as the case may be." Strike out the word "after."

Page 7, section 9, strike out lines 26-30 inclusive and in line 31 strike out the words "on this seal."

Page 7, section 9, line 33, after the word "officials" insert the words "or municipal clerk as the case may be."

Page 7, section 9, line 38, strike out the word "injury" and substitute the words "tempering or damage."

Page 7, section 9, line 42, after the word "said" insert the words "county election officials or", after the word "clerk" insert a comma by the words "as the case may be."

Page 8, section 11, line 1, after the word "election" insert the words "or municipal clerk as the case may be."

Page 9, section 11, line 12, after the first syllable "cials" insert the words "or municipal as the case may be"

Page 9, section 12, line 2, strike out the word "at" and in line 3 strike out the words "the same time, and be delivered to the same officials."

Page 9, section 13, after the words "number of" in the title insert the word "registered".

Page 9, section 13, line 4, after the word "fifty" insert the word "registered."

Page 9, section 13, line 5, after the word "thousand" insert the word "registered."

A299-1945

23 tions in each county of the first class by the board of chosen freeholders
24 thereof for the year one thousand nine hundred and forty-five for the pur-
25 pose of defraying the cost, including all salaries, and of storing, delivering
26 to and from polling places, repairing, servicing, and maintaining voting
27 machines, shall be transferred forthwith to the account of the superintendent
28 of elections and shall be used by him solely for such purpose, and no other.

1 12. This act shall take effect immediately.

STATEMENT

The purpose of this act is to amend the election law so that in counties of the first class voting machines will be placed and remain in the custody of the superintendent of elections instead of the county board of elections, and to make certain other necessary adjustments and corrections.

16 The county board of elections or the superintendent of elections or the
 17 municipal clerk, as the case may be, shall preserve and keep in repair all vot-
 18 ing machines placed in its or his custody pursuant to the provisions of this
 19 section.

1 2. Section 19:48-6 of the Revised Statutes is amended to read as fol-
 2 lows:

3 19:48-6. ~~["The county officials in charge of elections"]~~ The county board
 4 of elections or the superintendent of elections or the municipal clerk ~~["of the~~
 5 ~~municipality"]~~, as the case may be, ~~["wherein voting machines have been~~
 6 ~~adopted,"]~~ having custody of voting machines, shall have the machine or
 7 machines and all necessary furniture and appliances at the proper polling
 8 place or places before the time fixed for opening the polls, and the counters
 9 set at zero (000), and otherwise in good and proper order for use at such
 10 election. For the purpose of placing ballots in the ballot frames of the
 11 machines ~~["machine"]~~; putting ~~["it"]~~ in order, setting, testing, adjusting and
 12 delivering the machines ~~["machine"]~~, such ~~["the county election officials"]~~ county
 13 board of elections or such superintendent of elections or ~~["the"]~~ such municipal
 14 clerk, as the case may be, may employ or appoint one or more fully competent
 15 persons to be known as custodian or custodians of voting machines, who shall
 16 be ~~["fully competent,"]~~ thoroughly instructed in their duties by such ~~["the county~~
 17 ~~election officials"]~~ county board of elections or such superintendent of elections
 18-19 or such municipal clerk, as the case may be, and shall be sworn to perform
 20 their duties honestly and faithfully ~~[","]~~ . ~~["and for such purpose"]~~ Such cus-
 21 todians shall be employed or appointed and instructed at least thirty days be-
 22 fore the election and shall be considered as officers of elections ~~["."]~~ ; provided,
 23 however, that for the purpose aforesaid in counties of the first class, the super-
 24 intendent of elections may employ or appoint, in addition to one or more
 25 custodian or custodians, other fully competent persons and may classify
 26 them, assign their duties, and fix their compensation according to the par-
 27 ticular duties assigned them, which said persons shall also be employed or

28 appointed, and thoroughly instructed and sworn to perform their duties
29 honestly and faithfully, at least thirty days before the election and shall
30 likewise be considered as officers of election.

31 Before preparing a voting machine for any election, written notice shall
32 be mailed by such board of elections or such superintendent of elections or
33 such municipal clerk, as the case may be, to the chairman of the county com-
34 mittee of at least two of the principal political parties, stating the time and
35 place where the machines will be prepared, at which time one representative
36 of each such political party shall be afforded an opportunity to see that
37 the machines are in proper condition for use in the election; such represen-
38 tatives shall be sworn to faithfully perform their duties and shall be regarded
39 as election officials, but shall not interfere with the custodian or custodians
40 or other persons employed or appointed as aforesaid or assume any of his
41 or their duties. When a machine has been so examined by such representa-
42 tives it shall be sealed with a numbered metal seal. Such representatives
43 shall certify, upon a form to be provided by [the county election official]
44 such county board of elections or such superintendent of elections or such
45 municipal clerk, as the case may be, as to the numbers of the machines, that
46 all of the counters are set at zero (000), and as to the number registered on
47 the protective counter, if one is provided, and on the seal. Such certificate
48 shall be filed by them with [the county election officials] such county board
49 of elections or such superintendent of elections or such municipal clerk, as the
50 case may be. When a voting machine has been properly prepared for the
51 election, it shall be locked against voting and sealed; and the keys thereof
52 shall be delivered to [the county election officials] such county board of
53 elections or such superintendent of elections or such municipal clerk, as the
54 case may be, together with a written report made by [the] a custodian
55 stating that it is in every way properly prepared for the election.

56 After the voting machines shall be [transferred] delivered to the polling
57 places [by the municipal clerk], the governing body of [such] the municipi-
58 ality, wherein such polling places are located, shall provide ample police

59 protection against molestation, or tampering or damage to the [machine]
 60 machines. Every voting machine shall be furnished with a lantern, or an
 61 electric light fixture, which shall give sufficient light to enable voters while
 62 voting to read the ballots and be suitable for use by the district board in
 63 examining the counters. The lantern or electric light fixture shall be pre-
 64 pared in good order by [the county election officials] such county board of
 65 elections or such superintendent of elections or such municipal clerk, as the
 66 case may be, for use before the opening of the polls.

1 3. Section 19:48-7 of the Revised Statutes is amended to read as fol-
 2 lows:

3 19:48-7. If any voting machine being used in any election district shall,
 4 during the time the polls are open, become damaged so as to render it in-
 5 operative in whole or in part, the election officers shall immediately give
 6 notice thereof to the [custodian,] county board of elections or the superin-
 7 tendent of elections or the municipal clerk, as the case may be, having custody
 8 of voting machines, and such [custodian] county board of elections or such
 9 superintendent of elections or such municipal clerk, as the case may be, shall
 10 cause any person or persons employed or appointed pursuant to section
 11 19:48-6 of this Title to substitute a machine in perfect mechanical order for
 12 the damaged machine. At the close of the polls the records of both machines
 13 shall be taken and the votes shown on their counters shall be added together
 14 in ascertaining and determining the results of the election. Unofficial ballots
 15 made as nearly as possible in the form of the official ballot may be used,
 16 received by the election officers and placed by them in a ballot box in such
 17 case to be provided as now required by law, and counted with the votes
 18 registered on the voting machines. The result shall be declared the same as
 19 though there had been no accident to the voting machine. The ballots thus
 20 voted shall be preserved and returned as herein directed with a certificate or
 21 statement setting forth how and why the same were voted.

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9 that voting machines, heretofore or hereafter installed in any municipality
10 by the governing body thereof, in any manner provided by law, shall be
11 placed, and remain, in the custody of the municipal clerk unless taken over
12 by the county according to law.

13 The county board of elections or the superintendent of elections or the
14 municipal clerk, as the case may be, shall preserve and keep in repair all
15 voting machines placed in its or his custody pursuant to the provisions of
16 this section.

1 25. Section 19:48-6 of the Revised Statutes is amended to read as
2 follows:

3 19:48-6. The county board of elections or the superintendent of elec-
4 tions or the municipal clerk, as the case may be, having custody of voting
5 machines, shall have the machine or machines and all necessary furniture
6 and appliances at the proper polling place or places before the time fixed
7 for opening the polls, and the counters set at zero (000), and otherwise in
8 good and proper order for use at such election. For the purpose of plac-
9 ing ballots in the ballot frames of the machines; putting in order, setting,
10 testing, adjusting and delivering the machines, such county board of elec-
11 tions or such superintendent of elections or such municipal clerk, as the
12 case may be, may employ or appoint one or more fully competent persons
13 to be known as custodian or custodians of voting machines, who shall be
14 thoroughly instructed in their duties by such county board of elections or
15 such superintendent of elections or such municipal clerk, as the case may
16 be, and shall be sworn to perform their duties honestly and faithfully. Such
17 custodians shall be employed or appointed and instructed at least thirty days
18 before the election and shall be considered as officers of elections; *provided,*
19 *however,* that for the purpose aforesaid in counties having a superin-
20 tendent of elections, the superintendent of elections may employ or
21 appoint, in addition to one or more custodian or custodians, other fully
22 competent persons and may classify them, assign their duties, and fix their
23 compensation according to the particular duties assigned them, which said

24 persons shall also be employed or appointed, and thoroughly instructed and
25 sworn to perform their duties honestly and faithfully, at least thirty days
26 before the election and shall likewise be considered as officers of election.

27 Before preparing a voting machine for any election, written notice shall
28 be mailed by such board of elections or such superintendent of elections or
29 such municipal clerk, as the case may be, to the chairman of the county com-
30 mittee of at least two of the principal political parties, stating the time and
31 place where the machines will be prepared, at which time one representative
32 of each such political party shall be afforded an opportunity to see that the
33 machines are in proper condition for use in the election; such representa-
34 tives shall be sworn to faithfully perform their duties and shall be regarded
35 as election officials, but shall not interfere with the custodian or custodians
36 or other persons employed or appointed as aforesaid or assume any of his
37 or their duties. When a machine has been so examined by such represen-
38 tatives it shall be sealed with a numbered metal seal. Such representatives
39 shall certify, upon a form to be provided by such county board of elections
40 or such superintendent of elections or such municipal clerk, as the case may
41 be, as to the numbers of the machines, that all of the counters are set at zero
42 (000), and as to the number registered on the protective counter, if one is
43 provided, and on the seal. Such certificate shall be filed by them with such
44 county board of elections or such superintendent of elections or such munic-
45 ipal clerk, as the case may be. When a voting machine has been properly
46 prepared for the election, it shall be locked against voting and sealed; and
47 the keys thereof shall be delivered to such county board of elections or such
48 superintendent of elections or such municipal clerk, as the case may be,
49 together with a written report made by a custodian stating that it is in
50 every way properly prepared for the election.

51 After the voting machines shall be delivered to the polling places, the
52 governing body of the municipality, wherein such polling places are located,
53 shall provide ample police protection against molestation, or tampering or
54 damage to the machines. Every voting machine shall be furnished with a

55 lantern, or an electric light fixture, which shall give sufficient light to enable
56 voters while voting to read the ballots and be suitable for use by the dis-
57 trict board in examining the counters. The lantern or electric light fixture
58 shall be prepared in good order by such county board of elections or such
59 superintendent of elections or such municipal clerk, as the case may be, for
60 use before the opening of the polls.

1 26. Section five of chapter seven of the laws of one thousand nine hun-
2 dred and forty-four is amended to read as follows:

3 5. All voting machines purchased by the State House Commission pur-
4 suant to this act shall be delivered to the superintendent of elections in coun-
5 ties having a superintendent of elections and to the county board of elections
6 in each county of the second class. If the State House Commission is unable
7 at its first purchase to purchase sufficient voting machines to meet the re-
8 quirements of this act, it shall determine in its discretion the county or
9 counties to which the voting machines purchased are to be delivered and the
10 machines shall be delivered as required by such determination, and as
11 further purchases are made the same procedure shall be followed.

1 27. Section nine of chapter seven of the laws of one thousand nine hun-
2 dred and forty-four is amended to read as follows:

3 9. When voting machines are delivered to any county pursuant to the
4 provisions of this act and they are insufficient to provide voting machines
5 for use in all election districts of said county, such voting machines shall be
6 installed and used in such municipalities of said county and in such wards
7 thereof as, in counties having a superintendent of elections, the superintendent
8 of elections shall designate and as, in counties of the second class, not hav-
9 ing a superintendent of elections the commissioner of registration shall des-
10 ignate, giving preference to municipalities in the descending order of popu-
11 lation measured by the last Federal census and, in any municipality, giving
12 preference to the several wards thereof according to the same standard.

1 28. Section eleven of chapter seven of the laws of one thousand nine hun-
2 dred and forty-four is amended to read as follows:

19:6-17

March 2, 1970

LEGISLATIVE HISTORY OF R.S. 19:6-17
(County boards of elections; membership; eligibility)

COPY NO. 1

- L. 1930, Chapter 187 - S242 (Par. 242)
General Revision of Title 190
March 25 - Introduced by Wolber.
Amended by Senate Committee but it does not amend
this section. *SENATE J., p. 822-824*
No statement on the bill.

Amended by the following laws:

- L. 1948 ✓ Chapter 438 - A2
January 19 - Introduced by McKay.
February 9 - Passed in Assembly, amended.
September 1 - Passed in Senate, Amended.
September 8 - Senate amendment passed in Assembly.
October 6 - Approved, Chapter 438.
Statement (copy enclosed).
Amended during passage but neither one amends this section.

- L. 1957, Chapter 83 - A256
February 4 - Introduced by Lebeda.
March 18 - Passed in Assembly.
May 20 - Passed in Senate.
June 10 - Approved, Chapter 83.
No statement on the bill.

- L. 1960, Chapter 43 - S251
May 19 - Introduced by Cowgill.
May 19 - Passed Senate under emergency resolution.
June 13 - Approved, Chapter 43.
Not amended during passage.
No statement on the bill.

- L. 1960, Chapter 164 - A558
March 14 - Introduced by LaMorte, Madden, D'Aloia.
April 11 - Passed in Assembly.
May 19 - Passed in Senate.
November 28 - Returned by Governor with amendment.
November 28 - Amended as recommended, re-enacted under
emergency resolution in Assembly.

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December 19 - Amended as recommended, re-enacted under emergency resolution in Senate.

December 29 - Approved, Chapter 164
Statement on the bill (copy enclosed).

Amended as per Governor (copy enclosed).

L. 1961, Chapter 59 - S210

May 15 - Introduced by Jones.

May 15 - Passed Senate under emergency resolution.

June 3 - Approved, Chapter 60.

Not amended during passage.

No statement on the bill.

L. 1965, Chapter 166 - A355

February 1 - Introduced by Everett and others.

March 22 - Passed in Assembly.

April 26 - Passed in Senate.

August 31 - Approved, Chapter 166.

Not amended during passage.

Statement (copy enclosed).

Hearings and reports:

974.90 N.J. Commission to codify & revise election laws.
E38 Report.
1930

974.90 N.J. Election Laws Study Commission.
E38 Preliminary report.
1955

974.90 N.J. Election Laws Study Commission.
E38 Third preliminary report.
1957

974.90 N.J. Legislature. Assembly. Committee on
E38 Revision and Amendment of Laws.
1961a Public hearing on ACR 17 and 18 and
AJR 10, held May 10, 1961.

974.90 N.J. Election Law Revision Commission.
E38 Preliminary report.
1966

JH/PC

STATE OF NEW JERSEY

INTRODUCED MARCH 25, 1930

By Mr. WOLBER

Referred to Committee on Elections

AN ACT to regulate elections (Revision 1930)

1 BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

PART ONE, ANY ELECTION

ARTICLE I

LANGUAGE AND APPLICATION OF THE ACT

LANGUAGE OF ACT

Definition of Terms.

1 Par. 1, Sec. 1. For the purpose of this act the following words and terms shall
2 be deemed and taken to have the meanings herein given to them:

3 (a) Election—The procedure whereby the electors of this State or any political
4 subdivision thereof elect persons to fill public office or pass on public questions.

5 (b) General Election—The annual election at which members of the General
6 Assembly are voted for.

7 (c) Primary Election—The procedure whereby the members of a political party
8 in this State or any political subdivision thereof nominate candidates to be voted for
9 at elections, or elect persons to fill party offices, or delegates and alternates to na-
10 tional conventions.

11 (d) Municipal Election—An election to be held in and for a single municipality
12 only, at regular intervals.

13 (e) Special Election—An election which is not provided for by law to be held
14 at stated intervals.

Time for Holding General and Special Elections.

1 Par. 6, Sec. 2. The general election shall be held on the Tuesday next after
2 the first Monday in November in each year. Special elections shall be held on the
3 days hereinafter provided for the purpose in this act or in any other act of this
4 State relative thereto.

Time for Holding Primary Elections.

1 Par. 7, Sec. 3. The primary election for the general election shall be held on the
2 third Tuesday of May in each year. Primary elections for special elections shall be
3 held not earlier than thirty nor later than twenty days prior to such special elec-
4 tions.

ARTICLE III

OFFICES AND QUESTIONS

GENERAL PROVISIONS

Classification.

1 Par. 8, Sec. 1. Public offices and party offices and public questions shall be
2 divided and classified as follows: Those offices voted for and public questions voted
3 upon by the electors of the State or of more than one county thereof, or mem-
4 bers of the House of Representatives; those offices voted for and public questions
5 voted upon by the electors of a county or of more than one municipality thereof;
6 those officers voted for and public questions voted upon by the electors of a munici-
7 pality or of any portion thereof.

Public Offices and Public Questions decided at General and Special Elections.

1 Par. 9, Sec. 2. All public offices in this State or any of its political subdivisions
2 shall be filled and all public questions to be voted upon shall be decided at the
3 general elections as hereinafter provided. All vacancies in said public offices, except
4 where otherwise provided for by existing statutes, shall be filled and all public ques-
5 tions shall be decided at the general election, or at such special elections held for
6 that purpose, unless otherwise provided for in this act.

Party Offices Selected at Primary Elections.

1 Par. 10, Sec. 3. In each presidential year delegates and alternates to the na-
2 tional conventions of said political parties shall be elected at the primary election

16 a statement signed by such candidate, or by his campaign manager, disavowing such
17 expenditure. When any such statement is filed, as aforesaid, the amount of such
18 expenditure shall not be counted for the purposes of this act as a part of the money
19 expended in aid of the candidacy of such candidate, unless such disavowal was not
20 made in good faith. If no such disavowal is filed within the time aforesaid, it shall
21 be conclusively presumed that such moneys were expended with the knowledge and
22 consent of such candidate or his campaign manager if it appear that either said
23 candidate or his campaign manager had knowledge of such expenditures or by
24 reasonable diligence could have obtained such knowledge.

Office Not Void in Case of Mitigating Circumstances.

1 Par. 16, Sec. 9. When upon the trial of any action or proceedings instituted
2 under this act for the purpose of securing a determination that any nomination for
3 or election to any public office or party position is null and void, it shall appear from
4 the evidence that the offense complained of was not committed by the candidate, or
5 with his knowledge or consent, and that all reasonable means were taken by or on
6 behalf of the candidate to prevent the commission of any such offense, or that the
7 offenses complained of were trivial or unimportant in character, and that in all
8 respects his candidacy and election were free from all illegal acts, or that any act
9 or omission of any candidate complained of arose from accidental miscalculation or
10 from some other reasonable cause of like nature, and in any case did not arise from
11 any want of good faith, and under the circumstances it seems to the court or
12 Supreme Court justice to be unjust that the candidate shall forfeit his nomination,
13 position or office, then the nomination or election of such candidate shall not by
14 reason of such offense complained of be void.

EFFECTS OF NULL AND VOID NOMINATIONS OR ELECTIONS AND THE ENFORCE- MENT THEREOF

NOMINATION VOID

Name Not Printed on Ballot.

1 Par. 17, Sec. 10. In case it shall be determined in the manner hereinafter pro-
2 vided, that the nomination for any office of any successful candidate at any primary
3 election is null and void, then in case such determination shall have been made ten
4 days before the election at which the candidates nominated at said primary election

5 are to be voted for, an order shall be made by the court or judge making such de-
6 termination prohibiting the printing of the name of such candidate on the ballot to
7 be used at such election, and the name of the candidate for nomination or party
8 position at such primary election receiving the next highest number of votes shall
9 thereupon be printed upon said ballot as the nominee for said office.

Candidate Elected; No Certificate Delivered.

1 Par. 18, Sec. 11. In case such determination shall not have been made ten days
2 prior to the election at which the candidates at such primary election are to be voted
3 for, and in case the said candidate shall be elected at such election to the office for
4 which he claimed nomination under such void primary as aforesaid, then no certifi-
5 cate of election shall be delivered to such candidate, and the election for the office
6 for which such person was a candidate shall be null and void.

Certificate Delivered; Certificate Void.

1 Par. 19, Sec. 12. If such determination shall have been made after the delivery
2 of the certificate of election to such candidate, then such certificate of election shall
3 be null and void, and the said candidate shall not be inducted into the office for which
4 such certificate of election was issued.

Candidate Inducted Into Office; Quo Warranto Proceedings.

1 Par. 20, Sec. 13. In case such determination shall not have been made until
2 after said candidate has been inducted into office, then upon a certified copy of the
3 record of such determination being sent to the Attorney-General, it shall be the duty
4 of the Attorney-General to institute quo warranto proceedings for the vacation of
5 such office; *provided, however,* that in case the said record relates to the election
6 of any candidate for the office of United States Senator, Member of Congress,
7 State Senator or Member of the House of Assembly, the Attorney-General, instead
8 of instituting quo warranto proceedings for the vacation of said office, shall send
9 such certified copy, within five days after the same is received by him, to the United
10 States Senate, the House of Representatives, the State Senate or the House of As-
11 ssembly, as the case may be, if such United States Senate, House of Representatives,
12 State Senate or House of Assembly is then in session, and if not then in session,
13 then on the first day of such session.

ELECTION VOID

No Certificate Delivered.

1 Par. 21, Sec. 14. In case it shall be determined in the manner hereinafter
 2 provided, that the election to any office of any candidate at any election, is null
 3 and void, then no certificate of election shall be delivered to the candidate whose
 4 election shall have been determined to be null and void, as aforesaid.

Certificate Delivered; Certificate Void.

1 Par. 22, Sec. 15. If such determination shall have been made after the delivery
 2 of the certificate of election to such candidate, then such certificate of election shall
 3 be null and void, and the said candidate shall not be inducted into the office for which
 4 such certificate of election was issued.

Candidate Inducted Into Office; Quo Warranto Proceedings.

1 Par. 23, Sec. 16. In case such determination shall not have been made until
 2 after such candidate shall have been inducted into office, then upon a certified copy
 3 of the record of such determination being sent to the Attorney-General, it shall be
 4 the duty of the Attorney-General to institute quo warranto proceedings for the
 5 vacation of such office; *provided, however,* that in case the said record relates to
 6 the election of any candidate to the office of United States Senator, Member of
 7 Congress, State Senator, or Member of the House of Assembly, the Attorney-
 8 General, instead of instituting quo warranto proceedings for the vacation of such
 9 office, shall send such certified copy, within five days after the same is received by
 10 him, to the United States Senate, the House of Representatives, State Senate or
 11 House of Assembly, as the case may be, if such United States Senate, House of
 12 Representatives, State Senate or House of Assembly is then in session, and if not
 13 then in session, then on the first day of such session.

PARTY POSITION VOID

No Certificate Delivered.

1 Par. 24, Sec. 17. In case it shall be determined in the manner hereinafter pro-
 2 vided, that the election of any person to any party position is null and void, then
 3 no certificate of election shall be delivered to the candidate whose election shall have
 4 been determined to be null and void, as aforesaid.

Certificate Delivered; Certificate Void.

1 Par. 25, Sec. 18. If such determination shall have been made after the delivery
2 of the certificate of election to such candidate, then such certificate of election shall
3 be null and void, and whether such determination shall have been made before or
4 after the delivery of a certificate of election, a certificate of election shall be de-
5 livered to the candidates having the next highest number of votes.

Procedure When Certificate Has Been Delivered to Delegates to National Convention.

1 Par. 26, Sec. 19. In case of any delegate at large or district delegate to any
2 national convention, whose election shall have been declared null and void under
3 this act, after a certificate of election has been issued to him, it shall be the duty
4 of the Attorney-General to transmit to the said convention a certified copy of the
5 judgment and determination of the Supreme Court justice declaring said election
6 void, to the end that the certificate of election issued to the person having the next
7 highest number of votes for said party position may be honored by said con-
8 vention. Any delegate at large or district delegate to any national convention to
9 whom a certificate of election shall have been delivered, which certificate shall
10 have been declared null and void after such delivery, shall, upon the service upon
11 him of a certified copy of the determination of the Supreme Court justice declar-
12 ing such certificate null and void, forthwith surrender such certificate to the Clerk
13 of the Supreme Court.

Nomination or Election Null and Void; Candidate Not Eligible to Fill Vacancies.

1 Par. 27, Sec. 20. A candidate nominated for or elected to an office, whose
2 nomination or election has been annulled and set aside for any reason mentioned
3 in this act, shall not, during the period fixed by law as the term of such office, be
4 appointed to fill any vacancy which may occur in such office; *provided*, that this
5 provision shall not apply to appointments to any office the qualifications for which
6 are prescribed by the Constitution of this State or of the United States.

Candidate Removed From Office; Not Eligible to Fill Vacancies.

1 Par. 28, Sec. 21. A candidate or other person who is removed from or deprived
2 of his office for any offense mentioned in this act shall not, during the period remain-
3 ing as the unexpired term of such office, or during the period fixed by law as the
4 next ensuing term of such office, be appointed to fill any vacancy which may occur
5 in such office; *provided*, that this provision shall not apply to appointments to any
6 office the qualifications for which are prescribed by the Constitution of this State
7 or of the United States.

Appointments Null and Void.

1 Par. 29, Sec. 22. Any appointment to an office made in violation of or con-
2 trary to the provisions of this section shall be void.

Nomination or Election Null and Void; Vacation of Office.

1 Par. 30, Sec. 23. When the nomination or election of any person to public
2 office within this State or any of its political subdivisions shall have been declared
3 null and void, said person shall remove or be removed from said office. It shall
4 be lawful for the Attorney-General to institute quo warranto proceedings to remove
5 from office any person whose nomination or election shall be void under the pro-
6 visions of this act, whether or not such nomination or election shall have been
7 determined to be void in the manner specially provided by this act. In any quo
8 warranto proceedings instituted for the purpose of vacating any office in accord-
9 ance with the directions contained in this act, the finding of the Circuit Court or
10 Supreme Court justice that the nomination for or election to such office is null and
11 void, shall be admissible in evidence on the part of the relator and shall be prima
12 facie evidence in any such proceedings of the invalidity of such nomination or
13 election.

Right to Seek Recovery of Office Unabridged.

1 Par. 31, Sec. 24. Nothing in this act contained shall abridge any right which
2 any claimant to any office might otherwise have to institute proceedings for the
3 recovery of such office, notwithstanding the fact that his nomination for or election
4 to such office may have been declared null and void in the summary proceedings

5 above referred to, but in any such action instituted by any such claimant, the
6 determination of the Circuit Court or justice of the Supreme Court shall be admis-
7 sible in evidence and shall be prima facie evidence of the facts therein recited and
8 of the invalidity of such nomination or election.

VACANCIES IN PUBLIC OFFICE AND THEIR FILLING

Causes of Vacancies.

1 Par. 32, Sec. 25. When any person shall remove or be removed from office
2 because the nomination or election of such person to public office has been declared
3 null and void, said office shall be deemed and taken to be vacant. Whenever an
4 equal number of votes shall have been given to two or more persons to fill any
5 office for which they shall by law be qualified, the said office shall be deemed and
6 taken to be vacant. Whenever any person who shall have been elected or
7 appointed to any office as mentioned in section five of this article shall, during
8 the term for which he shall have been elected, or appointed, be elected or appointed
9 to another of such offices, and shall accept the same, such acceptance shall be
10 deemed to make vacant the office to which he shall have been previously elected or
11 appointed; and he shall not be permitted to qualify or take such new office until
12 he shall have formally relinquished the office which he may have been holding.
13 When any person shall, at any election, be elected to two or more of such offices,
14 he shall accept but one of the same, and the other or others shall be deemed
15 vacant. When any person who shall be elected a member of the Senate or General
16 Assembly of this State shall neglect or refuse, for ten days next after the com-
17 mencement of the session of such house, to take his seat therein, or to send to
18 such house a satisfactory excuse, or shall, during any session of such house, be
19 absent unremittingly for ten days (unless expressly excused by such house from
20 attendance thereon), or shall remove from and cease to be a resident of the State,
21 or of the county for which he may have been elected, his office shall be deemed
22 vacant.

Filling Vacancies in United States Senate.

1 Par. 33, Sec. 26. If a vacancy shall happen in the representation of this State
2 in the United States Senate, said vacancy shall be filled at the general election next

3 succeeding the happening thereof, unless such vacancy shall happen within thirty days
 4 next preceding such election, in which case such vacancy shall be supplied by election
 5 at the second succeeding general election, unless the Governor of this State shall deem
 6 it advisable to call a special election therefor, which he is authorized hereby to do. The
 7 Governor of this State hereby is authorized and empowered to make temporary ap-
 8 pointments of Senators of the United States from this State whenever vacancies shall
 9 occur by reason of death, resignation or for any cause other than the expiration of
 10 their term; and such appointees shall serve as such Senators until a special election or
 11 general election shall have been held pursuant to law, and the Board of State Can-
 12 vassers can deliver to their successors certificates of election.

Filling Vacancy in United States House of Representatives.

1 Par. 34, Sec. 27. Whenever any vacancy or vacancies shall happen in the repre-
 2 sentation of this State in the United States House of Representatives, it shall be the
 3 duty of the Governor to issue a writ or writs of election to fill such vacancy or vacan-
 4 cies, unless the term of service for which the person or persons whose office or offices
 5 shall become vacant will expire within six months next after the happening of such
 6 vacancy or vacancies.

Filling Vacancy in State Senate or General Assembly.

1 Par. 35, Sec. 28. Whenever any vacancy shall happen in the representation of
 2 any county in the Senate or General Assembly of this State while such Senate or Gen-
 3 eral Assembly are in session, the house in which such vacancy happens shall direct a
 4 writ for a special election to be held for supplying the same, unless such house shall be
 5 of the opinion that the services of a person in the office then vacant will not be re-
 6 quired during the unexpired period of the legislative year. If such vacancy happens
 7 during the recess of the Legislature, or after the annual election, and not less than fif-
 8 teen days before the commencement of the legislative year, it shall be the duty of the
 9 Governor forthwith to issue a writ for a special election to be held to fill the said va-
 10 cancy, unless he shall be of opinion that the services of a person in the office then va-
 11 cant will not be required during the legislative year, or the residue thereof; *provided,*
 12 that the neglect of the Governor to issue a writ for filling such vacancy shall not pre-
 13 clude the house in which such vacancy may have happened from causing the same to

14 be filled, if they judge it advisable; *and provided, moreover*, that if the board of
 15 chosen freeholders of such county in any event shall signify in writing to the Governor,
 16 or to such house, when in session, the desire of such board that the vacancy shall be
 17 filled, then such house, or the Governor, as the case may be, shall forthwith, after such
 18 signification, issue such writ for a special election to fill such vacancy.

Filling Vacancies Other Than United States Senator, Member of Congress, State
 Senator, General Assemblyman.

1 Par. 36, Sec. 29. Any vacancy happening in any public office other than that of
 2 United States Senator, Member of Congress, State Senator, or Member of the House
 3 of Assembly, shall be filled at the general election next succeeding the happening
 4 thereof, unless such vacancy shall happen within twenty-five days next preceding such
 5 election, in which case such vacancy shall be filled at the second succeeding general
 6 election.

ARTICLE IV

THE ELECTORATE

THE RIGHT OF FRANCHISE

Qualifications.

1 Par. 37, Sec. 1. Every person possessing the qualifications required by the Nine-
 2 tenth Amendment to the Constitution of the United States and Article II, Section
 3 one of the Constitution of the State of New Jersey and having none of the disqualifi-
 4 cations mentioned therein, and being duly registered as required by this act, shall be
 5 entitled to vote in the polling place assigned to the election district in which he actually
 6 resides, and not elsewhere; *provided, however*, that a person, who will have, on the day
 7 of general election, the qualifications to entitle him to vote shall have the right to be
 8 registered for and vote at the primary election and register for and vote at the general
 9 election, the same as though all qualifications were met before registration for the
 10 primary election.

Privileges on Election Day.

1 Par. 38, Sec. 2. No person who shall have a right to vote at any election shall
 2 be arrested by virtue of any civil process on the day on which such election shall be
 3 held.

ELECTION DISTRICTS

Number of Electors to a District.

1 Par. 39, Sec. 3. No election district within this State shall contain more than
2 six hundred voters, except in an election district wherein there may be located a home
3 or institution wherein persons entitled to vote may reside, and in any such district the
4 number of voters shall be as near six hundred as possible; *provided, however,* that elec-
5 tion districts in counties having a population of less than sixty thousand inhabitants
6 may contain seven hundred voters; and *provided, further,* that every municipality in
7 counties having a population of less than sixty thousand inhabitants, containing more
8 than seven hundred voters and less than twelve hundred voters, shall be divided into
9 two election districts, each district having as nearly as possible the same number of
10 voters, and the county board or the governing body, as the case may be, having regard
11 for the convenience of the voters of such municipality, shall select a building for use
12 as a polling place in such municipality, which building may be used by the voters of
13 each election district, even though such building be located within one election district.

Redistricting.

1 Par. 40, Sec. 4. Whenever at any presidential election in any election district,
2 over six hundred or less than two hundred and fifty votes shall have been cast, the
3 county board in counties of the first class and the governing board or body of the
4 municipalities in counties other than counties of the first class except as hereinafter
5 provided, wherein such election district shall lie, shall readjust the boundary lines of
6 such election district and other election districts necessary to effect the change so that
7 none of the election districts affected shall have more than five hundred and fifty or
8 less than three hundred and fifty registered voters, and for this purpose shall have
9 power to consolidate any number of districts and subdivide the same, and in redis-
10 tricting the election districts in counties having a population of less than sixty thousand
11 which as heretofore provided may contain seven hundred voters, a like procedure
12 shall be followed; *provided,* that in every division, change or readjustment the geo-
13 graphical compactness of each district shall be maintained as nearly rectangular as
14 possible and the lines of such district shall not extend beyond the boundary lines of
15 the ward in the municipality or of the municipality, as the case may be, in which such

16 district is located; *provided, further,* that it shall not be lawful for such board or governing body to make division of any election district between the first day of March and the day of the general election in any year. The preparation of the signature copy registers, registers of voters and the party primary poll books of the preceding primary election and the polling books of the preceding general election if made necessary for any purpose by reason of redistricting of the election districts, as aforesaid, shall be done by the commissioner in municipalities having permanent registration and by the municipal clerk in all other municipalities.

Redistricting Upon Petition of Governing Body of Municipality.

1 Par. 41, Sec. 5. Where it appears that serious inconvenience has been caused the
2 voters by the size or shape of any election district in any municipality, or that certain
3 districts contain an unreasonably large or small number of voters in comparison with
4 other districts in said municipality or that a change is necessary because of a change
5 of ward lines, the county board in counties of the first class and the elective governing
6 body of such municipality in counties other than counties of the first class may
7 revise or readjust the election districts in such municipality, without regard as to
8 whether a readjustment is authorized by the next preceding section of this article.

County and Municipal Clerks to Transmit Registers and Poll Books to the
County Board or Governing Body.

1 Par. 42, Sec. 6. The county board in counties of the first class and the commissioner
2 in municipalities having permanent registration and the governing board or
3 body of all other municipalities may make application to any justice of the Supreme
4 Court, judge of the Court of Common Pleas or the Circuit Court judge holding the
5 Circuit Court in the county in which said county board, commissioner or municipality
6 is situated, for an order directing the county clerk of such county or the municipal
7 clerk of such municipality to transmit to such county board, commissioner or governing
8 board or body, as the case may be, the registry books or poll books of any
9 election district in his county or municipality if necessary for the purpose of such re-
10 districting, which order shall direct the time within such registry books or poll books
11 shall be returned to such county or municipal clerk.

Readjusted Districts to be Recorded.

1 Par. 43, Sec. 7. Whenever any readjustment of the boundaries of an election
 2 district has been made, the county board or the governing board or body, as the case
 3 may be, making such readjustment shall immediately cause a description of the boun-
 4 daries of such readjusted district to be filed in the county clerk's office and a dupli-
 5 cate thereof in the office of the clerk of the municipality wherein such readjustment
 6 has been made.

ARTICLE V

PARTY ORGANIZATIONS

Powers.

1 Par. 44, Sec. 1. A political party may nominate candidates for public office at
 2 primary elections provided for in this act, elect committees for the party within the
 3 State, county or municipality, as the case may be, and in every other respect may
 4 exercise the rights and shall be subject to the restrictions herein provided for politi-
 5 cal parties; *provided, however*, that no political party which shall fail to poll at any
 6 primary election for a general election at least ten per centum of the votes cast in the
 7 State for members of the General Assembly at the next preceding general election
 8 shall be entitled to have a party column on the official ballot at the general election
 9 for which the primary election has been held, but that the names of the candidates
 10 so nominated at the primary election shall be printed in the column or columns
 11 designated "Nomination by Petition" on the official ballot under the respective titles
 12 of office for which the nominations have been made, followed by the designation of
 13 the political party of which the candidates are members.

Membership and Organization.

1 Par. 45, Sec. 2. The members of the municipal committees of political parties
 2 shall consist of the elected members of the county committee in such municipality.
 3 The members of said municipal committee shall take office on the first Tuesday
 4 following their election as members of the county committee, on which day the
 5 terms of all members of such committees theretofore elected shall terminate. The
 6 annual meeting of each municipal committee shall be held on the fourth Tuesday in
 7 May in each year, at an hour and place to be designated in a notice to be given by
 8 the chairman thereof, at which annual meeting the members of each committee shall

9 elect some suitable person as chairman to hold office for one year or until his succes-
 10 sor is elected. Such chairman shall preside at all meetings of the committee, and shall
 11 perform all duties required of him by law and the constitution and by-laws of such
 12 committee. Such municipal committee shall have power to adopt a constitution and
 13 by-laws for its proper government. A member of a municipal committee of any
 14 political party may resign his office to the committee of which he is a member, and
 15 upon acceptance thereof by the committee a vacancy shall exist. Vacancies caused by
 16 death, resignation, failure to elect, or otherwise, in the office of a municipi-
 17 pal committee of any political party shall be filled for the unexpired term by the re-
 18 maining members of said committee in the municipality in which such vacancy shall
 19 occur.

COUNTY COMMITTEE

Membership and Organization.

1 Par. 46, Sec. 3. The members of the county committees of political parties shall
 2 be elected annually at the primary for the general election in the manner provided in
 3 this act for the selection of party candidates to be voted for at the general election by
 4 voters of a municipality. The county committee shall consist of one male and one
 5 female member from each unit of representation in the county, the male receiving the
 6 highest number of votes among the male candidates and the female receiving the high-
 7 est number of votes among the female candidates shall be declared elected. Members
 8 of the county committee shall actually reside in the districts or units which they re-
 9 spectively represent. The county committee shall determine by its by-laws the units
 10 into which the county shall be divided for the purpose of representation in the county
 11 committee. The members of the county committee of each of the political parties
 12 hereafter elected shall take office on the first Monday following their election, on which
 13 day the terms of all members of such committees heretofore elected shall terminate.
 14 The annual meeting of each county committee shall be held on the second Tuesday
 15 following the primary election, at an hour and place to be designated in a notice in
 16 writing to be mailed by the chairman of the outgoing county committee to each mem-
 17 ber-elect, at which annual meeting the members of such committee shall elect some
 18 suitable person as chairman, to hold office for one year, or until his successor is
 19 elected. Such chairman shall preside at all meetings of the committee, and shall per-

20 form all duties required of him by law and the constitution and by-laws of such com-
21 mittee. Said committee shall have power to adopt a constitution and by-laws for their
22 proper government. A member of a county committee of any political party may
23 resign his said office to the committee of which he is a member, and upon an accept-
24 ance thereof by the committee a vacancy shall exist. Vacancies in the office of a
25 member of the county committee of any political party, caused by death, resignation,
26 failure to elect, or otherwise, shall be filled for the unexpired term by the municipal
27 committee of the municipality wherein the vacancy occurs, if there is such commit-
28 tee, and if not then by the remaining members of the county committee of such politi-
29 cal party representing the territory in the county in which such vacancy shall occur.
30 The chairman of the county committee of the several political parties shall before the
31 first day of April certify to the clerk of each municipality in the county the unit of rep-
32 resentation in such municipality, together with the enumeration of the election district
33 or districts embraced within such unit.

STATE COMMITTEE

Membership and Organization.

1 Par. 47, Sec. 4. At the primary for the general election of the year in which a
2 Governor is to be elected, one male and one female member of the State committee of
3 each of said political parties shall be elected in each county, the male receiving the
4 highest number of votes among the male candidates and the female receiving the
5 highest number of votes among the female candidates shall be declared elected. The
6 members of the State committee of each of the political parties hereafter elected shall
7 take office on the first Tuesday following their election, on which day the terms of all
8 members of such committees heretofore elected shall terminate. The annual meeting
9 of such State committee shall be held on the first Tuesday after such primary election
10 at the hour and place to be designated in a notice in writing to be mailed by the chair-
11 man of the outgoing State committee to each member-elect, at which annual meet-
12 ing the members of said committee in the year in which a Governor is to be elected,
13 shall elect some suitable person as chairman to hold office for three years, or until his
14 successor is elected. Such chairman shall preside at all meetings of the committee
15 and shall perform all duties required of him by law and the constitution and by-laws
16 of such committee. Said committee shall have power to adopt a constitution and

17 by-laws for their proper government. A member of a State committee of any political
18 party may resign his said office to the committee of which he is a member, and upon
19 an acceptance thereof by the committee a vacancy shall exist. Vacancies in the office
20 of a member of the State committee of any political party, caused by death, resigna-
21 tion or otherwise, shall be filled for the unexpired term by the members of the county
22 committee of such political party in the county in which such vacancy shall occur.
23 Members of the State committee shall serve for three years or until their successors
24 are elected. Said State committee shall choose its chairman and the member or mem-
25 bers of the national committee of their political party.

Party Maintenance.

1 Par. 48, Sec. 5. It shall be lawful for any State committee, county committee or
2 municipal committee of any political party to receive and disburse moneys for the gen-
3 eral purposes of maintaining such organization during the whole or any part of the
4 year. The expenses for maintenance of organization shall be confined to the hiring
5 of suitable rooms for meetings of the said committee, for stationery, for hiring of nec-
6 essary clerks, for the expenses of notices of the meetings of such committee, for giv-
7 ing publicity to the policies and candidates of their respective party organizations, and
8 other expenses incidental to the maintenance of said organization. Within ten days
9 after the annual organization of such State, county or municipal committee, which
10 shall not be in any event more than twenty days after the day of the general election,
11 it shall be the duty of the person who has had the custody of the moneys contributed
12 to or on account of any State, county or municipal committee during the previous
13 year, to file with the Secretary of State in the case of the State committee, and with
14 the county clerk in the case of the county or municipal committee, a statement of the
15 amount of money received by or on behalf of said committee during the previous year,
16 together with the names and addresses of the persons from whom such money was
17 received, and also a statement of the purposes for which said money was expended,
18 itemized as to all items in excess of five dollars, and with a general statement as to the
19 purposes for which the items less than five dollars were expended. The person making
20 such statement shall make affidavit that the same is true.

STATE CONVENTION

Composition: Time and Place of Holding.

1 Par. 49, Sec. 6. There shall be held in each year a State convention of each of
2 the political parties aforesaid. The said State convention of each party shall be
3 made up of the following members: First, the party candidates who have been
4 nominated at the party primaries immediately preceding the convention for the
5 office of member of Assembly or State Senator in each county of the State;
6 second, the candidate of the party for Governor nominated at the said primaries in
7 the year in which a Governor is elected, and in each year in which no Governor is
8 elected the Governor of the State shall be a member of the convention of the political
9 party to which he belongs; third, members of the State Senate belonging to said
10 party who are holding office at the time of the holding of said State convention
11 and whose successors are not to be chosen at the ensuing general election; fourth,
12 members of the State committee chosen as herein provided. The said convention
13 of each party shall be held at the city of Trenton on the first Tuesday after the
14 primary election for the general election in each year. The place and the hour at
15 which the convention shall meet shall be fixed by call of the existing State committee
16 to be issued at least five days prior to said date of meeting. If no call is issued by
17 the State committee, any person qualified to sit in said convention may issue a call.
18 Said convention of each party shall have power to adopt and promulgate a party
19 platform for said party, and to transact such other business as may properly come
20 before it; *provided, however,* that the conventions of each political party, in this act
21 authorized, upon convening, shall appoint a committee on resolutions consisting of
22 five members. The convention shall then be open for the reception of all proposed
23 planks for the party platform which planks shall be referred to the committee on
24 resolutions, whose duty it shall be to prepare a tentative party platform and furnish
25 to each member of the convention within two days thereafter a copy of the tentative
26 party platform and of all other planks submitted to it which have not been in-
27 corporated in said tentative party platform, together with the names and addresses
28 of the delegates proposing the same. After the introduction of all proposed planks
29 and the reference of same to the committee on resolutions, the convention shall then

30 adjourn to meet again one week later at their originally-set meeting place. At the
31 adjourned meeting the respective conventions shall consider and may adopt the draft
32 of the platform so prepared by the committee on resolutions with such amendments
33 as shall be suggested and adopted in the convention as a whole. The voting on the
34 adoption of the party platform shall be on the entire platform as reported by the com-
35 mittee on resolutions, unless there be any objection to any separate plank or planks
36 or to any amendment thereto, in which case the voting on said plank or planks or
37 amendment shall be by the "ayes" and "nays" of each member of the convention
38 present and voting.

ARTICLE VI

ELECTION OFFICIALS

DISTRICT BOARDS OF REGISTRY AND ELECTION

Composition.

1 Par. 50, Sec. 1. The district boards in each election district of this State shall
2 consist of four members, who shall be appointed by the county board of the county
3 in which such election district is located, in the manner hereinafter provided.

Applications for Service.

1 Par. 51, Sec. 2. Any legal voter may make application for service as a member
2 of a district board of the municipality in which he or she resides. Any such voter
3 shall send his or her name and address to the county board on a blank form to be
4 prepared for that purpose by such board. On such form, such person shall state the
5 political party to which he or she belongs.

Appointment of Members.

1 Par. 52, Sec. 3. The county board shall, on or before the first day of April,
2 appoint the members of the district boards; *provided*, that members of any district
3 board shall be equally apportioned among each of the two political parties which at
4 the last preceding general election cast the largest and the next largest number of
5 votes respectively in this State for members of the General Assembly; *provided*, that
6 in case the county board shall neglect or refuse to select, appoint and certify the
7 members of the district boards, as herein provided, the Court of Common Pleas
8 shall, between the tenth day of April and the fifteenth day of April in each year
9 make such appointments and certifications.

Removal of Election Officers.

1 Par. 53, Sec. 4. The judge of the Court of Common Pleas or the county
2 board shall have power to dismiss any member of a district board from such board
3 for any illegal act, or for any cause which shall be determined in a summary way
4 by such judge or county board.

1 Par. 54, Sec. 5. Any member of a district board in any election district may
2 be summarily removed from office, with or without cause, and vacancies filled, at
3 any time by the members of the county board of such county in which such election
4 district is located in the manner hereinafter provided. Such removal shall be made
5 by the members of the county board of the same political party of the person so
6 removed, and upon such removal as aforesaid the members of the said county
7 board so acting shall make a certificate of removal and file same with the said county
8 board. The said members of the county board removing such election officer shall
9 forthwith proceed to fill the vacancy caused by such removal, and shall issue to the
10 person so selected to fill such vacancy a certificate which certificate shall entitle
11 said person to perform all the duties of a member of the district board for such elec-
12 tion district.

1 Par 55, Sec. 6. If there shall be a vacancy in the membership of any district
2 board the remaining members shall function until the vacancy be filled.

1 Par. 56, Sec. 7. It shall be the duty of the county boards in each of the
2 counties in this State to sit on the day of the general election at the office of the said
3 county boards between the hours of six A. M. and midnight.

Assignment of Members to Election Districts.

1 Par. 57, Sec 8. Any person selected as a member of a district board may be
2 assigned by the county board to any election district, or transferred from one dis-
3 trict to another after having been so assigned, in the municipality for which such
4 person was selected, and the county board shall, on or before the fifteenth day of
5 April in each year, in which members of district boards are to be appointed, certify
6 to the clerk of the county and to the municipal clerk the names of the persons ap-
7 pointed to the district boards of registry and election in the election districts in said
8 county, specifying the municipalities and the districts therein for which such members
9 shall have been appointed.

Term of Office.

1 Par. 58, Sec. 9. The terms of office of the members of the district boards
2 shall be for one year, or until their successors are appointed, and shall begin on the
3 twenty-fifth day of April of each year. The county board shall notify the members
4 of each district board of their appointment by forwarding a certificate to each
5 member on or before the twentieth day of April in each year, specifying the dis-
6 trict in which said member has been assigned. The terms of office of all members
7 of said district boards now holding office shall terminate on the twenty-fifth day
8 of April, one thousand nine hundred and thirty-one.

1 Par. 59, Sec. 10. Every person so assigned shall attend at the times and
2 places now or hereafter fixed by law or by the county board for the performance
3 of any duty now or hereafter required of any member of a district board.

Organization of Board.

1 Par. 60, Sec. 11. Organization of Board. Each of said district boards shall
2 on the third Tuesday next preceding the primary election for the general election,
3 meet together and organize by the election of one of its members as judge, who
4 shall be chairman of said board, and another of its members as inspector; such
5 judge and inspector shall be members or voters of different political parties. In
6 case of failure to elect a judge as herein provided, after balloting or voting three
7 times, the senior member of the board in age shall become judge, and in case of
8 failure to elect an inspector, after balloting or voting three times, the next senior
9 member of the board in age shall become the inspector; *provided*, that both chair-
10 man and inspector shall not be members or voters of the same political party.
11 The other two members of the board shall be clerks of election, and shall perform
12 all the duties required by law of the clerks of district boards.

Oath of Office.

1 Par. 61, Sec. 12. The members of said district boards shall, before entering
2 upon the performance of their duties, severally take and subscribe an oath or
3 affirmation, in writing, before a duly qualified officer, faithfully and impartially to
4 discharge all their duties as such officers, to the best of their skill and ability.

5 which oaths and affirmations shall be forthwith forwarded to the county clerk, and
6 by him filed in his office, and after qualification as aforesaid, any member of
7 either of said boards may, at any meeting thereof, administer any oath or affirma-
8 tion required or permitted to be taken by this act.

Vacancy Arising by Member Becoming Candidate for Office.

1 Par. 62, Sec. 13. The office of a member of a district board in any election
2 district in this State shall be deemed vacant upon such member becoming a candi-
3 date for any office to be voted upon at any primary, general election, or special
4 election at which it shall be his duty to serve, said candidacy, to be determined by
5 the filing of a petition of nomination, duly accepted by such member, in the manner
6 provided by law. It shall be the duty of the municipal or county clerk with whom
7 such petition and acceptance may be filed to forthwith notify the county board
8 of the county in which said election district is located, giving the name and resi-
9 dence of the member of the district board who has thus become a candidate, and
10 the vacancy shall be filled as provided by law.

Filling of Vacancies.

1 Par. 63, Sec. 14. Any vacancy arising in any district board otherwise than
2 by expiration of term, shall be filled for the full unexpired term in the same manner
3 as the original appointment. Such board shall certify the name and address of the
4 person so appointed, and the name of the district in which such vacancy shall exist,
5 to the clerk of the county and to the municipal clerk, and the person so appointed
6 shall be notified in the manner above provided.

Appointment of Boards for Changed or New Election Districts.

1 Par. 64, Sec. 15. Whenever the boundaries of any election district in any
2 municipality within this State shall have been changed or any new district created
3 between the time of holding the general election and the time of holding the next
4 primary or special election, or where the boundaries of any election district shall
5 not be the same as at the general election, it shall be the duty of the county board,
6 on being notified thereof, to appoint a district board for such election district, in the
7 manner hereinbefore provided for the appointment of district boards.

Constable Powers of Members.

1 Par. 65, Sec. 16. The district boards of every election district shall preserve
 2 the peace and maintain good order in their respective polling places, during the
 3 progress of all elections and the counting of the votes cast thereat, and to that end
 4 each member of every such board, during the progress of any election and the
 5 counting and canvassing of the votes, shall be and hereby is invested and charged
 6 with all the powers and duties of constables of this State in criminal matters;
 7 said election boards, or any two members of them, may, by writing under their
 8 hands whenever in their opinion it shall be necessary to do so, request the munici-
 9 pal authorities of any municipality within which their district is situate, or the
 10 body or officer having charge and direction of the police force in such municipality,
 11 to detail one or more policemen to assist in preserving the peace and good order
 12 in and about such polling place, which request shall forthwith be complied with as
 13 far as possible by the body or officer to whom the same is made.

Attendance of Policemen in Election Districts (Municipalities Having Perma- nent Registration).

1 Par. 66, Sec. 17. It shall be the duty of the commission, committee, board or
 2 official having charge of the police department in each municipality having perma-
 3 nent registration to assign at least one policeman to each district board in the said
 4 municipality and under the direction of said board to enforce the election laws
 5 and to maintain order, peace and quiet during the hours of registry and election,
 6 and to assist the members of said board in carrying the ballot box or boxes to the
 7 office of the municipal clerk after the ballots are counted.

COUNTY BOARDS OF ELECTION

Composition.

1 Par. 67, Sec. 18. The county board shall consist of four persons, who shall
 2 be legal voters of the counties for which they are respectively appointed. Two
 3 members of such county board shall be members of the political party which at
 4 the last preceding general election cast the largest number of votes in this State
 5 for members of the General Assembly, and the remaining two members of such
 6 board shall be members of the political party which at the said election cast the

7 next largest number of votes in the State for members of the General Assembly;
8 *provided, however,* that the office of member of the county board in any of the
9 counties of this State shall be deemed vacant upon such member becoming a candi-
10 date for any office to be voted upon at any primary, general election or special
11 election, except for nomination for or election to membership in any county com-
12 mittee or State committee, said candidacy to be determined by the filing of a peti-
13 tion of nomination duly accepted by such member in the manner provided by law;
14 *provided, further,* that no person who now or hereafter holds elective public office
15 shall be eligible to serve as a member of the county board during the term of such
16 elective office. In all counties of the first class said county board shall appoint some
17 suitable person, clerk of such board, and may also appoint not more than two
18 assistant clerks, and one clerk-stenographer, all of whom shall be appointed from the
19 competitive class of civil service; *provided, however,* that all persons holding such
20 positions as clerk, assistant clerks and clerk-stenographer of such county board at
21 the time of the adoption of this act shall continue to hold said positions and shall
22 be classified in said competitive class of civil service.

Appointment and Term of Office.

1 Par. 68, Sec. 19. The chairman of the State committee of each of the two
2 political parties as aforesaid shall, during the month of February, in writing,
3 nominate two persons residing in each county, qualified as aforesaid for members
4 of the county board in and for such county; and if nomination be made in said
5 month of February the Governor shall commission such appointees on or before
6 the first day of March; *provided,* that two of such appointees, who shall be mem-
7 bers of opposite parties, shall be commissioned for the term of one year from the
8 first day of March and the remaining members shall be appointed for the term of
9 two years from the first day of March; and thereafter one member of such board
10 shall be nominated annually by each of said chairmen, in the same manner, in the
11 month of February, and shall be commissioned by the Governor as aforesaid, and
12 shall continue in office for two years from the first day March next after their
13 appointment.

Filling of Vacancy.

1 Par. 69, Sec. 20. In case of a vacancy arising in any county board from any
 2 cause other than expiration of the term the Governor shall be forthwith notified, notice
 3 of such vacancy to be given to the chairman of the State committee, and such chair-
 4 man shall, not later than ten days thereafter, nominate a successor, who shall there-
 5 upon be commissioned by the Governor; all appointments to fill vacancies shall be for
 6 the unexpired term only.

Appointment in Case No Nomination by State Chairman.

1 Par. 70, Sec. 21. If in any case the State chairman shall fail to send in writing
 2 to the Governor nominations for appointments within the time specified, as aforesaid
 3 the Governor shall make such appointments of his own selection from the citizens of
 4 the county in which such failure shall occur.

Office of the Board.

1 Par. 71, Sec. 22. Said county boards shall be provided by the board of chosen
 2 freeholders of the respective counties with a suitable office, furniture and such other
 3 equipment as said county boards deem necessary, in the courthouse of the county for
 4 which they are respectively appointed, or in a building as near as possible adjacent
 5 thereto. The county board in counties of the first class shall have power to purchase
 6 office equipment, furniture, furnishings, books, stationery, materials, supplies and
 7 other articles or equipment necessary in the judgment of said board, to carry out the
 8 provisions of this act, and the board of chosen freeholders of the respective counties
 9 shall pay for the same, including the expenses of said board and the clerk thereof,
 10 upon certification of the county board; *provided*, that nothing in the provisions of an
 11 act entitled "An act concerning counties (Revision of 1918)," approved March fourth,
 12 one thousand nine hundred and eighteen, and the amendments thereof and supple-
 13 ments thereto, shall in anywise be construed to affect, restrict or abridge the powers
 14 herein conferred on said county boards.

Organization.

1 Par. 72, Sec. 23. Said county boards shall, at ten o'clock in the forenoon, on the
 2 second Tuesday in March or on such other day as they may agree on within the first
 3 twenty days in March, in each year, meet at the courthouse, or other place provided

4 as aforesaid, in their respective counties, and organize by electing one of their number
 5 to be chairman and one to be secretary; but the chairman and secretary shall not be
 6 members of the same political party. In case of a failure to elect such chairman for
 7 three ballots or viva voce votes, then the senior member in age, of such board shall
 8 be the chairman thereof, and on failure to elect such secretary for three ballots or viva
 9 voce votes, the next senior member of the board in age, shall be secretary of such
 10 board; *provided*, that the chairman and secretary shall not be members of the same po-
 11 litical party. Said board shall have power in its discretion to hold their meetings for
 12 any purpose, except organization, in any part of their respective counties.

Oath of Office.

1 Par. 73, Sec. 24. The members of said county boards shall, before entering upon
 2 the performance of their duties, severally take and subscribe an oath or affirmation,
 3 in writing, before the clerk of the county for which they are appointed, faithfully and
 4 impartially to discharge all their duties as such officers, to the best of their skill and
 5 ability; which oath or affirmation shall be forthwith recorded in the office of the county
 6 clerk, and after qualification as aforesaid, any member of either of said board may,
 7 at any meeting thereof, administer any oath or affirmation required or permitted to be
 8 taken by this act.

Powers and Duties.

1 Par. 74, Sec. 25. Wherever, under the sections of this act any powers or duties
 2 are given or conferred upon the county boards in counties of the first class, said county
 3 board may, under its supervision or in its absence, if it so determines, authorize or
 4 direct the clerk thereof to perform such duties and exercise such powers. The clerk
 5 of the county board in said counties of the first class shall have full power and au-
 6 thority in the conduct of the business and clerical affairs of the office of the said county
 7 board and shall conduct same in an impartial manner and shall exercise full authority
 8 and direction over the employees in said office.

BOARD OF COUNTY CANVASSERS

County Board of Elections to Act.

1 Par. 75, Sec. 26. For the purposes of this act, the county board in each county
 2 shall hereafter be and act as a board of county canvassers for said county. The clerk
 3 of the county shall be the clerk of the said board.

BOARD OF STATE CANVASSERS

Composition.

1 Par. 76, Sec. 27. The Board of State Canvassers shall consist of at least five
2 persons, including the chairman, who shall be the Governor of this State. The re-
3 maining members of said Board of State Canvassers shall be members of the Senate,
4 provided said members shall represent each political party in the Senate. The Secre-
5 tary of State shall be the clerk of said board. Said board shall meet at such times
6 and places as the Governor, as chairman thereof, shall determine.

PROVISIONS APPLICABLE TO ALL ELECTION OFFICIALS

Proceedings Open and Public.

1 Par. 77, Sec. 28. All the proceedings of the district board, county board, boards
2 of county canvassers and Board of State Canvassers shall be open and public.

A Majority Necessary for Decisions.

1 Par. 78, Sec. 29. A decision of the major part of the members thereof, who
2 shall be present at such meeting thereof, shall be deemed and taken to be the decision
3 of such board; and if any member shall dissent from a decision of the board, and
4 shall desire to protect himself against any consequences which may result from such
5 decision, he shall state his dissent in writing, and deliver the same in the case of the
6 State Board of Canvassers to the Secretary of State and in all other cases to the
7 clerk of the county, who shall file the same in his office.

Power to Maintain Regularity and Order.

1 Par. 79, Sec. 30. The district board in each election district, the county board,
2 and the clerk thereof, the board of county canvassers and the board of State canvas-
3 sers and the Court of Common Pleas shall, respectively, possess full power and au-
4 thority to direct the police on duty to maintain regularity and order, and to enforce
5 obedience to their lawful commands during their sessions respectively; and if any per-
6 son shall refuse to obey the lawful command of any such board, or by disorderly con-
7 duct in their hearing or presence shall interrupt or disturb their proceedings, they may
8 by an order in writing, signed by the chairman and attested by the clerk of such
9 board, commit the person so offending to the common jail of the county in which
10 they shall have met, for a period not exceeding three days, and such order shall be

11 executed by any sheriff or constable to whom the same shall be delivered; or if a
12 sheriff or constable shall not be present or shall refuse to act, by any other person
13 who shall be deputed by such board in writing, and the keeper of such jail shall re-
14 ceive the person so committed, and safely keep him for such time as shall be mentioned
15 in the commitment.

ARTICLE VII

ELECTION QUASI-OFFICIALS

CHALLENGERS

Appointment by Chairman of County Committee.

1 Par. 80, Sec. 1. The chairman of the county committee of any political party
2 that has duly nominated any candidate for public office to be voted for at any election
3 by all the voters within said county or any political division thereof greater than a
4 single municipality, or where the election is within and for a single municipality
5 only, or any subdivision thereof, then the chairman of the municipal committee of the
6 political party making such nomination within and for such single municipality, or
7 such subdivision thereof, may appoint two challengers for each election district in his
8 county or municipality, as the case may be. The chairman of the county committee
9 of each political party may also appoint two challengers to serve and exercise the
10 powers of challengers, in each election district in the county at any primary election.

Appointment by Candidates.

1 Par 81, Sec. 2. Any candidate who has filed a petition for any office to be
2 voted for at the primary election, and any candidate, for any office, whose name may
3 appear upon the ballot to be used in any election, may also act as a challenger as
4 herein provided and may likewise appoint two challengers for each district in which
5 he is to be voted for; *provided, however*, that only two challengers shall be allowed
6 for each election district to represent all the candidates nominated in and by the
7 same original petition. The appointment of such challengers shall be made in writ-
8 ing under the hand of the person or persons making the appointment, and shall
9 specify the names and residences of the challengers and the election districts for
10 which they are severally appointed. Such challengers shall be in addition to those
11 provided for in section one of this article.

Filing of Appointments.

1 Par. 82, Sec. 3. The appointment of challengers shall be filed with the county
2 board not later than the second Tuesday preceding any election.

Issuance of Permit.

1 Par. 83, Sec. 4. The county board shall thereupon issue, under their hands,
2 to the persons named in such appointment papers, permits for them to act as
3 challengers for their respective parties or candidates at the election district specified.
4 Such permits shall be filed by the persons named therein with the district board named
5 therein, as evidence of their authority to be present in the polling place, and such
6 permits may be issued and revoked and others issued in their stead at any time up
7 to and including the day of election; *provided, however,* that when a permit shall
8 be revoked, the new permit in the place thereof shall be issued upon the nomination of
9 the same person or officer upon whose nomination the original permit was issued.

Powers.

1 Par. 84, Sec. 5. Such challengers shall be the authorized challengers for their
2 respective political parties and candidates, and shall have the power to challenge
3 the right to vote therein of any person claiming such right and shall have power
4 to ask all necessary questions to determine such right; said challengers may be
5 present while the votes cast at any election are being counted, and hear and see said
6 ballots counted and shall have the right and power to challenge the counting or re-
7 jecting of any ballot or any part of a ballot.

Badge to be Worn by Challengers.

1 Par. 85, Sec. 6. Every such challenger shall at any election wear a badge, to
2 be furnished by the county board, which shall show to any other person the political
3 party or candidate or group of candidates for whom such challenger is acting.

ARTICLE VIII

POLLING PLACES; BALLOT-BOXES; POLLING PLACE EQUIPMENT

POLLING PLACES

Definition.

1 Par. 86, Sec. 1. For the purpose of this act a polling place or room shall be
2 within a building wherein a district board is directed as hereinafter provided to
3 meet for the purpose of registering voters or conducting elections.

Tentative List of Available Places.

1 Par. 87, Sec. 2. It shall be the duty of the clerk of every municipality to certify
2 to the county board of every county wherein such municipality is located before the
3 first day of March in each year, a suggested list of places in said municipality suit-
4 able for polling places. The said county board shall select the polling places for
5 each election district in said municipalities of said county for all elections in said
6 municipalities in said county, including all commission government elections in said
7 county; *provided, however*, that in any case where the county board shall fail to agree
8 as to the selection of the polling place or places for any election district, within
9 five days of any election, then the county clerk shall select and designate the polling
10 place or places in any such election district; *and provided, further*, that said county
11 board shall not be obliged to select the polling places so suggested by the municipal
12 clerks, but may choose others where they may deem it expedient; *and provided*,
13 *further*, that the county board may, in its discretion, select a polling place other than
14 a schoolhouse or public building outside of such district, but such polling place shall
15 not be located more than one thousand feet distant from the boundary line of such
16 district.

Use of Schoolhouses and Public Buildings.

1 Par 88, Sec. 3. The county board may select the schoolhouse or schoolhouses,
2 public building or public buildings as the polling places in any municipality in said
3 county whether or not such schoolhouses or public buildings are located within the
4 election district for which such polling place is established; and shall designate the
5 rooms or places, entrances and exits to be used in such schoolhouses or public
6 buildings; and that the county board may, in its discretion, select a polling place other
7 than a schoolhouse or public building for any election district, when the location of
8 such election district and of the schoolhouses and public buildings in the munic-
9 pality in which such election district is located is such that inconvenience would
10 be caused the voters of such election district by locating the polling place thereof in
11 a schoolhouse or public building. The county board shall determine and certify to
12 the board of chosen freeholders the amount to be paid the several boards of educa-
13 tion or municipalities, as the case may be, for expenses in connection with the use of

14 schoolhouses or public buildings for election purposes; not to exceed in any case the
15 amount paid for polling places in private premises.

County Board of Elections to Certify Selected Places to County Clerk, Municipal Clerk and Sheriff.

1 Par. 89, Sec. 4. Said county board before the fifteenth day of April each year
2 shall certify a list of polling places so selected to the sheriff and to the clerk of the
3 county and to each municipal clerk in said county.

Display of American Flag.

1 Par. 90, Sec. 5. An American flag, approximately three feet by five feet in
2 size, shall be displayed at the outside entrance of each polling place in this State
3 by the district boards during the hours when the said boards are in session. Such
4 flag shall be furnished by the clerk of the county and delivered to the municipal
5 clerks for distribution.

Ballot-Boxes—How Provided and Repaired.

1 Par. 91, Sec. 6. The county board in counties of the first class and the board
2 of chosen freeholders in counties other than counties of the first class shall provide
3 sufficient ballot-boxes for use in the polling places of each election district within
4 said county; and the clerks of the several municipalities shall keep in repair and store
5 the ballot-boxes at the cost and expense of such municipality.

Description.

1 Par. 92, Sec. 7. Said boxes shall be at least one foot in depth, width, and
2 length, measuring the same on the exterior thereof, and shall be constructed with
3 wooden or metal tops and bottoms and wooden or metal frames and glass or metal
4 sides. Each box shall be provided with a door at least six inches square on the top
5 of the box, which shall be secured by not less than three locks, no two keys of which
6 shall be alike, and shall have an aperture measuring at least three (3) inches by one-
7 half inch and not more than six inches long by one inch wide for the reception of
8 the ballots, and a device which will close said aperture when the election is over or
9 when the box is not in use, which device shall be so constructed that it cannot be
10 operated without first opening the door of the box. Said box shall have no stamping
11 or marking devices.

POLLING PLACES—EQUIPMENT

Enumeration.

1 Par. 93, Sec. 8. The county boards in counties of the first class and the mu-
2 nicipal clerks in counties other than counties of the first class shall purchase or lease
3 and furnish the proper equipment of polling places, to enable the district boards
4 to carry out the duties imposed upon them by this act. Said equipment shall consist
5 of tables, chairs, lights, booths and all other things necessary for the performance of
6 said duties, and shall be ready for use by said district boards in ample time to enable
7 them to perform said duties.

8 The clerks of the several municipalities, shall keep in repair, store and deliver
9 the polling booths, ballot-boxes and other equipment in time for use by said district
10 boards at the cost and expense of such municipality.

11 In case of any election to be held in and for a municipality only, the duties now
12 imposed upon the county boards in counties of the first class regarding the equip-
13 ment of polling places, shall devolve upon the clerk of the municipality wherein such
14 election is to be held; any equipment in possession of the county board of elections
15 may be used in a municipal election upon requisition.

Booths

Description of Booths.

1 Par. 94, Sec. 9. Said booths shall be sufficiently large to enable the voter to con-
2 veniently prepare his ballot as provided for and shall have swinging doors or cur-
3 tains so arranged that some part of the person of the voters standing in said booths
4 may be seen from the outside of the booths when the door or curtains are closed.
5 Each booth shall contain a counter or shelf suitably placed to enable voters to place
6 their ballots thereon while preparing the same for voting.

Number of Booths.

1 Par. 95, Sec. 10. In municipalities having permanent registration the number
2 of such booths in each election district shall not be less than one for every one
3 hundred persons registered in such district at the last preceding general election and
4 not less than three such booths shall be provided in any polling place; *provided,*
5 *however,* that in municipalities not having permanent registration the number of

6 booths in each election district shall not be less than one for every one hundred
 7 and fifty persons registered in such district at the last preceding general election
 8 and not less than four such booths shall be provided in any polling place. Said
 9 booths shall be provided and delivered to each polling place by the municipal clerk
 10 in time to be used at any election.

Location of Booths.

1 Par. 96, Sec. 11. Said booths shall be erected within the polling room or place,
 2 and shall be so arranged that all the officers conducting the election can see whether
 3 more than one person enters or is in any booth at the same time.

ARRANGEMENT OF POLLING PLACES

Location of Ballot-Boxes.

1 Par. 97, Sec. 12. The ballot-boxes at every polling place shall be within said
 2 polling room or place, and so placed that the voter shall be able to deliver his ballot
 3 to the election officers after emerging from the booth before leaving the room or
 4 place within which the booths and ballot-boxes are placed.

ARTICLE IX

ELECTION SUPPLIES

Definition and Enumeration.

1 Par. 98, Sec. 1. For the purpose of this act the term election supplies shall be
 2 deemed and taken to mean such blank books, blank forms, pamphlets and things
 3 other than ballots and equipment as may be necessary to enable the provisions of
 4 this act properly to be carried out.

Preparation of Books, Blank Forms, Et Cetera.

1 Par. 99, Sec. 2. Pamphlets of the election laws and instructions; precinct
 2 returns; electors of President and Vice-President; United States Senator; member
 3 of the House of Representatives; Governor; State Senator; Assembly and county
 4 officers; justice of the peace; public questions submitted to the voters of the entire
 5 State; self-addressed envelopes plain and stamped to each district; returns for the
 6 county board of canvassers for the above officers; primary return sheets, and the
 7 following books and lists: In municipalities having permanent registration, party

8 primary poll books, general election poll books: In municipalities not having perma-
9 nent registration, primary election registry books, party primary poll books, can-
10 vassing books, registers of voters, general election poll books, general election registry
11 lists, shall be prepared and distributed by the Secretary of State on or before the
12 first day of April prior to the primary election for the general election and the
13 general election. Upon the covers of each of said books shall be printed in con-
14 spicuous type such instructions to election officers regarding the use and disposition
15 of such books by election officials as the Secretary of State shall deem necessary.
16 All other books, ballots, envelopes and other blank forms, which the county clerk is
17 required to furnish under any other section of this act, stationery and supplies for
18 the primary election for the general election, the primary election for delegates and
19 alternates to national conventions and the general election shall be furnished, pre-
20 pared and distributed by the clerks of the various counties; excepting, that all
21 books, blank forms, stationery and supplies, articles and equipment which may be
22 deemed necessary to be furnished, used or issued by the county board or superin-
23 tendent shall be furnished, used or issued, prepared and distributed by such county
24 board or superintendent of elections, as the case may be. The county board in
25 counties of the first class and the municipal clerks in counties other than counties
26 of the first class shall furnish and deliver to the county clerk, county board, the
27 municipal clerks and the district boards in municipalities having more than one elec-
28 tion district, a map or description of the district lines of their respective election
29 district, together with the street and house numbers where possible in said election
30 districts; *provided*, that nothing in the provisions of an act entitled "An act con-
31 cerning counties (Revision of 1918)," approved March fourth, one thousand nine
32 hundred and eighteen, and the amendments thereof and the supplements thereto shall
33 in anywise be construed to affect, restrict, or abridge the powers herein conferred on
34 said county clerks, county boards or superintendents by this act.

Distribution of Supplies by Secretary of State.

1 Par. 100, Sec. 3. In all cases where such supplies to be prepared and distributed
2 by the Secretary of State shall be required in any county or municipality thereof
3 the Secretary of State shall deliver to such county clerk such supplies on or before

4 the time herein set forth and take a receipt for the same, which receipt shall indi-
 5 cate the time when such supplies were delivered by said Secretary of State and the
 6 time when they were received by said clerk of the county. The Secretary of State
 7 shall file said receipt in his office for the period of at least a year.

Distribution of Supplies by County Clerks.

1 Par. 101, Sec. 4. In all cases where such supplies prepared either by said
 2 Secretary of State or the county clerk shall be required in a municipality the county
 3 clerk shall deliver to a member of the district board at his office or in any other
 4 way that he sees fit such supplies on or before the time they are so required and
 5 take a receipt for the same, which receipt shall indicate the time when such supplies
 6 were delivered by said county clerk and the time when they were received by said
 7 persons. The county clerk shall file said receipt in his office for the period of at
 8 least one year.

Distribution of Supplies by Municipal Clerks.

1 Par. 102, Sec. 5. In all cases where supplies are delivered by the county clerk
 2 or the county board to the municipal clerk for distribution, said municipal clerk
 3 shall deliver the same at his office, or in any other way that he sees fit, to a member
 4 of the district board and take a proper receipt therefor and file the same in his office.

PART TWO, GENERAL ELECTIONS

ARTICLE X

NOTICE OF ELECTIONS

GENERAL ELECTIONS

OFFICIALS TO OFFICIALS

Secretary of State to County Clerks.

1 Par. 103, Sec. 1. The Secretary of State shall within thirty days after the com-
 2 pletion of the canvass by the Board of State Canvassers, certify to each county
 3 clerk and county board the fact that at the next preceding general election, ten
 4 per centum of the total vote cast in the State for members of the General Assem-
 5 bly had been cast for candidates having the same designation thereby creating,
 6 within the meaning of this act, a political party, to be known and recognized as
 7 such under the same designation as used by the candidates, for whom the required

8 number of votes were cast. He shall also between the fifteenth day of March and
9 the first day of April in every year, wherein electors of President and Vice-Presi-
10 dent of the United States, a representative of the United States Senate, members
11 of the House of Representatives, a Governor, or Senator for any county, or any
12 of them, are to be elected or any public question to be submitted to the voters of
13 the entire State, direct and cause to be delivered to the clerk of the county and the
14 county board wherein any such election is to be held, a notice stating that such officer
15 or officers are to be elected and that such public question is to be submitted to the
16 voters of the entire State at the ensuing general election.

County Clerks to Municipal Clerks.

1 Par. 104, Sec. 2. The clerk of such county shall immediately upon the receipt
2 of the certificate from the Secretary of State, setting forth that a political party
3 has been created, forward a certified copy of said certificate to each municipal clerk
4 of his county. He shall also between the first day of April and the fifteenth day of
5 April in every year cause a copy of the notice received from the Secretary of
6 State, of the officer or officers to be elected at the ensuing general election, certi-
7 fied under his hand to be true and correct, to be delivered to the clerk of each
8 municipality in said county. The Secretary of State shall on or before the tenth
9 day of May certify to the county boards in counties of the first class and to the
10 municipal clerks in the respective municipalities in all counties the number of justices
11 of the peace to be elected for full terms or to fill vacancies in said municipalities
12 at the next succeeding general election.

County Clerks to District Clerks.

1 Par. 105, Sec. 3. It shall be the duty of the municipal clerk of every munici-
2 pality in this State, whenever application shall be made to him by the district clerk
3 of the board of education in his municipality, to turn over at once to such district
4 clerk in accordance with such application the register of voters of the last preced-
5 ing general election to be used in connection with any annual or special school elec-
6 tion; *provided, however,* that the said register shall be returned to said municipal
7 clerk by said district clerk within two days after the annual or special school election
8 in connection with which they were used.

Notices of Offices to be Filled.

1 Par. 106, Sec. 4. It shall also be the duty of the clerk of every county
 2 between the first day of April and the fifteenth day of April in every year, imme-
 3 diately preceding the expiration of the term of office of all other officers who are
 4 voted for by the voters of the entire county or of more than one municipality
 5 within said county, to direct and cause to be delivered to the clerk of each munici-
 6 pality and the county board in counties of the first class, a notice that such officer
 7 or officers, as the case may be, will be chosen at the ensuing general election.

Municipal Clerks to County Clerks.

1 Par. 107, Sec. 5. It shall be the duty of all municipal clerks, and on or before
 2 the first day of April in every year, to make and to certify under their hands and
 3 seals of office and forward to the clerk of the county in which such municipality
 4 is located a statement, designating the public offices which are to be filled at such
 5 election, and the number of persons to be voted for each office. In counties of
 6 the first class said statement shall also be forwarded to the county board.

OFFICIALS TO PUBLIC

Newspaper Notice of Registration and Election Days.

I. Counties of the First Class.

(a) General Notice for County at Large.

(1) Time of Publication.

1 Par. 108, Sec. 6. The county board in counties of the first class shall cause a
 2 general notice to be published in a newspaper or newspapers published in the county
 3 as the county board shall select twice during the calendar week next preceding the
 4 day fixed for the beginning of the house to house canvass, twice during the calendar
 5 week next preceding the primary day for the general election, twice during the
 6 calendar week next preceding the third registry day in municipalities not having
 7 permanent registration, twice during the calendar week next preceding the general
 8 election day and twice during the first three days of the calendar week in which
 9 the general election is held.

(2) Contents of General Notice.

10 Said general notice shall set forth that the district boards in each election dis-
11 trict in each municipality not having permanent registration will meet for the pur-
12 pose of making a registration of voters on the days and between the hours here-
13 inafter designated for that purpose, and that a primary election for making nomi-
14 nations for the general election, and in each presidential year for the selection of
15 delegates and alternates to national conventions of political parties, will be held on
16 the day and between the hours and at the places provided for in this act, and also
17 making known the time, place and purpose of holding the general election there-
18 after, and the State and county officers or offices to be nominated or to be filled at
19 such primary election, and the State and county office or offices to be filled and the
20 State and county public questions to be voted upon at such general election; *pro-*
21 *vided, however,* that in such general notice hereinabove required, it shall not be
22 necessary to include municipal officers to be nominated or elected, or public ques-
23 tions to be voted upon, except those to be nominated or elected or voted upon in
24 the municipality in which said newspaper or newspapers are published.

(b) Notice for Municipalities.

(1) Time of Publication.

25 The county board in counties of the first class shall cause a notice to be pub-
26 lished in each municipality in its respective county, in a newspaper or newspapers
27 published in such municipality as the county board of elections shall select, except-
28 ing the municipalities wherein are located the newspaper or newspapers which have
29 been selected by the county board to publish the general notice hereinabove referred
30 to in paragraph (a) of this section; *provided, however,* that in all municipalities
31 in which no newspaper is published, such notice shall be published for such munic-
32 ipality in a newspaper or newspapers circulating in such municipality. The notice
33 to be published in each municipality as above provided for shall be published once
34 during each of the two calendar weeks next preceding the day fixed for the beginning
35 of the house to house canvass, one during each of the two calendar weeks next
36 preceding the primary day for the general election, once during each of the two
37 calendar weeks next preceding the third registry day in municipalities not having

38 permanent registration and once during each of the two calendar weeks next pre-
39 ceding the general election day.

(2) Contents of Notice.

40 Said notice to be published in each municipality as above provided for, shall
41 set forth that the district boards in each election district in each municipality not
42 having permanent registration will meet for the purpose of making a registration
43 of voters on the days and between the hours hereinafter designated for that pur-
44 pose, and that a primary election for making nominations for the general election,
45 and in each presidential year for the selection of delegates and alternates to national
46 conventions of political parties, will be held on the day and between the hours and
47 at the places provided for in this act, and also making known the time, place and
48 purpose of holding the general election thereafter, and the State and county officers
49 or offices to be nominated or to be filled at such primary election, and the State
50 and county office or offices to be filled and the State and county public questions to
51 be voted upon at such general election; *provided, however*, that in such notice here-
52 inabove required, it shall be necessary to include only the municipal officers to be
53 nominated or elected and the public questions to be voted upon in the municipality
54 in which said newspaper or newspapers are published; *provided, further*, that in all
55 municipalities in which no newspaper is published, such notice, as hereinabove re-
56 quired to be published in a newspaper or newspapers circulating in such munici-
57 pality, shall include only the municipal officers to be nominated or elected and the
58 public questions to be voted upon in such municipality in which said newspaper or
59 newspapers circulate.

II. Counties Other Than Counties of the First Class.

(1) Time of Publication.

60 The municipal clerks in counties other than counties of the first class, shall
61 cause a notice to be published in their respective municipality, in a newspaper or
62 newspapers published in such municipality as the municipal clerks shall select;
63 *provided, however*, that in all municipalities in which no newspaper is published,
64 such notice shall be published for such municipality in a newspaper or newspapers
65 circulating in such municipality. The notice to be published by said municipal clerks,

66 as above provided for, shall be published once during each of the two calendar
67 weeks preceding the day fixed for the beginning of the house to house canvass, once
68 during each of the two calendar weeks next preceding the primary day for the
69 general election, once during each of the two calendar weeks next preceding the
70 third registry day in municipalities not having permanent registration and once
71 each week next preceding the general election day.

(2) Contents of Notice.

72 Said notice to be published in each municipality by said municipal clerks as
73 above provided for shall set forth that the district boards in each election district
74 in each municipality not having permanent registration will meet for the purpose
75 of making a registration of voters on the days and between the hours hereinafter
76 designated for that purpose, and that a primary election for making nominations
77 for the general election, and in each presidential year for the selection of delegates
78 and alternates to national conventions of political parties, will be held on the day
79 and between the hours and at the places provided for in this act, and also making
80 known the time, place and purpose of holding the general election thereafter, and the
81 State and county officers or offices to be nominated or to be filled at such primary
82 election, and the State and county office or offices to be filled and the State and
83 county public questions to be voted upon at such general election; *provided, how-*
84 *ever,* that in such notice hereinabove required, it shall be necessary to include only
85 the municipal officers to be nominated or elected and the public questions to be voted
86 upon in the municipality in which said newspaper or newspapers are published;
87 *provided, further,* that in all municipalities in which no newspaper is published,
88 such notice, as hereinabove required to be published in a newspaper or newspapers
89 circulating in such municipality, shall include only the municipal officers to be nomi-
90 nated or elected and the public questions to be voted upon in such municipality in
91 which said newspaper or newspapers circulate.

III. Elimination of Part of Notice After Certain Events.

92 Such part or parts of the original notices as published, either by county
93 boards or municipal clerks, which pertains or pertain to day of registration or

94 primary election which has occurred, shall be eliminated from said notice in suc-
95 ceeding insertions.

IV. Cost of Publication.

(a) Counties of the First Class.

96 The cost of the publishing of said notices by the county boards in counties of
97 the first class shall be paid by the respective counties.

(b) Counties Other Than Counties of the First Class.

98 The cost of the publishing of said notices by the municipal clerks in counties
99 other than counties of the first class shall be paid by the respective municipalities.

Regulations as to Publication.

1 Par. 109, Sec. 7. In municipalities wherein there is more than one district the
2 notice required in section six, this article, shall include a short description of the
3 boundary lines of each election district therein, and the place of meeting of the dis-
4 trict board for said district.

ARTICLE XI

NOMINATION OF CANDIDATES

General Elections

METHODS OF NOMINATION PERMITTED

Direct Petition and Primary Election.

1 Par. 110, Sec. 1. Candidates for all public offices to be voted for at the general
2 election in this State or in any political division thereof, except electors of President
3 and Vice-President of the United States, nominated by the political parties at State
4 conventions, shall be nominated directly by petition as hereinafter provided, or at the
5 primary for said general election held pursuant to this act.

State Convention.

1 Par. 111, Sec. 2. In presidential years, the State conventions shall severally nom-
2 inate for their respective parties such number of candidates for electors of President
3 and Vice-President of the United States as this State shall be entitled to elect or
4 appoint.

DIRECT NOMINATION BY PETITION

Addressee of Petition.

1 Par. 112, Sec. 3. Direct nomination by petition for the general election shall be
2 as follows: Petitions naming candidates for office to be filled by voters of the entire
3 State, or of any congressional district, or of any political division greater than a sin-
4 gle county, shall be addressed to the Secretary of State; petitions naming candidates
5 to be voted for by all the voters of a single county, or more than a single political di-
6 vision thereof, and all other petitions naming candidates to be voted for at the gen-
7 eral election, shall be addressed to the clerks of the respective counties wherein the
8 officers nominated are to be voted for.

Contents of Petition.

1 Par. 113, Sec. 4. Said petition shall set forth the name or names and places of
2 residence and post-office addresses of the candidates for the offices to be filled, the
3 title of the office for which each candidate is named, and that such petitioners are
4 legally qualified to vote for such candidates and pledge themselves to support and vote
5 for the persons named in such petition and that they have not signed any other pe-
6 tition of nomination for the primary or for the general election for such office. In the
7 case of a petition or petitions, nominating electors of President and Vice-President of
8 the United States, the names of the candidates for President and Vice-President, for
9 whom such electors are to vote may be included in such petition, or petitions, but such
10 petition, or petitions, shall not include the names of any candidates for President or
11 Vice-President, who have been nominated at a convention of a political party as de-
12 fined by this act. Said petition shall also state in not more than three words, the des-
13 ignation of the party or principle which the candidates therein here named represent;
14 *provided, however*, that such designation shall not contain the designation, name, de-
15 rivative, or any part thereof as a noun or an adjective of any political party entitled to
16 participate in the primary election. Said petition shall include also the request that
17 the names of the candidates and their designations of party or principle be printed
18 upon the ballots to be used at the ensuing general election; *provided*, that any such pe-
19 tition shall not undertake to nominate any candidate who has accepted the nomination
20 for the primary for such position.

Number of Signers.

1 Par. 114, Sec. 5. Said petition shall be signed by legally qualified voters of this
 2 State, residing within the district or political division in and for which the officer or
 3 officers nominated are to be elected, equal in number to at least two per centum of the
 4 entire vote cast for members of the General Assembly, at the last preceding general
 5 election in the State, county, district or other political division in and for which the
 6 nominations are made; *provided*, that when the nomination is for an office to be filled
 7 by the voters of the entire State, eight hundred signatures in the aggregate for each
 8 candidate nominated in said petition shall be sufficient; *provided, also*, that no
 9 more than one hundred signatures shall be required to any petition for any officers to
 10 be elected, save only such as are to be voted for by the voters of the State at large. In
 11 case of a first general election to be held in a newly established election district, county,
 12 city or other political division, the number of fifty signatures to a petition shall be
 13 sufficient to nominate a candidate to be voted for only in such election district, county,
 14 city or other political division.

Signing Regulations.

1 Par. 115, Sec. 6. Every voter signing a petition shall add to his signature his
 2 place of residence, post-office address and street number, if any; such voter may sign
 3 one petition for each officer and no more, but all the names need not be signed to one
 4 petition.

Certification of Petition.

1 Par. 116, Sec. 7. Before any petition shall be filed as hereinafter provided, at
 2 least five of the voters signing the same shall make oath before a duly qualified
 3 officer that the said petition is made in good faith, that the affiants saw all the signa-
 4 tures made thereto and verily believe that the signers are duly qualified voters.

Acceptance by Nominees.

1 Par. 117, Sec. 8. Candidates nominated for any office in any petition shall mani-
 2 fest their acceptance of such nomination by a written acceptance thereof, signed by
 3 their own hand, upon or annexed to such petition, or if the same person be named for
 4 the same office in more than one petition annexed to one of such petitions. Such ac-

5 ceptance shall certify that the candidate is a resident of and a legal voter in the juris-
 6 diction of the office for which the nomination is made; *provided*, that the candidate so
 7 named shall not sign such acceptance if he has signed an acceptance for the primary
 8 nomination or any other petition of nomination under this Article XII for such office.

Filing of Petitions and Notice to Secretary of State by County Clerk.

1 Par. 118, Sec. 9. All such petitions and acceptances thereof shall be filed with
 2 the officer or officers to whom they are addressed at least five days previous to the day
 3 of the holding of the primary election for the general election in this act provided. All
 4 petitions when filed shall be opened under proper regulation, for public inspection. It
 5 shall be the duty of the county clerks to certify to the Secretary of State within sixty
 6 days prior to the general election, the names, places or residence and post-office ad-
 7 dresses of the several candidates nominated for Senator and members of the General
 8 Assembly together with the designation of the party nominating said candidates,
 9 whether by petition or at the primary election and the dates of filing such certificates
 10 of nominations and petitions.

Objections to Petitions.

1 Par. 119, Sec. 10. Every petition of nomination which is in apparent conformity
 2 with the provisions of this act shall be deemed to be valid, unless objection thereto
 3 shall be duly made in writing and filed with the officer with whom the original peti-
 4 tion was filed within two days after the last day for filing of petitions has expired. In
 5 case such objection is made, notice thereof signed by said officer shall forthwith be
 6 mailed to the candidate who may be affected thereby, addressed to him at his place
 7 of residence as given in said petition of nomination.

Validity of Objections Determined.

1 Par. 120, Sec. 11. Said officer with whom the original petition was filed shall
 2 in the first instance pass upon the validity of such objection in a summary way unless
 3 an order shall be made in the matter by a court of competent jurisdiction and for this
 4 purpose said officer shall have power to subpoena witnesses and take testimony or dep-
 5 ositions. Said officer shall file his determination in writing in his office at least thirty
 6 days before the election, which determination shall be open for public inspection.

Appeal by Nominee to Court.

1 Par. 121, Sec. 12. The Chief Justice in the case of candidates to be voted for
 2 by the electors of the entire State, or of more than one county thereof, and in all
 3 other cases the justice of the Supreme Court holding the Circuit Court in and for the
 4 county in which any petition of nomination shall be filed, on the application of com-
 5 plaint, duly verified, of any candidate, which application or complaint shall be made
 6 at least twenty-five days before the election and setting forth any invasion or
 7 threatened invasion of his rights under the petition of nomination filed with the
 8 Secretary of State or with any county clerk, is hereby empowered and required to
 9 determine upon said application or complaint in a summary way and make such
 10 order thereupon as will protect and enforce the rights of such candidates, which
 11 order or determination shall be filed within two days after the filing of said ap-
 12 plication or complaint.

Correction of Defective Petition.

1 Par. 122, Sec. 13. It shall be lawful for any candidate whose petition of
 2 nomination or any affidavit or affidavits thereto, be defective, to cause such petition,
 3 or the affidavit or affidavits thereto, to be amended in matters of substance or of
 4 form as may be necessary, but not to add signatures or such amendment or amend-
 5 ments may be made by filing a new or substitute petition, or affidavit or affidavits,
 6 and the same when so amended shall be of the same effect as if originally filed in
 7 said amended form; *provided, however*, that every amendment shall be made at
 8 least twenty days before the election. This provision shall be liberally construed to
 9 protect the interest of candidates.

NOMINATION BY PRIMARY ELECTION

Procedure.

1 Par. 123, Sec. 14. The nomination of candidates for the general election by
 2 means of the primary election shall be carried out in the manner hereinafter pro-
 3 vided, and in such election the person having in the aggregate the highest number
 4 of votes shall be the candidate of his respective party for the office to be filled. In
 5 case more than one person is to be elected to the same or similar office, the persons
 6 having the highest number of votes to the extent of the number of offices to be filled
 7 shall be the candidates of their respective parties for the said offices.

NOMINATION BY STATE CONVENTION

Electors of President and Vice-President of United States.

1 Par. 124, Sec. 15. Whenever the State convention of a political party shall have
2 nominated candidates for electors of President and Vice-President of the United
3 States, as herein provided, said convention shall certify said nomination in a written
4 or printed or partly written and partly printed certificate of nomination. Said cer-
5 tificate of nomination shall contain the name of each person nominated, his residence
6 and post office address, the office for which he is named, and shall also contain in
7 not more than three words the designation of the party or principles which such con-
8 vention or nominating body represents. The names of the candidates for President
9 and Vice-President for whom such electors are to vote may be included in the cer-
10 tificate. Said convention may also appoint a committee to whom shall be delegated
11 the power to fill vacancies occasioned by any cause, and the names and addresses of
12 said committee shall be included in said certificate. Said certificate shall be signed by
13 the presiding officer and secretary of such convention or nominating body, who shall
14 add to their signatures their respective places of residence and post office addresses,
15 and severally make oath before an officer qualified to administer the same that the
16 affiants were respectfully such officers of such convention, and that said certificate
17 and the statements contained therein are true as they verily believe. A certificate
18 that such oath has been taken shall be made and signed by the officer administering
19 the same and endorsed upon or attached to such certificate of nomination. Enclosed
20 upon or attached to said certificate shall be statements in writing that the person
21 named therein accept such nominations. Said certificate of nomination and the ac-
22 ceptance thereof shall be filed with the Secretary of State at least thirty days previous
23 to the general election at which such electors of President and Vice-President of the
24 United States are to be voted for. All objections to said certificates of nomina-
25 tion, the determination of the validity of such objections, the correction of defective
26 certificates, and the presentation of said certificates and any documents attached
27 thereto, shall be the same as herein provided for direct petitions of nominations.

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Time Limit of Resignations.

1 Par. 125, Sec. 16. Whenever any person nominated as herein provided by direct
 2 petition or State convention for election to public office at the general election shall,
 3 at least thirty days before the day of said general election, in a writing signed by
 4 him and duly acknowledged, notify the officer with whom the original petition or
 5 certificate of nomination was filed that he declines such nomination, said nomination
 6 shall be void.

Notice of Resignation.

1 Par. 126, Sec. 17. The officer to whom the notification of declination is given
 2 shall forthwith, by mail or otherwise, inform at least five of the persons who signed
 3 the aforesaid original petition that such nomination has been declined; *provided*,
 4 that in the case of the nomination of electors of President and Vice-President of the
 5 United States by the State Convention of a political party he shall inform the com-
 6 mittee appointed by such convention to fill vacancies, or if there be no such com-
 7 mittee, then the chairman of such convention.

Time Limit on Filling Vacancies.

1 Par. 127, Sec. 18. Whenever any person shall thus decline his nomination,
 2 or if any petition or certificate of nomination, or if any nomination, be insufficient
 3 or inoperative, or if any nominee shall die, or for any other reason vacate his
 4 nomination, the vacancy thus occasioned may be filled in the following manner.

Filling Vacancies Among Direct Petition Nominees.

1 Par. 128, Sec. 19. If the candidate vacating the nomination was nominated
 2 directly by petition his successor shall be nominated in the same manner by direct
 3 petition; *provided*, that said new petition of nomination must be filed with the
 4 Secretary of State or county clerk, as the case may require, not later than twenty-
 5 five days before the day of the election whereat such candidate is to be voted for.

Filling Vacancies Among Primary Election Nominees.

1 Par. 129, Sec. 20. In the event of a vacancy occurring by death, resignation,
 2 removal or otherwise among candidates nominated at primaries, which vacancy shall
 3 occur not later than twenty-five days before the general election, or in the event of

4 inability to select a candidate because of a tie vote at said primary, a candidate shall
5 be selected in the following manner: In case of an office to be filled by the voters
6 of the entire State or a portion thereof involving more than one county, said
7 candidate shall be selected by the State committee of the political party wherein such
8 vacancy has occurred; in case of an office to be filled by the voters of an entire
9 county or a portion thereof involving more than one municipality, said candidate
10 shall be selected by the county committee of such political party within said county;
11 *provided*, that when a vacancy shall occur in a congressional district lying wholly
12 within a county, the county committee of the political party of said county
13 wherein such vacancy has occurred shall select a candidate to fill such vacancy and
14 shall certify the name of such candidate to the chairman of the State committee who
15 shall certify the name of such candidate to the Secretary of State, and in case of an
16 office to be filled by the voters of less than a county (excepting in the case of a con-
17 gressional district), then such vacancy shall be filled by the members of the county
18 committee representing the territory affected by such vacancy; *provided*, that in case
19 of a tie vote such selection shall be made from among those who have thus received
20 the same number of votes at said primary. Such selection shall be made within three
21 days after the vacancy shall occur and a statement of such selection filed as follows:
22 The State committee with the Secretary of State, the county committee or sub-
23 division thereof with the county clerk; *provided*, that such statement shall not be filed
24 later than twenty-two days prior to the general election, which statement shall be in
25 substantially the same form as is required by this act for filling vacancies for
26 candidates nominated by petition for the primary election. The person so selected
27 shall be the candidate of the party for said office at the ensuing general election.

Filling Vacancies Among State Convention Nominees.

1 Par. 130, Sec. 21. If the nomination vacated is that of a candidate for elector of
2 the President and Vice-President of the United States, said vacancy shall be filled by
3 the committee to whom power shall have been delegated to fill vacancies if such there
4 be, otherwise by the State committee of the political party of the State convention
5 which nominated said elector whose nomination is vacated. The chairman and sec-
6 retary of such vacancy committee or State committee shall file with the Secretary of
7 State not later than thirty days prior to the general election a certificate of nomination

8 for filling such vacancy. Such certificate shall be made up and filed in the same man-
 9 ner and form as heretofore provided for filling vacancies among candidates nominated
 10 at the primary.

Secretary of State to County Clerk.

1 Par. 131, Sec. 22. It shall be the duty of the Secretary of State, not later than
 2 thirty days before any election whereat any candidates nominated in any direct peti-
 3 tion, primary certificate of nomination or State convention certificate filed with him
 4 is to be voted for, to make and certify, under his hand and seal of office, and forward
 5 to the clerks of the several counties of the State a statement of all the candidates thus
 6 nominated for whom the voters within such county may be by law entitled to vote at
 7 such election. Such statement, in addition to the names of the candidates for Presi-
 8 dent and Vice-President of the United States, if any such have been included in any
 9 such certificate or petition filed with him, shall also contain the names and residences
 10 of all other candidates, the offices for which they are respectively nominated, and the
 11 names of the parties by which or the political appellation under which they are respec-
 12 tively nominated. Candidates nominated directly by petition, without distinctive politi-
 13 cal appellation, shall be certified as independent candidates.

Vacancy Nominees

Certification of Substitutes to Fill Vacancies Among Nominees.

1 Par. 132, Sec. 23. In the event of vacancies among the candidates whose peti-
 2 tions or certificates of nomination are on file with him, the Secretary of State in cer-
 3 tifying the nominations of candidates to fill such vacancies to the various county
 4 clerks, shall insert the name of the person who has been nominated as herein provided
 5 to fill such vacancy. In the event that he has already sent forward his certificate of
 6 nomination, as herein provided, he shall within two days certify to the clerks of the
 7 proper counties the name and description of the person so nominated to fill a vacancy,
 8 the office he is nominated for, the party or political principle he represents, and the
 9 name of the person for whom such nominee is submitted.

PRECEDENCE OF NOMINATIONS

Determination by Nominee.

1 Par. 133, Sec. 24. Any candidate who receives more than one nomination for the
 2 same office, either from more than one political party or from more than one group of

3 petitioners, or from one or more political parties and one or more groups of peti-
 4 tioners, shall have his name printed on the official general election ballot in only one
 5 column to be selected by him from among the columns to which his nominations en-
 6 titles him, and shall have such designations after his name as he shall select, consist-
 7 ing of the names of the political parties nominating him, with the words "Endorsed
 8 By," if he so desires, and the several designations to which he is entitled by the other
 9 nominations if any, and printed in such order as he shall select. The candidate shall
 10 file with the Secretary of State or county clerk, as the case may be, his selection of his
 11 column, and the designations to follow his name and their order. Unless such selection
 12 is so filed within seven days after the primary election, the Secretary of State or
 13 county clerk, as the case may be, shall determine in what column and with what des-
 14 ignations his name shall be printed. Such designations shall be printed in small type,
 15 and, if necessary, in several lines or in a line below his name, and may be abbreviated.

ARTICLE XII

BALLOTS

General Elections

PRINTER'S COPY OF OFFICIAL BALLOT

Time Limit for Delivery.

1 Par. 134, Sec. 1. Every county clerk shall have ready for the printer on or before
 2 noon of the seventeenth day prior to the general election a copy of the contents of
 3 official ballots as hereinafter required to be printed for use at said election. He shall
 4 also on or before such time place another copy of contents of said official ballots on
 5 file in his office and keep the same open to public inspection until the sample ballots
 6 hereinafter provided to be printed shall have been distributed.

CONTENTS AND FORM OF OFFICIAL BALLOT

Regulations as to Contents.

1 Par. 135, Sec. 2. There shall be a single or blanket form of ballot, upon which
 2 shall be printed all the names of all the candidates of every party or group of peti-
 3 tioners having candidates to be voted for at said election. The name of any candi-
 4 date nominated at the primary who shall fail to accept his nomination in the manner
 5 herein provided shall not be printed on the ballot. The name of a candidate whose

6 nomination has been vacated as hereinbefore provided shall not be printed on the bal-
 7 lot. The name of any candidate shall appear but once upon the ballot for the same
 8 office. Any public question which is to be submitted to the people of the State, county
 9 or municipality at said general election, shall be printed in a separate space at the foot
 10 of the ballot, with appropriate instructions to the voter.

Perforated Coupon.

1 Par. 136, Sec. 3. Each ballot shall have at the top thereof a detachable coupon
 2 the width of the ballot above a perforated line not less than two inches from and par-
 3 allel to the upper edge of the paper. This coupon shall be numbered from one consec-
 4 utively to the number of ballots delivered to and received by the member or members
 5 of the district board for their respective election district. Upon the coupon and above
 6 the perforated line shall be the words: "Ballot No. (number in figures)" as near the
 7 center of the coupon as may be practical, and below said number, and above perforated
 8 line shall be printed the following words: "To be torn off by the member of the board
 9 of registry and election in charge of the ballot box on election day." "Fold to this
 10 line."

Head of the Ballot.

1 Par. 137, Sec. 4. In the center of the ballot immediately below the perforated
 2 line shall be printed the words "Official General Election Ballot" in bold-face type.
 3 Below the above-stated words and extending across the ballot shall appear the words:
 4 "Name of (Municipality Ward, Election District, Date
 5 of Election, John Doe, County Clerk." The blank spaces shall be filled
 6 in with the name of the proper municipality, the ward and district numbers and the
 7 date of the election. The name of the county clerk shall be a facsimile of his signa-
 8 ture. Below the last stated words extending across the ballot and at the extreme left
 9 shall be printed the words "Instructions to the Voter," and immediately to the right
 10 there shall be a bracket embracing the following instructions numbered consecutively:

11 1. The only kind of a mark to be made on this ballot in voting shall be a cross X
 12 or plus +.

13 2. To mark a cross X or plus + or when writing a name on this ballot use only
 14 black ink or black lead pencil.

15 3. To vote for any candidates whose names are printed in any column, mark a
16 cross X or plus + in the square at the left of the names of such candidates not in ex-
17 cess of the number to be elected to the office.

18 4. To vote for any person whose name is not printed on this ballot, write or paste
19 the name of such person under the proper title of office in the column designated Per-
20 sonal Choice and mark a cross X or plus + in the square to the left of the name so
21 written or pasted.

22 5. To vote upon any public question printed on this ballot if in favor thereof,
23 mark a cross X or plus + in the square at the left of the word "Yes," and if opposed
24 thereto, mark a cross X or plus + in the square at the left of the word "No."

25 6. Do not mark this ballot in any other manner than above provided for and
26 make no erasures. Should this ballot be wrongly marked, defaced, torn or any era-
27 sure made thereon or otherwise rendered unfit for use return it and obtain another.

28 In presidential years, the following instructions shall be printed upon the general
29 election ballot:

30 7. To vote for all the electors of any party, mark a cross X or plus + in black
31 ink or black pencil in the square at the left of the surnames of the candidates for
32 President and Vice-President for whom you desire to vote.

33 8. To vote for part of the electors of any party mark a cross X or plus + in
34 black ink or black pencil in the square at the left of the name of each elector for
35 whom you desire to vote.

36 Below the above-stated instructions and information and three inches below the
37 perforated line and parallel to it there shall be printed a six-point diagram rule ex-
38 tending across the ballot to within not less than a half inch to the right and left edges
39 of the paper.

Body of the Ballot.

1 Par. 138, Sec. 5. From each end of said six-point diagram rule there shall be
2 printed a four-point diagram rule extending at right angles, and from said six-
3 point rule to within not less than a half inch of the lower edge of the paper. Be-
4 tween these four-point rules and parallel be printed and beginning at the six-point
5 rule there shall be printed eight-point diagram rules to divide the ballot into vertical
6 columns.

Column Designations and Accompanying Instructions.

1 Par. 139, Sec. 6. In each column, immediately below the six-point rule, shall
2 be printed the proper word or words to designate the column, to be known as the
3 "Column Designation." In the columns at the extreme left shall be printed the
4 name of each of the political parties which made nominations at the next preced-
5 ing primary election, directly under which shall appear the words "To vote for
6 any candidate whose name appears in the column below, mark a cross \times or plus +
7 in the square at the left of the name of such candidate. Do not vote for more
8 candidates than are to be elected to any office." Said columns shall be three inches
9 in width. The column next to the right of such columns shall be designated "Per-
10 sonal Choice," under which shall appear the words "In the blank column below,
11 under the proper title of office, the voter may write or paste the name of any person
12 for whom he desires to vote, whose name is not printed on this ballot, and shall
13 mark a cross \times or plus + in the square at the left of such name. Do not vote
14 for more candidates than are to be elected to any office," together with the same
15 instructions regarding electors of President and Vice-President that now appear at
16 the head of all other columns. This column shall be four inches in width. The
17 remaining column or columns, as the case may be, shall each be designated "Nomi-
18 nation by Petition," under which shall be printed the words "To vote for any candi-
19 date whose name appears in the column below mark a cross \times or plus + in the
20 square at the left of the name of such candidate. Do not vote for more candi-
21 dates than are to be elected to any office." Said columns shall be four inches in
22 width. Below the column designations and accompanying instructions, and not
23 more than one and one-half inches below the six-point diagram rule, and parallel
24 thereto, shall be printed a six-point diagram rule extending across the entire ballot,
25 from one four-point rule to the other.

The Ruling of the Ballot.

1 Par. 140, Sec. 7. Below said six-point rule and parallel thereto, extending
2 across the entire ballot from one four-point rule to the other, shall be printed two-
3 point hair line rules approximately five-sixteenths inch and not over twenty-four
4 points apart of a number sufficient to meet the requirements of the party columns.

5 In place of the last two-point hair line rule there shall be printed a six-point diagram
6 rule, extending across the entire ballot, from one four-point rule to the other, at
7 which the eight-point diagram rules dividing the ballot into vertical columns shall
8 terminate.

Arrangement of Titles of Office and Names of Candidates in Party Columns
and Personal Choice Column.

1 Par. 141, Sec. 8. In the columns of each of the political parties which made
2 nominations at the next preceding primary election, and in the personal choice
3 column, within the space between the two-point hair line rules, there shall be
4 printed the title of each office to be filled at such election, except as hereinafter
5 provided. Such titles of office shall be arranged in the following order: Electors
6 of President and Vice-President of the United States; member of the United
7 States Senate; Governor; member of the House of Representatives; member of
8 the State Senate; members of the General Assembly; sheriff; county clerk; sur-
9 rogate; register of deeds and mortgages; coroners, county supervisors, members
10 of the board of chosen freeholders; mayor and members of municipal governing
11 bodies, and so forth. Above each of said titles of office, except the one at the top,
12 shall be printed a two-point diagram rule in place of the two-point hair line rule.
13 Below the titles of such offices shall be printed the names of all the candidates for
14 such offices; *provided*, that the names of candidates for any office for which more
15 than one are to be elected shall be determined in the manner as hereinafter pro-
16 vided, as in the case of candidates nominated by petition; *and provided, further*,
17 that when no nomination for any office has been made the words "No Nomina-
18 tion Made" in type large enough to fill the entire space or spaces below the title
19 of office, shall be printed upon the ballot. Immediately to the left of the name of
20 each candidate, at the extreme left of each column including the personal choice
21 column, shall be printed a square one-quarter of an inch in size, formed by two-
22 point diagram rules; *provided, however*, that in the Personal Choice column no
23 names of candidates shall be printed, and that to the right of the title of each
24 office in the party columns and the Personal Choice column shall be printed the
25 words "Vote for _____," inserting in words the number of persons to be
26 elected to such office.

Nomination by Petition Columns.

1 Par. 142, Sec. 9. In the column or columns designated as Nominations by
 2 Petition, within the space between the two-point hair line rules, there shall be
 3 printed the title of each office for which nominations by petition have been made.
 4 Such titles of office shall be arranged in the following order: Electors of Presi-
 5 dent and Vice-President of the United States; member of the United States
 6 Senate; Governor; member of the House of Representatives; member of the State
 7 Senate; members of the General Assembly; sheriff; county clerk; surrogate;
 8 register of deeds and mortgages; coroners; county supervisor; members of the
 9 board of chosen freeholders; mayor and members of municipal governing bodies,
 10 and so forth. Above each of said titles of office, except the one on the top, shall
 11 be printed a two-point diagram rule in place of the two-point hair line rule.
 12 Below each of the titles of such offices shall be printed the names of each of the
 13 candidates for each of such offices followed by the designation or designations
 14 mentioned in the petitions filed. Immediately to the left of the name of each
 15 candidate, at the extreme left of the column, shall be printed a square one-quarter
 16 of an inch in size, formed by two-point diagram rules. The names of candidates
 17 for any office for which more than one are to be elected shall be arranged in groups
 18 as presented in the several certificates of nominations or petitions, which groups
 19 shall be separated from other groups and candidates by two two-point hair line
 20 rules. To the right of the title of each office and within parenthesis shall be
 21 printed the words "Vote for " inserting in words the number of
 22 candidates to be elected to such office.

ARRANGEMENT OF OTHER NOMINEES

Arrangement of Nominees for Electors of President and Vice-President.

1 Par. 143, Sec. 10. The surnames of candidates for President and Vice-
 2 President of the United States shall be printed in one line in the space next above
 3 the title of the office of electors for such candidates. In the nomination by peti-
 4 tion columns the surnames of candidates for President and Vice-President shall
 5 be followed by the designation mentioned in the petitions filed. In the personal
 6 choice column the voter may write or paste the surnames of candidates for Presi-

7 dent and Vice-President for whom he desires the electors to vote. To the left of
8 the surnames of candidates for President and Vice-President of the United States,
9 shall be printed a square one-half inch in size, accompanied by the following direc-
10 tions to the voter: "To vote for all the Electors of President and Vice-Presi-
11 dent mark a cross X or a plus + within the square opposite the surname of
12 President and Vice-President."

Drawing for Position on Ballot.

1 Par. 144, Sec. 11. The county clerk shall draw lots in his respective county, to
2 determine which columns the political parties which made nomination at the next
3 preceding primary election shall occupy on the ballot in said county. The name of
4 the party first drawn shall occupy the first column at the left of the ballot, and the
5 name of the party next drawn shall occupy the second column, and so forth. The
6 manner of drawing the lots shall be as follows: Paper cards, of the same size, sub-
7 stance and thickness, with the names of each political party written thereon, shall
8 be placed in a covered box with an aperture in the top large enough to admit of a
9 man's hand and to allow the said cards to be drawn therefrom. The box shall be
10 well shaken and turned over to thoroughly intermingle the cards. The county clerk,
11 or his deputy, shall at his office on the twenty-eighth day prior to the day of the
12 general election at three o'clock in the afternoon, draw from the box each card
13 separately without knowledge on his part as to which card he is drawing. The posi-
14 tion which the names of candidates, and bracketed groups of names of candidates
15 nominated by petitions for all offices, shall have upon the general election ballot
16 shall be determined by the county clerks in their respective counties. The drawing
17 of names shall take place at three o'clock in the afternoon on the day following the
18 last day for filing petitions for the general election at the office of the county clerk.
19 The drawing shall be done by the county clerk, or his deputy. The person making
20 the drawing shall make public announcement at the drawing of each name, the
21 order in which name is drawn and the office for which the drawing is made. When
22 there is to be but one person to be elected to an office, the names of the several can-
23 didates who have filed petitions for such office shall be written upon cards of the
24 same size, substance and thickness. The cards shall be placed in a covered box with
25 an aperture in the top large enough to admit of a man's hand and to allow the

26 said cards to be drawn therefrom. The box shall be turned and shaken thoroughly
 27 to mix the cards and the cards shall be withdrawn one at a time. When there is
 28 more than one person to be elected to an office where petitions have designated that
 29 certain candidates shall be bracketed, the position of such bracketed names on the
 30 ballot (each bracketed group to be treated as a single name), together with indi-
 31 viduals who have filed petitions for such office, shall be determined as above described.
 32 Any legal voter of the county or municipality, as the case may be, shall have the
 33 privilege of witnessing said drawing. The name or names of the candidate or
 34 bracketed group of candidates first drawn from the box shall be printed directly be-
 35 low the proper title of the office for which they were nominated, and the name or
 36 names of the candidate or bracketed group of candidates next drawn shall be printed
 37 next in order, and so on, until the last name or bracketed group of names shall be
 38 drawn from the box; *provided, however*, that the arrangement of names of any
 39 bracketed group of candidates for any office for which more than one are to be
 40 elected shall be printed in the same order on the ballot as they were arranged on the
 41 petition of nomination.

ARRANGEMENT OF PUBLIC QUESTIONS

Drawing for Position on Ballot.

1 Par. 145, Sec. 12. The county clerk shall draw lots to determine the order in
 2 which public questions shall appear upon the ballot for general election in substan-
 3 tially the same manner as the drawing is made for the arrangement of candidates'
 4 names upon the ballot; *provided, however*, that all public questions to be voted for
 5 by the voters of the entire State shall be the first drawn, that all public questions
 6 to be voted for by the voters of a county, shall be next drawn, and that all public
 7 questions to be voted for by the voters of a municipality shall be drawn last, and
 8 such public questions shall be printed upon the ballot in that order.

Foot of the Ballot.

1 Par. 146, Sec. 13. Immediately below the six-point diagram rule which is to
 2 be printed in place of the last two-point hair-line rule across the entire ballot, from
 3 one four-point rule to the other, shall be printed as near to the center of the ballot
 4 as possible the following words: "Public Questions to be voted upon." Below said

5 words and above the first public question, beginning one and one-half inches to the
6 right of the four-point rule at the left of the ballot and extending to not more than
7 one and one-half inches from the four-point rule at the right of the ballot, shall be
8 printed in one line, if possible, the following instructions: "To vote upon the
9 Public Questions printed below, if in favor thereof mark a cross X or plus + in
10 the square at the left of the word 'Yes,' and if opposed thereto, mark a cross X
11 or plus + in the square at the left of the word 'No,'" underscored with a two-
12 point diagram rule. Below and flush with the left end of said two-point diagram
13 rule shall be printed two separate squares, one under the other, three-eighths of an
14 inch in size formed by two-point diagram rules. Immediately to the right of the
15 upper square shall be printed the word "Yes," and immediately to the right of the
16 lower square shall be printed the word "No." To the right of the words "Yes"
17 and "No" shall be printed a bracket embracing said words and to the right of the
18 bracket shall be printed, across the ballot, to not nearer than one and one-half
19 inches from the four-point diagram rule at the right of the ballot, each public
20 question to be voted upon. Below each public question shall be printed two-point
21 diagram rule beginning one and one-half inches to the right of the four-point rule
22 at the left of the ballot and extending to not nearer than one and one-half inches
23 from the four-point rule at the right of the ballot; *provided*, that in place of the
24 last two-point diagram rule there shall be printed a four-point diagram rule extend-
25 ing across the entire ballot not less than a half inch from the lower edge of the
26 paper and terminating at the lower ends of the four-point diagram rules at either
27 side of the ballot.

APPEARANCE OF BALLOT

Style of Type, Rulings, Spacings, Et Cetera.

1 Par. 147, Sec. 14. The words to be printed on the perforated coupon shall be
2 printed in twelve-point bold-face capital letters and the figures in eighteen and
3 twenty-two point bold-face type. On the head of the ballot the words "Official
4 General Election" shall be printed in at least thirty-point bold-face capital letters.
5 The name of municipality, ward, election district, and date shall be printed in twelve-
6 point bold-face capital letters. The words "Instructions to the Voter" shall be
7 printed in twelve-point bold-face capitals and small letters, while the instructions

8 embraced within the brackets shall be printed in eight-point bold-face capital and
9 small letters. The column designations shall be printed in eighteen-point bold-face
10 capital letters and the accompanying instructions shall be printed in eight-point capi-
11 tals and small letters. The titles of office and accompanying instructions shall be
12 printed in ten-point bold-face capital and small letters; *provided*, that when there
13 is no nomination made at the primary for an office, the title shall be printed in the
14 space where such title should appear, and the words "No Nomination Made" in type
15 large enough to fill the entire space or spaces, shall be printed therein. The names
16 of all candidates shall be printed in ten-point capital letters. The designations fol-
17 lowing the candidates' names in the Nomination by Petition column or columns shall
18 be printed in ten-point capitals and small letters, except that where it will over-
19 the space within the column the designations may be abbreviated, and all spaces be-
20 tween the two-point hair line rules not occupied by the titles of office and names of
21 candidates shall be printed in with scroll or filling to guide the voter against
22 wrongly marking the ballot. On the foot of the ballot the words "Public Questions
23 to be Voted Upon" shall be printed in eighteen-point bold-face capital letters. The
24 accompanying instructions shall be printed in eight-point capital and small letters.
25 The Public Questions to be voted upon shall be printed in ten-point capital and
26 small letters, and the words "Yes" and "No" shall be printed in twelve-point bold-
27 face capital letters.

Ballot Model.

1 Par. 148, Sec. 15. The face of the official ballot shall be substantially in the
2 following form:

PREPARATION AND DISTRIBUTION OF SAMPLE BALLOTS

Delivery by County Clerks to Municipal Clerks.

1 Par. 149, Sec. 16. The county clerk shall cause samples of the official general
2 election ballot to be printed and not later than noon of the eighth day prior to the
3 general election shall furnish to the municipal clerk of each municipality in his
4 county one and one-fifth times as many said official general election sample ballots
5 and stamped envelopes as there are voters registered, to enable each district board
6 in said municipality to mail one of the said official general election sample ballots to
7 each voter who is registered in said municipality for said election, and shall take a
8 receipt for the same from each one of said municipal clerks, which receipt shall in-
9 dicate the number of official general election sample ballots and stamped envelopes
10 delivered by said county clerk and the date and hour of their delivery. The county
11 clerk in counties of the first class shall also deliver to the county board on the day
12 above specified, one official general election sample ballot of each election district
13 of each municipality in the county.

Form and Contents.

1 Par. 150, Sec. 17. The said official general election sample ballots shall be as
2 nearly as possible a facsimile of the official general election ballot to be voted at the
3 said election and shall have printed thereon, after the words which indicate the
4 number of the election district for which the said official general election sample
5 ballots are printed, the street address or location of the polling place in said election
6 district and shall be printed on paper different in color from the official general
7 election ballot, and have the following words printed in large type at the top thereof:
8 "This ballot cannot be voted. It is a sample copy of the official general election
9 ballot used on election day."

Envelopes for Mailing Official General Election Sample Ballots.

1 Par. 151, Sec. 18. Said stamped envelopes shall be of sufficient size and
2 postage to enable the aforesaid official general election sample ballots and anything
3 else required to be enclosed therewith, to be mailed therein. On the face of each of
4 said envelopes shall be printed the words "Official General Election Sample Ballot"
5 in large type and in small type in the upper left-hand corner, the words: "If not de-

6 lived in two days return to the 'Superintendent of Elections' in counties of the
 7 first class, to the "Commissioner of Registration" in counties other than counties
 8 of the first class having permanent registration municipalities and to "County Board
 9 of Elections" in all other counties and in the lower left-hand corner shall be printed
 10 the words "Municipality" followed by a line ".....," "Ward" followed by a
 11 line ".....," and "District" followed by a line "....." arranged in three
 12 lines one under the other.

Delivery by Municipal Clerks to District Boards.

1 Par. 152, Sec. 19. Said municipal clerk to whom said sample ballots and
 2 stamped envelopes have been delivered by the county clerk as aforesaid shall deliver
 3 the same at his office, or in any other way he sees fit, on or before noon of the
 4 Tuesday preceding the general election, to a member or members of each district
 5 board, and shall take a receipt for the same from the member or members of the
 6 district boards of said municipality, which receipt shall indicate the number of
 7 sample ballots and stamped envelopes delivered by said municipal clerk and the date
 8 and hour of their delivery.

Mailing by District Boards.

1 Par. 153, Sec. 20. It shall be the duty of all the members of each of said district
 2 boards to prepare and deposit in the post office, on or before twelve o'clock on
 3 Wednesday preceding the general election day, a properly stamped envelope con-
 4 taining a copy of said sample ballot, and addressed to each registered voter in the
 5 district of said board at the address shown on the register. The said board shall
 6 also post such sample ballots in the polling place in its district and in at least five
 7 other public places therein. Said board shall return to said municipal clerk all
 8 ballots and envelopes not mailed or posted by them, with a sworn statement in writ-
 9 ing signed by a majority of said board that all the remainder of said ballots and
 10 envelopes had been mailed.

Preservation of Envelopes and Sample Ballots Returned by Postmaster.

1 Par. 154, Sec. 21. Said county board, commissioner, or superintendent, as
 2 the case may be, shall preserve all envelopes and sample ballots which shall have been

3 mailed by said district boards but returned to it or him by the postmasters of the
 4 various municipalities of said county for the space of six months and the same shall
 5 be open to public inspection for the space of three months after the primary or the
 6 general or other election, as the case may be.

Printing and Distribution With Sample Ballots of Referendum Information

Inclusion With Sample Ballot.

1 Par. 155, Sec. 22. Hereafter, whenever any question or proposition shall be
 2 submitted to the people of the State at any general election, there shall be mailed
 3 to each registered voter in the same envelope with the sample ballot, a printed copy
 4 of the act of the Legislature or constitutional amendment which is so submitted.

Descriptive Marks in Case of Amendments.

1 Par. 156, Sec. 23. Whenever an amendment to the constitution or to a statute
 2 is mailed as aforesaid, such part thereof as is new and is not contained in the then
 3 existing constitution or statute shall be underscored, and if any portion of the exist-
 4 ing law or constitution is to be omitted in the proposed amendment, such portion
 5 shall be enclosed in brackets in the printed copies of the existing law or constitution
 6 so mailed, and there shall be annexed a note explaining the significance of the
 7 brackets and underscoring.

Relation to Statute or Constitution Made Clear.

1 Par. 157, Sec. 24. When the act of the Legislature submitted is an amend-
 2 ment or supplement to a statute of this State, there shall be printed and mailed to
 3 each registered voter as hereinbefore provided, in addition to the copy of the act
 4 submitted, such portion of the statute to which the same is an amendment or supple-
 5 ment as shall be necessary to clearly disclose to the voter the relation of the act sub-
 6 mitted to the existing statute law. When a constitutional amendment is submitted,
 7 there shall be printed and mailed to each registered voter as hereinbefore provided,
 8 in addition to the copy of the constitutional amendments submitted, such portion of
 9 the constitution as shall be necessary to clearly disclose to the voter the relation of
 10 the amendment submitted to the existing constitution.

Attorney-General to Designate Information to be Sent.

1 Par. 158, Sec. 25. Whenever, under the provisions of this act, it shall be
 2 necessary to mail to the voters any portion of the statute law of the State, or any
 3 portion of the State constitution, it shall be the duty of the Attorney-General to
 4 designate by writing filed with the Secretary of State what portion of the statute
 5 law or State constitution shall be so printed and mailed.

Summary Statement Sufficient.

1 Par. 159, Sec. 26. The Attorney-General, in place of or in addition to
 2 designating any portion of the statute law or State constitution to be so printed and
 3 mailed, may, if he deems proper, make a summary statement of the existing law
 4 or constitutional provisions upon the subject so far as necessary to inform the
 5 voters of the effect which the adoption or rejection of the question or proposition
 6 submitted to them will have upon said statute law or State constitution, and the mail-
 7 ing of such summary statement shall be a compliance with the provisions of this act.

Printing and Delivering by Secretary of State.

1 Par. 160, Sec. 27. The Secretary of State shall cause to be printed and at least
 2 twenty days before any general election at which any question or proposition is to
 3 be submitted, shall deliver to each county clerk a number of copies of the printed
 4 matter to be mailed as hereinbefore required, at least twenty per centum greater
 5 than the number of registered voters in the county.

PRINTING OF OFFICIAL BALLOTS

Time Limit for Printing Order.

1 Par. 161, Sec. 28. Not later than noon of the fifth day preceding the general
 2 election the county clerk shall have printed and on hand in his office one and one-
 3 fifth times as many official ballots for each election district in each municipality in
 4 said county as there are voters registered in said election district.

Custody of Printed Ballots.

1 Par. 162, Sec. 29. Said county clerk shall keep said ballots in his custody and
 2 be responsible therefor until they shall be delivered to the municipal clerks as herein-
 3 after provided.

Correction of Errors in Official Ballots.

1 Par. 163, Sec. 30. Whenever it shall appear that any error or omission has
 2 occurred in the copy prepared by the county clerk for the printer or in the printing
 3 of the ballots by any county clerk, any voter resident in the county may present
 4 to a justice of the Supreme Court a verified petition setting forth such error or
 5 omission; and said justice being satisfied thereof, shall thereupon summarily, by
 6 his order, require the county clerk to correct such error or show cause before said
 7 justice, at the shortest possible day, why such error should not be corrected. Said
 8 county clerk shall correct the same by causing new ballots to be immediately printed
 9 in place of those found to be inaccurate or incomplete; and those found to be in-
 10 accurate or incomplete shall be immediately destroyed.

ARTICLE XIII

DELIVERY OF BALLOTS, BALLOTING EQUIPMENT AND SUPPLIES

General Elections

County Clerks and Municipal Clerks.

1 Par. 164, Sec. 1. The county clerks of the several counties, not later than
 2 three days prior to the general election shall cause to be delivered to the clerk of each
 3 municipality within their respective counties, the number of ballots hereinbefore re-
 4 quired to be provided for each election district within his municipality at such elec-
 5 tion. The same shall be delivered in sealed packages, one for each election district
 6 of said municipality, with marks or directions on the outside of each clearly stating
 7 the election district for which it is intended, together with the number of ballots.
 8 Said county clerk shall also keep a record of the time when and the manner in which
 9 each of said packages was delivered. Receipts for said ballots thus delivered shall
 10 be given by the clerk receiving the same and filed with the county clerk, and shall
 11 be preserved by said clerk for the period of one year.

Municipal Clerks to Clerks of District Boards.

1 Par. 165, Sec. 2. The said municipal clerk shall, on the day preceding any such
 2 general election, deliver, at his office or in any other way that he sees fit, to one of the
 3 members of each district board within his municipality, the ballot-box, the ballot-
 4 box keys, the ballots, and all other equipment and supplies received from the county

5 clerk or the county board for such election district, and in addition shall deliver
 6 to such member all such other equipment and supplies as herein provided to be fur-
 7 nished by the municipal clerk of the district board of his municipality for balloting
 8 at the general election, and take the receipt of such member therefor, which last men-
 9 tioned receipt the clerk of such municipality shall file and preserve for one year.
 10 Said member of each district board shall, on the morning of election and before the
 11 proclamation of the opening of the polls, deliver the ballot-box, the packages of
 12 ballots and all other equipment and supplies by him received to the district board of
 13 which he is a member, with the seals thereof unbroken, and shall take a receipt
 14 therefor from said board, which receipt said member shall file and preserve for one
 15 year.

ARTICLE XIV

BALLOTING

General Elections

OFFICIALS IN CHARGE

Supervision of District Boards.

1 Par. 166, Sec. 1. The county board shall have supervision and direction of and
 2 authority over the district boards at all elections, including commission form of gov-
 3 ernment elections held within the county. The district boards in their respective
 4 election districts, hold and conduct all elections at which the method of voting here-
 5 inafter prescribed shall be observed.

GENERAL RULES AND REGULATIONS

Opening and Closing of Polls; Adjournment.

1 Par. 167, Sec. 2. The said district boards shall open the polls for said election
 2 at seven o'clock in the morning and close them at eight o'clock in the evening, and
 3 shall keep them open during the whole day of election, between the hours aforesaid;
 4 *provided*, that the said board may allow one member of the board at a time to be
 5 absent from the polling place and room for a period not exceeding one hour between
 6 the hours of one o'clock and five o'clock in the afternoon or for such shorter time as
 7 they shall see fit; *provided*, that at no time from the opening of the polls to the com-
 8 pletion of the canvass shall there be less than a majority of the board present in
 9 the polling room or place.

Lighting and Equipment of Booths.

1 Par. 168, Sec. 3. The said board shall cause the booths of said polling places
2 to be at all hours well and sufficiently lighted to enable voters to read and prepare
3 their ballots with ease, and shall cause each booth to be kept provided with sufficient
4 lead pencils to enable the voters to mark their ballots.

Ballot Restrictions.

1 Par. 169, Sec. 4. The said board shall permit no other ballots to be used at said
2 general election except the ballots which are by this act provided for. They shall
3 confine the distribution and use of said ballots to the polling room in the manner
4 herein directed, and shall distribute no ballots (other than official sample ballots as
5 herein provided) outside the polling place. The said board shall keep no ballots in
6 the polling booths and shall not permit the use of envelopes for enclosing ballots on
7 election day.

Registration and Voting Requirements.

1 Par. 170, Sec. 5. The said board shall permit no person to vote whose name does
2 not appear on the signature copy register or register of voters, as the case may be,
3 of their election district or whose name shall have been ordered removed from said
4 register by the justice or judge as the case may be, as herein provided; *provided*,
5 *however*, that in municipalities not having permanent registration any qualified
6 elector whose name does not appear upon the register of voters in the election dis-
7 trict in which said elector is qualified to vote, may, upon application to the district
8 board on any general or special election day, have his name placed upon said
9 register of voters; *provided*, that he shall first have signed, sworn to or duly af-
10 firmed, and filed an affidavit with said district board which affidavit shall be on a
11 form to be supplied by the county clerk, and which shall show that the affiant is
12 eligible to register and vote in that district and which shall set forth the place of his
13 residence, the fact that he actually resides at that place, the length of time of such
14 residence, and also all the facts necessary to qualify him as a voter under the Con-
15 stitution of this State. After his name has been so placed upon said register of
16 voters he shall be entitled to vote.

Persons Allowed Within Polling Place or Polling Room.

1 Par. 171, Sec. 6. No person shall be allowed or permitted to be present in the
 2 polling place or polling room during the progress of the election except the officers
 3 connected with the election, the several candidates, the duly authorized challengers,
 4 such voters as are present for the purpose of voting, and such officers as may be fully
 5 detailed to be present, pursuant to this act, for preserving the peace or enforcing the
 6 provisions hereof.

Closing Polling Place or Polling Room.

1 Par. 172, Sec. 7. After the hour fixed for closing the polls voters already
 2 within such place or room or in line shall be permitted to prepare and cast their
 3 ballots.

BALLOTING PROCEDURE

Formal Opening of Polls

Proclamation of Opening.

1 Par. 173, Sec. 8. The district boards, before they receive any vote, shall make
 2 public proclamation of the opening of the election, and of their readiness to receive
 3 the votes of the voters, and thereupon the election shall be opened.

Distribution and Use of Ballot-Box Keys.

1 Par. 174, Sec. 9. At the opening of the election, each of the keys of the locks
 2 of the ballot-box shall be taken by a different member of said board, who shall
 3 keep the same until the statement of the result of the election shall be made and
 4 certified, as directed by this act, and shall not, during that time, suffer either of
 5 the other members of the board, or any other person, on any pretense to take or
 6 have the same. In all cases in which the members of such board are directed to
 7 lock the ballot-box, each of the locks thereof shall be locked by the members of
 8 the board who shall have the key belonging thereto, as directed by this act.

Display of Ballot-Box.

1 Par. 175, Sec. 10. Immediately before proceeding to receive the votes, such
 2 board shall, in an open and public manner, exhibit the ballot box, so that those
 3 present may see that there is nothing contained therein, and thereupon close and
 4 lock the same, leaving open the aperture in the lid thereof.

Keeping of Poll-Book.

1 Par. 176, Sec. 11. One of the members of the board acting as clerk of elec-
2 tion, to be designated by the judge, shall keep at such election a poll-book,
3 arranged alphabetically according to surnames, in which shall be recorded the
4 names of the voters voting at such election. There shall be printed a heading to
5 the list of names so recorded in the following or like form: "Names of voters at
6 the general election held in the , ward district of (name
7 of municipality), in the county of , on the day of in the
8 year of our Lord one thousand nine hundred and , for (naming
9 the offices to be filled), which shall be written in by a member of the district
10 board, and filling up the blanks in the form above given to conform to the facts
11 of the case; *provided*, that in all election districts in municipalities having perma-
12 nent registration the clerks of election shall record the names of the voters voting
13 at such elections. Said poll-books in municipalities having permanent registration
14 shall be made up in two volumes for each election district, to be known as Volume
15 Number One and Volume Number Two, and shall be used in the same manner
16 as the signature copy registers are used. Volume I shall be indexed alphabetically
17 beginning with the letter "A" and ending with the letter "K" and Volume II in a
18 like manner beginning with the letter "L" and ending with the letter "Z", and each
19 book shall have seven columns headed respectively: "Number of voter," "name of
20 voter," "residence of voter," "signature or statement number of voter," "ballot
21 number," "signature compared" and "remarks." On the last page of the poll-book
22 in municipalities not having permanent registration and on the last page of Volume II
23 there shall be printed a statement in substantially the following form: "The
24 whole number of the names of the persons whose votes have been received during
25 this election is ." Also providing a blank space for the signatures of the
26 members of the district board. In the first column of such poll-book there shall
27 be entered, at the close of the polls, a number opposite the name of each person
28 who has voted, beginning with the first page of the poll-book in municipalities not
29 having permanent registration and with number one of Volume I opposite the
30 first name entered upon the first page of the poll-book in municipalities having

31 permanent registration and continuing in numerical order to and including the last
32 name entered upon the last page of Volume II.

Claimants' Right to Receive Ballot Determined

Voter in Person Claims Right to Vote.

1 Par. 177, Sec. 12. Every person qualified to vote in any election shall at any
2 time after the opening of the polls, be at liberty to enter the polling place or
3 room and claim his right to vote at said election in his proper district, and such
4 person shall claim such right in person before the district board in said district.
5 Each voter, in claiming such right to vote, shall first give his full name and address
6 to the member of the district board having charge of the poll-book, and in municipi-
7 palities having permanent registration shall sign his name therein. On such claim
8 being made, one of the members of such board shall audibly and publicly announce
9 the name of the claimant, and the member of said board having charge of the
10 poll-book, having ascertained that said voter is registered as a qualified voter, shall
11 place in front of each name in said poll-book, as they appear, the number of
12 ballot given each voter.

*Voter's Signature and Comparison of Signatures (Municipalities Having
Permanent Registration).*

1 Par. 178, Sec. 13. In municipalities having permanent registration, however,
2 previous to the delivery of an official ballot by the ballot clerk to a voter, the mem-
3 ber of said board having charge of the poll-book shall enter therein in the appro-
4 priate column the number of the ballot, in successive order, the name of the voter
5 alphabetically, according to his residence by street and number, or if he has no
6 street number, a brief description of the locality thereof. The voter shall, previous
7 to the receipt of an official ballot, sign his name by his own hand and without
8 assistance, using black ink, in the column headed "signature or statement number of
9 voter" below the words "the foregoing statements are true." After the voter shall
10 have so signed, and before an official ballot shall be given to him, one of the mem-
11 bers of said board shall compare the signature made in the poll-book with the
12 signature theretofore made by the voter in the signature copy register, and if said
13 signature thus written in the poll-book is the same or sufficiently similar to the signa-
14 ture in the signature copy register, said voter shall be eligible to receive a ball

Procedure if Voter is Unable to Sign (Municipalities Having Permanent Registration).

1 Par. 179, Sec. 14. If the voter on election day alleges his inability to so sign his
2 name in the poll-book, then one of the members of the district board shall read the
3 same list of questions to the voter as were required upon registration, said questions
4 to be provided for election day, and to be known as "identification statements for elec-
5 tion day," and said members shall write the answers of the voter thereto. These state-
6 ments which shall be printed on the last pages of the poll-book, shall be numbered con-
7 secutively from one to one hundred, and a number corresponding to the number on the
8 statement sheet shall be entered in the fourth column of the poll-book opposite the name
9 of the said voter answering the questions. Each statement shall contain the same ques-
10 tions as the voter was required to answer upon registration. The questions answered
11 upon registration shall not be turned to or inspected until all the answers to said ques-
12 tions shall have been written down on election day by said member of the board. At
13 the end of each list of questions shall be printed the following statement: "I certify
14 that I have read to the above-named voter each of the foregoing questions and that I
15 have duly recorded his answers as above to each of said questions," and said member
16 of the board who has made the above record shall sign his name to said certificate and
17 date the same, and note the time of day of making such record. If the answers to the
18 questions asked of said voter on election day agree with the answers given by said
19 voter to the same questions at the time he registered, said voter shall be eligible to re-
20 ceive a ballot.

Comparison of Signatures or Statements to be Public (Municipalities Having Permanent Registration).

1 Par. 180, Sec. 15. The comparison of signatures of a voter made upon registra-
2 tion and upon election day, and if the voter alleges his inability to write the compar-
3 ison of the answers made by such voter upon registration and upon election day, shall
4 be had in full view of the challengers.

*Challenge of Right to Receive Ballot***Who Shall or May Challenge.**

1 Par. 181, Sec. 16. The members of the district boards and any duly authorized
2 challenger, respectively, shall at any election, challenge every person who shall claim
3 to have a right to vote therein, whom they or he shall know, suspect or believe not to
4 be qualified or entitled to vote therein, and said member of the district board or chal-
5 lenger shall have the power and right to ask all necessary questions to determine such
6 right.

Procedure if Ground of Challenge is Crime.

1 Par. 182, Sec. 17. If a person be challenged as convicted of any crime which bars
2 him from exercising the right to vote, he shall be required to answer in relation to
3 such alleged conviction, and if he shall admit that he has been so convicted, he shall not
4 be permitted to vote unless he shall make oath that he has been pardoned or restored
5 by law to the right of suffrage; but if he shall deny that he has been so convicted, no
6 proof of such conviction shall be received, other than the duly authenticated record
7 thereof, except such proof as may be necessary to establish his identity with the person
8 named in such record, or may be adduced by him to rebut the evidence of identity pro-
9 duced on behalf of the challenge.

Procedure if Person is Challenged on Ground of Being an Alien.

1 Par. 183, Sec. 18. If any person shall be challenged, as not qualified or entitled
2 to vote, and the person challenging him shall specify a ground for such challenge to be
3 that the person so challenged is an alien, the judge of election may forthwith tender
4 to him an oath or affirmation, in the following form: "You do swear (or affirm, as
5 the case may be), that to the best of your knowledge, information and belief, you
6 were born a citizen of the United States, and that you do not owe allegiance to any
7 foreign prince, potentate, state or sovereignty," and if the person so challenged shall
8 refuse to take the oath or affirmation so tendered to him, he shall be deemed and taken
9 to be an alien, unless he shall produce at the time of claiming his vote, to such board, a
10 lawful certificate, issued out of and under the seal of some court of record, having au-
11 thority to admit aliens to the rights of a citizen of the United States, showing that he
12 has been admitted to the rights of a citizen of the United States. In the former ca

13 the said judge shall tender to the person so challenged an oath or affirmation in the
14 following form :

15 "You do swear (or affirm, as the case may be), that you are the person named in
16 the certificate of naturalization which you have produced to the board." In case the
17 person producing the same shall claim to have derived the rights of such citizen
18 through the naturalization of his parent, then the aforesaid certificate shall show that
19 the person alleged to be such parent has been admitted to the rights of such citizen. In
20 the latter case, an oath or affirmation, in the following form, shall be tendered to such
21 person :

22 "You do swear (or affirm, as the case may be), that to the best of your knowledge,
23 information and belief, that the person named in the certificate of naturalization which
24 you have produced to this board was your parent, and that you were at the time of the
25 naturalization of your parent under the age of twenty-one years, and resident of the
26 United States." If the person so challenged shall in either case refuse to take the oath
27 or affirmation so tendered to him, he shall be deemed and taken to be an alien.

Procedure if Person is Challenged as Being Disqualified.

1 Par. 184, Sec. 19. If any person shall be challenged, as not qualified or entitled
2 to vote, the said judge may forthwith tender to the person so challenged an oath
3 or affirmation, in the following form :

4 "You do swear (or affirm, as the case may be), that you are a citizen of the
5 United States; that you have resided in this State one year, and in this county five
6 months next before this election, and not elsewhere; that you are now a resident in
6½ this election district; that, as far as you know and verily believe, you are twenty-one
7 years of age, and in all respects qualified to vote in this election, in this election
8 district, and that you have not voted elsewhere in this election," and if the person
9 so challenged shall refuse to take the oath or affirmation so tendered to him, he
10 shall be deemed not to be qualified or entitled to vote.

Duty of District Board to Question Persons Challenged.

1 Par. 185, Sec. 20. Upon any question or challenge of a voter duly registered
2 it shall be the duty of the board, and the privilege of all its members, to put all
3 such questions as are proper to determine the right of such voter to vote.

Questions to be Asked Persons Challenged (Municipalities Having Permanent

Registration.)

1 Par. 186, Sec. 21. In municipalities having permanent registration, if a voter
 2 is challenged, the board shall ask him the questions which were asked him upon
 3 registration, the answers to which appear on the signature copy register and if the
 4 answers do not correspond a note of said fact shall be entered in the column of the
 5 poll-book entitled "remarks." If the signatures of the voters or the answers to the
 6 questions made by the voter do not correspond, then it shall be the privilege of the
 7 challengers to challenge, and the duty of each member of the district board to
 8 challenge, unless some other authorized person shall challenge.

Determination of Right of Challenged Person to Receive Ballot.

1 Par. 187, Sec. 22. In all municipalities the district boards shall in no case give
 2 a ballot to any person, unless they shall be satisfied that such person is in all respects
 3 qualified and entitled to vote; and, for the purpose of satisfying themselves as to the
 4 right of any person who shall claim a right to vote they shall have power to examine
 5 such person, and any other person or persons, under oath or affirmation, touching
 6 such right, except as hereinbefore restricted. The said board shall determine the
 7 right of such voter to vote, after making use of, and giving due weight to, the evi-
 8 dence afforded by his signature, if any, and the said answers, and if any member of
 9 such board shall give or assent to give a ballot to any person challenged, without re-
 10 quiring such person to take the oath or affirmation hereinbefore prescribed to be made
 11 upon such challenge, and such person shall not be qualified and entitled to vote, such
 12 member so giving or assenting to give a ballot, shall be deemed and taken to have
 13 given to such person a ballot, knowing it to be illegal. The question as to the giving
 14 of such ballot to said person shall be put in the following form: "Shall a ballot be
 15 given to this person by this board?"

16 If a majority of the board shall decide to give a ballot to such voter or in
 17 case of a tie vote, such voter shall be given a ballot and then be allowed to vote.

18 If a majority of the board shall decide against giving a ballot to such voter
 19 no ballot shall be given. It shall be the duty of such board upon demand of a member
 20 of the board or any other citizen, to forthwith issue a warrant for the arrest of such
 21 person and deliver the same to a peace officer, who shall forthwith arrest such person,

22 and the right to challenge voters shall exist until the ballot shall have been deposited
23 in the ballot-box.

24 Every such challenge and the determination of each member of said board shall
25 in every instance be recorded in the "Remark Column" of the poll-book used at the
26 election at which said challenge has been made.

Casting of Ballot

Ballot Handed to Voter.

1 Par. 188, Sec. 23. In all municipalities after the district board shall have as-
2 certained that a voter is properly registered and qualified to vote the inspector of
3 election shall furnish to such voter one official ballot numbered to correspond with
4 the poll number of said voter, allowing for spoiled ballots, if any. No ballot shall
5 be handed to a voter until there is a booth ready for occupancy. The members of
6 the district board shall not allow a voter to mark his ballot outside of an election
7 booth unless the voter is unable to enter said booth by reason of his own physical
8 disability. The inspector shall instruct the voter how to fold the ballot and shall
9 crease the ballot so as to indicate the point where the voter shall fold the ballot, but
10 before handing the ballot to the voter said inspector shall see that the face of the
11 ballot including the coupon is exposed, and at the same time shall call off said ballot
12 number to the member having charge of the polling book, who shall make certain
13 that the ballot number and poll number agree, allowing for spoiled ballots, if any.
14 In case the number of the ballot does not follow consecutively the missing number or
15 numbers shall be written on a blank sheet of paper signed by the members of the
16 district board and placed on the string with the coupons in its or their proper place
17 or places.

Voter Retires to Booth.

1 Par. 189, Sec. 24. Every voter to whom a ballot is given shall thereupon re-
2 tire into the polling booth; *provided*, that not more than one voter, except as here-
3 inafter provided, shall be permitted to enter or be in the same booth at one time.
4 Said voter shall prepare his ballot in said booth secretly and screened from the
5 observation of others. Any person or voter who shall violate the provisions of this
6 section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall

7 be punished by a fine not exceeding five hundred dollars or by imprisonment not
8 exceeding one year or both at the discretion of the court.

Marking the Ballot.

1 Par. 190, Sec. 25. To vote for any candidate whose names are printed in any
2 column, the voter shall mark a cross X or plus + in black ink or black lead pencil
3 in the square at the left of the name of each candidate in any column for whom he
4 desires to vote to the number to be elected for each office. To vote upon the public
5 questions printed on the ballot the voter shall indicate his choice by marking a cross
6 X or plus + in black ink or black lead pencil in the square at the left of either the
7 word "Yes" or "No" of each public question.

Voting in Personal Choice Column.

1 Par. 191, Sec. 26. Nothing contained in this act shall prevent any voter from
2 writing or pasting under the proper title of office in the column designated Per-
3 sonal Choice the name or names of any person or persons for whom he desires to vote
4 whose name or names are printed upon the ballot for the same office or offices, and
5 shall mark a cross X or plus + in the square at the left of such name; *provided*,
6 that said writing shall be in black ink or black lead pencil; *and provided*, that all
7 plasters used shall be printed with black ink on white paper.

Voter Spoils Ballot.

1 Par. 192, Sec. 27. Should any voter to whom any official ballot has been
2 handed spoil or render same unfit for use, he may return the one so spoiled or unfit
3 for use and obtain another from the district board, but no more than two official
4 ballots shall be furnished to any voter, except at the discretion of said board. The
5 said board shall preserve all such ballots, with their coupons attached, returned by a
6 voter as spoiled or unfit for use, and after the proper correction has been made in
7 the poll-book and signature copy register or register of voters said ballot or ballots
8 shall be placed upon the same string with the coupons.

Voter Leaves Booth.

1 Par. 193, Sec. 28. Before leaving the booth the voter shall fold his ballot, so
2 that no part of the face of the ballot shall be visible, and so as to display the face of

3 the numbered coupon, and the ballot of such claimant shall remain in his own hand
4 until such board shall have decided to receive the same.

Voter Delivers Ballot.

1 Par. 194, Sec. 29. He shall then hand the ballot with the coupon undetached
2 to the member of the election board having charge of the ballot-box, which member
3 shall call off the number of the ballot and the name of the voter. If the name and
4 number agree with the record in the poll-book, the election officer having charge
5 of the poll-book shall so announce and place the word "voted" opposite the poll
6 number to indicate that the person shown thereon as receiving the ballot has voted.
7 In districts having permanent registration the member of the board having charge
8 of the signature copy register shall record the ballot number in the proper column
9 of the record of voting form.

Member of the Board Deposits Ballot.

1 Par. 195, Sec. 30. Thereupon the member of the board having charge of the
2 ballot-box, without displaying any part of the face of the ballot, shall remove the
3 coupon from the top of the ballot and place the ballot in the box and the coupon on
4 a file string. The member of the board having charge of the ballot-box shall keep
5 the ballot in full view of the voter and the other election officers until it is deposited
6 and the voter may take hold thereof, with the member of the board having charge of
7 the ballot-box, until it is actually deposited.

Procedure When Ballot-Box is Filled.

1 Par. 196, Sec. 31. When one ballot-box is filled with ballots the board shall
2 seal the same and provide another box.

Time Limit for Challenging.

1 Par. 197, Sec. 32. The right to challenge voters shall exist until the ballot
2 shall have been deposited in the ballot-box, and the procedure in case the right of
3 a person to vote is challenged shall be the same as herein prescribed when the right
4 of a person to receive a ballot is challenged.

Voter Unable to Prepare Ballot

Procedure to be Followed.

1 Par. 198, Sec. 33. At any election any person who declares under oath and
 2 establishes to the satisfaction of a majority of all the members of the district board
 3 that he is unable to read the English language or that by reason of blindness or other
 4 physical disability he is unable to mark his ballot without assistance, shall have the
 5 assistance of two members of such board of opposite political faith, to be assigned
 6 by the board, in preparing his ballot. Such members of such board shall retire with
 7 such voter to the booth and assist him in the preparation of his ballot and folding
 8 the same. The member acting as clerk of the district board shall make an entry in
 9 the poll-book, which entry shall be in the form of an oath and shall be printed at the
 10 end of the poll-book, and shall be numbered with the voter's number and in every
 11 instance when such oath was administered to a voter as herein provided, it shall
 12 state briefly what facts were sworn to and the name of the members of the board
 13 who aided such voter. Any members of the district board shall be eligible to wit-
 14 ness the preparation of the ballot of any such voter, but no other person shall be
 15 allowed to assist such voter in marking his ballot or to witness the marking of the
 16 same. No member of such board shall reveal the name of any person for whom
 17 such voter has voted, or anything that took place while such voter was being assisted.
 18 Such voter, if blind, may, in lieu of the assistance of the board as above provided,
 19 have the assistance of some person of his own selection in preparing his ballot.
 20 Such person shall retire with such voter to the booth and assist him in the prepa-
 21 ration of his ballot and folding the same. The name and address of such person
 22 shall be recorded as above. In such case, no other person than the one so selected
 23 by the voter shall be allowed to assist such voter in marking his ballot or witness
 24 the marking of the same. No person so selected shall reveal the name of any per-
 25 son for whom such voter has voted or anything that took place while such voter was
 26 being assisted.

Voter's Name Checked as Having Voted

Procedure to be Followed.

1 Par. 199, Sec. 31. When any legal voter shall apply to the district board in
 2 the district in which he resides, and they find that his name upon the poll-book is

3 marked as having voted, it shall be lawful for said district board to receive his vote,
4 upon due proof to them that he is a legally registered voter in such district and has
5 not voted in said election.

EMERGENCY OFFICIAL BALLOTS

Cause; Preparation; Use.

1 Par. 200, Sec. 35. If at any election the ballots to be furnished therefor shall
2 not be delivered at the time above mentioned, or if after delivery they shall be de-
3 stroyed or stolen and other official ballots cannot be obtained in time for such elec-
4 tion, the clerk of such county or municipality, or the district board, as the case may
5 require, shall cause other ballots to be prepared as nearly in the form heretofore
6 prescribed as practicable, but without the indorsement on the top thereof. Upon the
7 receipt of ballots thus prepared from the clerk of such county or municipality, ac-
8 companied by a statement, under oath, of the person preparing the same, that the
9 same have been so prepared and furnished because the original ballots have so failed
10 to be received or have been destroyed or stolen, and that other official ballots could
11 not be obtained in time for such election, or where such district board has caused
12 such unofficial ballots to be prepared, the said board shall cause the ballots so sub-
13 stituted to be used at the election.

UNOFFICIAL BALLOTS

Identical in Appearance of Official Ballots.

1 Par. 201, Sec. 36. If from any cause neither the official ballot nor ballots
2 otherwise prepared as herein prescribed shall be ready for distribution at any poll-
3 ing place, or if the supply of ballots shall be exhausted before the polls are closed,
4 unofficial ballots, made as nearly as possible in the form of the official ballot, may be
5 used. The mode and manner of voting such unofficial ballots shall, nevertheless, in
6 all respects conform as nearly as possible to the mode and manner of voting herein-
7 after prescribed.

ARTICLE XV

COUNTING OF BALLOTS BY DISTRICT BOARDS

General Elections

RULES AND REGULATIONS AS TO COUNTING

Summary Statement in Poll-Book.

1 Par. 202, Sec. 1. Immediately after the close of the polls and before pro-
2 ceeding to estimate and canvass the votes which shall have been received at the
3 election the members of the district board shall immediately fill out the statement
4 on the last page of said poll-book and sign their names thereto.

Public Count Without Adjournment.

1 Par. 203, Sec. 2. The said district board shall then proceed forthwith to
2 count the votes for each candidate or proposition and shall complete said count
3 without delay or adjournment. Said counting shall be open and public, but not
4 to the extent that the number present shall hinder, delay or inconvenience the elec-
5 tion officers in counting the ballots and ascertaining the result.

Votes Based on Ballot Markings.

1 Par. 204, Sec. 3. In canvassing the ballots the district board shall count the
2 votes as follows:

3 A. If proper marks are made in the squares to the left of the names of any
4 candidates in any column and the total number voted for, for each office, does not
5 exceed the number of candidates to be elected to each office, a vote shall be counted
6 for each candidate so marked.

7 B. If proper marks are made in the squares to the left of any names of any
8 candidates in any column and in addition thereto, proper marks are made to the right
9 of said names, a vote shall be counted for each candidate so marked; *provided, how-*
10 *ever,* that if the district board canvassing said ballots or the county board, justice
11 of the Supreme Court or other judge or officer conducting a recount thereof, shall
12 be satisfied that the placing of said marks to the left and right of said names was
13 intended to identify or distinguish said ballot, then said ballot shall not be counted,
14 but shall be declared null and void.

15 C. If no marks are made in the squares to the left of the names of any
16 candidates in any column, but are made to the right of said names, a vote shall
17 not be counted for such candidates so marked, but shall be counted for such other
18 candidates as are properly marked; *provided, however,* that if the district board
19 canvassing said ballot or the county board, justice of the Supreme Court or other
20 judge or officer conducting a recount thereof, shall be satisfied that the placing of
21 said marks to the right of said names was intended to identify or distinguish said
22 ballot, then said ballot shall be declared null and void.

23 D. Where the name of any person is written or pasted in the column designated
24 Personal Choice, and a cross \times or plus $+$ appears in the square to the left of
25 such name, it shall be counted as a vote for such person.

26 E. In case of any public question printed on the ballot where a proper mark
27 is made in the square to the left of the word "Yes," it shall be counted as a vote
28 in favor of said public question. If a proper mark is made in the square to the
29 left of the word "No," it shall be counted as a vote against said public question.
30 If no mark is made in either square to the left of either the word "Yes" or "No"
31 it shall not be counted as a vote either in favor of or against said public question.
32 If a mark is made in each of the squares to the left of both the words "Yes" and
33 "No" it shall not be counted either as a vote in favor of or against said public ques-
34 tion nor shall it invalidate the ballot.

35 F. If a voter marks more names than there are persons to be elected to an
36 office, or writes or pastes the name of any person in the column designated Per-
37 sonal Choice, whose name is printed upon the ballot as a candidate under the same
38 title of office, or his choice cannot be determined, his ballot shall not be counted
39 for such office, but shall be counted for such other offices as are properly marked.
40 If a voter mark a cross \times or plus $+$ in the square at the left of the surname of
41 any candidate for President or Vice-President of the United States, and also mark
42 a cross \times or plus $+$ in some of the squares at the left of the names of candidates for
43 presidential electors, it shall count as a vote for all the candidates for presidential
44 electors nominated by a party represented by said candidates for President and Vice-
45 President of the United States.

46 G. If the mark made for any candidate or public question is substantially a
47 cross × or plus + and is substantially within the square, it shall be counted for
48 such candidate or for or against such public question, as the case may be. No vote
49 shall be counted for any candidate in any column or for or against any public ques-
50 tion, unless the mark made is substantially a cross × or plus + and is substantially
51 within the square.

Void Ballots.

1 Par. 205, Sec. 4. In counting the ballots said board shall deem and take to
2 be null and void all ballots which are wholly blank, or on which more names have
3 been marked for every office than there are persons to be elected to such office,
4 and on which both "Yes" and "No" have been marked upon every public question.
5 All ballots still remaining in the ballot-box after ballots equal in number to the
6 number of names of voters in the poll-book, inclusive of void ballots, have been
7 counted shall be deemed and taken to be null and void. No ballot which shall have,
8 either on its face or back, any mark, sign, erasure, designation or device whatso-
9 ever, other than is permitted by this act, by which said ballot can be distinguished
10 from another ballot, shall be declared null and void, unless the district board can-
11 vassing said ballots, or the county board, justice of the Supreme Court or other
12 judge or officer conducting the recount thereof, shall be satisfied that the placing
13 of said mark, sign, erasure, designation or device upon the ballot was intended to
14 identify or distinguish said ballot; *provided, however,* that no ballot shall be de-
15 clared invalid by reason of the fact that the mark made with ink or the mark
16 made with lead pencil appears other than black; *provided, further,* that no ballot
17 cast for any candidate shall be invalid by reason of the fact that the name of such
18 candidate may be misprinted, or his Christian name or his initials may be omitted;
19 *provided, further,* that no ballot cast for any candidate shall be invalid by reason
20 of the use of any paster permitted by this act on which the title of office may be
21 printed or the name of such candidate may be misprinted or part of his Christian
22 or surname or initials may be omitted, or that by reason of the fact that the voter
23 in writing the name of such candidate may misspell the same or omit part of his
24 Christian name or surname or initials; *provided, further,* that no ballot shall be

25 declared null and void or invalid, by reason of having a cross X or plus + appear-
 26 ing in a square at the left of a blank space, or a space wherein no name is printed.

Numbering and Stringing of Void and Partially Void Ballots.

1 Par. 206, Sec. 5. In every case in which a ballot shall be declared invalid, the
 2 same shall not be canvassed or counted, but shall be marked "void" on the outside
 3 thereof, and shall be numbered consecutively beginning with number one, and shall
 4 be preserved like other ballots and placed on a separate string. Ballots which shall
 5 be declared invalid with respect to a part of the officers to be voted for or public
 6 questions to be voted upon shall be canvassed, estimated and numbered with respect
 7 to the part which is not invalid and preserved as other ballots and placed in their
 8 proper order on the string with the valid ballots.

Majority Decision of Board Final.

1 Par. 207, Sec. 6. The decision of a majority of the district board on any ques-
 2 tion shall be deemed and taken to be the decision of such board, and final. If any
 3 member of such board shall dissent from any decision of the same, and shall desire
 4 to protect himself from the consequences which may result from such decision, it
 5 shall be lawful for such member to record his dissent, in cases relating to registra-
 6 tion, in the register, and in all other cases, in the poll-book of such election, signing
 7 his name to such record with his own hand, and unless he shall do so, he shall be
 8 deemed and taken to have assented to the decision so made.

COUNTING PROCEDURE

Reading and Stringing of Ballots.

1 Par. 208, Sec. 7. Such board in the actual procedure of counting the ballots
 2 shall thereupon unlock and open the ballot-box; the ballots shall then be taken singly
 3 and separately therefrom by the judge of the election, and while each ballot shall re-
 4 main in his hands, he shall audibly and publicly read the same in full view of the in-
 5 spector. The inspector shall be satisfied that the ballot is being correctly read by the
 6 judge. After the reading of said ballot and before taking another ballot from the box
 7 the judge shall fold the ballot to a size about five inches square, and shall deliver the
 8 same so folded to the inspector, who shall write on the back thereof the number of
 9 such ballot from one onward, in the order in which the same shall have been taken

10 from the box; and shall string the ballot as one ticket in the order in which the same
11 shall be taken from the box and numbered, by means of a needle and string to be
12 provided for that purpose. Void ballots shall be strung in the same manner as valid
13 ballots but on a separate string.

Recording of Votes.

1 Par. 209, Sec. 8. The clerks of such board, under the inspection and direction
2 of such board, shall each, upon a tally-sheet provided for that purpose, make a list of
3 the names of all persons for whom one or more votes shall have been given, designating
4 the office which such person shall be voted for or any public question voted upon,
5 upon two sheets known as tally-sheets provided for that purpose; and as each ballot
6 shall be read he shall write the figure "1" opposite the name of each person whose
7 name shall be contained thereon, as designated for any office or in the proper
8 column designating the vote upon the public question. One of said tally-sheets shall
9 be placed in the ballot-box and the other shall be filed with the county clerk at the
10 same time the statements of results are delivered.

Casting of Totals.

1 Par 210, Sec. 9. When all the votes which shall have been received shall have
2 been read, examined, numbered and strung, as above directed, such board shall carefully
3 fully and accurately add up the votes given for each person for any office to be filled
4 at such election or any public question and note the same upon said tally-sheets,
5 which tally-sheets shall be signed by all the members of the district board.

Public Announcement of Results.

1 Par. 211, Sec. 10. After completing the same the chairman of said board shall
2 audibly and publicly announce the result thereof, particularly specifying the whole
3 number of the votes in the poll-book, the name of each person for whom any vote
4 shall have been given for any office to be filled by such election, and the number of
5 votes for each person for the office designated for him by said votes, together with
6 those cast upon any public question.

ARTICLE XVI

MAKING OF RETURNS BY DISTRICT BOARDS

General Elections

Number of Statements and Form.

1 Par. 212, Sec. 1. After the district board shall have counted the ballots cast at
2 said election they shall make triplicate statements of the result thereof in substan-
3 tially the following form, provided that if no officers or public questions were voted
4 upon at such election by the voters of the entire State or of more than one county
5 thereof or of a congressional district, said statements need only be made in dupli-
6 cate:

FORM OF STATEMENT

7 "A statement of the result of an election held in the ward of
8 the election district of the of in the county
9 of , on the day of November, in the year of our Lord
10 one thousand nine hundred and , for a member of the Senate, member
11 of the General Assembly, a sheriff and three coroners, for said county (or as the
12 case may be).

13 The whole number of names on the signature copy register or register of voters
14 is

15 The whole number of names on the poll-book is.....

16 The whole number of ballots rejected is.....

17 For members of the Senate,

18 received votes

19 received votes

20 For members of the General Assembly

21 received votes

22 received votes

23 For Sheriff,

24 received votes

25 received votes

26 For Coroners,
 27 received votes
 28 received votes
 29 For each public question,
 30 received Yes votes
 31 received No votes"

32 Making under each head a list of the names of all the persons for whom any vote
 33 or votes were cast for the office or offices or cast upon any public question desig-
 34 nated therein; and stating opposite to the same, in words written at full length, the
 35 number of votes cast for each person for such office or offices or votes cast upon any
 36 public question and filling in all other blanks in the form above given to conform to
 37 the facts of the case.

Certification of Statements.

1 Par. 213, Sec. 2. Said district board shall then certify said statement in sub-
 2 stantially the following form :

3 "We do certify that the foregoing is a true, full and correct statement of the
 4 result of the election above mentioned.

5 In witness whereof, we have hereunto set our hands, this day of
 6 November, in the year of our Lord one thousand nine hundred and

7)
 8) District Board
 9) of Registry
 10) and Election."

11 *Provided*, that no member of any district board shall sign any returns of election
 12 until after the completion of the counting of votes, and his personal examination
 13 of the tally-sheets to determine the correctness of the results.

Filing of Statements.

1 Par. 214, Sec. 3. After the district board shall have made up and certified said
 2 statements, said board shall at the same time and with the ballot-boxes, as herein-
 3 after provided, deliver or safely transmit one of said statements to the clerk of the
 4 municipality wherein such election is held, who shall forthwith file the same. The
 5 said board shall, immediately after election, deliver or safely transmit another of
 6 said statements of the result of such election to the clerk of the county, who shall

7 forthwith file the same. In the event that officers were voted for or public ques-
8 tions were voted upon at said election by the voters of the entire State or of more
9 than one county thereof, or of a congressional district, together with the statements
10 relating to the office of justice of the peace, then said board shall immediately after
11 such election deliver or safely transmit said statements to the clerk of the county,
12 and shall inclose, seal up and transmit the third statement to the Secretary of State
13 by mail, in stamped envelopes to be furnished by the Secretary of State, directing the
14 same in the following manner: "To the Secretary of State of New Jersey, Trenton,
15 New Jersey," and the Secretary of State upon receiving such statement shall forth-
16 with file the same in his office.

Penalty for Failure to Deliver Statements, Books and Other Articles.

1 Par. 215, Sec. 4. If any district board shall neglect to give the following in-
2 formation on the statements of results: total number of names on the signature copy
3 register or register of voters, total number of names on the poll-book, the total
4 number of ballots rejected, the number of votes given for each person, and the num-
5 ber of votes given for or against each public question, or fail to deliver or safely
6 transmit any statement of the result of any election, tally-sheet, signature copy
7 registers, register of voters, ballot box or boxes, ballot-box keys, flag or any other
8 document or book pertaining to any election, within the time required by this act,
9 or shall destroy or damage, or cause or allow any loose leaf binder, registry book or
10 other book or document to be destroyed or damaged or fail to perform any duties
11 provided by this act or imposed by the county board or by the commissioner, the pay-
12 ment of part or all of the compensation of the members of said board shall be with-
13 held by the county treasurer or collector, as the case may be, by order of the county
14 board or the commissioner as the case may be, or may be forfeited by like order; and
15 it shall be the duty of the Secretary of State or the clerk of the county or the mu-
16 nicipal clerk, as the case may be, to certify to the county board the name of any dis-
17 trict board so failing to deliver or transmit such statements, books documents or
18 articles as hereinbefore mentioned. In case of failure on the part of said district
19 board to produce the required statements, books or other documents within twenty-
20 four hours after being notified, the county board may make application to the Court

21 of Common Pleas for a rule to show cause why the members of such district board
 22 shall not be held in contempt of court for such neglect or failure, and punished
 23 accordingly.

ARTICLE XVII

DISPOSITION OF BALLOT-BOXES, ELECTION RECORDS AND ELECTION EQUIPMENT

General Elections

Election Records Placed in Ballot-Box.

1 Par. 216, Sec. 1. As soon as the election shall be finished, and the votes can-
 2 vassed and the statements made and certified by the district board as herein required,
 3 all ballots which have been cast, whether the same have been canvassed and counted
 4 or rejected for any cause, and one tally-sheet, spoiled and unused ballots shall be
 5 carefully collected and deposited in the ballot-box. In municipalities not having per-
 6 manent registration the general election poll-book shall also be placed in the ballot
 7 box. In municipalities having permanent registration the general election poll books
 8 shall not be placed within the ballot-box but shall be delivered to the municipal
 9 clerk along with and in like manner as the ballot-box as hereinafter provided.

Delivery of Ballot-Boxes to Municipal Clerks.

1 Par. 217, Sec. 2. Such ballot-box, after being locked and bound with tape and
 2 sealed, shall, in all municipalities, be immediately taken in charge by two members
 3 of the district board, and by them forthwith carried to the office of the clerk of such
 4 municipality in which such election may be held, by the most direct route, and with-
 5 out delay, and said members shall not stop at any place between the polls and the
 6 municipal clerk's office.

Municipal Clerk's Office Open 'Till All Ballot-Boxes Are Delivered.

1 Par. 218, Sec. 3. The clerk of such municipality shall attend at his said office on
 2 election day, or appoint one of the clerks in his office to act for him, and keep his
 3 office open from the time the polls shall be closed until all the ballot-boxes used at
 4 the various polls in said municipality at such election shall have been delivered at
 5 his office. The clerk of such municipality or his subordinate whom he may have ap-
 6 pointed to act in his stead shall enter in a book to be kept for that purpose the ex-
 7 act time when each ballot-box may be delivered at said office, the district whence it

8 was brought, names of the members of the district board delivering it, and the name
9 of the police officer or other witness who may accompany them, and such other par-
10 ticulars as he may deem important; said book shall be filed in the office of the mu-
11 nicipal clerk, which book shall be preserved by said clerk for two years.

Preservation of Ballot-Boxes with Contents.

1 Par. 219, Sec. 4. Every municipal clerk to whom said ballot-boxes shall be de-
2 livered shall thereupon keep the same, with their contents, but shall not have the keys
3 thereof in his possession until required for the next ensuing election, and shall not
4 open or permit to be taken or opened any ballot-box deposited as aforesaid for the
5 space of three months after the same has been so deposited, except when he shall be
6 called upon by some court or other tribunal authorized to try the merits of such elec-
7 tion or to take testimony regarding the same; and after such trial or investigation
8 it shall be the duty of the clerk to have said box or boxes returned to be held for
9 any purpose within the time that said ballot-boxes are required to remain in the cus-
10 tody of said clerk. It shall be lawful after the space of three months for the munici-
11 pal clerk to remove the contents thereof and preserve the same for two years, and
12 permit the said ballot-boxes to be used at such election, unless an order shall have
13 been made directing a recount of the ballots contained therein, or a petition filed con-
14 testing any nomination or election necessitating the use of the ballots contained in
15 said boxes, within the time limited by law; *provided*, that when any election is re-
16 quired to be held for any purpose within the said three months period hereinbefore
17 mentioned it shall be lawful for the judge of the Circuit or Common Pleas Court of
18 the county, upon application of the governing body of any municipality, to direct the
19 contents thereof to be removed and preserved for two years and the said ballot-
20 boxes to be used at such election.

Disposition of General Election Books.

1 Par. 220, Sec. 5. The municipal clerks in municipalities having permanent
2 registration, shall deliver, within ten days following the general election, the general
3 election poll-books to the commissioner for use in performing his duties under this
4 act. The commissioner shall return said poll-books to the said clerks not later
5 than one month preceding the next general election.

Disposition of Register of Voters.

1 Par. 221, Sec. 6. Not later than noon of the day following the canvass of the
2 votes cast at the general election the register of voters, kept and checked by the
3 district boards in municipalities not having permanent registration shall be filed by
4 said boards with the municipal clerk of their respective municipality.

Disposition of Ballot-Box Keys.

1 Par. 222, Sec. 7. Not later than noon of the day following the canvass of the
2 votes the keys of each ballot-box shall be deposited by a member of said district
3 board with the county clerk.

Sale of Registers, Et Cetera.

1 Par. 223, Sec. 8. All register books and statements of results of elections
2 which are required to be filed with the Secretary of State, the county clerks of
3 the various counties and the municipal clerks of the various municipalities shall
4 be preserved by such Secretary of State, county and municipal clerks, respectively,
5 for a period of five years after the holding of any election at which they were
6 used, and all ballots used or unused for any election shall be preserved by such
7 officials for a period of two years after the holding of any election, and there-
8 after shall be sold by such officials as waste paper, the proceeds to be paid into the
9 State, county and municipal treasuries respectively. The several county and municipi-
10 pal clerks are also authorized to sell all register books which have been on file in
11 their office for a period of five years, the proceeds to be paid into the county and
12 municipal treasury respectively.

Inspection of Contents of Ballot-Boxes, Books and Documents by Supreme Court.

1 Par. 224, Sec. 9. The Chief Justice or any justice of the Supreme Court may
2 at any time for satisfactory reasons shown, and when the court may deem it neces-
3 sary, issue an order for the opening of any ballot-box or boxes and the removal
4 of the contents thereof and for the removal from the file of any municipal or
5 county office any documents and books for any necessary purpose, which order shall
6 also set forth the return of such contents to the ballot-box or boxes and their return
7 together with the documents and books to the files of the office from which the same
8 were removed.

ARTICLE XVIII

CANVASS OF RETURNS BY BOARD OF COUNTY CANVASSERS

General Elections

MEETINGS AND ADJOURNMENTS

Time and Place of Meeting.

1 Par. 225, Sec. 1. The board of county canvassers of each county shall meet
2 on the Monday next, after any such election, at twelve o'clock noon, at the court
3 house of such county, for the purpose of checking the canvass which shall have been
4 made by the county clerk from the statements of the district boards filed in his
5 office as hereinbefore provided.

Substitute Clerk in Absence of County Clerk.

1 Par. 226, Sec. 2. If the clerk of such county shall be absent at such meet-
2 ing at the time appointed therefor, the board shall forthwith proceed to appoint a
3 fit person to be the clerk of such board, who shall obtain such statements from the
4 office of said clerk.

Administration of Oath to Clerk.

1 Par. 227, Sec. 3. Before proceeding to canvass and estimate the votes the
2 chairman of the board shall administer to the person so appointed as clerk in the
3 absence of the county clerk an oath or affirmation in the following form: "You
4 do swear (or affirm, as the case may be) that you will faithfully execute the duties
5 of the clerk of this board according to law."

Adjournment and Its Cause.

1 Par. 228, Sec. 4. If on the day appointed for the meeting of such board, a
2 major part of such board shall not attend at the courthouse of such county at
3 the hour of twelve o'clock noon, or if at that time the statements of the result of
4 such election from every election district in such county shall not be produced, the
5 members of the board then present shall adjourn to some convenient hour on the
6 next day.

Obtaining of Missing Statements.

1 Par. 229, Sec. 5. If said adjournment is occasioned by the fact that at the
2 time fixed for the meeting of such board the statements from every election dis-

3 trict have not been filed with the clerk of the county, then such clerk shall forth-
4 with, by a special messenger or otherwise, at the expense of such county, obtain
5 such statement or statements as shall be lacking, in time to be produced to such
6 board at their next meeting, and for this purpose the statements directed to be filed
7 with the clerk of any municipality wherein such election was held, or those directed
8 to be filed with the county clerk, a copy certified by the Secretary of State, of the
9 statements transmitted to him, shall be sufficient. The clerk of such board shall
10 lay before such board, at their subsequent meeting, all such statements and certified
11 copies as he shall have obtained as above directed.

Second Adjournment Permitted.

1 Par. 230, Sec. 6. At the hour to which such adjournment shall have been
2 ordered, the member or members then present may proceed as hereinafter directed,
3 or may again adjourn for a period not exceeding three days, at which time the
4 member or members then present shall proceed as hereinafter directed. Said board
5 is hereby authorized to reconvene at any time for the purpose of correcting any
6 errors that may have occurred.

Custody of Statements During Adjournment.

1 Par. 231, Sec. 7. Whenever such board shall find it necessary to adjourn, as
2 herein provided, all statements of the result of an election which shall have been
3 delivered to such board, or to any member thereof, shall, in the presence of such
4 board, and before it shall adjourn, be securely inclosed and sealed and delivered to
5 the county clerk for safe-keeping until the next meeting of such board.

CANVASSING PROCEDURE

Canvass and Statement Thereof.

1 Par. 232, Sec. 8. The members of said board shall proceed to examine the
2 statements and copies of statements which shall be produced before them and shall
3 canvass and determine the votes cast at such election; and shall forthwith make
4 two statements of the result of such election; *provided*, that if no officers were
5 voted for or public questions were voted upon at said election by the voters of the
6 entire State or of more than one county thereof or of a congressional district, one
7 copy shall be sufficient.

Contents of Statement and Certificate.

1 Par. 233, Sec. 9. Each of which statements shall contain the name of each
 2 election district, the number of names on the signature copy register or the register
 3 of voters, the number of names of the voters on the poll-books of each election
 4 district, and of the ballots rejected, and the whole number of such names regis-
 5 tered and rejected ballots in all of said election districts; the number of votes cast
 6 in each election district for each person for whom any votes or votes shall have
 7 been cast for any office to be filled or any public question to be voted upon at such
 8 election, mentioning the office for which each person shall have been designated
 9 and the name of such person (which numbers of names and numbers of votes cast,
 10 and of ballots rejected, may be in figures), and the whole number of votes which
 11 shall have been given for each person for any such office, mentioning the office for
 12 which each person shall have been designated, and the name of such person (which
 13 numbers of votes and the names of persons and election districts shall be in words,
 14 written at full length). There shall also be specified in such statements each public
 15 question voted upon at such election and the votes cast thereupon. Each of such
 16 statements shall be certified to be true and correct by a certificate which shall be
 17 appended to the same, signed by the members of such board making such canvass.

Form of Statement.

1 Par. 234, Sec. 10. The statement shall be in substantially the following form:
 2 "A statement of the result of election held in the county of _____, on the
 3 _____ day of November, in the year of our Lord one thousand nine hundred
 4 and _____, to elect a member of the Senate, members of the General Assembly,
 5 a sheriff and coroners of said county (naming the officers as the case may be), to-
 6 gether with the public questions voted upon, made by the board of county canvassers
 7 of said county."

Form of Certificate.

1 Par. 235, Sec. 11. The certificate shall be in substantially the following form:
 2 "I do hereby certify that the foregoing is a true, full and correct statement of the
 3 result of the election above mentioned, as the same is exhibited by the statements pro-
 4 duced and laid before the board of county canvassers according to law, and that the

COLLECTION OF STATEMENTS BY SECRETARY OF STATE

Secretary of State to Make Sure of Receiving Statements of Board of County

Canvassers.

1 Par. 239, Sec. 15. If it shall so happen that the Secretary of State shall not,
2 on or before the seventh day after the time appointed for the meeting of the board
3 of canvassers in the several counties, have received the statements of the result of
4 such election in every county, which are hereinbefore directed to be delivered or
5 transmitted to him by the clerk of such board, such secretary shall forthwith, by
6 a special messenger or otherwise, obtain such statement or statements as are lack-
7 ing; and for this purpose a copy of the statement directed to be filed with the clerk
8 of the county, certified by such clerk, shall be sufficient.

Secretary of State to Complete Defective Statements.

1 Par. 240, Sec. 16. Whenever and so soon as such secretary shall receive or
2 obtain any statement of the result of such election, in any county, in the manner
3 hereinbefore provided for, he shall ascertain whether or not such statement includes
4 the statement of the results of such election in every election district of such county;
5 and if it shall appear to him that the statement of the result of election in any elec-
6 tion district is not exhibited by or included in the statement of the result of such
7 election, in such county, he shall forthwith ascertain whether or not a copy of such
8 lacking statement has been received in his office; and if it shall appear to him that
9 such copy has not been so received, he shall forthwith, by special messenger or other-
10 wise, obtain a copy of the statement directed to be filed with the clerk of such
11 county, or with the clerk of any municipality within said county, certified by such
12 clerk, which shall be sufficient.

Statements to be Delivered to Secretary of State.

1 Par. 241, Sec. 17. The district board, the clerk or the chairman of the board
2 of canvassers of any county, or any other person who shall be in possession of any
3 statement, or copy of any statement, which shall have been made and subscribed
4 under the provisions of this act, shall forthwith, on application by any messenger
5 who shall have been dispatched for the same by the Secretary of State, deliver to such
6 messenger such statement or copy, such messenger shall be commissioned as such

7 in writing, under the hand and official seal of the Secretary of State, and shall ex-
 8 hibit his commission to the person to whom he shall apply for such statement or
 9 copy; and when he shall have obtained such statement or copy shall forthwith deliver
 10 the same to the said Secretary of State.

ARTICLE XIX

DETERMINATION BY BOARD OF COUNTY CANVASSERS

General Elections

Scope of Authority.

1 Par. 242, Sec. 1. The board of county canvassers, in case of officers voted for
 2 or public questions voted upon exclusively by the voters of a single county or any
 3 political subdivision thereof, except for any congressional district or part of a con-
 4 gressional district, shall proceed to determine what officers have been elected, and
 5 the result of the vote cast upon any public question setting forth that it was ap-
 6 proved or rejected.

Offices Voted for by County or More than One Municipality Thereof

Statement of Determination.

1 Par. 243, Sec. 2. The said board in the case of an election for a member of
 2 the Senate, members of the General Assembly, or other officer elected or public
 3 question approved or rejected by all of said voters of said county, except for
 4 members of the House of Representatives, shall make two statements of their de-
 5 termination in substantially the following form:

6 "A statement of the determination of the board of county canvassers relative
 7 to an election held in the county of _____ on the _____ day of November,
 8 in the year of our Lord one thousand nine hundred and _____, for the election
 9 of a member of the Senate, members of the General Assembly of this State, and
 10 a sheriff and coroners for said county and public questions (naming the officers and
 11 public questions, as the case may be).

12 The said board do determine that at the said election, _____ was duly
 13 elected a member of the Senate of this State; _____ were duly elected members
 14 of the General Assembly; _____ was duly elected sheriff and _____ were
 15 duly elected coroners for said county, and _____ public questions were ap-
 16 proved or rejected (as the case may be)."

Certificate of Determination.

1 Par. 244, Sec. 3. The said board shall thereupon certify said statement to be
2 true and correct, by a certificate appended to the same, and signed by the chairman
3 of such board in the presence of the clerk of such board:

4 "I do certify that the foregoing is a true, full and correct statement of the
5 determination of the board of canvassers therein mentioned.

6 In Witness whereof I have hereunto set my hand this _____ day of No-
7 vember, in the year of our Lord one thousand nine hundred and

8 _____ Chairman of the board of county canvassers,
9 Attest: _____, Clerk."

10 And the clerk of such board shall attest the signing of the same by such chair-
11 man by signing his name thereto.

Filing of Statements and Certifications with County Clerk.

1 Par. 245, Sec. 4. One of the statements of such determination, and the cer-
2 tificate thereto, shall be annexed to one of the statements of the results of the canvass
3 of the election, and shall be delivered therewith to the clerk of the county and filed
4 in his office.

Certificates Issued to Successful Candidates by Board of County Canvassers.

1 Par. 246, Sec. 5. The chairman of said board, attested by the clerk thereof,
2 in the case of an election for Senator or Members of the Assembly, or for any
3 officer voted for by the voters of the entire county or of any subdivision thereof, ex-
4 cept for members of the House of Representatives, shall issue a certificate to the
5 successful candidate based upon the statement of the chairman of the determination
6 of such board, and shall sign his name thereto, and affix thereto the seal of the
7 county, and shall, without delay, deliver one of the same to each person who shall
8 be so elected.

**Copies of the Statement of the Result of the Canvass by the Board of County
Canvassers to the Secretary of State.**

1 Par. 247, Sec. 6. In the case of a State Senator, Member of the General As-
2 sembly or any county officer, or any public questions to be voted upon by the voters

3 of the entire State or any political subdivision thereof greater than a county, the
 4 said board shall inclose, seal up and transmit one of the statements of the results
 5 of the canvass of the election together with one of the statements of the determina-
 6 tion and the certificate thereto annexed to the Secretary of State at Trenton within
 7 five days next after the meeting of such board, and the said Secretary shall file the
 8 same in his office.

State Legislators' Certificates and Organization of Legislature.

1 Par. 248, Sec. 7. In the organization of the Senate and General Assembly the
 2 certificates issued by said board based upon the aforesaid statements of the determi-
 3 nation of such board shall be deemed and taken to be prima facie evidence of the
 4 right of the persons therein mentioned to seats in the houses, respectively, to which
 5 they shall have been so determined to be elected.

Municipal Offices

Filing of Statements and Certificates with Municipal Clerks.

1 Par. 249, Sec. 8. The said board in the case of officers elected or public
 2 questions approved or rejected by the voters of a municipality or part thereof shall
 3 in the same manner and form make and certify and sign as many statements as
 4 to their determination and certificates thereto annexed together with the statements
 5 of the results of the canvass of the election as there are municipalities concerned,
 6 and file the same with the clerks of said municipalities.

Certificate Issued to Successful Municipal Candidate by Board of County Can-
 vassers.

1 Par. 250, Sec. 9. The chairman of said board, attested by the clerk thereof,
 2 in the case of an election of officers of a municipality or part thereof, or public
 3 questions voted upon in such municipalities shall issue a certificate to the successful
 4 candidate based upon the statement of the determination of such board together
 5 with a certificate of the approval or rejection of any public question as aforesaid,
 6 and shall sign his name thereto and affix the seal of the county and shall without
 7 delay deliver them to the various municipal clerks who shall without delay deliver
 8 one of the same to each person who shall be so elected.

ARTICLE XX

CANVASS BY BOARD OF STATE CANVASSERS

General Elections

MEETING

Time and Place of Meeting.

1 Par. 251, Sec. 1. The Board of State Canvassers shall meet at Trenton on
2 the fourth Tuesday next after the day of election, for the purpose of canvassing
3 and estimating the votes cast for each person for whom any vote or votes shall
4 have been cast for one or more members of the United States Senate or of the
5 House of Representatives, or for electors of President and Vice-President, or for
6 Governor, and upon each public question voted upon by the voters of the entire
7 State or political division thereof greater than a county and of determining and
8 declaring the person or persons who shall, by the greatest number of votes, have
9 been duly elected to such office or offices, and the result of the vote cast upon any
10 public question setting forth that it was approved or rejected. Said board shall
11 meet in the chamber of the Senate, or some other convenient place at Trenton, at
12 the hour of two o'clock in the afternoon.

Substitutes for Absentee Members.

1 Par. 252, Sec. 2. If a number of the members of the Senate, who shall have
2 been summoned as members of such board, sufficient to constitute such board, shall
3 not attend the meeting thereof, it shall be the duty of the Governor to summon as
4 members of such board, as many fit persons, who shall possess the qualifications
5 required for members of the Senate as shall be necessary to complete the number
6 required to constitute such boards.

Oath of Members.

1 Par. 253, Sec. 3. The chairman of such board shall administer to each mem-
2 ber thereof, and each member thereof shall take an oath or affirmation in the fol-
3 lowing form: "You do swear (or affirm, as the case may be) that you will faith-
4 fully and impartially execute the duties of a member of this board according to
5 law"; and thereupon one of the members of such board, to be appointed by such

6 board for that purpose, shall administer to the chairman thereof an oath or affirma-
7 tion in the same form as that which shall have been taken by the other members.

Substitute for Absentee Secretary.

1 Par. 254, Sec. 4. If the Secretary of State shall be absent from such meeting
2 at the time appointed therefor, such board shall forthwith, after the oaths or
3 affirmations shall have been administered and taken, proceed to appoint a fit person
4 to be the clerk of such board; and before proceeding to canvass and estimate the
5 votes, the chairman of such board shall administer to the clerk thereof, and such
6 clerk shall take an oath or affirmation in the following form: "You do swear (or
7 affirm, as the case may be) that you will faithfully execute the duties of clerk of
8 this board."

PROCEDURE

Presentation of Statements.

1 Par. 255, Sec. 5. The Secretary of State shall thereupon produce and lay
2 before such board all statements and copies relating to such election which he shall
3 have received or obtained, as hereinbefore provided. If the Secretary of State shall
4 neglect to produce and lay before such board any such statement or copy received
5 or obtained by him, or shall withhold any such statement or copy, the chairman of
6 such board shall forthwith summon such secretary to appear and produce and lay
7 before the board such statement or copy, and thereupon such secretary shall forth-
8 with produce and lay the same before such board.

Statement and Certification of Canvass.

1 Par. 256, Sec. 6. Such board shall then forthwith canvass such statements and
2 proceed to make a statement of the result of such election in the State; said state-
3 ment shall contain the whole number of names of the voters in all the signature
4 copy registers and registers of voters, the whole number of the names of the voters
5 in all the poll-books and the whole number of ballots rejected in the State, the names
6 of all the persons for whom any vote or votes shall have been given for any office
7 or offices to be filled at such election, and the whole number of the votes which shall
8 have been given to each person for any such office or offices, mentioning the office or
9 offices for which each person shall have been designated, together with the results

10 of the votes cast upon any public questions voted upon by the voters of the entire
 11 State or of any political subdivision thereof greater than a county, and shall con-
 12 tain the name of each county, the number of names in the poll-books in the counties
 13 respectively, the number of votes given for each person in each county for any such
 14 office or offices; and in such statement the name of each person for whom any vote or
 15 votes shall have been given, the whole number of votes given for each person, and
 16 the name of each county, shall be in words written at full length; the whole number
 17 of names of the voters in all the signature copy registers and registers of voters,
 18 and the whole number of the names of the voters in all the poll-books and the
 19 whole number of ballots rejected in the State, together with the result of the votes
 20 cast upon any public questions voted upon by the voters of the entire State or any
 21 political subdivision thereof greater than a county, the number of names of the
 22 voters in all the signature copy registers and registers of voters and the number of
 23 names in the poll-books and the number of ballots rejected in the counties respec-
 24 tively, together with the result of the votes cast upon any public questions voted
 25 upon by the voters of the entire State or any political subdivision thereof greater
 26 than a county, and the number of votes given for each person in each county may be
 27 in figures; and such statement shall be certified to be true and correct, by a certificate
 28 appended to the same; and the chairman of such board shall sign his name thereto,
 29 in the presence of the clerk of the board, and such clerk shall attest the signing of
 30 the same by such chairman by signing his name thereto.

Form of Statement and Certificate.

1 Par. 257, Sec. 7. Said statement and certificate appended thereto shall be in a
 2 form similar to that hereinbefore prescribed for the board of county canvassers, as
 3 far as the nature of such election will admit.

ARTICLE XXI

DETERMINATION OF RESULTS BY BOARD OF STATE CANVASSERS

General Elections

Statement of Determination.

1 Par. 258, Sec. 1. When the statement and certificate above mentioned shall have
 2 been made and subscribed, such board shall proceed to determine the person or
 3 persons who shall, by the greatest number of votes, have been duly elected to the

4 office or offices for which he or they shall have been designated, together with the re-
5 sult of the vote cast upon any public question setting forth that it was approved or
6 rejected; and thereupon such board shall make a statement of their determination.

Basis of the Statement.

1 Par. 259, Sec. 2. Such board shall base the statement of the result of the can-
2 vass of such election in the State, and their determination as to the person or persons
3 who shall have been elected, or any public question approved or rejected therein upon
4 the statements of the result of such election, or the copies of such statements which
5 shall have been made by the board of county canvassers in the several counties, and
6 laid before such board; *provided*, that if it shall appear, by any such statement from
7 any county, that the statement of the result of such election in any election district
8 of such county is not exhibited by or included in such statement, such board shall
9 give full force and effect to the statement of the result of such election in such dis-
10 trict, or the copy of such statement, which shall be laid before such board by the
11 Secretary of State as is hereinbefore directed.

Certification of Statement.

1 Par. 260, Sec. 3. Such statement shall be certified to be true and correct by a
2 certificate which shall be appended to the same; and the chairman of such board
3 shall sign his name thereto, in the presence of the clerk thereof, and such clerk shall
4 attest the signing of the same by such chairman by signing his name thereto.

Form of Statement and Certificate.

1 Par. 261, Sec. 4. The statement of such determination, and the certificate ap-
2 pended thereto shall be in a form similar to that hereinbefore prescribed for the
3 board of county canvassers, as far as the nature of such election will admit.

Filing of Statements.

1 Par. 262, Sec. 5. Said statement of determination shall be annexed to the state-
2 ment of the result of the canvass of such election; and both of such statements and
3 certificates attached thereto shall forthwith be delivered to the Secretary of State,
4 who shall file the same in his office. All the statements and copies of statements
5 which shall have been produced and laid before such board shall be delivered to the
6 Secretary of State, and be by him filed in his office.

Certificates Issued to Successful Candidates by Secretary of State.

1 Par. 263, Sec. 6. The Secretary of State shall issue a certificate to each suc-
 2 cessful candidate, based upon a statement of the determination of the Board of State
 3 Canvassers, and shall sign his name thereto and affix thereto the seal of the State,
 4 and shall without delay deliver one of the same to each of the persons who shall be so
 5 elected.

Certificate in Case of United States Senator or Congressman.

1 Par. 264, Sec. 7. In case of an election for one or more members of the
 2 United States Senate or of the House of Representatives, the Secretary of State
 3 shall prepare a general certificate of the election of such member or members of the
 4 United States Senate and one of the member or members of the House of Repre-
 5 sentatives, and lay the same before the Governor, who shall sign his name thereto,
 6 in the presence of such secretary; and such secretary shall attest the signing of the
 7 same by the Governor by signing his name thereto, and shall thereupon affix the
 8 seal of the State thereto and transmit the same forthwith to the clerk of the United
 9 States Senate and of the House of Representatives, as the case may be, if they shall
 10 then be in session, and if not in session, then at their first meeting.

Certificate in Case of Presidential Elector.

1 Par. 265, Sec. 8. In case of an election for electors of President and Vice-
 2 President of the United States, such secretary shall prepare a general certificate of
 3 the election of such electors, and lay the same before the Governor, who shall sign
 4 his name thereto, in the presence of such secretary; and such secretary shall attest
 5 the signing of the same by the Governor, by signing his name thereto, and shall
 6 thereupon affix the seal of the State thereto, and deliver the same to the president of
 7 the college of electors of this State, on the day and at the time and place appointed
 8 for the meeting of such college.

PART THREE. PRIMARY ELECTIONS

ARTICLE XXII

PRIMARY ELECTION FOR THE GENERAL ELECTION. NOTICE OF ELECTIONS

Party Officials to Public Officials.

1 Par. 266, Sec. 1. The chairman of the State committee of a political party
 2 shall, on or before the fifteenth day of March in the year when a Governor is to

3 be elected, notify in writing the chairman of each county committee of said party that
 4 a member of such State committee is to be elected from said county at the ensuing
 5 general election, and each such chairman shall, on or before the first day of April
 6 of said year, send a copy of such notice to the clerk of each municipality within
 7 said county. The chairman of each county committee shall also, on or before the
 8 first day of April in each year, file with the clerks of the several municipalities the
 9 number of committeemen to be elected at the ensuing primary for the general elec-
 10 tion to such county committee.

Public Officials to the Public.

1 Par. 267, Sec. 2. In addition to the notice of the primary for the general elec-
 2 tion hereinbefore provided to be published along with the notice of said general
 3 election in the newspapers circulating in municipalities wherein such elections are to
 4 be held, notice of the time and place of holding such primary elections shall be
 5 given by each district board by five notices posted at conspicuous places in their elec-
 6 tion district at least two weeks before such primary elections.

Municipalities Not Having Permanent Registration

Primary Election Registry Book.

1 Par. 268, Sec. 3. In municipalities not having permanent registration the
 2 district boards shall make a primary election registry book by transcribing from
 3 the register of votes, which they are required to prepare for the general election, to
 4 said primary election registry book the names of all voters which appear in said
 5 register of voters. Said district board shall place a check "✓" mark in the proper
 6 column opposite the name of each voter in the primary election registry book,
 7 designating the particular method by which said voter was registered, i. e., whether
 8 by the house to house canvass or by transfer from another district. Said boards
 9 shall, upon the completion of said primary election registry book, consult the party
 10 primary poll-books kept at the primary election for the next preceding general elec-
 11 tion and place the letter "R" opposite the names on the said primary election registry
 12 book as appear in the said Republican party primary poll-book; the letter "D"
 13 opposite such of the said names as appear in the Democratic party primary poll-
 14 book, and so on; *provided, however*, that in said municipalities the district board

15 shall be satisfied that all the names of persons entitled to vote in their district have
 16 been properly transcribed from the canvassing books to the register of voters. Said
 17 primary election registry book shall be completed before the Tuesday following the
 18 house to house canvass.

Preparation of Primary Election Registry Book in Emergencies

New Election Districts Formed.

1 Par. 269, Sec. 4. Whenever it shall happen, in any municipality not having
 2 permanent registration by reason of the creation of new election districts under this
 3 act, or for any other reason, that there is no copy of the poll-book of the said elec-
 4 tion district used at the general election of the previous year, or no copies of the
 5 primary party poll-books for such election district, the municipal clerk shall furnish
 6 to the district board, on or before said first registry day, a list of the names of voters
 7 in said election district who voted therein at the last previous general election, and
 8 also of those who voted therein at the last previous primary election in each party
 9 primary, which names shall be taken from the register of voters and the primary
 10 party poll-books of the election district or districts of which the new district formed
 11 a part; and from such books said board shall make up the primary election registry
 12 book as herein provided.

Nomination of Candidates

Methods Allowed

Petition Exclusively Used for Primary Nominations.

1 Par. 270, Sec. 5. Candidates to be voted for at the primary election for the
 2 general election shall be nominated exclusively by the members of the same political
 3 party by petition in the manner herein provided.

Petition Procedure

Addresses of Petitions.

1 Par. 271, Sec. 6. Said petitions nominating candidates to be voted for by the
 2 voters of a political party throughout the entire State or of any subdivisions thereof
 3 more than a single county or any congressional district shall be addressed to the
 4 Secretary of State; Petitions nominating candidates to be voted for by the voters
 5 of a political party throughout a county or any subdivision thereof more than a

6 single municipality shall be addressed to the clerk of said county; all other petitions
7 shall be addressed to the clerks of municipalities.

Contents of Petition.

1 Par. 272, Sec. 7. Said petition shall set forth that the signers thereof are
2 qualified voters of the State, congressional district, county, municipality, ward or
3 election district, as the case may be, in which they reside and for which they desire
4 to nominate candidates; that they are members of a political party (naming the
5 same), and that at the last election for members of the General Assembly preced-
6 ing the execution of said petition they voted for a majority of the candidates of
7 such political party, and that they intend to affiliate with said political party at the
8 ensuing election; that they endorse the person or persons named in their petition
9 as candidate or candidates for nomination for the office or offices therein named, and
10 that they request that the name of the person or persons therein mentioned be printed
11 upon the official primary ballots of their political party as the candidate or candi-
12 dates for such nomination. Said petition shall further state the residence and post
13 office address of each person so endorsed, and shall certify that the person or per-
14 sons so endorse is or are legally qualified under the laws of this State to be nomi-
15 nated, and is or are a member or members of the political party named in such
16 petition. Accompanying said petition each person endorsed therein shall file a cer-
17 tificate, stating that he is qualified for the office mentioned in said petition, that he
18 is a member of the political party named therein; that he consents to stand as a
19 candidate for nomination at the ensuing primary election of said political party,
20 and that, if nominated, he consents to accept the nomination.

Numbers of Signers to Petitions.

1 Par. 273, Sec. 8. Said petitions for candidates to be voted for by the voters
2 of a political party throughout the entire State shall in the aggregate be signed by
3 at least one thousand of said voters; in the case of candidates to be voted for by
4 the voters of a political party throughout a congressional district by at least two
5 hundred of said voters; in the case of candidates to be voted for by the voters of
6 a political party throughout a county, by at least one hundred of said voters; in the
7 case of candidates to be voted for by the voters of a political party throughout a

8 municipality having permanent registration by at least fifty of said voters; in the
9 case of candidates to be voted for by the voters of a political party through a munici-
10 pality not having permanent registration or any ward of any municipality by at least
11 twenty-five of said voters; in the case of a candidate to be voted for by the voters of
12 a political party within a single election district by at least ten of said voters; *pro-*
13 *vided*, that in municipalities containing but one election district said petitions in the
14 aggregate need not be signed by more than ten of such voters, and that the number of
15 signers to any such petition in any case need not exceed five per centum in number of
16 the total vote cast at the last preceding election for members of the General Assem-
17 bly in said municipality, ward or election district, as the case may be.

Freeholder Petition Privilege.

1 Par. 274, Sec. 9. In every county where the voters of two or more municipalities
2 vote jointly for the office of chosen freeholder, said petition shall be signed by not
3 less than ten legal voters of said political party in the municipalities so voting, and
4 said petition shall be filed with the county clerk, who shall certify the names of the
5 candidates so nominated to the municipal clerks in which the election for such office
6 is held.

Signing Rules and Regulations.

1 Par. 275, Sec. 10. Not all of the names of petitioners need be signed to a single
2 petition, but any number of petitions of the same purport may be filed; *provided*,
3 in the aggregate the signatures thereto endorsing any one person shall be the number
4 required by this act; *and provided, further*, that the signers to petitions shall not
5 therein endorse or recommend more persons as candidates for the position than are
6 to be chosen at the ensuing primary election in the State or political subdivision in
7 which the signers to said petition reside, nor shall said signers endorse more persons
8 as candidates for nomination to office than are to be elected in said State or political
9 subdivision. No member of one political party shall sign his name to any petition
10 purporting to endorse any person as a candidate for office of another political party.

Verification of Petition.

1 Par. 276, Sec. 11. Each of the said petitions shall be verified by the oath or
2 affirmation of one or more of the signers thereof, taken and subscribed before a

3 person qualified under the laws of New Jersey to administer an oath, to the effect
4 that such petition is signed in their own proper handwriting by each of the signers
5 thereof; that such signers are to the best knowledge and belief of the affiant, legal
6 voters of the said State or political subdivision thereof, as the case may be, as stated
7 in said petition, belong to the political party named in said petition, and that such
8 petition is prepared and filed in absolute good faith for the sole purpose of endorsing
9 the person or persons therein named, in order to secure his or their nomination or
10 selection as stated in said petition.

Vacancy Committee Named in Petition.

1 Par. 277, Sec. 12. The signers to petitions for "Choice for President," dele-
2 gates and alternates to national conventions, for Governor, United States Senator,
3 member of the House of Representatives, State Senator, member of the General As-
4 ssembly and any county office may name three persons in their petition as a com-
5 mittee on vacancies, which committee shall have power in case of death or resignation
6 or otherwise of the person indorsed as a candidate in said petition to fill such va-
7 cancy by filing with the Secretary of State in the case of officers to be voted for by
8 the voters of the entire State or a portion thereof involving more than one county
9 thereof or any congressional district, and with the county clerk in the case of officers
10 to be voted for by the voters of the entire county, a certificate of nomination to fill
11 such vacancy. Such certificate shall set forth the cause of said vacancy, the name
12 of the person nominated and that he is a member of the same political party as the
13 candidate for whom he is substituted, the office for which he is nominated, the name
14 of the person for whom the new nominee is to be substituted, the fact that the com-
15 mittee is authorized to fill vacancies and such further information as is required to
15½ be given in any original petition of nomination. The certificate so made shall be
16 executed and sworn to by the members of said committee, and shall, upon being filed
17 at least seventeen days before election, have the same force and effect as the original
18 petition of nomination for the primary election for the general election. The name
19 of the candidate submitted shall be immediately certified to the proper municipal
20 clerks.

*Vacancies Among Nominees***Filling of Vacancies in Municipal Nominees.**

1 Par. 278, Sec. 13. Should any person endorsed in any petition as a candidate
 2 to be voted for at any primary election, except for the office of "Choice for Presi-
 3 dent," delegates and alternates to national conventions, Governor, United States
 4 Senator, member of the House of Representatives, State Senator, members of the
 5 General Assembly, and any county office, die before such election, or in writing
 6 filed at least twenty days prior to the primary with the county clerk or municipal
 7 clerk, with whom said petition had been filed, decline to stand as a candidate, the va-
 8 cancy or vacancies thus caused shall be filled by a majority of the persons signing the
 9 petition in and by which the person so doing or declining was endorsed, filing within
 10 three days after the occurrence of such vacancy with the municipal clerk, a new pe-
 11 tition, setting forth the name of the person declining or dying, the office for which he
 12 was endorsed, and the name of the person to be substituted; the said petition shall be
 13 verified by three of the signers, and shall have the same force and effect as the
 14 original petition.

Filing Petitions.

1 Par. 279, Sec. 14. Petitions addressed to the Secretary of State shall be filed
 2 with said officer at least thirty days prior to the primary election for the general elec-
 3 tion; petitions addressed to the county clerk shall be filed with said officer at least
 4 twenty-six days prior to said primary; petitions addressed to the municipal clerk shall
 5 be filed with said officer at least twenty-six days prior to said primary. Within two
 6 days after the last day for filing said petitions for nominations at the primary elec-
 7 tion for the general election, the municipal clerk shall certify to the county clerk
 8 the full and correct names and addresses of all candidates for nomination for public
 9 office and the name of the political party of which said persons are candidates.

Acceptance by Candidate.

1 Par. 280, Sec. 15. Accompanying said petition and attached thereto each person
 2 endorsed therein shall file a certificate, stating that he is qualified for the office men-
 3 tioned in said petition; that he consents to stand as a candidate for nomination at
 4 the ensuing primary election, and that if nominated, he agrees to accept the nomina-

5 tion. Such acceptance shall certify that the candidate is a resident of and a legal
6 voter in the jurisdiction of the office for which the nomination is to be made;
7 *provided, however*, that no candidate who has accepted the nomination by a direct
8 petition of nomination for the general election shall sign an acceptance to a petition
9 of nomination for such office for the primary election.

Acceptance of Nomination.

1 Par. 281, Sec. 16. Any person nominated at the primary by having his name
2 written or pasted upon the primary ballot, shall file a certificate stating that he is
3 qualified for the office for which he has been nominated and that he is a resident of
4 and a legal voter in the jurisdiction of the office for which the nomination is made,
5 and that he consents to stand as a candidate at the ensuing general election. Such
6 acceptance shall be filed within seven days after the holding of such primary with
7 the county clerk in the case of county and municipal offices and with the Secretary
8 of State for all other offices.

Party Designation.

1 Par. 282, Sec. 17. Any person endorsed as a candidate for nomination for any
2 public office, whose name is to be voted for on the primary ticket of any political
3 party, may by endorsement on the petition of nomination in which he is endorsed, re-
4 quest that there be printed opposite his name on said primary ticket a designation,
5 in not more than six words, as named by him in said petition, for the purpose of
6 indicating either any official act or policy to which he is pledged or committed, or to
7 distinguish him as belonging to a particular faction or wing of his political party.

Grouping of Candidates.

1 Par. 283, Sec. 18. Several candidates for nomination to the same office may in
2 said petitions request that their names be grouped together, and that the common
3 designation to be named by them shall be printed opposite their said names. If two,
4 candidates or groups shall select the same designation, the Secretary of State,
5 county clerk or municipal clerks, as the case may be, shall notify the candidate or
6 group whose petition was last filed, and said candidate or group shall select a new
7 designation.

Defective Petition.

1 Par. 284, Sec. 19. In case of said petitions of nomination shall be defective,
 2 excepting as to the number of signatures, it shall be the duty of the officer with
 3 whom such petition has been filed to forthwith notify any candidate so endorsed,
 4 whose petition for nomination is defective, setting forth the nature of such defect,
 5 and the date when the ballots will be printed.

Amendment of Defective Petition.

1 Par. 285, Sec. 20. Such candidate shall be permitted to amend such petition
 2 either in form or in substance, but not to add signatures, so as to remedy such
 3 defect within three days.

Secretary of State Certifies Nominees to County Clerks.

1 Par. 286, Sec. 21. The Secretary of State shall certify the names of the
 2 persons endorsed in said petitions filed in his office to the clerks of counties con-
 3 cerned thereby at least twenty-six days prior to the holding of said primary
 4 election, specifying in said certificate the political parties to which the persons so
 5 nominated in said petitions belong.

County Clerks Certify Nominees to Municipal Clerks.

1 Par. 287, Sec. 22. The said county clerk shall certify all of said persons so
 2 certified to him by the Secretary of State and in addition the names of all persons
 3 endorsed in petitions filed in his office to the clerks of each municipality concerned
 4 thereby in his respective county at least twenty-three days prior to the time fixed
 5 by law for the holding of said primary election, specifying in said certificate the
 6 political party to which the person or persons so nominated belong.

Contents and Form of Ballot**Separate Ballot for Each Party.**

1 Par. 288, Sec. 23. There shall be separate ballots for each political party.
 2 Said ballots shall be alike in form for all political parties.

Drawing for Position on Primary Ballot.

1 Par. 289, Sec. 24. The position which the candidates, and bracketed groups of
 2 names of candidates for the primary for the general election shall have upon the

3 primary election ballots, in the case of candidates for nomination for members of
4 the United States Senate; Governor; members of the House of Representatives;
5 members of the State Senate; members of the General Assembly; choice for
6 President; delegates and alternates at large to the national conventions of political
7 parties; district delegates and alternates to conventions of political parties; candi-
8 dates for party position; and county offices or party positions which are to be
9 voted for by the voters of the entire county or a portion thereof greater than a
10 single municipality including a congressional district which is wholly within a
11 single municipality, shall be determined by the county clerks in their respective
12 counties; and the position on the primary ballots in the case of candidates for
13 nomination for office or party position, wherein the candidates for office or party
14 position to be filled, are to be voted for by the voters of a municipality only, or
15 a subdivision thereof (excepting in the case of members of the House of Repre-
16 sentatives) shall be determined by the municipal clerk in such municipalities, in the
17 following manner: The county clerk, or his deputy, or the municipal clerk, or his
18 deputy as the case may be, shall, at his office on the day following the last day for
19 filing petitions for the primary election at three o'clock in the afternoon, draw
20 from the box, as hereinafter described, each card separately without knowledge on
21 his part as to which card he is drawing. Any legal voter of the county or munici-
22 pality as the case may be, shall have the privilege of witnessing said drawing. The
23 person making the drawing shall make public announcement at the drawing of each
24 name, the order in which same is drawn, and the office for which the drawing is
25 made. When there is to be but one person nominated for the office, the names of
26 the several candidates who have filed petitions for such office shall be written upon
27 cards (one name on a card) of the same size, substance and thickness. The cards
28 shall be deposited in a box with an aperture in the cover of sufficient size to admit
29 a man's hand. The box shall be well shaken and turned over to thoroughly mix
30 the cards, and the cards shall then be withdrawn one at a time. The first name
31 drawn shall have first place, the second name drawn, second place, and so on; the
32 order of the withdrawal of the cards from the box determining the order of
33 arrangement in which the names shall appear upon the primary election ballot.
34 Where there is more than one person to be nominated to an office where petitions

35 have designated that certain candidates shall be bracketed, the position of such
 36 bracketed names on the ballot (each bracket to be treated as a single name),
 37 together with individuals who have filed petitions for nominations for such office,
 38 shall be determined as above described. Where there is more than one person to
 39 be nominated for an office and there are more candidates who have filed petitions
 40 than there are persons to be nominated, the order of the printing of such names
 41 upon the primary election ballots shall be determined as above described. The
 42 county clerk in certifying to the municipal clerk, the offices to be filled and the
 43 names of candidates to be printed upon the primary election ballots, shall certify
 44 same in the order as drawn in accordance with the above described procedure,
 45 and the municipal clerk shall print such names upon the ballots as so certified and
 46 in addition, shall print the names of such candidates as have filed petitions with
 47 him in the order as determined as a result of the drawing as above described.

Contents of Ballots.

1 Par. 290, Sec. 25. Said ballots shall be made up and printed in substantially
 2 the following form:

3 Each ballot shall have at the top thereof a coupon at least two inches deep ex-
 4 tending across the ballot above a perforated line. The coupon shall be numbered
 5 for each of said political parties, respectively, from one consecutively to the number
 6 of ballots delivered and received by the election officers of the respective polling
 7 places. Upon the coupon and above the perforated line shall be the words "To be
 8 torn off by the judge of election. Fold to this line." Below the perforated line
 9 shall be printed the words "Official Democratic Party Primary Ballot," or "Official
 10 Republican Party Primary Ballot," or as the case may be naming the proper political
 11 party, as provided in this act; below which and extending across the ballot in one
 12 or more lines, as may be necessary, shall be printed the words name
 13 of municipality ward election district date
 14 of election John Doe, municipal clerk; the blank spaces shall
 15 be filled in with the name of the proper municipality, the ward and the district
 16 number and the date of election. The name of the municipal clerk shall be a
 17 facsimile of his signature. This heading shall be set apart from the body of the
 18 ballot by a heavy diagram rule. Below this rule shall be printed the following direc-

19 tions instructing the voter how to indicate his choice for each office and position,
20 and for how many persons to vote for each office and position: To vote for any
21 person whose name is printed upon this ballot mark a cross X or plus + with
22 black ink or black lead pencil in the square at the left of the name of such person.
23 To vote for any person whose name is not printed upon this ballot write or paste the
24 name in the blank space under the proper title of office and mark a cross X or plus
25 + with black ink or black lead pencil in the square at the left of the name of such
26 person. Below these instructions shall be printed a heavy diagram rule below which
27 shall be printed the titles of offices and positions for which candidates are to be voted
28 for at the said primary election, together with such directions to the voter as may be
29 necessary, as "Vote for one," "Vote for two," or a greater number, as the case may
30 be. Underneath the proper title of office and position shall be printed the names of
31 all those persons certified as candidates for such offices to said municipal clerk by
32 the county clerks as hereinbefore provided, and the names of persons endorsed as
33 such candidates in petitions on file in the office of said municipal clerk as they ap-
34 pear signed to the certificate of acceptance; *provided*, that the name of any person
35 endorsed in a petition as aforesaid who shall fail to certify his consent and agree-
36 ment to be a candidate for nomination to the office specified therein shall not be
37 printed upon the ballots to be used at such primary election; *and provided, further*,
38 that in the case of a vacancy among nominees the name of the person selected in
39 the manner provided in this act to fill such vacancy shall be printed upon the ballots
40 in the place and stead of the person vacating such nomination. Said candidates shall
41 be arranged in groups and the groups bracketed in all cases where the petitions en-
42 dorsing such candidates request such grouping. The designation named by
43 candidates in their petitions for nomination, as provided by this act, shall be printed
44 to the right of the names of such candidates or groups of candidates in as large
45 type as the space will allow. Immediately to the left and on the same line with the
46 name of each candidate for office and position shall be printed a square approxi-
47 mately one-quarter of an inch in size, or by printing vertical single line rules con-
48 necting the single line rules between the names of the candidates and thus form a
49 square, in which the voter shall indicate his choice. A single light-faced rule shall
50 be used to separate the different names in each group of candidates. A heavy diagram

51 rule shall be used between each group of candidates for different offices. Where candi-
 52 dates are arranged in groups and the groups bracketed, said groups shall be
 53 separated from other groups and candidates by two single-line rules approximately
 54 one-eighth of an inch apart. Each primary ballot shall contain, at the end of the list
 55 of candidates for each different office, blank squares, and spaces or lines equal to the
 56 number of persons to be elected to said office, for the purpose of allowing any voter
 57 to write or paste the name of any person for whom he desires to vote for any
 58 office or party position.

Form of Ballot.

1 Par. 291, Sec. 26. The face of the official primary ballot shall be substantially
 2 in the following form:

To be torn off by the Judge of Elections
 No.

Fold to this line.

Official Republican Party Primary Ballot.

Name of Municipality) ... Ward ... Election District
 (Date) JOHN DOE, Municipal Clerk.

To vote for any person whose name is printed upon this ballot mark a cross X or plus + with black ink or black lead pencil in the square at the left of the name of such person.

To vote for any person whose name is not printed upon this ballot write or paste the name in the blank space under the proper title of office and mark a cross X or plus + with black ink or black-lead pencil in the square at the left of the name of such person.

<i>For Governor.</i>		<i>Vote for One.</i>
<input type="checkbox"/>	JOHN SMITH,	Regular Progressive
<input type="checkbox"/>	HENRY BLACK.	Tax Reduction, Efficiency
<input type="checkbox"/>		
<i>For Members of the General Assembly. Vote for Two.</i>		
<input type="checkbox"/>	WILLIAM LEE,	} Tax Reduction, Efficiency
<input type="checkbox"/>	RUDOLPH BLY,	
<input type="checkbox"/>	PETER JOHNSON,	} Regular Progressive
<input type="checkbox"/>	SIMON ABBOTT,	
<input type="checkbox"/>		
<input type="checkbox"/>		
<i>For Mayor.</i>		<i>Vote for One.</i>
<input type="checkbox"/>	FRANK ADAMS,	Civic Betterment
<input type="checkbox"/>	HAROLD JONES,	Regular Progressive
<input type="checkbox"/>	JAMES BRADY,	Tax Reduction, Efficiency
<input type="checkbox"/>		

3-31 using so much of said form as may be applicable to the current primary election, and
 32 extending the same to provide cases not herein specified. The titles of office and the
 33 names of candidates shall be arranged in one or more columns so that said ballot
 34 shall be as nearly square as possible.

Ballots and Envelopes Ordered from Printer.

1 Par. 292, Sec. 27. Said municipal clerk shall cause to be printed as herewith
 2 prescribed a sufficient number of official primary sample ballots of each political
 3 party in each election district, and shall furnish a sufficient number of stamped en-
 4 velopes to enable every district board to mail one copy of the official primary sample
 5 ballot of each political party to each voter who is registered in said district for said
 6 primary election. Said municipal clerk shall deliver to the county clerk in all counties
 7 and the county board in counties of the first class, one official primary sample ballot
 8 of each political party for each district in his municipality. The cost of printing the
 9 official primary sample ballots and the stamped envelopes therefor shall be paid by
 10 the respective municipalities.

Official Primary Sample Ballot Facsimile of Official Primary Ballot.

1 Par. 293, Sec. 28. The said official primary sample ballots shall be, as nearly
 2 as possible, a facsimile of the official primary ballot to be voted at the said primary
 3 election and shall be printed on paper different in color from the official primary bal-
 4 lot, so that the same may be readily distinguished from the official primary ballot.
 5 The official primary sample ballot shall have printed at the top in large type the
 6 words: "This official primary sample ballot is an exact copy of the official primary
 7 ballot to be used on primary election day. This ballot cannot be voted." The offi-
 8 cial primary sample ballots shall also have printed thereon, following the words
 9 which indicate the election district, the following words: "The polling place for this
 10 election district is (Stating the location of said polling place)."

Words on Envelopes.

1 Par. 294, Sec. 29. Each of said envelopes shall have printed on the face there-
 2 of, in large type, the words, "Official Primary Sample Ballot," and in smaller type,
 3 in the upper left-hand corner, the words, "If not delivered in two days return to the

4 superintendent of elections" in counties of the first class, to the "Commissioner of
 5 Registration" in counties other than counties of the first class having permanent
 6 registration municipalities and to the "County Board of Elections" in all other coun-
 7 ties and in the lower left-hand corner shall be printed the words "Municipality" fol-
 8 lowed by a line "....." Ward followed by a line "....."
 9 and "District" followed by a line "....." arranged in three lines one
 10 under the other.

Sample Ballots and Envelopes Furnished to District Board.

1 Par. 295, Sec. 30. The municipal clerk in each municipality in this State shall
 2 furnish to a member of each district board in his municipality, at his office, or in
 3 any other way that he sees fit, on or before Tuesday preceding the primary election
 4 in May of each year, sufficient sample ballots and sufficient stamped envelopes to en-
 5 able said board to mail sample ballots to said voters as aforesaid. Each of said
 6 boards shall give the municipal clerk a receipt of said sample ballots and envelopes,
 7 signed by one of their members.

Mailing of Sample Ballots.

1 Par. 296, Sec. 31. Each of said boards shall prepare and deposit in the post
 2 office, on or before twelve o'clock noon on Wednesday preceding the said primary
 3 day, said stamped envelopes containing a copy of the sample primary ballot of each
 4 political party addressed to each voter whose name appears in the said primary elec-
 5 tion registry book.

Posting of Sample Ballots.

1 Par. 297, Sec. 32. The said board shall also post such sample ballot in the poll-
 2 ing place in its district and five other places therein.

Return of Unused Sample Ballots and Envelopes.

1 Par. 298, Sec. 33. Said district boards shall return to said municipal clerk, the
 2 unused sample ballots and stamped envelopes, with a sworn statement in writing,
 3 signed by a majority of the members of said board, to the effect that the remainder
 4 of said sample ballots in envelopes were actually mailed or posted as provided in
 5 this act, and the members of said board failing to file such statement shall receive
 6 no compensation for the service of mailing as aforesaid.

Public Display of Returned Envelopes.

1 Par. 299, Sec. 34. All said envelopes which shall have been mailed but unde-
 2 livered to the addresses and shall have been returned to the superintendent, commis-
 3 sioner or county board, shall be retained by said superintendent, commissioner or
 4 county board as the case may be for thirty days, open to public inspection.

Official Primary Ballots**Ballots Ordered from Printer.**

1 Par. 300, Sec. 35. Not later than twelve o'clock noon of the Saturday preced-
 2 ing said primary for the general election said municipal clerks shall have had printed
 3 and on hand in his office for the use of each of the said political parties official prim-
 4 ary ballots equal in number to one and one-tenth times the number of votes cast by
 5 such political party at the last preceding general election at which Electors for
 6 President and Vice-President of the United States were voted for, in such election
 7 district. When an election district shall have been divided or the boundaries thereof
 8 changed, or a new district created, the municipal clerk shall ascertain as nearly as
 9 may be possible the number of voters in the new or rearranged or divided district,
 10 and provide therefor a sufficient number of official primary ballots in the above
 11 proportion. The cost of printing the official primary ballots shall be paid by the
 12 respective municipalities.

Style of Ballot.

1 Par. 301, Sec. 36. Said ballots shall be printed on plain white paper uniform
 2 in size and quality and type and of such thickness that the printing thereon can-
 3 not be distinguished from the back of the paper, and without any mark, device or
 4 figure on the front or back thereof except as in and by this act provided.

Correction of Error in Official Ballots.

1 Par. 302, Sec. 37. Whenever it shall appear that any error or omission has
 2 occurred in the copy prepared by the municipal clerk for the printer or in the printing
 3 of the official ballots for any primary election, by any municipal clerk, any voter
 4 resident in any election district affected by such error or omission may present to the
 5 justice of the Supreme Court holding the Circuit Court in and for the county con-
 6 taining said election district a verified statement setting forth such error or omission,

7 and such justice, being satisfied thereof, shall thereupon summarily, by his order,
 8 require the municipal clerk to correct such error and omission, or show cause why
 9 such error and omission should not be corrected.

Delivery of Ballots and Ballot-Boxes

Municipal Clerk to Members of District Boards.

1 Par. 303, Sec. 38. The said municipal clerk shall, on the day preceding said
 2 primary election, cause to be delivered, at his office, to a member or members of the
 3 district board of each election district within his municipality, the ballots and the bal-
 4 lot-boxes provided for each election district, and any registers and poll-books and
 5 other documents that he may have received from the county clerk, the county board
 6 or the commissioner, and to take a receipt from said member or members therefor,
 7 which last mentioned receipt the clerk of such municipality shall file and preserve
 8 for the period of one year.

Members of District Boards to Entire Board.

1 Par. 304, Sec. 39. Said member or members shall, on the morning of the prim-
 2 ary election, before proclamation of the opening of the polls, deliver the ballot-boxes
 3 and the ballots by them received to the election boards of their respective election dis-
 4 tricts, with the seals thereof unbroken, and shall take receipts therefor from said dis-
 5 trict board, which said receipts said member or members shall preserve for one year.

BALLOTING

Time and Place of Holding.

1 Par. 305, Sec. 40. Time and Place of Holding. The primary election for the
 2 general election shall be held for all political parties upon the third Tuesday of May
 3 in each year, between the hours of 7 A. M. and 8 P. M., Eastern Standard Time.
 4 Said primary election for the general election shall be held for all political parties
 5 in the same places as hereinbefore provided for the ensuing general election.

Officers in Charge.

1 Par. 306, Sec. 41. All of the members of said board shall conduct the primary
 2 election for all political parties holding primary elections under this act.

Method of Conducting Primary Election.

1 Par. 307, Sec. 42. Said primary election for the general election shall be con-
2 ducted by the district boards substantially in the same manner as the general elec-
3 tion, except as herein otherwise provided; *provided*, that the said board may allow one
4 member of the board at a time to be absent from the polling place or room for a
5 period not exceeding one hour between the hours of one o'clock and five o'clock in the
6 afternoon or for such shorter time as they shall see fit; *provided*, that at no time
7 from the opening of the polls to the completion of the canvass shall there be less
8 than a majority of the board present in the polling room or place.

Use of Primary Election Registry Book.

1 Par. 308, Sec. 43. Each district board in municipalities not having permanent
2 registration shall use at said primary election the primary election registry book,
3 made up as hereinbefore provided and the number of the ballot given to each voter
4 shall be marked in front of the name of said voter on said primary election registry
5 book.

Keeping of Party Primary Poll-Books.

1 Par. 309, Sec. 44. There shall be kept in all municipalities a primary party poll-
2 book for each political party, which shall be called and labeled Primary Party Poll-
3 Book, inserting the proper name of the political party. The district board shall cause
4 the name and address of each voter at said primary election to be written in ink, in
5 the primary party poll-book of the political party in whose ballot-box said vote is de-
6 posited; *provided, however*, that, in municipalities having permanent registration,
7 said primary party poll-books shall have the same number of columns and be ar-
8 ranged and used in the same manner as the poll-books for the general election, with
9 the same provision for persons who are unable to sign their names and the district
10 board shall proceed in the same manner as in the case of voters who are unable to
11 sign their names at the general election. Each of these primary party poll-books shall
12 be signed by the members of the district board at the close of said primary election
13 and delivered by said board, not later than noon of the day following said primary
14 election to the commissioner in counties having municipalities having permanent
15 registration, and to the clerk of the municipality in municipalities not having perma-
16 nent registration at the time of the delivery of the ballot-boxes.

Balloting Regulations.

1 Par. 310, Sec. 45. No voter shall be allowed to vote at said primary election un-
2 less his name appears in the signature copy register or primary election registry
3 book; *provided, however,* that in municipalities not having permanent registration
4 any qualified elector whose name does not appear upon the primary election registry
5 book, may, upon application to the district board on the primary election day, have
6 his name placed upon said primary election registry book by said district board.
7 After his name has been so placed upon said primary election registry book, he shall
8 be allowed to vote at said primary; *provided,* that he shall first have signed, sworn
9 to or duly affirmed, and filed an affidavit with said district board which affidavit
10 shall be on a form to be supplied by the county clerk, and which shall show that the
11 affiant is eligible to register and vote in that district and which shall set forth the
12 place of his residence, the fact that he actually resides at that place, the length of
13 time of such residence, and also all the facts necessary to qualify him as a voter
14 under the constitution of this State.

15 A member of any organization espousing the cause of a candidate or candidates
16 of any political party shall be ineligible to vote in the primary of another political
17 party while such membership is in force and effect or within one year thereafter;
18 such person shall be deemed for all intents and purposes a member of the political
19 party whose candidate or candidates such organization is espousing.

20 A voter who votes in a primary election of a political party shall be deemed to
21 be a member of that party until two full years have elapsed after casting of such
22 party primary vote.

23 A voter who has not voted in a primary election of a political party for two
24 years shall not be permitted to vote in any primary election of a political party until
25 he has first signed and filed with the district board an affidavit which shall contain
26 the following declaration:

27 "I am a member of the _____ party (giving name of party) and
28 am not a member or identified with any other political party. I intend to vote for
29 the nominees of the said party at the next ensuing general election. I am not a
30 member of an organization espousing the cause of candidates of any other political
31 party."

32 A member of the county committee of a political party and a public official or
 33 public employee holding any office or public employment to which he has been elected
 34 or appointed as a member of a political party, shall be deemed a member of such
 35 political party.

36 Any voter who, within one year preceding any primary election, has contributed
 37 toward the campaign funds of a political party, shall not be eligible to vote in the
 38 ballot-box of any other political party at such primary election.

39 Any person voting in the primary ballot-box of any political party in any prim-
 40 ary election in this State in contravention of the election law of this State, shall be
 41 guilty of a misdemeanor, and any person or persons who aid or assist any such
 42 person in such violation of the law by means of public proclamation or order, or
 43 by means of any public or private direction or suggestions, or by means of any help
 44 or assistance or co-operation shall likewise be guilty of a misdemeanor.

Ascertainment of Right to Vote.

1 Par. 311, Sec. 46. Each voter offering to vote shall announce his name and the
 2 party primary in which he wishes to vote. The district board shall thereupon acer-
 3 tain by reference to the signature copy register or the primary election registry book
 4 required by this act, and if necessary by reference to the primary party poll-books
 5 of the preceding primary election, that said voter is registered as required by this
 6 act, and also that he is not ineligible or otherwise disqualified by the provisions of the
 7 next preceding section; in which event he shall be allowed to vote.

Balloting Procedure.

1 Par. 312, Sec. 47. Said voter shall thereupon prepare and cast his ballot in
 2 substantially the same manner as herein provided for the preparation and casting
 3 of ballots at the general election and subject to the same regulations. The blank
 4 space or spaces under each title of office or party position shall be used for the writ-
 5 ing in or pasting of names in the same manner as provided for voting in the
 6 Personal Choice column of the general election ballot.

Challenge Procedure.

1 Par. 313, Sec. 48. In case a voter who desires to vote in the same political
 2 party box in which he voted at the next preceding primary election is challenged,

3 he shall take an oath or affirmation, to be administered by a member of the district
 4 board in the following form: You do solemnly swear (or affirm) that you are a
 5 member of the political party (specifying the political party in which ballot-
 6 box the affiant voted at the next preceding primary election); that at the last elec-
 7 tion for members of the General Assembly at which you voted you voted for a
 8 majority of the candidates of said party nominated for national, State and county
 9 offices, and that you intend to support the candidates of said party at the ensuing
 10 election, that you are not ineligible or otherwise disqualified by law to vote of the said
 11 political party." It the person so challenged shall refuse to take the oath
 12 or affirmation so tendered to him, he shall be deemed not qualified or entitled to vote
 13 at such primary election.

Canvass of Votes; Ascertainment and Certification of Results

Procedure of Counting of Ballots by District Board.

1 Par. 314, Sec. 49. At the close of the primary election for the general election
 2 each district board shall immediately proceed to count the votes cast at such election
 3 and ascertain the results thereof for the candidates of each political party holding
 4 such elections, proceeding in the manner indicated by the statement hereinafter
 5 provided for, and as nearly as may be in the manner herein required for the count-
 6 ing by said district board of votes cast at the general election.

Statement of Election.

1 Par. 315, Sec. 50. The said district boards shall at the conclusion of such
 2 canvass make up and sign two statements of the result of such election. Said state-
 3 ments shall in words at length show the entire number of votes cast at such election,
 4 the whole number of ballots rejected, the whole number of ballots cast for each party
 5 as indicated by the party names at the head of the respective party tickets, and the
 6 number of votes received by each person as a candidate for nomination for office, or
 7 position.

Form of Statement.

1 Par. 316, Sec. 51. The aforesaid statement shall be substantially in the follow-
 2 ing form:

3 Statement of the result of a primary election held in the ward
 4 election district of the of (municipality) in the

5 county of _____ and State of New Jersey, on the _____ day of _____ 19 _____ :

6 Total number of names of persons entitled to vote at the primary election was _____ :

7 The total number of _____ ballots cast was _____

8 The total number of _____ ballots rejected was _____

9 (Filling in the name of the political party in each instance and the number of
10 ballots cast or rejected in words at length and in figures.)

11 For candidates of the _____ party for the _____ office or _____ position

12 _____ received _____ votes. (Filling in the name of each candidate and

13 number of votes received by such candidate in words at length and in figures.)

Certification of Statement.

1 Par. 317, Sec. 52. To such statement shall be added a certificate in the follow-
2 ing form :

3 We certify the foregoing to be a true and correct statement of the result of the
4 primary elections held in such district at the time above stated ; that the same truly and
5 correctly exhibits the entire number of votes cast for each political party at such elec-
6 tion, the whole number of ballots rejected and the number of said ballots rejected be-
7 longing to each party respectively ; also the number of votes received by any person to
8 be a candidate of any party for any office or position named on any ballot or ballots
9 cast at such election.

10 In witness whereof, we have hereunto set our hands this _____ day of
11 _____ one thousand nine hundred and _____

12) District
13) Board of
14) Registry and
15) Election.

Statement Transmitted to County and Municipal Clerks.

1 Par. 318, Sec. 53. Said district board shall immediately deliver or transmit said
2 statement to the clerks of the county and municipality within which the said primary
3 election was held.

Canvass by Municipal Clerks of Statements of District Boards

Canvassing Procedure for Municipal Clerks and Certificate of Election to County
Committeemen.

1 Par. 319, Sec. 54. Said municipal clerk shall forthwith canvass said statements
2 of the district board as far as they relate to the election of members of the county

3 committee of any political party, and shall issue a certificate of election to each per-
4 son shown by the returns filed in the office of said municipal clerk to have been so
5 elected.

6 No person whose name was printed on a primary ballot as a candidate for the
7 county committee shall receive a certificate of election as a member of any other
8 county committee.

9 When a person whose name was not printed on a primary ballot as a candidate
10 for member of the county committee, has been elected as a member of the county com-
11 mittee of more than one political party, he shall file with the municipal clerk within
12 three days a statement certifying to which political party he belongs, and a certificate
13 of election shall be issued to said person as a member of the county committee of the
14 political party so certified to in said statement.

15 Any person elected as a member of the county committee of any political party,
16 whose name was not printed upon the primary ballot, and to whom a certificate of
17 election has been issued, shall, before the organization of said county committee, file
18 with the secretary of such county committee, a written statement certifying that he is a
19 member of such political party.

20 The municipal clerk shall within four days after the primary election, certify to
21 the county clerk and also to the county board two copies of the names and post office
22 addresses of the persons elected as members of the county committee of the several
23 political parties, together with the ward, district or unit which said persons represent.

Canvass by County Clerks of Statements of District Boards

Canvassing Procedure for County Clerks.

1 Par. 320, Sec. 55. Said county clerks shall within ten days canvass said state-
2 ments relating to all officers and positions to be voted for by the voters of the entire
3 State, county, congressional district, municipality or ward, and shall determine what
4 persons have by the highest number of votes been so elected or nominated by said po-
5 litical parties. In the case of United States Senator, Governor and member of the
6 House of Representatives the said county clerk shall immediately transmit to the
7 Secretary of State a statement showing the total number of votes cast for such officers
8 of said county. The Secretary of State shall furnish the necessary form. In the

9 case of members of the county committee, the county clerk within five days after the
 10 primary, shall mail to the chairman of the State committee and to the chairman of the
 11 county committee of the respective parties, a list of the names of those elected to the
 12 county committee, giving the municipalities, ward and district each represents, to-
 13 gether with their post-office addresses.

Certificate of Election of Member of State Committee.

1 Par. 321, Sec. 56. The county clerk shall issue a certificate to the male receiving
 2 the highest number of votes among the male candidates and to the female receiving the
 3 highest number of votes among the female candidates for the position of member of
 4 the State committee of any political party at the primary as shown by the returns in
 5 his office.

CANVASS BY SECRETARY OF STATE OF STATEMENTS OF COUNTY CLERKS

Canvassing Procedure for Secretary of State.

1 Par. 322, Sec. 57. Said Secretary of State shall forthwith canvass said state-
 2 ments of said county clerks and determine what persons by the highest number of
 3 votes have been so nominated by the voters of said political parties of such State or
 4 portion thereof involving more than a single county or congressional district, and
 5 shall issue a certificate of election to each person shown by such canvass and statement
 6 to have been nominated.

ALL PRIMARIES

Return of Election Documents, Equipment, Etc.

District Boards to Municipal Clerks.

1 Par. 323, Sec. 58. At the close of all primary elections held according to the pro-
 2 visions of this act, and after counting the ballots cast at such primary and making the
 3 statements thereof as herein provided, each district board shall place all ballots voted
 4 at such election and all spoiled and unused ballots inside the ballot boxes used at said
 5 election, and after locking and sealing the same, shall forthwith deliver said ballot
 6 boxes to the municipal clerk and the keys thereof to the county clerk. The district
 7 board in municipalities not having permanent registration shall also at the same time
 8 and along with the said ballot boxes deliver to said municipal clerk the party primary

9 poll-books, of the previous year, together with the primary election registry book, the
10 primary party poll-books made up at the current primary election, affidavits and all
11 other books and forms which shall have been used by said board at said primary elec-
12 tion; *provided, however,* that in all municipalities having permanent registration, the
13 signature copy register binders and the current primary party poll-books shall be re-
14 turned by the district boards to the commissioner, not later than the day following
15 the primary election for the general election.

16 In all municipalities not having permanent registration, in counties of the first
17 class, the register of voters shall be returned by the district boards to the commissioner,
18 not later than the day following the primary election for the general election.

19 In all municipalities not having permanent registration, in counties other than
20 counties of the first class, the register of voters shall be returned by the district boards
21 to the county clerk, not later than the day following the primary election for the gen-
22 eral election.

23 The said commissioners and the said county clerks shall, during the ten days next
24 preceding the third registry day deliver, at their offices or in any other way they may
25 see fit, the primary party poll books, the register of voters to the respective district
26 boards.

Primary Books Open for Public Inspection.

1 Par. 324, Sec. 59. The said party primary poll-books shall be kept by the mu-
2 nicipal clerk subject to public inspection, and any voter whose name appears therein
3 may apply to the judge holding the Common Pleas Court for his county, at any time
4 prior to the next primary election to have his name stricken from said book, and
5 said judge shall have power to hear said application in a summary way, at such time
6 and upon such notice to such person as he may prescribe, and if satisfied that the
7 applying voter's name has been improperly placed on said primary book, said judge
8 may make an order directing the municipal clerk to erase said name from said
9 primary book, and said clerk shall thereupon erase the same.

Custody of Party Primary Poll-Books.

1 Par. 325, Sec. 60. Said party primary poll-books shall be kept by said clerk
2 until the ensuing primary election, and then delivered by him to the respective dis-
3 trict boards for use as herein provided at such ensuing primary election.

Regulation by Application.

1 Par. 326, Sec. 61. Any provisions of this act which pertain particularly to any
 2 election or to the general election shall apply to the primary election for the general
 3 election in so far as such provisions are not inconsistent with the special provisions
 4 of this act pertaining to the primary election for the general election.

ARTICLE XXIII

PRIMARY ELECTION FOR DELEGATES AND ALTERNATES TO NATIONAL CONVENTIONS

Notice of Elections

State Committee to Secretary of State.

1 Par. 327, Sec. 1. In every year in which primary elections are to be held as
 2 herein provided for the election of delegates and alternates to the national conven-
 3 tions of political parties the chairman of the State committee of said political parties
 4 shall notify the Secretary of State, on or before the fifteenth day of March of said
 5 year, of the number of delegates at large, and the number of alternates at large, to
 6 be elected to the next national convention of his party, by the voters of the party
 7 throughout the State, and also of the number of delegates and alternates who are to
 8 be chosen to said national convention in the respective congressional district or
 9 other territorial subdivisions of the State, as mentioned in said notification. If the
 10 State chairmen, or either of them, shall fail to file such notice, it shall be the duty of
 11 the Secretary of State to ascertain the said facts from the call for said national con-
 12 vention issued by the national or State committee of said party.

Secretary of State to County Clerks and County Boards.

1 Par. 328, Sec. 2. The Secretary of State shall, on or before the twentieth day
 2 of March in such year, certify to the county clerk and county board of each county
 3 in this State the number of delegates and alternates at large to be chosen by each
 4 party as aforesaid, and the number of delegates and alternates to be chosen in each
 5 congressional district or other territorial subdivision of the State, composed in
 6 whole or in part of the county of such county clerk. Any provisions of this act
 7 which pertain particularly to any election or to the general election or to the prim-
 8 ary election for the general election shall apply to the primary election for delegates
 9 and alternates to national conventions in so far as such provisions are not incon-

10 sistent with the special provisions of this act pertaining to the primary election for
11 delegates and alternates to national conventions.

Nomination by Petition.

1 Par. 329, Sec. 3. Candidates for election as delegates or alternates to the na-
2 tional conventions of political parties shall be nominated by petition in the same man-
3 ner as herein provided for the nomination of candidates to be voted for at the
4 primary election for the general election except as herein otherwise provided.

Delegates and Alternates at Large and Chosen from Congressional District.

1 Par. 330, Sec. 4. Not less than one hundred members of said political parties
2 may file with the Secretary of State on or before the first day of April in any year
3 of a presidential election a petition requesting that the name of a person therein
4 endorsed shall be printed on the primary ticket of their political party as candidate
5 for the position of delegate at large or alternate at large, to be chosen by the party
6 voters throughout the State to the national convention of said party, or as a delegate
7 or alternate to be chosen to said convention by the voters of any congressional dis-
8 trict. The signers to the petition for any delegate at large or alternate at large
9 shall be legal voters resident in the State; and the signers for any delegate or alter-
10 nate from any congressional district shall be voters of such district. The Secre-
11 tary of State shall, within five days thereafter, certify to each county clerk and
12 county board said nominations for delegates and alternates at large, and the nomi-
13 nations for delegate or alternate for any congressional district.

Choice for President in Petition.

1 Par. 331, Sec. 5. Candidates for the position of delegates or alternates may be
2 grouped together, and they also may have the name of the candidate for President
3 whom they favor placed opposite their individual names or opposite such groups, if
4 they so request in their petitions, under the caption "Choice for President."

Petition Endorsing Nominee for President.

1 Par. 332, Sec. 6. It shall be lawful for not less than one thousand voters of
2 any political party in this State to file a petition with the Secretary of State on
3 or before the first day of April in any year in which a President of the United

4 States is to be chosen, requesting that the name of the person endorsed in said
 5 petition as a candidate of the said party for the office of the President of the
 6 United States shall be printed upon the official primary ballot of said party for the
 7 then ensuing election for delegates and alternates to the national convention of said
 8 party. Said petition shall be prepared and filed in the form and manner herein
 9 required for the endorsement of candidates to be voted for at the primary election
 10 for the general election; *provided, however,* that it shall not be necessary to have
 11 the consent of such candidate for President endorsed on said petition.

Certification of Nominees.

1 Par. 333, Sec. 7. The Secretary of State shall certify the names so filed in his
 2 office to the county clerk of each county on or before the sixth day of April; *pro-*
 3 *vided, however,* that if any person so endorsed shall on or before the sixth day of
 4 April decline in writing, filed in the office of the Secretary of State, to have his
 5 name printed upon said primary election ballot as a candidate for President, the
 6 said Secretary of State shall not certify the name of such candidate to the respec-
 7 tive county clerks.

PART FOUR. SPECIAL ELECTIONS AND FILLING VACANCIES

ARTICLE XXIV

GENERAL PROVISIONS

Election Procedure to be Followed.

1 Par. 334, Sec. 1. Except as herein otherwise provided candidates for public
 2 office to be voted for at any special election shall be nominated and said special
 3 election shall be conducted and the results thereof ascertained and certified in the
 4 same manner and under the same conditions, restrictions and penalties as herein
 5 provided for primary and general elections.

No New Register Required in Unchanged Election District.

1 Par. 335, Sec. 2. In all cases where the boundaries of an election district
 2 shall have remained unchanged between one election and the time for preparing
 3 registers of voters for a next ensuing special election, it shall not be necessary for
 4 the district board of said district to make a new register of voters, but only to

5 correct and revise the register of voters used at the general election next preced-
6 ing such special election.

Petition Used for Nomination for Special Elections.

1 Par. 336, Sec. 3. Candidates to be voted for at a special election shall be
2 nominated exclusively by the members of the same political party by petition in
3 the manner herein provided.

Filling of Vacancies by Writ of Election.

1 Par. 337, Sec. 4. Whenever any vacancy or vacancies shall happen in the repre-
2 sentation of this State in the United States Senate or in the House of Represen-
3 tatives, it shall be the duty of the Governor to issue a writ or writs of election to
4 fill such vacancy or vacancies, unless the term of service for which the person or
5 persons whose office or offices shall become vacant will expire within six months
6 next after the happening of such vacancy or vacancies, and except as hereinafter
7 provided. Whenever any vacancy shall happen in the representation of any county
8 in the Senate or General Assembly, the house in which such vacancy happens shall
9 direct a writ of election to be issued for supplying the same, unless such house
10 shall be of the opinion that the services of a person in the office then vacant will
11 not be required during the unexpired period of the legislative year; but if such
12 vacancy happens during the recess of the Legislature, or after the annual election,
13 and not less than fifteen days before the commencement of the legislative year (or
14 a shorter time before such commencement, if the board of chosen freeholders make
15 the requirement hereafter mentioned), it shall be the duty of the Governor forth-
16 with to issue a writ of election to fill the said vacancy, unless he shall be of opinion
17 that the services of a person in the office then vacant will not be required during
18 the legislative year, or the residue thereof; but the neglect of the Governor to
19 issue a writ for filling such vacancy shall not preclude the house in which such
20 vacancy may have happened from directing a writ of election to be issued for sup-
21 plying the same, if they judge it advisable; *provided*, that if the board of chosen
22 freeholders of such county shall signify in writing to the Governor, in case such
23 vacancy occurs during the recess of the Legislature, or after the annual election,
24 and before the commencement of the legislative year, or to such house, when in
25 session, the desire of such board that the vacancy shall be filled, then such house, or

26 the Governor, as the case may be, shall forthwith, after such signification, issue
27 such writ.

Nature of Writ.

1 Par. 338, Sec. 5. Every writ of election which shall be issued under the pro-
2 visions of this act shall be of the nature of a proclamation, and be signed by the
3 Governor, or by the President of the Senate, or the Speaker of the House of As-
4 sembly, as the case may be.

Special Election and Primary Therefor Designated.

1 Par. 339, Sec. 6. Said writ may designate the next general election day for
2 the election, but if a special day is designated, then it shall specify the cause and
3 purpose of such election, the name of the officer in whose office the vacancy has
4 occurred, the day on which a special primary election shall be held, which shall be
5 not less than thirty-one days, nor more than forty days, following the date of
6 such proclamation, and the day on which the special election shall be held, which
7 shall be not less than fourteen nor more than twenty days following the day of the
8 special primary election. Furthermore, said writ shall specify the day or days when
9 the district boards shall meet for the purpose of making, revising or correcting the
10 registers of voters to be used at said special election; *provided, however*, if the
11 vacancy shall happen in the representation of this State in the United States Senate
12 such election shall take place at the general election next succeeding the happening
13 thereof, unless such vacancy shall happen within thirty days next preceding the
14 primary election prior to such general election, in which case such vacancy shall be
15 supplied by election at the second succeeding election, unless the Governor of this
16 State shall deem it advisable to call a special election therefor, which he is author-
17 ized hereby to do.

Delivery of Writ to Secretary of State.

1 Par. 340, Sec. 7. Every such writ shall, by the officer issuing the same, be deliv-
2 ered forthwith to the Secretary of State, who shall forthwith affix thereto the seal of
3 this State, and file the same in his office.

Delivery of Copies of Writ to County Clerk.

1 Par. 341, Sec. 8. In case such vacancy or vacancies shall have happened in the
 2 representation of any county, in the Senate or Assembly, said Secretary of State shall
 3 make, or cause to be made, copies of such writ, certify the same to be true and cor-
 4 rect under his hand, and cause such copies thus certified to be delivered to the county
 5 clerk and to the county board of such county, and in case such vacancy or vacancies
 6 shall have happened in the representation of this State in the United States Senate, he
 7 shall cause as many copies of such writ to be made as there are counties in the State,
 8 and in case such vacancy or vacancies shall have happened in the representation of this
 9 State in the House of Representatives, he shall cause as many copies of such writ to
 10 be made as there shall be counties in such vacant congressional district or districts,
 11 certify each of the same to be true under his hand and cause such copies to be delivered
 12 to the county clerk and county board of each of said counties.

Notice by Officials to Public

Publication of Writ.

1 Par. 342, Sec. 9. The county board of each of said counties shall forthwith
 2 after the receipt of any such copy of said writ cause the same to be published at least
 3 once a week until the time of such primary, general or special elections in at least two
 4 newspapers printed and published in said county, if so many there be, and if such elec-
 5 tion shall be held to fill a vacancy or vacancies in the representation of such county in
 6 the Senate or Assembly, such publication shall be made at the expense of such county;
 7 and if such election shall be held to fill a vacancy or vacancies in the representation of
 8 this State in the United States Senate or in the House of Representatives, such publi-
 9 cation shall be made at the expense of this State.

Filling Vacancies in County or Municipal Office.

1 Par. 343, Sec. 10. In the event of any vacancy occurring by death, removal,
 2 resignation or otherwise in any county or municipal office, which vacancy shall occur
 3 after the last day for filing petitions for nominations for the primary election and
 4 prior to twenty-five days preceding the general election, the members of the county
 5 committee of each political party representing the territory affected by such vacancy
 6 are hereby authorized to select a candidate for the office in question and within

7 twenty-two days prior to the general election file a statement of such selection duly
8 certified to, with the county clerk, and the person so selected shall be the candidate
9 of the party at the ensuing general election. Besides the selection of candidates
10 by the respective committees of each political party as aforesaid, candidates may
11 also be nominated by petition in a similar manner as herein provided for direct
12 nomination by petition for the general election; *provided, however,* that such peti-
13 tion shall be filed with the county clerk, at least twenty-two days prior to such general
14 election. When any such vacancy occurs in a county office, the county clerk shall
15 forthwith notify the chairman of the county committee of each political party and
16 in counties of the first class the county board of such vacancy, and in case any such
17 vacancy occurs in a municipal office, the municipal clerk shall forthwith give notice
18 to the county clerk, the chairman of the county committee of each political party and
19 in counties of the first class the county board, of such vacancy. The county clerk
20 shall print, on the ballots for the territory affected, in the Personal Choice column,
21 the title of office and leave a proper space under said title of office; and print the
22 title of office and the names of such persons as have been duly nominated, in their
23 proper columns.

Notice of Special Election

Procedure.

1 Par. 344, Sec. 11. Notice of special elections other than those to fill vacancies
2 in the United States Senate, United States House of Representatives, State Senate
3 or General Assembly shall be given in accordance with the provisions of any statute,
4 ordinance or resolution relative thereto, provided that if such statute, ordinance or
5 resolution fails to provide for the giving of said notice by officials to officials or by
6 officials to the public, then such notice shall be given in the same manner as herein
7 provided for giving notice of the general election so far as may be.

General Provisions Regarding Registration

Modification of Procedure by County Boards.

1 Par. 345, Sec. 12. The registers of voters for such special elections shall be
2 made up as herein provided with such modifications, if any, as to the time of meeting
3 of the district boards as the county boards may deem necessary.

Delivery of Registers.

1 Par. 346, Sec. 13. In each municipality having permanent registration in coun-
 2 ties other than counties of the first class, the commissioner shall deliver to the clerk
 3 of said municipality in which said special election is to be held, at least thirty days
 4 prior thereto, the signature copy registers. The municipal clerk shall deliver said
 5 signature copy registers and also the registers of voters to the several district boards
 6-7 in time to be used at said special election.

8 In counties of the first class, the commissioner shall deliver the signature copy
 9 registers at his office or in any other way he may see fit, and the municipal clerks
 10 shall deliver the registers of voters, to the several district boards, in time to be used
 11 at said special election.

12 At the close of said special election the district boards shall return the said
 13 registers as provided in the case of a general election.

PART FIVE. ANY ELECTION

ARTICLE XXV

RECOUNT OF VOTES

Application to Court for Recount.

1 Par. 347, Sec. 1. Whenever any candidate at any election shall have reason to
 2 believe that an error has been made by any district board or any board of canvassers,
 3 in counting the vote or declaring the vote of any election, whereby the result of such
 4 election has been changed, such candidate may, on or before the second Saturday
 5 following any election, or declaration of any board of canvassers, apply to any jus-
 6 tice of the Supreme Court for a recount of the votes cast at such election. When-
 7 ever any group of ten voters at any election shall have reason to believe that a like
 8 error has been made in counting or declaring the vote upon any public question at
 9 any election, whereby the result of such election has been changed, such group of
 10 voters may, within a like time, make like application for a recount of the votes cast
 11 at such election on such public question.

Expenses of Recount.

1 Par. 348, Sec. 2. Any applicant or group of applicants, as the case may be,
 2 for such recount, upon applying therefor, shall deposit with the county clerk or such
 3 other public officer or officers as such justice shall direct, such sum of money as

4 such justice shall order as security for the payment of the costs and expenses of such
5 recount in case the original count be confirmed, or the result of such recount is not
6 sufficient to change the result; the said justice shall fix and determine the amount of
7 compensation to be paid for making such recount of the ballots, and the costs and
8 expenses thereof; if it shall appear that an error sufficient to change the result has
9 been made, then the costs and expenses of such recount shall be paid by the State,
10 county or municipality in and for which such election was held, upon the warrant
11 of said justice, the same as other election expenses are paid; but if no error shall ap-
12 pear sufficient to change such result, then the costs and expenses of such recount shall
13 be paid by the party or parties making the application.

Recount Proceedings.

1 Par. 349, Sec. 3. Said justice shall be authorized to order and cause, upon such
2 terms as he may deem proper, a recount of the votes as he may determine, to be
3 publicly made under his direction by the county board which board shall have power
4 to subpoena witnesses to testify and produce documents and paraphernalia as said
5 board may determine, after three days' notice of the time and place of such recount,
6 has been given by such applicant or group of applicants to such interested party or
7 parties as said justice may direct. The district board shall be subpoenaed to be present
8 at such recount to witness the opening of the ballot box or boxes used in their elec-
9 tion district, and to give such testimony as the county board may deem necessary.
10 Said justice shall have power to decide all disputed questions which the county
11 board of elections shall fail to decide by a majority vote thereof.

Correction of Error in Public Office Recount.

1 Par. 350, Sec. 4. If it shall appear upon such recount that an error has been
2 made sufficient to change the result of such election, then such justice in case of candi-
3 dates shall issue an order to revoke the certificates of election already issued to any
4 person, and shall issue an order directing the chairman and clerk of the county board
5 of canvassers to issue in its place another certificate in favor of the party who shall
6 be found to have received a plurality of the votes cast at such election, which certificate
7 shall supersede all others and entitle the holder thereof to the same rights and privi-
8 leges as if said certificate had been originally issued by the canvassing board. In case

9 of a tie vote, as a result of a recount the justice of the Supreme Court shall issue an
10 order revoking the certificate originally issued by the board of canvassers.

Filing of New Certificate.

1 Par. 351, Sec. 5. Whenever any such certificate shall be issued or revoked by
2 order of the justice of the Supreme Court, said order shall be filed with the Secretary
3 of State or with the clerk of the county or municipality, as the case may be, in and for
4 which such election was held.

Certificate Delivered to Successful Candidate.

1 Par. 352, Sec. 6. Such Secretary of State, county or municipal clerk shall make
2 and certify, under his hand and official seal, a copy thereof, and shall, without delay,
3 deliver such copy to the person who shall be so declared elected.

Copy of Certificate to Secretary of State in Certain Cases.

1 Par. 353, Sec. 7. In case of an election for Senator, Members of the Assembly
2 or any county officers, the county clerk shall within five days thereafter transmit to
3 the Secretary of State at Trenton another copy of such certificate, signed by him and
4 attested by his official seal.

Correction of Error in Referendum Recount.

1 Par. 354, Sec. 8. In case of questions said justice shall make an order that the
2 result of such election be corrected.

ARTICLE XXVI

CONTEST OF NOMINATIONS OR ELECTIONS

Grounds for Contest.

1 Par. 355, Sec. 1. The nomination or election of any person to any public office
2 or party position, or the approval of any public proposition, may be contested by the
3 voters of this State or of any of its political subdivisions upon one or more of the fol-
4 lowing grounds:

5 I. Malconduct, fraud or corruption on the part of the members of any district
6 board, or of any members of the board of county canvassers, sufficient to challenge
7 the result:

8 II. When the incumbent was not eligible to the office at the time of the election;

9 III. When the incumbent had been duly convicted before such election of any
10 crime which would render him incompetent to exercise the right of suffrage, and the
11 incumbent had not been pardoned at the time of the election;

12 IV. When the incumbent had given or offered to any elector or any member of
13 any district board, clerk or canvasser, any bribe or reward, in money, property or
14 thing of value for the purpose of procuring his election;

15 V. When illegal votes have been received, or legal votes rejected at the polls suffi-
16 cient to change the result;

17 VI. For any error in any board of canvassers in counting the votes or declaring
18 the result of the election, if such error would change the result;

19 VII. For any other cause which shows that another was the person legally
20 elected;

21 VIII. The paying, promise to pay or expenditure of any money or other thing
22 of value or incurring of any liability in excess of the amount permitted by this act for
23 any purpose or in any manner not authorized by this act.

24 IX. When a petition for nomination is not filed in good faith or the affidavit an-
25 nexed thereto is false or defective.

26 The term "Incumbent" means the person whom the canvassers declare elected or
27 the person who is declared elected as a result of a recount; but in case of a tie vote as
28 a result of the canvass or recount, either party may contest the election, in which case
29 the term "incumbent" means the person having an equal number of votes with the con-
30 testant.

Petition to Courts for Redress.

1 Par. 356, Sec. 2. In the case of an office or proposition voted for by the voters
2 of the entire State or more than one county thereof, said contest shall be heard by and
3 determined by the Chief Justice or a justice of the Supreme Court assigned for that
4 purpose by the Chief Justice, and shall be commenced by the filing of a petition there-
5 for with the clerk of the Supreme Court signed by at least twenty-five voters of the
6 State or by any defeated candidate for said nomination, party position or public office.

7 In all other cases said contest shall be heard and determined by the several Circuit
8 Courts of this State, and shall be commenced by the filing of a petition therefor with

9 the clerk of said Circuit Court holding session in the county wherein such office or
 10 proposition is to be contested, signed by at least fifteen voters of said county or by any
 11 defeated candidate for said nomination, party position or public office.

12 Such petition shall be verified by the oath of at least two of said petitioners, or
 13 by the candidate filing the same, as the case may be, which verification may be made
 14 on information and belief. Said petition shall be accompanied with a bond to the in-
 15 cumbent, with two or more sureties, to be approved by the justice holding such cir-
 16 cuit, in the penal sum of five hundred dollars, conditioned to pay all costs in case the
 17 election be confirmed, or the petition be dismissed or the prosecution fail. When the
 18 reception of illegal or the rejection of legal voters is alleged as a cause of contest, the
 19 names of the persons who so voted, or whose votes were rejected, with the election
 20 district where they voted, or offered to vote, shall be set forth in the petition, if known.

Filing of Petition.

1 Par. 357, Sec. 3. Said petition contesting any nomination to public office, elec-
 2 tion to party office or position or the proposal of any proposition shall be filed not
 3 later than ten days after the primary election. Said petition contesting any election
 4 to public office or approval of any proposition shall be filed not later than thirty days
 5 after such election, unless the ground of action is discovered from the statements,
 6 deposit slips or vouchers filed under this act, subsequent to such primary or other
 7 election, in which event such petition may be filed ten or thirty days respectively
 8 after such statements, deposit slips or vouchers are filed. Any petition of contest as
 9 above stated may be filed within ten days after the result of any recount has been
 10 determined or announced.

Time Fixed for Trial of Case.

1 Par. 358, Sec. 4. The court shall appoint a suitable time for hearing such com-
 2 plaint, not more than thirty nor less than fifteen days after the filing of said peti-
 3 tion, and the contestant shall cause a notice of such trial, with a copy of the con-
 4 testant's petition, to be served on the incumbent at least ten days before the day set
 5 for trial.

Trial Proceedings.

1 Par. 359, Sec. 5. The proceedings shall be similar to those in an action at
 2 law so far as practicable, but shall be under the control and direction of the court,

3 which shall hear and determine the matter without a jury, with power to order any
4 amendments in the petition, or proceedings as to form or substance, and to allow
5 adjournments to any time not more than thirty days thereafter for the benefit of
6 either party, on such terms as shall seem reasonable to the court, the grounds for
7 such adjournment being shown by affidavit.

Appearance of Witnesses and Submission of Evidence.

1 Par. 360, Sec. 6. The said court shall have authority and power to compel the
2 attendance of any officer of such election and of any other person capable of testify-
3 ing concerning the same, and also to compel the production of all ballot-boxes,
4 books, papers, tally lists, ballots and other documents which may be required at such
5 hearing; the style, form and manner of service and process and papers, and the fees
6 of officers and witnesses, shall be the same as in the Circuit Court in other cases, as
7 far as the nature of the case admits.

Witness Obligated to Answer Questions.

1 Par. 361, Sec. 7. The court may require any person called as a witness who
2 voted at such election, to answer touching his qualification as a voter, and if the
3 court, from his examination, or otherwise, is satisfied that he was not a qualified
4 voter in the election district where he voted; then the court can compel him to answer
5 for whom he voted.

Judgment Pronounced by Court.

1 Par. 362, Sec. 8. The court shall pronounce judgment whether the incumbent
2 or any contestant was duly elected, and the person so declared elected will be entitled
3 to his certificate; *provided*, that if misconduct is complained of on the part of the
4 members, of any district board it shall not be held sufficient to set aside the election,
5 unless the rejection of the vote of such district would change the result as to that
6 office.

Effect of Judgment in Certain Cases.

1 Par. 363, Sec. 9. If the judgment be against the incumbent, and he has already
2 received the certificate of election, the judgment shall annul it; if the court find that
3 no person was duly elected, the judgment shall be that the election be set aside.

Successful Party to Possess Office.

1 Par. 364, Sec. 10. When either the contestant or incumbent shall be in posses-
 2 sion of the office, by holding over or otherwise, the court shall, if the judgment be
 3 against the party in possession of the office, and in favor of his antagonist, issue an
 4 order to carry into effect its judgment, which order shall be under the seal of the
 5 court, and shall command the sheriff of the county to put the successful party into
 6 possession of the office without delay, and to deliver to him all books, papers and
 7 effects belonging to the same.

Appeal to Supreme Court for Error of Law.

1 Par. 365, Sec. 11. The party against whom judgment is rendered may appeal
 2 for error of law only, within twenty days, to the Supreme Court, but such appeal
 3 shall not supersede the execution of the judgment of the court, unless the party so
 4 appealing shall become bound to the other party by recognizance, as provided in the
 5 thirteenth section of the act entitled "An act respecting writs of error" (Revision),
 6 approved March twenty-seventh, eighteen hundred and seventy-four; *provided*, the
 7 amount of such recognizance shall be fixed by the judge who presided at the trial,
 8 and shall be at least double the probable compensation of such officer for six months.

Hearing of Appeal.

1 Par. 366, Sec. 12. Such appeal shall take precedence over all other causes upon
 2 the calendar, and shall be set down for hearing, and determined upon the first day of
 3 the term, unless otherwise ordered by the court for its convenience; *provided*, that
 4 the appellant shall give ten days' notice of argument, unless the judgment of the
 5 Circuit Court shall not have been given in time to notice such appeal for trial on the
 6 first day of the term, in which case the same may be noticed for any other day in the
 7 term, and shall have the same precedence on such other day.

Enforcement of Judgment.

1 Par. 367, Sec. 13. If upon appeal the judgment be affirmed, the judge who
 2 presided at the trial, or in his absence or inability to act any justice of the Supreme
 3 Court, shall order the judgment of said Circuit Court to be enforced, if the party
 4 against whom judgment is rendered is in possession of the office; and the proceed-
 5 ings on the recognizance shall be as provided for in other cases in said Supreme
 6 Court.

Liability for Costs.

1 Par. 368, Sec. 14. The contestant and incumbent shall be liable to the officers
 2 and witnesses for the costs made by them, respectively; but if the election be con-
 3 firmed, or the petition dismissed, or the prosecution fail, judgment shall be rendered
 4 against the contestant for costs; and if the judgment be against the incumbent, or
 5 the election be set aside, then he shall pay the costs at the discretion of the court;
 6 and after the entry of the judgment of the court the costs may be collected by attach-
 7 ment or otherwise.

PART SIX. REGISTRATION OF VOTERS

ARTICLE XXVII

MUNICIPALITIES NOT HAVING PERMANENT REGISTRATION

Registry Lists.

1 Par. 369, Sec. 1. At the close of the last day of registration in all municipali-
 2 ties not having permanent registration, the said district board in each election dis-
 3 trict, in said municipalities shall make and complete one list of all persons registered
 4 in their district, grouped according to streets and avenues or other designations of
 5 location, substantially in the following form:

6.		Grand Street	
7	Residence number		
8	or other designation		Name of Voter
9	14		Smith, John M.
10	15		Jones, Charles M.

11 Said list shall be signed and certified by said board, and delivered on the same
 12 day after the close of the last day of registration, to the county clerk. On the face
 13 of said list of registered voters, the district board shall, in figures, note or state the
 14 total number of names of persons registered on all registration days in their re-
 15 spective election districts.

Use of Registry Lists.

1 Par. 370, Sec. 2. The county clerk shall forthwith cause copies of said registry
 2 lists to be printed in handbill form, and shall furnish to any voter applying for the
 3 same, copies of said registry-lists, charging therefor twenty five cents per copy; he

4 shall also furnish five printed copies thereof to the respective district boards; said
5 board shall within two days post two said registry lists, one in the polling place and
6 one in another conspicuous place within such election district. Said county clerk
7 shall also forthwith deliver to the chief of police and the municipal clerk of each of
8 the municipalities in the county for which said lists have been printed, five copies of
9 the lists of voters of each election district in such municipalities, and to the county
10 board, ten copies of the lists of voters of each election district in each of such mu-
11 nicipalities. Said county clerk shall also forthwith deliver to the chairman of the
12 State committee and to the chairman of the county committee, of the several politi-
13 cal parties, five copies of the lists of voters of each election district in each of the
14 municipalities in his respective county. The said chief of police shall cause an in-
15 vestigation to be made of the names of the persons so appearing on said lists, to
16 ascertain if the said persons are residents of the houses from which they are
17 registered, and shall, not later than five days after the receipt of same from the
18 county clerk, forward the various reports of such investigations, certified by the
19 chief of police, to the county board in counties other than counties of the first class,
20 and to the superintendents in counties of the first class, where they shall be kept
21 open to public inspection and preserved for a period of three years. Said county
22 clerk after causing copies of said registry lists to be printed, shall file the original
23 registry lists in his office and keep same on file for the period of one year.

FIRST REGISTRATION

Canvassing Procedure.

1 Par. 371, Sec. 3. The district boards in all election districts in the State, not
2 having permanent registration, shall meet annually on the first Tuesday of May in
3 each year, and having first organized, shall proceed to ascertain and truly and accu-
4 rately enter in canvassing books, to be provided for that purpose, the names and
5 residences and street numbers, if any, of all legal voters residing within their re-
6 spective election districts entitled to vote therein at the next ensuing general election
7 by making actual inquiry at every dwelling house or habitation or of the head of
8 every family residing therein, entering in the case of a female voter her own Chris-
9 tian name with the title "Miss" or "Mrs.," as the case may be. In making such
10 enumeration the said district boards may divide their election districts into sub-

11 divisions, and any two of their number, of opposite political faith, together and in
12 company, may make the enumeration in such subdivision. The name of every such
13 voter, as aforesaid, whose place of abode shall be in any family or habitation, or
14 who may be casually or temporarily absent therefrom when such enumeration is
15 made, shall be entered in said canvassing books, but no name shall be entered on
16 such canvassing books without the concurrence of both said members, or if said
17 enumeration be made by the entire board, without the concurrence of a majority
18 thereof. Said board shall continue such enumeration of voters from day to day
19 thereafter, on successive days, until the same be completed; *provided*, that such enu-
20 meration shall terminate on or before the Friday next succeeding. Immediately
21 after the completion of such enumeration the district board shall transcribe and
22 make up from his canvassing books one register of voters for use at the general
23 election, arrange alphabetically according to surnames, and adding information as
24 to the residences and street numbers, if any, of all persons in their respective elec-
25 tion districts entitled to the right of suffrage therein at the next general election. At
26 the same time a correct list of the names entered on said register of voters with
27 residences and street numbers, if any, to be known as the general election registry
28 list, shall be prepared and certified by the district board in hand-bill form, and shall
29 be posted in some conspicuous public place within such election district on or before
30 the following Tuesday. The canvassing books duly certified and signed by the dis-
31 trict board as to their correctness, and the fact that a house-to-house canvass has
32 actually been made, shall be filed with the county board on or before the following
33 Tuesday.

SECOND REGISTRATION

Preparation of Registers of Voters.

1 Par. 372, Sec. 4. On the third Tuesday of May next preceding the general
2 election, said district boards shall meet at the places provided in this act for the
3 holding of the primary election for the general election in their respective election
4 districts at seven A. M. and continue in session until eight o'clock P. M. Said
5 boards shall add to said registers of voters the names, residences, street numbers
6 and other information of all those who shall personally appear before them and
7 establish their right to be registered.

Transcribing Names to General Election Registry List on Second Registry Day.

1 Par. 373, Sec. 5. On the day succeeding the second registration day the dis-
 2 trict board shall transcribe from the register of voters to the general election regis-
 3 try list the names of all those who personally appear before such board, and shall
 4 certify to the number of names so added and shall post the list with the additional
 5 names so added in like manner as hereinbefore provided.

THIRD REGISTRATION

Completion of Register.

1 Par. 374, Sec. 6. The said district board shall also meet on the third Tuesday
 2 next preceding the general election at the polling place at the hour of one in the
 3 afternoon, and remain in session until nine o'clock in the evening, for the purpose
 4 of revising and correcting the register of voters, of adding thereto the names of all
 5 persons entitled to the right of suffrage in that election district at the next election,
 6 who shall appear in person before them and of erasing therefrom the name of any
 7 person, who, after a fair opportunity to be heard, shall be shown not to be entitled
 8 to vote therein; *provided*, that no name shall be entered on said registers or either
 9 of them from said canvassing-books, or stricken therefrom, without the concu-
 10 rence of a majority of all the members of said boards.

Transcribing Names to General Election Registry List on Third Registry Day.

1 Par. 375, Sec. 7. At the close of the third registration day the district board shall
 2 transcribe from the register of voters to the general election registry list the names
 3 of all those who personally appeared before such board, shall certify to the num-
 4 ber of names so added and shall post the list with the additional names so added
 5 in like manner as hereinbefore provided.

Disposition of Registers of Voters

Filing and Custody.

1 Par. 376, Sec. 8. On the day immediately following the third registration day
 2 said register of voters shall be delivered by a member of the district board to the

3 county board who shall make use of and deliver the same to the various municipal
 4 clerks, who shall return same to the district board at the same time the general elec-
 5 tion sample ballots are delivered to the district boards. Said district boards shall
 6 keep the register of voters in their possession for use on general election day, after
 7 which they shall file same with the municipal clerk as hereinafter provided.

Transfers in Municipalities Not Having Permanent Registration.

1 Par. 377, Sec. 9. Transfers shall be granted on any election day, but not on
 2 a registration day by the district boards in municipalities not having permanent
 3 registration to any legal voter who shall make proof under oath to the satisfaction
 4 of said district board that he has moved from the election district in said munici-
 5 pality in which he is registered, since the day on which he was registered, and that
 6 he has moved into another district in any municipality having permanent registra-
 7 tion within the county. Such transfer and order of the district board shall be
 8 signed by said board or a majority thereof, directing the district board of the dis-
 9 trict in which said voter now legally resides to allow said voter to vote; *provided*,
 10 *however*, that where a voter is transferred from a municipality not having perma-
 11 nent registration to a municipality which has permanent registration, the district
 12 board before allowing said voter to vote shall comply with and be subject to the
 13 provisions regarding emergency voting forms under permanent registration. Before
 14 said transfer and order has been signed said district board shall strike the name of
 15 said voter from the register of voters.

FIRST REGISTERS OF NEWLY CREATED MUNICIPALITIES

Procedure.

1 Par. 378, Sec. 10. In all newly created municipalities not having permanent
 2 registration the register of voters for the first election therein shall be made as
 3 herein directed, unless otherwise provided by this act or any other act relative
 4 thereto.

ARTICLE XXVIII

MUNICIPALITIES HAVING PERMANENT REGISTRATION

Municipalities Affected.

1 Par 379, Sec. 1. In every municipality of this State having a population ex-
 2 ceeding fifteen thousand as ascertained by the Federal census of the year one

3 thousand nine hundred and twenty and in every municipality of this State which
4 shall have a population exceeding twenty-five thousand as ascertained by the
5 Federal census of the year one thousand nine hundred and thirty or by any sub-
6 sequent Federal census, no person shall be permitted to vote at any election unless
7 such person shall have been registered as hereinafter provided.

Commissioner of Registration.

1 Par. 380, Sec. 2. The commissioner of registration in each county shall have
2 complete charge of the permanent registration of all eligible voters in such mu-
3 nicipalities. In all counties of the first class the clerk of the county board is
4 hereby constituted the commissioner of registration and in all other counties having
5 municipalities having permanent registration the secretary of the county board is
6 hereby constituted the commissioner. The commissioner shall have power to appoint
7 temporarily a sufficient number of persons as in his judgment may be necessary for
8 the purpose of carrying out the provisions of this act, such persons when
9 temporarily appointed shall not be subject to any of the provisions of chapter one
10 hundred and fifty-six of the Laws of nineteen hundred and eight, and the amend-
11 ments thereto, and the supplement thereof, but shall be in the unclassified service.
12 The commissioners shall provide such printed forms, blanks, supplies and equip-
13 ment, and prescribe such reasonable rules and regulations as are necessary to carry
14 out the provisions of this act. All necessary expenses so incurred, as and when
15 certified and approved by said commissioner, shall be paid by the county treasurer
16 of said county; *provided*, that nothing in the provisions of an act entitled "An act
17 concerning counties" (Revision of 1918), approved March fourth, one thousand
18 nine hundred and eighteen and the amendments thereof and supplements thereto shall
19 in any wise be construed to affect, restrict or abridge the powers herein conferred
20 on said commissioners.

Permanent Registration Forms.

1 Par. 381, Sec. 3. (a) Permanent registration forms for the registration of
2 voters shall be prepared and supplied by the said commissioners in sufficient
3 quantities to enable all eligible voters to register. Such forms shall consist of an
4 equal number of original forms of one color and duplicate forms of another color.

5 Each set of original and duplicate permanent registration forms shall be serially
6 numbered and each of said forms shall be suitable for locking in a looseleaf binder,
7 and shall be approximately ten inches by ten inches (10" x 10") in size so as to con-
8 tain on the face thereof a margin of approximately two inches for binding and shall
9 contain the information as hereinafter required.

10 (b) Space shall be provided on both the original and duplicate forms at the top
11 thereof, for the word "Original" on the original forms and the word "Duplicate"
12 on the duplicate forms, followed immediately below the words "Permanent Registra-
13 tion" on both forms and shall contain the following information concerning each
14 applicant for registration:

15 1. The full name, including middle initials if any; in the case of married
16 women the Christian name of said women shall be entered prefixed by the word
17 "Mrs."; in case of single women the Christian name shall be prefixed by the word
18 "Miss."

19 2. The place of residence and street address. If the applicant resides in a
20 hotel, apartment or tenement house or institution, such additional information shall
21 be included as may be deemed necessary to give the exact location of said applicant's
22 place of residence.

23 3. The applicant's statement that he is twenty-one years of age or over, that he
24 is a citizen of the United States and of the State of New Jersey, that he will have
25 resided in the State of New Jersey for at least one year and in the county for at least
26 five months immediately preceding the next general election, all of which shall be in-
27 dicated by the word "Yes."

28 4. The fact as to whether he is a native-born citizen or a citizen by naturaliza-
29 tion.

30 5. The name of the municipality and house number and street in such mu-
31 nicipality from which he last registered.

32 6. The signature in person or by mark, of the applicant.

33 7. Immediately above the space for the signature of the applicant shall be
34 printed these words: "I, being duly sworn on oath (or affirmation), depose and
35 say (or affirm), to the best of my knowledge and belief, that the foregoing state-
36 ments made by me are true and correct."

37 8. Date of filling out the blanks, and the signature of the person recording such
38 information and taking such affidavit and the authority of the person taking such
39 affidavit.

40 Following the above information shall appear additional questions to be
41 answered only in the event that said applicant for registration is unable to sign his
42 name; leaving space above said questions for the words "Identification Statement"
43 followed immediately below by the words "Applicant Unable to Sign Name."

44 9. What is your full name?

45 10. What is or was your father's full name?

46 11. What is or was your mother's full name?

47 12. Are you married or single?

48 13. Where did you actually reside immediately prior to taking up your present
49 residence; state floor and character of premises?

50 14. Immediately below shall be printed these words: "I, being duly sworn on
51 oath (or affirmation), depose and say (or affirm), to the best of my knowledge and
52 belief, that the foregoing statements made by me are true and correct.

53 15. Date of filling out the answers, and the signature of the person recording
54 such answers and taking such affidavit and the authority of the person taking such
55 affidavit.

56 Immediately to the right of the above permanent registration and identification
57 statement, shall be printed a column approximately two and one-half inches wide
58 for subsequent changes in address or removals of said applicant from one district
59 to another.

60 (c) Said original and duplicate permanent registration forms shall be in sub-
61 stantially the following form:

<p style="text-align: center;">Original Permanent Registration No.</p> <p>Name (Full Name Middle Initials Only)</p> <p>Residence (Street Address)</p> <p>Exact Location: Apt. No. Room No. Floor No.</p> <p>Municipality Ward.... District....</p> <p>Are you twenty-one years of age or over; are you a citizen of the United States and of New Jersey; will you have resided in said State at least one year and in the County at least five months on or before the next General Election?.....</p> <p>Are you a Native Born or Naturalized Citizen?.....</p> <p>Municipality, house number and street from which last registered.</p> <p>State of New Jersey } County of }</p> <p>I, being duly sworn on oath (or affirmation), depose and say (or affirm), to the best of my knowledge and belief, that the foregoing statements made by me are true and correct. Sworn and Subscribed before me at.....this....day of.....19..</p> <p style="text-align: center;">_____ Signature or mark of applicant.</p> <p>..... Signature of person taking affidavit.</p> <p>..... Authority of person taking affidavit.</p> <p style="text-align: center;">IDENTIFICATION STATEMENT</p> <p>Voter unable to Sign His or Her Name</p> <p>..... What is your full name?</p> <p>..... What is, or was, your father's full name?</p> <p>..... What is, or was, your mother's full name?</p> <p>Are you Married or Single?..... Where did you actually reside prior to taking up your present residence; state floor and character of premises.</p> <p>..... I, being duly sworn on oath (or affirmation), depose and say (or affirm), to the best of my knowledge and belief, that the foregoing statements made by me are true and correct.</p> <p>Sworn to before me at.....this....day of....19..</p> <p>..... Authority of person taking affidavit.</p> <p>..... Signature of person taking affidavit.</p>	<p style="text-align: center;">Change in Address</p> <p>To</p> <p>Municipality</p> <p>Ward.... District....</p> <p>Date</p> <hr/> <p>To</p> <p>Municipality</p> <p>Ward.... District....</p> <p>Date</p> <hr/> <p>To</p> <p>Municipality</p> <p>Ward.... District....</p> <p>Date</p> <hr/> <p>To</p> <p>Municipality</p> <p>Ward.... District....</p> <p>Date</p> <hr/> <p>To</p> <p>Municipality</p> <p>Ward.... District....</p> <p>Date</p> <hr/> <p>To</p> <p>Municipality</p> <p>Ward.... District....</p> <p>Date</p>
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Record of Voting Forms.

- 1 Par. 382, Sec. 4. (a) Forms for recording the fact that the registered
- 2 voters have voted shall be prepared and supplied by the commissioners in sufficient
- 3 quantities so as to provide for each original and each duplicate permanent registra-
- 4 tion form a record of voting form of the same color and the same serial number.
- 5 Each of said record of voting forms shall be approximately ten inches by sixteen
- 6 inches (10" x 16") in size and shall be suitable for locking in a loose-leaf binder.
- 7 (b) On the binding side of said record of voting form a space equal in size to
- 8 the original or duplicate permanent registration forms shall be left blank. The
- 9 remainder of the space on the face of said record of voting form shall be ruled so

10 as to provide for a serial number the words "Original Voting Record" on the
 11 original record of voting form and the words "Duplicate Voting Record" on the
 12 duplicate record of voting form, followed by the name and address and the munici-
 13 pality, ward and district of the registrant at the top of the space. The remainder
 14 of said space shall be so ruled as to provide a record for a period of twenty years
 15 of the number of the ballot cast by said registrant at the primary election for the
 16 general election, the general election and other elections and also the first three letters
 17 of the name of the political party whose ballot said registrant cast at the primary
 18 election for the general election.

19 (c) Said record of voting form shall be substantially in the following form:

No. Original Voting Record				
Name _____				
Street Address _____				
Municipality _____				
Ward _____		District _____		
Year	Primary Election		General Election Ballot No.	Other Elections
	Political Party	Ballot No.		
1927				
1928				
1929				
1930				
1931				
1932				
1933				
1934				
1935				
1936				
1937				
1938				
1939				
1940				
1941				
1942				
1943				
1944				
1945				
1946				

Margin for binding

QUALIFICATIONS TO REGISTER AND VOTE

1 Par. 383, Sec. 5. Each person, who at the time when he applies for registration
2 resides in the district in which he expects to vote, who will be of the age of twenty-
3 one years or more at the next ensuing general election, who is a citizen of the United
4 States, and who, if he continues to reside in the district until the next general election,
5 will at the time have fulfilled all the requirements as to length of residence to qualify
6 him as a legal voter, shall, unless otherwise disqualified, be entitled to be registered in
7 such district; and when once registered shall not be required to register again in such
8 district as long as he resides therein, except when required to do so by the said com-
9 missioner, because of the loss of or some defect in his registration record. Said regis-
10 trant when registered as provided in this act shall be eligible to vote at any election
11 subsequent to such registration subject to any change in his qualifications which may
12 later disqualify him; *provided, however*, that if said registrant does not vote at a gen-
13 eral election four consecutive years, his original and duplicate permanent registration
14 and record of voting forms shall be removed to the inactive file and he shall be re-
15 quired to reregister before being allowed to vote at any subsequent election.

Registration at Office of Commissioner.

1 Par. 384, Sec. 6. The members of the county board may, and the commissioner
2 or a duly authorized clerk or clerks acting for him, shall, up to and including the
3 fourth Tuesday preceding any election, and after any such election, receive the appli-
4 cation for registration of all such eligible voters as shall personally appear for regis-
5 tration during office hours, at the office of the commissioner or at such other place or
6 places as may from time to time be designated by him for registration, and who have
7 the qualifications as herein provided. Any eligible voter who applies for registration
8 shall subscribe to the following oath or affirmation, viz.:

9 You do solemnly swear (or affirm) that you will fully and truly answer such
10 questions as shall be put to you, touching your eligibility as a voter under the laws of
11 this State.

12 Upon being sworn, the applicant shall answer such questions as are provided for
13 in the original and duplicate permanent registration forms hereinbefore set forth, and
14 the person receiving the application shall fill out the forms which the applicant shall

15 sign. In case an eligible voter is unable to write his name, he shall be required to
16 make a cross, which shall be followed by the writing of the words "His or Her Mark,"
17 as the case may be, by the person receiving the application, and said applicant shall an-
18 swer the additional questions required under this act. Said additional questions shall
19 be sworn to or affirmed in the same manner as above provided. Registration by mail
20 is hereby specifically prohibited.

REGISTRATION BY MUNICIPAL CLERKS

1 Par. 385, Sec. 7. For the convenience of the voters the respective municipal
2 clerks or their duly authorized clerk or clerks in all municipalities having permanent
3 registration, with the exception of those municipalities in which the county seat of
4 such county is located, shall also be empowered to register applicants for permanent
5 registration at their respective offices, up to and including the fourth Tuesday pre-
6 ceding any election and after any such election, in the same manner as indicated
7 above, subject to such rules and regulations as may be prescribed by the commis-
8 sioner. For this purpose the commissioner shall forward to each municipal clerk a
9 sufficient supply of the original and duplicate permanent registration forms. The com-
10 missioner shall keep a record of the serial numbers of these forms and shall periodi-
11 cally make such checks as are necessary to accurately determine if all such forms are
12 satisfactorily accounted for. Each municipal clerk shall transmit daily to the commis-
13 sioner in a stamped envelope to be prepared and supplied by the commissioner, all of
14 the filled out registration forms that he may have in his office at the time.

General Registration.

1 Par. 386, Sec. 8. In the case of a municipality which shall hereafter become
2 a municipality having permanent registration, a general registration for all eligible
3 voters shall be held at each polling place in each election district of said munici-
4 pality on such days and evenings as the commissioner shall determine in the same
5 manner as hereinbefore provided, following the announcement by the Secretary
6 of State of New Jersey of the results of a Federal census showing that the
7 municipality has become a municipality having permanent registration.

Certain Officials Empowered to Take Affidavits.

1 Par. 387, Sec. 9. The members of the county board, the commissioner and
2 the duly authorized clerk or clerks, designated by the commissioner, the municipal
3 clerks and their duly authorized clerk or clerks in municipalities having permanent
4 registration other than those municipalities which are county seats and the members
5 of the district boards in all municipalities having permanent registration are hereby
6 empowered to take the affidavits of permanent registration as provided for in this
7 act.

Filing of Registration Forms.

1 Par. 388, Sec. 10. The original and duplicate permanent registration forms
2 when filled out shall be filed alphabetically by districts at the office of the commis-
3 sioner in separate sets of locked binders, one for the permanent office record and
4 the other for use in the polling places on election days. Each set of said locked
5 binders of duplicate and permanent registration forms shall consist of two volumes
6 for each election district to be known as volume I and volume II. Volume I shall
7 contain an index alphabetically arranged beginning with the letter "A" and ending
8 with the letter "K", and volume II shall contain a similar index beginning with the
9 letter "L" and ending with the letter "Z". In filing said forms there shall be
10 inserted after the original and duplicate permanent registration forms of each
11 registrant a record of voting form which has the corresponding serial number and
12 the name and address of said registrant thereon. The binders containing the said
13 duplicate permanent registration forms and the corresponding record of voting
14 forms shall constitute and be known as the signature copy registers. The original
15 permanent registration forms shall not be open to public inspection except during
16 such period as the duplicate registration forms are in process of delivery to or
17 from the district boards or in the possession of such district boards. Nor shall said
18 original permanent registration forms be removed from the office of said commis-
19 sioner except upon the order of a court of competent jurisdiction. The signature
20 copy registers shall at all times, except during the time as above provided and
21 subject to reasonable rules and regulations, be open to public inspection. The per-
22 manent registration forms shall be the official record of the person's eligibility to
23 vote in any election in a municipality having permanent registration.

Change of Residence Notice.

1 Par. 389, Sec. 11. Change of residence notice shall be made either by a
2 written notice or by calling in person at the office of the commissioner. The com-
3 missioner shall provide change of residence notices in card form to be given out
4 upon request, by mail or in person, for the use of any registered voter moving to
5 another address within the same election district or to another election district in
6 any municipality having permanent registration, within the same county. Copies
7 of these notices shall also be available at the office of the municipal clerks in each
8 municipality having permanent registration other than a municipality which is a
9 county seat. Each municipal clerk shall transmit daily to the commissioner all of
10 the filled out change of residence notices that he may have in his office at the time.
11 These notices shall be printed upon cards and shall contain a blank form showing
12 where the applicant last resided and the address and exact location to which he
13 has moved and shall have a line for his signature. Upon receipt of such change
14 of residence notice the commissioner shall cause the signature to be compared
15 with the permanent registration forms of such applicant and if such signature
16 appears to be of and by one and the same legal voter, shall cause the entry of
17 such change of residence to be made on the permanent registration forms and the
18 registrant shall thereupon be qualified to vote in the election district to which said
19 registrant shall so have moved. If the commissioner is not satisfied as to the
20 signature on the request for a change of residence, a notice shall be sent by regis-
21 tered mail with return card request to such registrant at his new address directing
22 him to appear at a time to be fixed in said notice not less than ten days from the
23 date thereof at the office of the commissioner to answer such questions as may be
24 deemed necessary to determine the applicant's place of residence and eligibility to
25 vote. If said registrant fails to appear at the time and place as directed and a
26 return registry card has been received by the commissioner or if said notice is
27 returned as not delivered or if the said notice is not returned as undelivered and
28 no return registry card is received, the registration forms of said applicant shall
29 be placed in the inactive file until such time as said applicant establishes to the
30 satisfaction of the commissioner the accuracy of the signature on said change of
31 residence notice; *provided, however*, that where such notice of change of residence

32 has not been received by or filed with the commissioner prior to the fourth Tues-
33 day preceding any election, said registered voter, on the day of such election, shall
34 apply directly to the district board in the district wherein he is registered and upon
35 filling out and signing a transfer form to be provided by the commissioner and
36 the comparison of the signature on said transfer form with the signature on the
37 duplicate permanent registration form, the board or a majority thereof, if the
38 signature appears to be the same shall endorse its consent to such transfer upon
39 such transfer form whereupon the applicant shall file such transfer form with the
40 district board in the district in which he is then entitled to vote and the said board
41 shall after the signing of the poll book and the comparison of his signature in
42 said book with his signature on the transfer form, and after the said board or a
43 majority thereof shall be satisfied that the compared signatures are of and by one
44 and the same legal voter, he shall be permitted to vote. Said transfer forms shall
45 be filed with the commissioner at the same time as the binders containing the dupli-
46 cate permanent registration forms and the record of voting forms are returned to
47 the office of said commissioner. Upon the receipt of said transfer forms, the com-
48 missioner shall cause the entry of such change of residence to be made on the
49 original and duplicate permanent registration forms and the corresponding record
50 of voting forms and said forms shall be transferred to the proper district binders.

ERROR IN REGISTERING

1 Par. 390, Sec. 12. When, by error, an eligible voter has been registered in a
2 district other than the one in which he resides the commissioner shall cause the said
3 error to be corrected, of which correction the registrant shall be notified by postal
4 card.

CHANGE IN REGISTRATION DUE TO MARRIAGE OR DIVORCE

1 Par. 391, Sec. 13. Whenever, after her original registration, a woman shall
2 change her name due to marriage or divorce, such person shall be required to re-
3 register, and thereupon the former permanent registration forms of such person
4 shall be transferred to the inactive file; *provided, however,* that when notice of such
5 change in name has not been received by or filed with the commissioner prior to the
6 fourth Tuesday preceding any election such person may be permitted to vote under
7 her original registration after she has signed both her former name and her present

8 name upon the emergency voting form hereinafter provided and after the district
 9 board or a majority thereof have compared the signature of her former name with
 10 the signature on her duplicate permanent registration form and shall be satisfied that
 11 the signatures are the same. Such person, however, shall be required to reregister
 12 before she will be permitted to vote at any subsequent election. Upon the receipt
 13 of such emergency voting form by the commissioner, the former permanent regis-
 14 tration forms of such person shall be transferred to the inactive file and the voter
 15 shall be notified by the commissioner of the necessity of reregistration.

NEW OR ALTERED WARDS OR DISTRICTS

1 Par. 392, Sec. 14. When a new district has been created or the boundaries
 2 thereof have been changed, the commissioner shall transfer the permanent registra-
 3 tion forms of registered voters whose voting districts have been changed, of which
 4 change the registrant shall be notified by postal card. The registration of a voter
 5 shall not be invalidated by such alteration nor shall the right of any registered voter
 6 to vote be prejudiced by any error in making the transfers of the registration forms.

CHECK-UP BY COMMISSIONER

1 Par. 393, Sec. 15. For the purpose of preventing fraudulent voting and for
 2 eliminating names improperly registered, the commissioner shall within ninety days
 3 after each general election, send by government reply postal card to each registrant
 4 who failed to vote at such election, to his registered address, a notice substantially
 5 as follows:

6 "Please answer the questions as to residence and removal as indicated on at-
 7 tached reply card.

8
 9

Commissioner of Registration."

10 The reply card shall be addressed to the commissioner and shall bear substan-
 11 tially the following questions with appropriate spaces for answers:

12 "1. Do you still reside at the address to which this notice has been mailed?

13 "2. If not, where do you now reside? (stating street address and city or town
 14 to which you have moved).

15 "Signed....."

16 The Commissioner may also direct at any time an authorized clerk or clerks to
17 make any personal investigation which the commissioner may deem necessary to
18 establish the fact of continued residence or of removal of any registrant.

19 In case of registrants who have been found to the satisfaction of the commis-
20 sioner to have moved from one address to another within the same district, the com-
21 missioner shall correct his records accordingly.

22 In case of registrants so found to have moved from a district in a municipality
23 having permanent registration to another district in the same or in another munici-
24 pality having permanent registration, within the county, the commissioner shall cause
25 the permanent registration forms of such registrants to be transferred to the proper
26 signature copy registers.

27 In case of registrants so found to have moved from a municipality having per-
28 manent registration to a municipality not having permanent registration, within the
29 county or to any place outside the county or State, the commissioner shall cause the
30 permanent registration forms of such persons to be transferred to the inactive file,
31 Such persons upon return to any municipality having permanent registration, within
32 the county, shall be required to reregister before being allowed to vote.

33 No permanent registration forms shall be removed from the signature copy
34 registers or placed in the inactive file after the second Tuesday preceding any elec-
35 tion until after such election.

36 The registrant shall be notified by the commissioner by registered mail of any
37 transfer made pursuant to this section.

NOTICE OF DEATHS

1 Par. 394, Sec. 16. The health officer or other officer in charge of records of
2 death in each municipality having permanent registration shall file with the commis-
3 sioner in counties other than counties of the first class and with the superintendent
4 in counties of the first class, once each month, during the first five days of such
5 month, the age, date of death, and the names and addresses of all persons over
6 twenty-one years of age who have died within such municipality during the previous
7 month. Upon the receipt of such a list the commissioner or superintendent, as the
8 case may be, shall make such investigation as is necessary to establish to his satisfac-

9 tion that such deceased person is actually the same person who is permanently regis-
 10 tered. If such fact is so established, said commissioner shall then cause such per-
 11 manent registration and record of voting forms of such deceased registrant to be
 12 transferred to the death file. In counties of the first class the superintendent shall
 13 certify to the commissioner such fact forthwith including the address, municipality,
 14 ward and district of such deceased registrant, and said commissioner shall then
 15 cause the permanent registration and record of voting forms of such deceased
 16 registrant to be transferred to the death file.

PROSECUTOR OF PLEAS TO NOTIFY OF CONVICTIONS WHICH WOULD DISQUALIFY VOTERS

1 Par. 395, Sec. 17. Once each month during the first five days of such month
 2 the prosecutor of the pleas in counties having municipalities having permanent regis-
 3 tration shall deliver to the commissioner in counties other than counties of the first
 4 class and to the superintendent in counties of the first class, a list of the names and
 5 addresses of all persons and their ages and offenses who have been convicted dur-
 6 ing the previous month of a crime which would disfranchise said persons under the
 7 laws of this State. Upon the receipt of such list the commissioner or superin-
 8 tendent, as the case may be, shall make such investigation as is necessary to establish
 9 to his satisfaction that such convicted person is actually the same person who is
 10 permanently registered. If such fact is so established, said commissioner shall then
 11 cause the permanent registration and record of voting forms of such convicted regis-
 12 trant to be transferred to the conviction file. In counties of the first class the
 13 superintendent shall certify to the commissioner such fact forthwith including the
 14 address, municipality, ward and district of such convicted registrant and said com-
 15 missioner shall then cause the permanent registration and record of voting forms of
 16 such convicted registrant to be transferred to the inactive file. Such persons, upon
 17 the restoration of their citizenship rights or upon being pardoned, shall be required
 18 to reregister before being allowed to vote.

PREPARATION OF REGISTRY LISTS

1 Par. 396, Sec. 18. On or before the Monday following the fourth Tuesday pre-
 2 ceding the general election the commissioner shall certify and transmit to the county
 3 clerk one complete list of all persons who are registered in each election district in

4. each municipality having permanent registration in the county together with a statement as to the number of persons registered in each district. On the face of said list of registered voters the commissioner shall in figures, state the total number of names of persons registered. Such list shall be arranged substantially in the following form:

8		Grand Street
9	Residence Number	
10	or Other Designation	Name of Voter
11	14	Jones, Charles M.
12	15	Smith, John M.

13 The county clerk upon receipt of said list shall provide for its printing, distribution and posting in the manner provided for in this act.

CORRECTION OF RECORDS BY COMMISSIONER

1 Par. 397, Sec. 19. The commissioner shall transfer to the inactive file the permanent registration and record of voting forms of such persons as the justice of the Supreme Court, the judge of the Circuit Court, or the judge of the Common Pleas Court may order stricken from the signature copy register.

5 The registrant shall be notified by the commissioner by registered mail of any transfer made pursuant to this section.

COMMISSIONER TO TRANSMIT THE SIGNATURE COPY REGISTERS FOR USE BY DISTRICT BOARDS ON ELECTION DAYS AND IN MAILING SAMPLE BALLOTS

1 Par. 398, Sec. 20. On or before the second Monday preceding the primary election for the general election and the general election the commissioner in counties other than counties of the first class, shall deliver to the municipal clerk in each municipality having permanent registration, the signature copy registers for each election district in said municipality and shall take a receipt for the same. Said municipal clerk shall thereupon deliver at his office, or in any other way he sees fit, said registers to a member or members of the proper district boards at the same time, and together with the primary for the general election sample ballots or the general election sample ballots, as the case may be. Said registers shall be used by the district boards on election days and for the purpose of mailing the sample ballots; provided, however, that the commissioner in counties of the first class shall

11 deliver said registers at his office or in any other way he may see fit, to the various dis-
12 trict boards, taking a receipt for same.

13 Before delivering said register the commissioner shall cause to be printed upon a
14 separate sheet or sheets of paper, to be inserted inside of the front cover of said regis-
15 ters in conspicuous type, such instructions to election officers regarding the use and
16 disposition of said binders and forms as he may deem necessary.

USE OF SIGNATURE COPY REGISTERS ON ELECTION DAYS

1 Par. 399, Sec. 21. (a) Any person whose name appears in the signature copy
2 register and who upon applying for a ballot shall have given the information and
3 signed the general election poll-book as provided in this act and whose signature in
4 said poll-book shall have been compared by one of the members of the district board
5 and in the presence and view of the challengers with the signature of the applicant as
6 recorded in said register shall be eligible to receive a ballot for said election unless it
7 be shown to the satisfaction of a majority of the members of the district board that
8 said registrant is not entitled to vote in that district or has otherwise become dis-
9 qualified.

10 (b) *Provided, however,* that no person shall be required to sign the general elec-
11 tion poll-book as a means of identification if he shall have been unable to write his
12 name when he registered, or if, having been able to write his name when registered,
13 he subsequently shall have lost his sight or lost the hand with which he was accus-
14 tomed to write his name or shall have been otherwise rendered by disease or accident
15 unable to write his name when he applies to vote, but each such person shall establish
16 his identity in the manner provided in this act.

17 (c) *Provided, further,* that in addition to signing the primary party poll-book
18 and after the comparison of said signature with the signature in said register, a per-
19 son offering to vote at a primary election for the general election shall announce his
20 name and the party primary in which he wishes to vote.

21 (d) After a person has voted the member of the district board having charge of
22 the signature copy registers shall place the number of said person's ballot in the proper
23 column on the record of voting form of said person, which number shall constitute a
24 record that such person has voted. In the case of a primary election for the general

25 election said member of the district board shall also place in the proper column on the
26 record of voting form the first three letters of the name of the political party whose
27 primary ballot said person has voted.

28 (e) In the event that the duplicate permanent registration form of any person
29 cannot be found in the signature copy register at the time said person applies for a
30 ballot, a member of the district board shall promptly ascertain from the commissioner
31 or a duly authorized clerk if said person is permanently registered. Upon information
32 that such is the fact, said member of the district board shall require the person ap-
33 plying for a ballot to fill out and sign an emergency voting form to be provided by
34 the commissioner. After said form has been properly filled out by said member and
35 signed by said person, he shall be eligible to receive a ballot. The number of such
36 ballot shall be recorded on the emergency voting form and said form shall be trans-
37 mitted to the commissioner at the same time and along with the signature copy regis-
38 ters. If the record of voting form for any person applying for a ballot be missing
39 from the signature copy register at the time of a primary election for the general elec-
40 tion, a member of the district board shall in addition to the above ascertain from the
41 commissioner or a duly authorized clerk the political party whose ballot said person
42 voted at the last preceding primary election for the general election.

RETURN OF SIGNATURE COPY REGISTERS

1 Par. 400, Sec. 22. Not later than noon of the day following the canvass of the
2 votes cast at the primary election for the general election or the general election, the
3 signature copy registers shall be returned by each district board to the commissioner.

4 Upon receipt of said registers the commissioner shall inspect the same and verify
5 from the party primary poll-books and the general election poll-books, as the case may
6 be, that the entries required to be made on the record of voting forms in said registers
7 by the district boards, have, in fact, been made. If the commissioner shall ascertain
8 that said required entries have not been made or have not been properly made, he shall
9 cause such entries and corrections to be made forthwith and also notify the county
10 board of such failure of duty and the members of such district board as have thus
11 failed in their duty shall be ineligible for appointment as member of any district board
12 thereafter.

RECORDS TO BE CHECKED BY COMMISSIONER

1 Par. 401, Sec. 23. Following each election the commissioner shall cause the
2 record of voting as shown on the record of voting forms in the signature copy
3 registers to be entered on the record of voting forms in the original permanent
4 registration binders.

DESTRUCTION OR LOSS OF RECORDS

1 Par. 402, Sec. 24. In the event of the loss or destruction of any or all of
2 the original or duplicate permanent registration binders the commissioner shall
3 promptly provide for a general registration at the regular polling places in the
4 district or districts for which said binders have been lost or destroyed.

CERTIFICATION BY COMMISSIONER TO SUPERINTENDENT

1 Par. 403, Sec. 25. The commissioner in counties of the first class shall certify
2 to the superintendent once each month, within the first five days of each month,
3 lists showing during the previous month: (1) all registrations made and all perti-
4 nent data set forth in said registrations; (2) all transfers made by the commissioner
5 or noted on his books; (3) all registrations placed in the inactive death and con-
6 viction files.

7 He shall also certify the above lists within five days after the fourth Tuesday
8 preceding any election covering the period between said fourth Tuesday and the
9 first day of the calendar month preceding said Tuesday.

MASTER INDEX FILES

1 Par. 404, Sec. 26. The commissioner shall make and maintain a card index
2 file showing on separate cards the full name, address, municipality, ward and dis-
3 trict, registration number and date of registration of each person registered perma-
4 nently in his county. This file shall be arranged alphabetically according to
5 names irrespective of municipality, ward, district, registration number, and date of
6 registration. Reasonably sufficient space shall be reserved on each card for the
7 notations to be made thereon as herein provided.

8 The commissioner shall cause to be made notation on these cards as to each
9 registrant respectively whose registration forms have been transferred from one
10 register to another or to the inactive, death or conviction files concurrently with

11 such transfer. Such card with such notations shall show the location of the regis-
 12 tration forms of each registrant at all times. All changes of address of the regis-
 13 trant, including those within the same district, shall be noted on these cards con-
 14 currently with changes of address on the permanent registration forms.

ARTICLE XXIX

REGISTRATION FOR MUNICIPAL ELECTIONS IN COMMISSION GOVERNED MUNICIPALITIES

Registering Voters for Municipal Elections in Commission-Governed Muni- cipalities Other Than Cities of the First Class.

1 Par. 405, Sec. 1. It shall be the duty of the county boards in counties of the
 2 first class to sit at a place convenient to the voters, on such days and during such
 3 hours, as said county boards shall deem necessary during the two weeks imme-
 4 diately preceding the second Tuesday prior to any election held under the provisions
 5 of "An act relating to, regulating and providing for the government of cities, towns,
 6 townships, boroughs, villages and municipalities governed by boards of commis-
 7 sioners or improvement commissions in this State," approved April twenty-fifth, one
 8 thousand nine hundred and eleven, the title to which was amended to read as above
 9 set forth by an act approved April second, one thousand nine hundred and twelve,
 10 and the amendments thereof and the supplements thereto, for the purpose of add-
 11 ing the names of all qualified voters to the signature copy registers or registers of
 12 voters, as the case may be, who were not registered or did not register or vote at
 13 the general election last preceding the holding of such municipal election under the
 14 aforementioned act; and if upon application by any qualified voter, it is made to
 15 appear to such county board that such voter is a qualified elector and entitled to
 16 vote at such municipal election, his name shall be added to the proper signature copy
 17 register or an order shall be made, as the case may be, by such county board direct-
 18 ing the proper district board to add the name of such person to the register of
 19 voters and to permit such voter to vote, and such order shall be filed with the
 20 district board and shall be returned by said district board to the clerk of the munici-
 21 pality wherein such election is held, immediately after the holding of such election,
 22 to be kept and filed in the office of such clerk for at least a period of one year;
 23 *provided*, that there shall be filed by said applicant for registration with the said

24 county board, an affidavit containing the information requisite to be given under
 25 the election and registry laws of this State. Whenever any election is to be held
 26 under said act, the municipal clerk shall, within two days after the day on which
 27 the time is fixed by the governing body of the municipality for holding said
 28 municipal election, notify the county board as to the day upon which said election
 29 is to be held; *provided, further*, that in case of municipalities having permanent
 30 registration, all registrations made pursuant to this section shall otherwise conform
 31 to the permanent registration provisions of this act and have the same force and
 32 effect as if made thereunder.

COMMISSION-GOVERNED

Registering Voters for Municipal Elections in Commission Governed Cities of
 the First Class.

1 Par. 406, Sec. 2. It shall be the duty of the county board in counties of the first
 2 class to sit at a place convenient to the voters on such days, and during such hours, as
 3 such county boards shall deem necessary during the two weeks immediately preced-
 4 ing the second Tuesday prior to any municipal election, to be held in any city of
 5 the first class, for the purpose of adding the names of all qualified voters to the sig-
 6 nature copy registers, as the case may be, and if upon application by any qualified
 7 voter, it is made to appear to such county board that such voter is a qualified elector
 8 and entitled to vote at such municipal election, his name shall be added to the proper
 9 signature copy register, and that after the last day of the week preceding the second
 10 Tuesday prior to the municipal election aforesaid, no name shall be added to the sig-
 11 nature copy register until after the municipal election; *provided, however*, that all
 12 registrations made pursuant to this section shall otherwise conform to the provisions
 13 of this act concerning permanent registration and shall have the same force and
 14 effect as if made thereunder.

PART SEVEN. ENFORCEMENT OF ELECTION LAW

ARTICLE XXX

SUPERINTENDENT OF ELECTIONS

Appointment.

1 Par. 407, Sec. 1. The office of superintendent of elections in counties of the
 2 first class in this State is hereby established. The said offices shall be filled by some

3 suitable persons who shall be appointed by the Senate and General Assembly of this
4 State in joint meeting ensembled. Such persons shall hold office for the term of five
5 years from the date of such appointment and until their successors are appointed
6 and have qualified. The Senate and General Assembly in joint meeting may remove
7 at will any superintendent in any county of the first class in this State during his
8 term of office without specifying any cause for such removal and shall in joint meet-
9 ing assembled elect a successor to such superintendent so removed, which successor
10 shall hold his said office for a term of five years. Any superintendent in counties
11 of the first class holding office at the time of the passage of this act, as well as any
12 superintendent hereafter appointed, may be removed from said office in the manner
13 aforesaid. Each of said persons shall receive a salary of five thousand dollars per
14 annum to be paid by the county treasurer. The persons so appointed shall have their
15 offices in the counties for which they are appointed. In case a vacancy shall happen
16 by death or otherwise, except removal from office as in this act otherwise provided
17 at any time during the sitting of the Legislature, then and in such case, the vacancy
18 so happening shall be filled during th sitting by the Senate and General Assembly
19 of the State, and if a vacancy by death or otherwise, shall happen during the recess
20 of the Legislature, the Governor of the State, or in case of his death, absence or
21 other disqualification, the person administering the government for the time being
22 may make a temporary appointment, until the next meeting of the Legislature, which
23 shall then fill the vacancy, and the term of the person so appointed shall com-
24 mence from and after the expiration of the term of the present incumbent and he
25 shall hold office for five years and until his successor is appointed and has qualified.

Deputy and Other Assistants.

1 Par. 408, Sec. 2. Each of said superintendents may appoint a chief deputy, a
2 clerk, a secretary and such other assistants as he may deem necessary to carry out
3 the provisions of this act, and may remove the same whenever he deems it necessary
4 so to do. Such persons when appointed by said superintendents shall not be sub-
5 ject to any of the provisions of chapter 156 of the Laws of 1908 and the amend-
6 ments thereto, but shall be in the unclassified service. Each of said superintendents
7 shall fix the salaries of the persons so appointed and said salaries certified to and ap-
8 proved under his hand shall be paid semi-monthly by the county treasurer of the coun-

9 ties in which such persons are so engaged. All other necessary expenses incurred
10 in carrying out the provisions of this act when certified to and approved by said
11 superintendents shall be paid by the county treasurer of the counties in which said
12 superintendent shall maintain his office.

Offices.

1 Par. 409, Sec. 3. The board of chosen freeholders of such counties shall pro-
2 vide suitable room or rooms for the transaction of the business of said superintend-
3 ent and procure suitable furniture therefor and such books, stationery, fuel and sup-
4 plies as may be necessary from time to time. They shall provide a proper place
5 for the safekeeping of the records and papers.

Duties.

1 Par. 410, Sec. 4. It shall be the duty of said superintendents and their assist-
2 ants in order to enforce the laws of this State, regarding the conduct of elections
3 to investigate all complaints relating to the registration of voters, and for that pur-
4 pose the said superintendents, and their assistants, shall have full power and
5 authority to visit and inspect any house, dwelling, building, inn, lodging house or
6 hotel and interrogate any inmate, housedweller, keeper, caretaker, owner, proprietor
7 or landlord thereof or therein as to any person or persons residing or claiming to
8 reside therein or thereat; to inspect and copy any books, records, papers or docu-
9 ments relating to or affecting the elections, either general, special, primary or mu-
10 nicipal, or the registration of voters in the custody and control of district boards,
11 county boards, or the clerks or other officers of municipalities; to require every lodg-
12 ing house keeper, landlord or proprietor to exhibit his register of lodgers therein
13 at any time to such superintendent, his subordinates or any other person so desig-
14 nated by the said superintendent.

15 Any person who neglects or refuses to furnish any information required or
16 authorized by this act, or to exhibit the records, papers, or documents herein au-
17 thorized to be inspected, or which are required to be exhibited, shall be guilty of a
18 misdemeanor.

Subpoenas.

1 Par. 411, Sec. 5. The said superintendent shall have power to issue subpoenas
2 for the purpose of investigating any complaint for violation of the election laws of
3 this State, such subpoenas to be issued in the name of the superintendent and for
4 the purpose of aiding him in enforcing the provisions of the election laws of this
5 State. He may, in proper cases, issue subpoenas duces tecum. A subpoena issued
6 by the superintendent may be served by any peace officer or any other person
7 designated by him for that purpose.

8 Any person who shall omit, neglect or refuse to obey a subpoena attested in the
9 name of the superintendent and made returnable by him, or who shall refuse to
10 testify under oath before him, shall be guilty of a misdemeanor and punished accord-
11 ingly.

12 Any person who shall make any false statement under oath before the super-
13 intendent, as herein provided, shall be guilty of a misdemeanor and punished accord-
14 ingly.

Attendance at Polls.

1 Par. 412, Sec. 6. The superintendent, his subordinates, or any person or per-
2 sons designated by him, may attend at any election. The said superintendent, his
3 subordinates, or such person or persons designated by him, shall be admitted at
4 any time within any polling place and within the guard rails thereof.

Register of Lodgers.

1 Par. 413, Sec. 7. When directed by the superintendent, it shall be the duty of
2 every landlord, proprietor, lessee or keeper of a lodging house, inn or hotel, to keep
3 a register in which shall be entered the names and residences, the date of arrival and
4 departure of his guests, and the room, rooms or bed occupied by them. This register
5 shall be so arranged that there shall be a space on the same line in which each male
6 guest or male lodger shall sign his name, and such landlord, proprietor, lessee or
7 keeper shall make a sworn report upon a blank to be prepared and furnished by
8 the superintendent thirty days before the election next ensuing to the said super-
9 intendent, which report shall contain a detailed description of the premises so used
10 and occupied as a lodging house, inn or hotel, including the size and character of

11 building, and in case only part of a building is so used, a statement as to what part
12 of said building is so used, and the names of the lodgers therein, and all the em-
13 ployees, and all other persons living therein, including the landlord, proprietor,
14 lessee or keeper, and members of his family, who claim a voting residence at or
15 in such lodging house, inn or hotel, together with the length of time they have been
16 regularly lodging or living therein, the beginning of such residence, the color, approxi-
17 mate age, height, weight, whereby such persons may be identified, the nationality,
18 the occupation and place of business of such persons, and the room occupied by each
19 such person, and whether such person is a guest, landlord, proprietor, lessee or
20 keeper, and the signature of each such person. Above the space reserved for the
21 signature of each such person, shall be printed the following words, "the fore-
22 going statements are true." In the form of affidavit, which shall be sworn to by
23 the landlord, proprietor, lessee or keeper of such lodging house, inn or hotel, shall
24 be included the statement that the signatures of the guests or lodgers certified to
25 in said report were written in the presence of such landlord, proprietor, lessee or
26 keeper, and that he personally knows them to be the persons therein described.

27 To the end that the sworn report herein required shall truly set forth the facts
28 therein stated, it shall be the duty of the said landlord, proprietor, lessee or keeper
29 to question each male person lodging or living in such lodging house, inn or hotel
30 as to his intention of claiming such place as a voting residence, and such person
31 shall thereupon declare his intention thereof, and if he shall claim such place as his
32 voting residence, he shall give to such landlord, proprietor, lessee or keeper such
33 facts regarding himself as are required to be incorporated in the sworn report herein
34 provided for. Said report and affidavit shall be filed personally by such landlord,
35 proprietor, lessee or keeper with the superintendent at his office.

36 And such landlord, proprietor, lessee or keeper or any lodger who shall violate
37 this section shall be deemed guilty of a misdemeanor.

Records by District Boards.

1 Par. 414, Sec. 8. The district board of each election district in municipalities
2 not having permanent registration shall on each day of registration transfer to
3 cards, to be provided for that purpose by the county clerk of said county, which
4 cards shall be in form and style approved by the superintendent, a complete copy

5 of the name of each person registered in their respective districts, together with all
6 the answers made and information given by the person registered at the time of
7 registration, and such cards, enclosed and sealed in a cover, to be provided for that
8 purpose by the aforesaid county clerk, shall be delivered personally or by mail forth-
9 with by the chairman of said district board, together with a statement on a blank
10 form to be furnished by the aforesaid county clerk, after approval by the
11 superintendent, that the cards delivered contain a correct copy of all the names
12 registered and information given by the person so registered, to the superintendent
13 at his office in the county courthouse.

Challenge Lists.

1 Par. 415, Sec. 9. In respect to each general, primary, municipal and special
2 election, the superintendent shall prepare for each election district in municipalities
3 not having permanent registration in said county a challenge list containing the
4 names, alphabetically arranged, and the addresses of all persons who, by reason of
5 death, removal, conviction or otherwise, have lost the right to register from the
6 addresses within such election district from which they registered at the last preced-
7 ing election. Such challenge list shall be delivered to the respective district boards
8 in such municipalities at least one-half hour before the commencement of registra-
9 tion. It shall be the duty of the chairman of such respective district boards to
10 challenge the registration of any person applying to them for registration under
11 any name on such challenge list, unless it shall affirmatively appear after strict ex-
12 amination of the voter, and, if necessary, others also, that such voter has become
13 domiciled at a new address within the election district. At the close of the last day
14 of registration, said challenge list with the remarks of the district board or of any
15 member or members thereof to be noted thereon shall be signed and certified as
16 true by each member of the respective district boards and returned to the super-
17 intendent in a sealed envelope provided therefor by the county clerk of said county.

18 After the last day of registration and before each general, primary, municipal
19 and special election, the superintendent also shall prepare for each election district
20 a challenge list containing the names, alphabetically arranged, and addresses of all
21 persons registered in such district whom he believes or has reason to suspect are

22 not entitled to vote at said election in said district by reason of death, conviction,
23 removal or otherwise, or whose right to vote he otherwise questions and therefore
24 challenges. Such challenge lists shall be delivered to the respective district boards
25 at least one-half hour before the opening of the polls of each election. It shall be
26 the duty of the chairman of the respective district boards to challenge the vote of
27 any person presenting himself to vote under any name on said challenge list. Said
28 challenge list shall contain a column headed "remarks," and it shall be the duty of
29 the chairman of the respective district boards to enter in said column opposite the
30 names on said lists whether any person applying to vote under any name on said
31 list who was challenged was allowed to vote, and the reason for allowing him to
32 vote. If a person applies to vote under any name on said challenge lists, who is
33 challenged and does not vote, then there shall be entered opposite such name in the
34 aforesaid column headed "remarks" the words "challenged, but did not vote." If
35 no person applies to vote under any name on such challenge lists, then there shall
36 be noted opposite each such name in the aforesaid column headed "remarks" the
37 words "no application." At the close of the polls said challenge lists shall be signed
38 and certified as true by each member of the respective district boards and returned
39 to the superintendent of said county in a sealed envelope provided therefor by the
40 county clerk.

41 The superintendent, concurrently with the delivery aforesaid of the challenge
42 lists, shall also deliver to the commissioner a true copy, certified by him as correct,
43 of each challenge list delivered by him pursuant to this section to each district board
44 in municipalities having permanent registrations.

45 The superintendent shall prepare duplicate cases of all challenge lists provided
46 for in this section, and he shall keep duplicate challenge lists on file in his office
47 from the time of their preparation until the close of the third general election fol-
48 lowing the preparation of said challenge lists. The aforesaid original challenge
49 lists shall also be kept on file for two years after the general election following their
50 preparation. All such challenge lists shall be open to inspection by any citizen at
51 any time the superintendent's office is open for business.

Right to Seal Ballot-Boxes.

1 Par. 416, Sec. 10. The superintendent, his chief deputy or assistants, shall
2 have the power, whenever, in his or their judgment, it shall be deemed necessary, at
3 any election, upon the completion of the counting and canvassing of the ballots by
4 any district board, to enter any place containing ballot-boxes for the purpose of seal-
5 ing any ballot-box or boxes with a seal to be adopted by said superintendent, and
6 when any ballot-box shall be so sealed by said superintendent, or his chief deputy or
7 assistants, such ballot-box shall not be opened and the seal thereof destroyed or
8 affected without an order first had and obtained from the Chief Justice or any justice
9 of the Supreme Court. Taping or any other mechanical device may be used to make
10 such sealing secure.

Interference.

1 Par. 417, Sec. 11. Any person or persons preventing, hindering or interfering
2 with the said superintendent or his chief deputy or assistants in sealing such ballot-
3 box or boxes shall be guilty of a misdemeanor, and upon conviction, shall be pun-
4 ished by imprisonment for a term not exceeding three (3) years, or by the payment
5 of a fine not exceeding one thousand dollars (\$1,000.00) or both.

Destroying Seals.

1 Par. 418, Sec. 12. Any person or persons who destroy, deface or remove, or
2 attempt to destroy, deface or remove, said seal shall be guilty of a misdemeanor, and
3 upon conviction, shall be punished by imprisonment for a term not exceeding three
4 (3) years, or by the payment of a fine not exceeding one thousand dollars
5 (\$1,000.00), or both.

Exercise of Powers.

1 Par. 419, Sec. 13. The powers herein granted may be exercised by such super-
2 intendent, his chief deputy or assistants, upon the completion of the counting and
3 canvassing of the ballots at any election by the district board or within a period
4 of ninety (90) days thereafter.

Peremptory Order.

1 Par. 420, Sec. 14. It shall be the duty of the superintendent to investigate all
2 registry lists prior to the holding of any election. Whenever, as a result of such

3 investigation or during the course thereof, said superintendent shall have ascertained
 4 that persons registered have been found to be either dead or disqualified by convic-
 5 tion of a crime which would disfranchise said persons under the laws of this State,
 6 or never to have resided at the place of registry or have been found to be registered
 7 from some place other than the actual residence or not to possess the qualifications to
 8 vote required by the Constitution of this State or are otherwise not entitled to vote
 9 at such election then it shall be the duty of said superintendent to serve an order in
 10 writing, signed by him, upon the proper district board, ordering said district board
 11 to refuse to allow said person or persons to vote at such election; *provided, however,*
 12 that no such order shall be signed by the said superintendent unless notice to such
 13 person to be affected shall be given as hereinafter provided; *provided, further,* that
 14 no such order shall be issued against any person who was legally registered at the
 15 time of registration merely because he has since moved from such registered address
 16 unless it shall be found that such person has moved out of the county.

Notice to Voter of Peremptory Order.

1 Par. 421, Sec. 15. The said superintendent shall, before signing such order in
 2 writing to any district board, give notice of his proposed action to such registered
 3 person, either personally or by leaving the same at said registered place of residence,
 4 with some person above the age of fourteen (14) years, if any such person can be
 5 found, and if not, a copy of said notice shall be affixed to the outer door of said
 6 registered place of residence, or to any other portion of said premises, if no building
 7 be found thereon, or by registered mail addressed to such person at his registered
 8 place of residence, at least two (2) entire days before the issuance of such order by
 9 the superintendent to said district board; or the said superintendent may cause a list
 10 of the names of such persons, with the registry addresses of the persons affected, to
 11 be published at least two (2) entire days before the issuance of such order in two
 12 (2) or more daily newspapers published within the county. The said superintendent
 13 may cause a list of the names of any or all such persons, with the registry addresses
 14 of the persons affected, to be published, in addition to the daily newspapers afore-
 15 said, at least two (2) entire days before the issuance of such order in one (1) or
 16 more weekly newspapers published within the county, and said published notice in
 17 addition to containing the names and addresses as aforesaid, shall give notice to the

18 persons affected thereby of the proposed action of the said superintendent to issue
19 the order aforesaid to the district board. No such order in writing shall be signed
20 by the superintendent subsequent to the Tuesday preceding such election.

PEREMPTORY ORDER DELIVERED TO DISTRICT BOARD

1 Par. 422, Sec. 16. The superintendent shall cause said order in writing to be
2 delivered to the district board at the same time as the challenge lists are delivered
3 to the district board, which order shall be received for by the judge of the dis-
4 trict board, who shall use said order in conjunction with the registry list, so that
5 no person whose name appears upon said order shall be allowed to vote. Said order
6 or orders shall be signed and certified to by each member of the district board to
7 the effect that no person whose name appears in said order or orders has been
8 allowed to vote. Said order or orders shall be returned to the superintendent at the
9 same time and together with the challenge lists.

10 The superintendent, concurrently with the delivery aforesaid of the said order,
11 shall also deliver to the commissioner a true copy, certified by him as correct, of each
12 order delivered by him pursuant to this section to each district board in munici-
13 palities having permanent registration. Upon receipt of such copy, the commissioner
14 shall thereupon transfer the permanent registration forms of the person named in
15 said order to the inactive, death or conviction file as the case may be.

APPLICATION FOR ORDER TO VOTE

1 Par. 423, Sec. 17. Any person or persons affected by the action of the
2 superintendent shall, during the week immediately preceding the election and on the
3 election day, have the right to make application to any judge of the Court of
4 Common Pleas of the county for the purpose of obtaining an order entitling such
5 person or persons to vote in the district in which said person or persons actually
6 reside. The judge of the Court of Common Pleas, if satisfied that the applicant
7 is entitled under the law to vote at such election and after determining the election
8 district in which said person actually resides may issue such order directing the
9 district board of that district to permit such person to vote. If the order is directed
10 to a district board in municipalities having permanent registration, the district board
11 shall certify and return the order at the close of the election to the commissioner,

12 who thereupon shall restore the permanent registration forms of such person to the
 13 active file; *provided, however,* that before the issuance of such order, the said
 14 superintendent shall be heard personally, or by his chief deputy or assistants, as to
 15 the reasons why said superintendent has issued an order denying said person the
 16 right to vote. The judge of the Court of Common Pleas making such order granting
 17 permission to such person to vote shall cause a full record of the proceedings of
 18 such application to be stenographically taken, transcribed and filed in the office of
 19 the county clerk of the county, which said record shall be an open and public record.
 20 All costs and expense of such proceedings shall be paid by the county.

PENALTY

1 Par. 424, Sec. 18. Any member of a district board who, after the receipt of
 2 an order from the superintendent denying any person the right to vote, unless the
 3 order of said superintendent has been revoked by a judge of the Court of Common
 4 Pleas of said county, as hereinabove provided, allows said person to vote, shall be
 5 guilty of a misdemeanor, and shall, upon conviction, forfeit his right to such office,
 6 and shall be subject to imprisonment for a term not exceeding three (3) years, or
 7 the payment of a fine of one thousand dollars (\$1,000.00), or both.

EXPENSE

1 Par. 425, Sec. 19. Any expense in connection with the service, mailing or
 2 advertising of said notices as hereinbefore provided shall be paid by the county
 3 treasurer, upon certification by the superintendent.

POLICE POWERS

1 Par. 426, Sec. 20. The superintendent and his chief deputy and assistants
 2 shall have and possess all the powers of constables, policemen and other peace
 3 officers.

ARREST WITHOUT WARRANT

1 Par. 427, Sec. 21. The superintendent and his chief deputy and assistants are
 2 hereby authorized and empowered on view and without warrant, to arrest any
 3 person violating any provision of this act. The superintendent and his chief deputy
 4 and assistants, as the case may be, shall have the right and power to call upon any
 5 constable, police officer or other peace officer to aid him in taking any person arrested

6 on view and without warrant to the nearest police station in the municipality in
 7 which such arrest is made, and it shall be the duty of such constable, police officer
 8 or other peace officer to render such requested aid and assistance. Any constable,
 9 police officer or other peace officer failing to comply with such request shall be
 10 guilty of a misdemeanor.

DETENTION

1 Par. 428, Sec. 22. Upon delivering the person so arrested to the officer in
 2 charge of the police station to which he is removed, it shall be the duty of the
 3 officer in charge of such police station to hold and detain the person so arrested,
 4 until ordered released by the magistrate taking the complaint hereinafter provided
 5 for or by other process of law.

COMPLAINT AND HEARING

1 Par. 429, Sec. 23. Upon delivering the person so arrested to the officer in
 2 charge of said police station, the said superintendent or his chief deputy and assist-
 3 ants, as the case may be, making the arrest, shall forthwith and as soon as may be,
 4 make and sign before a magistrate of the municipality in which such arrest was
 5 made a complaint in writing, duly verified, setting forth the offense or particular,
 6 act for which said person was arrested. Upon said complaint being made, the
 7 magistrate before whom such complaint is made shall forthwith and as soon as
 8 may be cause the person so arrested to be brought before him, and proceed on said
 9 complaint, as in the case of other persons arrested on a complaint charging a crimi-
 10 nal offense.

POWER TO EJECT

1 Par. 430, Sec. 24. The superintendent, his chief deputy and assistants, are
 2 hereby authorized and empowered to remove from any polling place or place where
 3 any election is being held any person found violating any provision of this act, or
 4 in any way unlawfully interfering with the lawful conduct of any election.

Partisan Activities.

1 Par. 431, Sec. 25. Neither the superintendent of elections nor any deputy,
 2 clerk, secretary, agent, assistant, or subordinate appointed or acting under the orders
 3 of the superintendent of elections, or any person or persons designated by him to act
 4 at or in respect to any election, shall engage in or be concerned with any partisan

5 activities whatsoever directly or indirectly. Any person who shall violate this section
6 shall be guilty of a misdemeanor and be punished accordingly.

ARTICLE XXXI

REMOVAL OF NAMES FROM REGISTERS BY THE COURTS

1 Par. 432, Sec. 1, The justice of the Supreme Court holding the circuit in the
2 respective counties, the judge of the Circuit Court or the judge of the Common
3 Pleas Court shall order stricken from any register the name of any person who
4 shall be shown to the satisfaction of the justice or judge for any cause, not to
5 be entitled to vote at any election in the election district wherein he is registered,
6 and the commissioner in counties having permanent registration municipalities and
7 the county board in counties other than counties having permanent registration
8 municipalities shall, upon the order of said justice or judge as the case may be, cause
9 the name of such person to be stricken from the register, if such register is then in
10 the possession of said commissioner or county board, or by serving forthwith a copy
11 of said order upon the district board if said register is then in the possession of
12 said district board, which district board shall then and there refuse to allow said
13 person to vote. Said justice or judge shall hear said application to strike off in a
14 summary manner, at the time and day specified in the notice, hereafter provided;
15 *provided, however,* that no name shall be stricken or ordered stricken from any such
16 register in the absence of the person to be affected thereby, unless it shall appear to
17 the justice or judge by affidavit of some qualified voter that notice has been given
18 such person, either personally or by leaving the same at his assigned place of resi-
19 dence, with some person above the age of fourteen years, if any such person can be
20 be found, and if not, a copy of said notice shall be affixed to the outer door of said
21 assigned place of residence, or to any other portion of said premises, if no building
22 be found thereon, at least two entire days before the day and time of hearing before
23 said justice or judge that at such hearing application would be made to have the
24 name of such registered person stricken from the register, and the grounds on which
25 said application would be based. Said qualified voter shall notify said justice or
26 judge five days before the day and time specified at which said application will be
27 made, and said justice or judge shall hear said application at the time and day
28 specified in said notice. The justice or judge shall cause a full record of the proceed-

29 ings of such application including the appearances and a statement of his findings
30 of fact and of law and of the order made pursuant thereto, to be stenographically
31 taken, transcribed and filed in the office of the county clerk which said record shall be
32 public. All cost and expense of such proceedings shall be paid by the county.

ARTICLE XXXII

CRIMES AND PENALTIES AND ENFORCEMENT OF LAWS

FALSE REGISTRATION AND TRANSFERS

1 Par. 433, Sec. 1. (a) If any member or members of the district board shall
2 willfully refuse to enter in the canvassing books or upon the registers the name of
3 any person legally entitled to vote, or shall register the name of any person contrary
4 to the provisions of this act, such member or members shall be punished, on con-
5 viction, by a fine not exceeding one thousand dollars, or by imprisonment not
6 exceeding two years, or both, in the discretion of the court.

7 (b) Any person who shall cause or procure his name to be registered in more
8 than one election district, or shall cause or procure his name or that of any other
9 person to be registered, knowing that he or the person whose name he has procured
10 to be registered, is not entitled to vote in the election district wherein said registry
11 is made, at the next election to be held therein, shall be punished for each offence
12 by a fine of not exceeding one thousand dollars, or imprisonment for a term not
13 exceeding five years, or both, at the discretion of the court.

14 (c) It shall not be lawful for any district board in any municipality in the
15 State to execute or deliver to any voter any paper in the nature of a transfer,
16 purporting to authorize the said voter to vote in any other election district, unless
17 he is actually registered, as now provided by law.

18 (d) Any officer or employee who shall willfully fail to perform or enforce any
19 of the provisions of this act, or who shall unlawfully or fraudulently remove any
20 registration records, or who shall willfully destroy any record provided by this act
21 to be kept, or any person who shall willfully or fraudulently register more than once,
22 or register under any but his true name, or attempt to vote by impersonating an-
23 other who is registered, or who willfully registers in any election district where he
24 is not a resident at the time of registering, or who violates any of the provisions
25 of this act, shall be guilty of a misdemeanor.

NOMINATION

1 Par. 434, Sec. 2. (a) No person shall falsely make, or make oath to, or
2 fraudulently deface or fraudulently destroy any certificate of nomination or petition,
3 or any part thereof, or file, or receive for filing, any certificate of nomination or
4 petition, knowing the same or any part thereof to be falsely made, or suppress any
5 certificate of nomination or petition which has been duly filed, or any part thereof.
6 Every person violating any of the provisions of this section shall be deemed guilty
7 of a misdemeanor, and upon conviction thereof shall be punished by imprisonment
8 for not more than five years.

9 (b) Any person who, being a member of one political party, shall sign his
10 name to any petition endorsing any person as a candidate for office of another
11 political party, shall be guilty of a misdemeanor.

BALLOTS

1 Par. 435, Sec. 3. (a) If any printer employed by any county or municipal clerk to
2 print the official ballots of such clerk, or any person engaged in printing the same,
3 shall appropriate to himself or give or deliver or knowingly permit to be taken
4 any of said ballots by any other person than such county or municipal clerk or his
5 duly authorized agent, or shall print or cause to be printed any official ballot in any
6 other form than that prescribed by such county or municipal clerk, or with any
7 other names thereon, or with the names spelled or the names or printing thereon
8 arranged in any other way than that authorized and directed by this act, such person
9 so offending shall be guilty of a misdemeanor, and on conviction thereof shall be
10 punished by a fine not exceeding one thousand dollars or imprisonment not exceed-
11 ing five years, at the discretion of the court.

12 (b) No person not authorized by the proper officers shall print or make any
13 official or sample ballot provided for in this act, or on or prior to election day have
14 in his possession an official ballot, without being such person as is authorized by
15 this act to have charge or possession thereof. Any person or persons who shall
16 willfully violate any provision of this act, or who shall do any act herein prohibited,
17 shall be guilty of a misdemeanor.

18 (c) No person shall forge or falsely make any ballot or the official endorse-
 19 ment thereof. Every person violating any provisions of this section shall be deemed
 20 guilty of a misdemeanor, and upon conviction thereof shall be punished by im-
 21 prisonment for not more than five years.

CONDUCT OF ELECTIONS

Convicted Person Not to Vote.

1 Par. 436, Sec 4. If any person convicted of crime which disfranchises him
 2 shall vote at any election, unless he shall have been pardoned or restored by law to
 3 the right of suffrage, he shall be deemed guilty of a misdemeanor, and on conviction
 4 thereof shall be punished by a fine not exceeding two hundred dollars, or imprison-
 5 ment at hard labor not exceeding two years, or both.

Hindering of Election.

1 Par. 437, Sec. 5. No person shall, during the election, with intent to hinder or
 2 delay said election, or to hinder or delay any voter in the preparation of his ballot,
 3 remove or destroy any of the ballots or pencils placed in the booths or compart-
 4 ments for the purpose of enabling the voter to prepare his ballot. Any person will-
 5 fully violating any of the provisions of this section shall be deemed guilty of a mis-
 6 demeanor, and on conviction thereof shall be punished by fine not exceeding five
 7 hundred dollars and imprisonment until such fine and the costs of the conviction are
 8 paid.

Obstruction of Polling Place.

1 Par. 438, Sec. 6. If any person shall on election day tamper, deface or interfere
 2 with any polling booth or obstruct the entrance to any polling place, or shall obstruct
 3 or interfere with any voter, or loiter, or do any electioneering within any polling
 4 place or within one hundred feet of any polling place, he shall be deemed guilty of
 5 a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceed-
 6 ing five hundred dollars or by imprisonment not exceeding one year or both at the
 7 discretion of the court.

Breach of Ballot Regulations.

1 Par. 439, Sec. 7. No person shall within the polling-room, mark his ballot
 2 in a place other than in the polling booth or show his ballot, nor shall anyone re-

3 quest said person to show his ballot during the preparation thereof, nor shall any other
4 person inspect said ballot during the preparation thereof, or after it is prepared for
5 voting in such a way as to reveal the contents, nor shall any person within the polling
6 place or within a hundred feet thereof, loiter, electioneer, or solicit any voter;
7 no voter, at any election where official ballots are used, shall knowingly vote or offer
8 to vote any ballot except an official ballot as by this act required; no person shall
9 on any pretext carry any official ballot from the polling-room on any election day
10 except such persons as may by this act be authorized to do so; any person violating
11 any of the foregoing provisions of this section shall be deemed guilty of a misde-
12 meanor, and upon conviction thereof, shall be punished by a fine not exceeding five
13 hundred dollars or by imprisonment not exceeding one year or both at the discre-
14 tion of the court.

Sample Ballots Not to Be Accepted.

1 Par. 440, Sec. 8. It shall be unlawful for any election officer to accept from any
2 voter and deposit in the ballot-box any sample primary ballot.

Prompting of Voter.

1 Par. 441, Sec. 9. Any person who shall prompt a voter in answering any ques-
2 tions provided by this act shall be guilty of a misdemeanor.

Identification Marks on Ballot.

1 Par. 442, Sec. 10. If any person shall write, paste or otherwise place upon any
2 official ballot any mark, sign or device of any kind as a distinguishing mark whereby
3 to indicate to any member of any district board or other person how any voter has
4 voted at any election, or if any person shall induce or attempt to induce any voter
5 to write, paste or otherwise place on his ballot any mark, sign or device of any kind,
6 as a distinguishing mark by which to indicate to any member of any district board
7 or other person how such voter has voted, or shall enter into or attempt to form any
8 agreement or conspiracy with any other person to induce or attempt to induce voters
9 or any voter to so place any distinguishing mark, sign or device on his ballot.
10 whether or not said act be committed or attempted to be committed, such person or
11 persons so offending shall be guilty of a misdemeanor, and being thereof convicted,
12 shall be punished by a fine not exceeding five hundred dollars or imprisonment not
13 exceeding one year, or both, at the discretion of the court.

Fraudulent Voting.

1 Par. 443, Sec. 11. Every person not entitled to vote, who fraudulently votes,
 2 and every person who votes more than once at any one election; or knowingly hands
 3 in two or more tickets folded together; or changes any ballot after the same has been
 4 deposited in the ballot-box; or adds, or attempts to add, any ballot to those legally
 5 polled at any election, either by fraudulently introducing the same into the ballot-
 6 box before or after the ballots therein have been counted; or adds to or mixes with,
 7 or attempts to add to or mix with, the ballots lawfully polled, other ballots while the
 8 same are being counted or canvassed, or at any other time, with the intent to change
 9 the result of such election; or carries away or destroys, or attempts to carry away
 10 or destroy, any poll list, or ballots, or ballot-box, for the purpose of breaking up or
 11 invalidating such election; or willfully detains, mutilates or destroys any election
 12 returns; or in any manner so interferes with the officers holding such election, or
 13 conducting such canvass, or with the voters lawfully exercising their rights of voting
 14 at such election, as to prevent such election or canvass from being fairly had and
 15 lawfully conducted, shall be guilty of a misdemeanor.

Impersonating.

1 Par. 444, Sec. 12. Every person not entitled to vote, who fraudulently attempts
 2 to vote, or who, being entitled to vote, attempts to vote more than once at any elec-
 3 tion, or who personates or attempts to personate, a person legally entitled to vote,
 4 shall be guilty of a misdemeanor.

Seeking to Discover Vote.

1 Par. 445, Sec. 13. Every inspector, judge or clerk of an election, who, previous
 2 to putting the ballot of an elector in the ballot-box, attempts to find out any name
 3 on such ballot, or who opens or suffers the folded ballot of any elector which has been
 4 handed in to be opened or examined previous to putting the same in the ballot-box,
 5 or who makes or places any mark or device on any folded ballot with the view to
 6 ascertain the name of any person for whom the elector has voted, shall be guilty of
 7 a misdemeanor.

Revealing Vote.

1 Par. 446, Sec. 14. If any member of any district board has knowledge how
 2 any person has voted and shall reveal such knowledge to any other person, or shall

3 fraudulently or corruptly disclose what other candidates were voted for on any ballot
4 bearing a name not printed thereon, or fraudulently or corruptly gives any in-
5 formation concerning the appearance of any ballot voted, such person so offend-
6 ing shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished
7 by a fine not exceeding two thousand dollars or imprisonment not exceeding five
8 years.

Electioneering.

1 Par. 447, Sec. 15. If any person shall distribute or display any circular or
2 printed matter or offer any suggestion or solicit any support for any candidate, party
3 or public question within the polling place or room or within a distance of one hun-
4 dred feet of the outside entrance to such polling place or room, such person so
5 offending shall be guilty of a misdemeanor.

Criminal Treatment of Registry Lists.

1 Par. 448, Sec. 16. Any person who shall remove, destroy or mutilate any
2 registry list or copy thereof, or who shall before such election closes remove, destroy
3 or mutilate any list of voters posted in accordance with this act, shall be guilty of a
4 misdemeanor, and shall be punished, on conviction thereof, by fine of not more than
5 one thousand dollars or imprisonment for not more than two years.

Criminal Treatment of Ballot-Boxes and Election Records.

1 Par. 449, Sec. 17. If any person shall rob or plunder any ballot-box, or unlaw-
2 fully and by stealth or violence take the same or remove therefrom any ballot or
3 other paper, or exchange, alter or destroy any ballot or other paper contained there-
4 in, or if any person other than the clerk of any county or the Secretary of State,
5 shall willfully and corruptly suppress, withhold, mutilate, destroy, alter or change
6 any return, statement or certificate or any copy thereof, which shall have been made
7 in pursuance of this act, and delivered to him to be filed, or which shall have been
8 entrusted or delivered to him to be delivered or transmitted to any other person or
9 persons in pursuance of this act, every such person, his aiders, procurers and abet-
10 tors, shall be deemed and taken to be guilty of a misdemeanor, and on conviction
11 thereof shall be punished by a fine not exceeding five hundred dollars, or by im-
12 prisonment at hard labor for any term not exceeding two years, or both.

Interference With Return of Ballot-Boxes.

1 Par. 450, Sec. 18. Any person who shall willfully obstruct or interfere with
2 the clerk or clerks on the way from the polls to the office of the city clerk shall be
3 guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine
4 not exceeding five hundred dollars, or by imprisonment at hard labor for any term
5 not exceeding two years, or both.

Insignia at Polls.

1 Par. 451, Sec. 19. No person shall display, sell, give, or provide any political
2 badge, button or other insignia to be worn at or within one hundred feet of the
3 polls or within the polling place or room, on any primary, general or special elec-
4 tion day or on any commission government election day, except the badge furnished
5 by the county board as herein provided. Any person violating any of the foregoing
6 provisions of this section shall be deemed guilty of a misdemeanor, and upon convic-
7 tion thereof, shall be punished by a fine not exceeding five hundred dollars or by
8 imprisonment not exceeding one year or both at the discretion of the court.

Summary Provision.

1 Par. 452, Sec. 20. Whoever shall solicit the registering of his name on the registry
2 list of any election district or precinct in this State, knowing that he is not a legal voter
3 in such district or precinct; whoever shall willfully counsel, procure, aid, advise, assist
4 or abet in the registering of the name of any other person on the registry list of any
5 election district or precinct, knowing such other person is not entitled to vote therein;
6 whoever at any election, knowing that he is not a qualified voter, votes thereat;
7 whoever at any election votes or attempts to vote more than once on his own name;
8 whoever at any election votes or attempts to vote in more than one election district
9 or precinct; whoever at any election votes or attempts to vote upon any other name
10 than his own; whoever knowingly casts or attempts to cast more than one ballot
11 at one time by balloting; whoever at any election counsels, procures, aids, advises,
12 assists or abets any person, knowing that he is not a qualified voter, to vote thereat;
13 whoever at any election counsels, procures, aids, advises, assists or abets any person
14 in voting in more than one election district or precinct; whoever at any election
15 counsels, procures, aids, advises, assists or abets any person to vote or to attempt

16 to vote upon any name other than his own, or knowingly casts or attempts to cast
17 more than one ballot at one time of voting; whoever at any election in this State shall
18 in any way willfully mark or deface his ballot, or shall willfully counsel, procure,
19 aid, advise, assist or abet any person in the marking or defacing of a ballot; whoever
20 at any election in this State shall in any way counsel, procure, aid, advise, assist
21 or abet any official or person in any act which is contrary to the provisions of this
22 act or the act to which this is a supplement; whoever at any election in this State
23 shall in any way willfully hinder or prevent a voter from casting his legal vote,
24 knowing such person to have a right to vote; whoever shall willfully tamper with,
25 injure, mutilate, destroy or render unfit for use, any ballot-box shall be guilty of a
26 misdemeanor and punishable by a fine of five hundred dollars or imprisonment in
27 State prison for the term of three years, or both.

Voting in Wrong Party Ballot-Box.

1 Par. 453, Sec. 21. Any person who, being a member of one political party,
2 shall vote in the ballot-box used for the primary election of another political party.
3 shall in each case be guilty of a misdemeanor, and, on conviction, shall be punished
4 by a fine not exceeding five hundred dollars, or be imprisoned not exceeding two
5 years, or both, at the discretion of the court.

False Voting at Primary.

1 Par. 454, Sec. 22. If any person not entitled to vote at any primary election
2 as herein provided shall vote or offer to vote at any such primary meeting or
3 caucus knowing or having reason to believe himself not entitled to vote as afore-
4 said, or if any person or persons shall counsel or procure anyone to vote as afore-
5-6 said, knowing or having reason to believe such voter not entitled so to vote, or if
7 any person having voted at any primary meeting held by any political party or
8 organization to nominate candidates or to elect delegates to nominate candidates, to
9 be voted for at any election, shall vote or offer to vote at the primary meeting held
10 by any other political party or organization, held to nominate candidates or to elect
11 delegates to nominate candidates, to be voted for at the same election, such person
12 or persons shall be guilty of a misdemeanor, and on conviction thereof shall for
13 each offense be punished by imprisonment at hard labor for a term of not more

14 than three months, or by a fine of not more than one hundred dollars, or both,
15 at the option of the court.

Fraudulent Actions at Primary.

1 Par. 455, Sec. 23. If any judge, inspector, clerk or other officer of a primary elec-
2 tion as aforesaid shall presume to act in such a capacity before taking and sub-
3 scribing to the oath or affirmation required by this act, or shall willfully disregard
4 or violate the provisions of any rule duly made by the party of which he is a member,
5 and for whom he is acting, for the government of the primary elections of the party, or
6 if any judge or inspector of any primary election as aforesaid shall knowingly reject
7 the vote of any person entitled to vote under the rules of the said party or shall
8 knowingly receive the vote of any person or persons not qualified as aforesaid, or
9 if any judge, inspector, clerk or any other officer of a primary election, as aforesaid
10 shall commit any willful fraud in the discharge of his duties by destroying or mark-
11 ing any ballot in any way before such ballot is delivered to the voter or defacing
12 ballots, adding marks to the poll by false counting, by making false returns or by
13 any act or thing whatsoever, the person or persons so offending shall be guilty of
14 a misdemeanor, and upon conviction shall be punished by a fine not exceeding five
15 hundred dollars or by imprisonment not exceeding one year or both at the discre-
16 tion of the court.

BETTING

By Persons in General.

1 Par. 456, Sec. 24. (a) No person shall make, lay or deposit any bet, wager or
2 stake, to be decided by the result of any election, by the election or defeat of one
3 or more persons at any election, or by any contingency connected with or growing
4 out of any election; and all contracts for or on account of any money, property
5 or thing in action so bet, wagered or staked shall be void; and any person who
6 shall pay, deliver or deposit any money, property or thing in action upon the event of
7 any bet, wager or stake prohibited by this section, may sue for and recover the same
8 of the winner or winners, or person or persons, to whom the same, or any part
9 thereof, shall have been paid or delivered, or with whom the same, or any part
10 thereof, shall have been deposited, whether he or they shall have been a stakeholder
11 or stakeholders, or other person or persons, whether or not the same shall have

12 been paid over by such stakeholder, or whether or not such bet, wager or stake
13 shall have been lost.

14 (b) It shall be unlawful for any candidate for public office, before or during
15 an election, to make any bet or wager with a voter, or take a share or interest in,
16 or in any manner become a party to such bet or wager, or provide or agree to pro-
17 vide any money to be used by another in making such bet or wager, upon any event
18 or contingency whatever. Nor shall it be lawful for any person, directly or indirectly,
19 to make a bet or wager with a voter, depending upon the result of any election, with
20 the intent thereby to procure the challenge of such voter, or to prevent him from
21 voting at such election.

BRIBERY

1 Par. 457, Sec. 25. (a) If any person shall, directly or indirectly, by himself or
2 by any other person in his behalf, give, lend or agree to give or lend, or shall offer,
3 promise or promise to procure, or endeavor to procure, any money or other valua-
4 ble consideration or thing to or for any voter, or to or for any person, in order
5 to induce any voter to vote or refrain from registering for any election, or shall
6 corruptly do or commit any of the acts in this section mentioned on account of
7 any such voter having voted or refrained from voting at an election, or registered
8 or refrained from registering at an election, such person so offending shall be guilty
9 of a misdemeanor, and, on conviction thereof, shall be punished by a fine and
10 imprisonment, or both, at the discretion of the court, the fine not to exceed two thou-
11 sand dollars, and the imprisonment not to exceed five years.

12 (b) Whosoever shall, directly or indirectly, make or give any money or other
13 thing of value to any member of the district board because of his membership on
14 such board, or when it shall appear that such money or other thing of value is
15 made or given to such member because of his membership on such board, except
16 as hereinbefore provided as his legal compensation for service on such board, shall
17 be guilty of a misdemeanor and upon conviction thereof, shall be punished by a
18 fine not exceeding one thousand dollars or imprisonment not exceeding two years, or
19 both, in the discretion of the court.

20 Any member of a district board who shall, by himself, or by any other person
21 in his behalf, receive any money or other thing of value because of his membership
22 on such board, or when it shall appear that such money or other thing of value

23 is accepted or received by such member because of his membership on such board,
24 except as hereinbefore provided as his legal compensation for service on such board,
25 shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by
26 a fine not exceeding one thousand dollars or imprisonment not exceeding two years,
27 or both, in the discretion of the court.

28 (c) Any person who shall directly or indirectly, by himself or by any other
29 person in his behalf, give or procure, or agree to give or procure or offer or
30 promise to procure, or endeavor to procure any office, place or employment to or
31 for any voter, or to or for any person on behalf of such voter, or to or for any
32 other person, in order to induce such voter to vote or refrain from voting, or to
33 register or refrain from registering, or shall corruptly do any act as aforesaid on
34 account of any voter having voted or refrained from voting, or having registered
35 or refrained from registering for any election, shall be guilty of a misdemeanor,
36 and being thereof convicted, shall be punished by fine not exceeding two thousand
37 dollars, or imprisonment not exceeding five years, at the discretion of the court.

38 (d) Any voter who shall directly or indirectly, by himself, or by any other per-
39 son on his behalf, receive, agree or contract for any money, gift, loan or valuable
40 consideration, office, place or employment for himself or for any other person for
41 voting or agreeing to vote, or for refraining or agreeing to refrain from voting
42 at any election, or for registering or agreeing to register, or for refraining or for
43 agreeing to refrain from registering for any election, shall be guilty of a misde-
44 meanor, and being thereof convicted shall be punished by fine not exceeding one
45 thousand dollars, or imprisonment for not longer than one year, at the discretion of
46 the court.

47 (e) If any person shall, directly or indirectly, give, offer or promise to give
48 any sum or sums of money or any valuable thing in action, victuals, drink or
49 preferment or other considerations, by way of fee, reward, gift or gratuity, or
50 other valuable present or reward to obtain, procure or influence the opinion,
51 behavior, vote or abstaining from voting for the election of any delegate to any
52 convention of any political party of this State, to nominate any candidate or candi-
53 dates for member of the Legislature of this State, for any member of Congress
54 of the United States, for electors for President and Vice-President of the United

55 States, for Governor of this State, or for any candidate for any office in any
56 county, city, town, township or borough in this State; or if any person being a
57 delegate to any political convention to nominate candidates for any of the offices
58 named in this act, shall directly or indirectly, ask for, accept, receive or take any sum
59 or sums of money, or other valuable consideration by way of fee, reward, gift or
60 gratuity, or other valuable consideration for the giving or refusing to give his vote
61 at any such convention, all and every of such persons so offering, asking, or receiv-
62 ing the same, in either case aforesaid, shall be deemed and taken to be guilty of
63 misdemeanor, and on conviction thereof shall be punished by a fine or imprison-
64 ment, or both, at the discretion of the court; said fine not to exceed five hundred
65 dollars, nor such imprisonment six months.

66 (f) Whoever shall, directly or indirectly, give, furnish, supply or promise,
67 or procure to be given, furnished, supplied, offered or promised, to any person or
68 persons, any money, service, preferment or valuable thing with the intent that such
69 money or valuable thing, or any other money, service, preferment or valuable thing
70 shall be given, offered, promised or used, by any person or persons, by way of fee,
71 reward, gift or gratuity, for giving or refusing to give any vote or votes of any
72 citizen of this State, at any election of any public officer, State, county or municipal,
73 to be held therein, or of any member of Congress of the United States, of electors
74 for President and Vice-President of the United States, or at any election of any
75 delegate or delegates to any political convention to be held for the nomination of
76 any of the officers aforesaid, or by way of gift, gratuity or reward, for giving or
77 withholding the vote or votes of any delegate or delegates at any such conventions,
78 shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by
79 a fine or imprisonment, or both; such fine not to exceed the sum of ten thousand
80 dollars, and such imprisonment not to exceed the term of one year.

81 (g) Any person who shall, directly or indirectly, by himself or by any other
82 person in his behalf, give, lend, or agree to give or lend, or procure, or agree to
83 procure or offer or promise to procure, or endeavor to procure, any money or other
84 valuable consideration or thing, or any office, place or employment to or for any
85 voter, or to or for any person, in order to induce such voter to vote or refrain from
86 registering or voting at any election, or shall corruptly do or commit any of the

87 acts in this section mentioned, on account of any voter having voted or refrained
88 from voting, or having registered or refrained from registering for any election,
89 shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to
90 disfranchisement for a period of five years from the date of conviction.

91 (h) Any person who shall give, advance or pay, or cause to be given, advanced
92 or paid, any money or other valuable thing to any person, or to the use of any
93 other person, with the intent that such money or other valuable thing, or any part
94 thereof, shall be expended, or used for bribery of voters, or for any other unlaw-
95 ful purpose at any election, or who shall knowingly pay, or cause to be paid, any
96 money to any person wholly or in part expended in bribery of a voter or voters
97 at any election, shall be guilty of a misdemeanor, and, on conviction thereof, shall
98 be sentenced to disfranchisement for five years from the date of conviction.

99 (i) And person who shall, directly or indirectly, by himself, or by any other
100 person on his behalf, receive, agree or contract for any money, gift, loan or valuable
101 consideration, office, place or employment for himself or for any other person for
102 voting or agreeing to vote, or for refraining or agreeing to refrain from voting
103 at any election, or for registering or agreeing to register, or for refraining or for
104 agreeing to refrain from registering for any election, shall be guilty of a misde-
105 meanor, and on conviction thereof shall be sentenced to disfranchisement for a
106 period of five years from the date of conviction.

107 (j) No person shall give or agree to give for the purpose of promoting or
108 procuring or for the purpose of opposing or preventing the election of a candidate
109 for public office, or for the purpose of promoting or procuring or for the purpose
110 of opposing or preventing the nomination of any person as a candidate for public
111 office, any money or any valuable thing to be used for any of the purposes here-
112 inafter to be enumerated.

113 (k) To provide or give or to pay, wholly or in part, the expense of giving
114 or providing any meat, drink, entertainment or provision to or for any person
115 for the purpose of influencing that person or any other person to give or refrain
116 from giving his vote at any election, or on account of any such person or any
117 other person having voted or refrained from voting.

118 (l) To provide for the payment of rent for or for the purpose of providing
119 and fitting up any clubroom for social or recreative purposes, or providing for
120 uniforms for any organized club.

121 (m) To provide for the payment for the insertion in any newspaper or maga-
122 zine of any article tending to influence any person to give or refrain from giving his
123 vote to any candidate or candidates at any election; or to provide for payment for
124 the distribution of any newspaper or magazine wherein any such article is printed;
125 or to provide for payment of the printing or of the distribution of any circular,
126 handbill, card, pamphlet or statement tending to influence any person to give or
127 refrain from giving his vote to any candidate or candidates at any election; *pro-*
128 *vided, however,* that this prohibition shall not be construed to prohibit the printing
129 and distribution of paid advertisements, which advertisements shall be indicated by
130 the words "This advertisement has been paid for by _____" (inserting
131 the true name and address of the person or persons paying for the same); *and*
132 *provided, further,* that this prohibition shall not be construed to prohibit the printing
133 and distribution of circulars, hand-bills, cards, pamphlets or statements which shall
134 have printed on the face thereof the true name and address of the person or per-
135 sons paying for the printing and distribution thereof, which fact shall be indicated
136 by the words "The cost of the printing and distribution of this circular (or as the
137 case may be) has been paid by _____ (inserting the true name and
138 address of the person or persons paying for the same).

139 No person shall accept any money or other valuable thing, the payment of
140 which is prohibited by this act.

141 Any person found guilty of bribery as defined in this section and subdivision
142 (j) thereof shall be guilty of a misdemeanor, and upon conviction thereof shall,
143 for the first offense, be disfranchised for a period of two years from the date of
144 such conviction, and for any subsequent offense shall be perpetually disfranchised,
145 and in addition thereto the court in which such conviction is obtained, may, in its
146 discretion, in case of a subsequent conviction, impose upon the person so convicted
147 the punishment now prescribed by law for a misdemeanor.

Perjury and Subornation of Perjury.

1 **Par. 458, Sec. 26.** If any person shall be guilty of willful and corrupt false swear-
 2 ing or affirming, or by any means shall willfully and corruptly suborn or procure any
 3 person to swear or affirm falsely, in taking any oath, affirmation or deposition pre-
 4 scribed or authorized by this act, he shall be deemed and taken to be guilty of a high
 5 misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding
 6 eight hundred dollars or imprisonment at hard labor not exceeding seven years, or
 7 both, at the discretion of the court, and be deemed and taken to be an incompetent wit-
 8 ness thereafter for any purpose within this State, until such time as he shall have been
 9 pardoned.

DURESS, UNDUE INFLUENCE

Threats Against Employee.

1 **Par. 459, Sec. 27.** Any employer of any workmen, or any agent, superintendent
 2 or overseer of any company or corporation employing workmen, or any person who-
 3 soever, who shall directly or indirectly, by himself or by any other person in his be-
 4 half or by his direction, make use of or threaten to make use of any force, violence
 5 or restraint, or inflict or threaten to inflict by himself or by any other person any in-
 6 jury, damage, harm or loss against any person or persons in his employ, in order to in-
 7 duce or compel such employee or employees to vote or refrain from voting for any par-
 8 ticular candidate or candidates at any election, or on account of such employee or em-
 9 ployees having voted or refrained from voting for any particular candidate or candi-
 10 dates at any election, or who shall, by any sort of duress, constraint or improper in-
 11 fluence or by any fraudulent or improper device, contrivance or scheme, impede, hin-
 12 der or prevent the free exercise of the franchise of any voter at any election, or shall
 13 thereby compel, induce or prevail upon any voter to vote for or against any particular
 14 candidate or candidates at any election, shall be guilty of a misdemeanor, and, being
 15 thereof convicted, shall be punished by a fine not exceeding two thousand dollars, or
 16 imprisonment not exceeding five years, or both, at the discretion of the court before
 17 which conviction is had.

Threats Against Any Voter.

1 **Par. 460, Sec. 28.** It shall be unlawful for any person, directly or indirectly,
 2 by himself or by any other person in his behalf, to make use of, or threaten to make
 3 use of, any force, violence or restraint, or to inflict or threaten the infliction, by him-

4 self or through any other person, of any injury, damage, harm or loss, or in any
5 manner to practice intimidation upon or against any person, in order to induce or com-
6 pel such person to vote or refrain from voting at any election, or to vote or refrain
7 from voting for any particular person or persons at any election, or on account of
8 such person or persons at any election, or on account of such person having voted or
9 refrained from voting at any election.

Interference with Voter.

1 Par. 461, Sec. 29. And it shall be unlawful for any person by abduction, duress
2 or any forcible or fraudulent device or contrivance whatever, to impede, prevent or
3 otherwise interfere with the free exercise of the elective franchise by any voter; or
4 to compel, induce or prevail upon any voter either to give or refrain from giving his
5 vote at any election, or to give or refrain from giving his vote for any particular per-
6 son or persons at any election.

Influencing of Vote by Employer.

1 Par. 462, Sec. 30. It shall not be lawful for any employer, in paying his em-
2 ployees the salary or wages due them, to enclose in their pay in "pay envelopes" upon
3 which there is written or printed the name of any candidate or any political mottoes,
4 devices or arguments containing threats, express or implied, intended or calculated to
5 influence the political opinions or actions of such employees. Nor shall it be lawful
6 for any employer, within ninety days of an election, to put up or otherwise exhibit
7 in his factory, workshop, or other establishment or place where his workmen or em-
8 ployees may be working, any handbill or placard containing any threat, notice or in-
9 formation that in case any particular ticket of a political party, or organization, or
10 candidate shall be elected, work in his place or establishment will cease, in whole or in
11 part, or his place or establishment be closed up, or the salaries or wages of his work-
12 men or employees be reduced, or other threats, express or implied, intended or calcu-
13 lated to influence the political opinions or actions of his workmen or employees.

Applicable to Corporations.

1 Par. 463, Sec. 31. The foregoing sections shall apply to corporations as well as
2 individuals, and any person or corporation violating the provisions of this section is
3 guilty of a misdemeanor, and any corporation violating this section shall forfeit its
4 charter.

ILLEGAL CONTRIBUTIONS AND EXPENDITURES

Contributions by Insurance Corporations Prohibited.

1 Par. 464, Sec. 32. No insurance corporation or association doing business in
 2 this State shall, directly or indirectly, pay or use, or offer, consent or agree to pay or
 3 use, any money or property for or in aid of any political party, committee, organiza-
 4 tion or corporation, or for or in aid of any candidate for political office, or for nomi-
 5 nation for such office, or for any political purpose whatsoever, or for the reimburse-
 6 ment or indemnification of any person for money or property so used. Any officer,
 7 director, stockholder, attorney or agent of any corporation or association which vio-
 8 lates any of the provisions of this act, who participates in, aids, abets, or advises or
 9 consents to any such violation, and any person who solicits or knowingly receives any
 10 money or property in violation of this act, shall be guilty of a misdemeanor.

Contributions by State, County or Municipal Committee Prohibited.

1 Par. 465, Sec. 33. It shall be unlawful for any State, county or municipal com-
 2 mittee or organization of any political party in this State to expend any money in aid
 3 of the candidacy of any candidate for election as a delegate at any national convention,
 4 or election to any party position, or for nomination as a candidate of a political party
 5 for public office.

Contributions by Petitioners Prohibited.

1 Par. 466, Sec. 34. It shall be unlawful for any such party committee or organi-
 2 zation, or any committee of any group of petitioners, or any other person to expend
 3 any money in aid of any candidate for public office, except as herein otherwise pro-
 4 vided.

Contributions by Any Person Prohibited.

1 Par. 467, Sec. 35. Any person who shall expend or aid or assist in the expendi-
 2 ture of any such moneys for any purpose not authorized by this act, or for any pur-
 3 pose not named in the statement accompanying such contribution, shall be guilty of a
 4 misdemeanor and liable to the punishment provided by law for misdemeanors.

Advertisements, Meetings, Rent and Salaries.

1 Par. 468, Sec. 36. No person shall expend any money or other thing of value or
 2 incur any liability in aid or furtherance of his candidacy for nomination for or elec-

3 tion to any public office or party position, or in aid or furtherance of the candidacy
 4 of any other person, or in opposition to the candidacy of any other person, for
 5 nomination for or election to any public office or party position for any purpose
 6 whatsoever except the following: Advertising in newspapers, magazines and pe-
 7 riodicals, in or on railroad cars, trolley cars, motor or other vehicles and airplanes;
 8 or by means of banners, electric signs, moving pictures or wireless telephone or tele-
 9 graph; holding political meetings, including expenses for music and other entertain-
 10 ment, at such meetings, and for advertising such meetings; the traveling expenses
 11 and compensation of agents actually employed in arranging for and conducting such
 12 meetings, paying for watchers at the polls, as in this act provided, making contribu-
 13 tions to the State or county committee, as in this act provided, maintaining candidates
 14 or party headquarters, including the hire of rooms and the compensation of em-
 15 ployees actually employed therein, salary or fees of the stenographers, telegraph or
 16 telephone charges, postage, expressage, traveling expenses of candidates, and the
 17 preparation and printing of literature and the distribution thereof.

Expenditures Authorized.

1 Par. 469, Sec. 37. No person shall expend any money or other thing of value
 2 or incur any liability in aid or furtherance of his candidacy for nomination for or
 3 election to any public office or party position, or in aid or furtherance of the candi-
 4 dacy of any other person for nomination for or election to any public office or party
 5 position or in opposition to the candidacy of any other person for any of the follow-
 6 ing purposes, but the specific prohibitions contained in this section, or in any other
 7 portion of this act, shall not operate to permit, by implication or otherwise, the
 8 expenditure of any money or thing of value or the incurring of any liability for
 9 any purpose not specifically authorized by this act or to limit or in any way restrict
 10 the operation of the next preceding section of this act.

11 (a) For the printing or distribution of posters or for the posting of cards, ad-
 12 vertisements or posters upon billboards, dead-walls, trees or posts, or the placing of the
 13 same in the windows of buildings; *provided, however,* that nothing in this act con-
 14 tained, shall prohibit any candidate or his campaign manager or any organization, as-
 15 sociation, club or group of individuals, other than a State, county or municipal com-
 16 mittee as herein provided, from having printed for circulation, mailing, or adver-

17 tising in newspapers, any literature, cards or printed posters; or from displaying
18 said literature, cards or printed posters on billboards, in windows of dwelling
19 houses, or show windows of stores; or prohibit the distribution of any portraits or
20 posters for the furtherance of the nomination or election of any candidate, or the
21 voting for, or against, any public question.

22 (b) The hiring of any watchers, agents or challengers for any work on any
23 primary day or other election day; *provided, however*, that any candidate for nomi-
24 nation or party position may hire one watcher for each election district in which he
25 is to be voted for at any primary election; *provided, further*, that any group of
26 candidates who shall have been bracketed on any primary ballot or who shall have
27 united in a joint campaign shall not hire more than one watcher or challenger at
28 such polling place, which watcher or challenger shall represent all of such group;
29 *provided, further*, that nothing in this act contained shall prohibit any candidates not
30 bracketed or conducting a joint campaign from joining in the hire of watchers; *pro-*
31 *vided, further*, that each political party or organization may employ not exceeding
32 two persons on election day to act as challengers or agents in each polling place as
33 now provided by law;

34 (c) The hiring of any vehicle for the transportation of voters to or from the
35 polls; *provided, however*, that nothing in this act contained shall be construed to in
36 any way limit the right of any candidate, person or persons, organization or club
37 to furnish transportation for any voter or voters, to and from any polling places
38 where he or they may be legally entitled to register or cast his or their vote or
39 votes;

40 (d) To pay any compensation of any kind or character to any person on ac-
41 count of services rendered or to be rendered in seeking to create a public sentiment
42 in favor of, or against any candidate by any means or method, except those for
43 which expenditure of money is above specifically authorized;

44 (e) To pay any compensation of any kind or character to any person for any
45 personal services rendered, except clerical services, the services of watchers at the
46 polls on any election day as authorized by this act in furtherance or in aid of the
47 candidacy of any candidate for nomination for election to any public office or party
48 position, unless within twenty-four hours after said person shall have been employed

49 by said candidate or the campaign manager of such candidate, or shall have com-
50 menced to render the services for which compensation is to be paid, a notice shall
51 be filed in the office where such candidate is required to file his statement of ex-
52 penses, stating that such person has been employed by such candidate or his man-
53 ager for compensation, and stating the nature of the services to be rendered by such
54 person. Such notice shall be signed by the candidate or his campaign manager.
55 All of such notices shall be kept by the officer with whom the same are filed and so
56 classified and arranged that ready reference may be had thereto, and shall be open to
57 the inspection of the public.

Expenditures Prohibited.

1 Par. 470, Sec. 38. No person shall pay, lend or contribute, or offer or agree
2 to pay, lend or contribute, any money or other valuable consideration to or for any
3 person either for

4 (a) The doing or procuring to be done of any act forbidden to be done by the
5 laws of this State relating to primary or general elections; or

6 (b) The commission of any crime or offense against the elective franchise,
7 or the encouragement or assistance of a person in the commission of a crime or
8 offense against the elective franchise, or aiding or assisting any person charged with
9 the commission of a crime against the elective franchise to evade arrest or to escape
10 conviction and punishment for such crime or offense; or

11 (c) Providing, wholly or in part, directly or indirectly, for the expense of
12 boarding, lodging or maintaining a person in any place of domicile in any election
13 precinct or ward, or district, with the purpose of securing the vote of such person,
14 or of inducing such person to vote for himself, or any other person at an election
15 held within the State; or

16 (d) The hiring or employment of a person to take or maintain a place in, or to
17 otherwise obstruct or hinder, or to prevent the forming of the line of voters await-
18 ing their opportunity or time to enter the polling place or election booth of an elec-
19 tion precinct; or

20 (e) In consideration of any person withdrawing as a candidate for public
21 office or presidential elector, at any election held within this State; or

22 (f) To pay any person for loss or damage due to attendance at the polls at
 23 any primary or general or charter election, or any registry therefor, or for the pur-
 24 pose of such registration.

25 (g) For any purpose in contravention of the provisions of this act; or

26 (h) Making any payment except in the manner provided by this act.

27 (i) To pay for the printing or publishing or distribution of any circular, hand-
 28 bill, card, pamphlet, statement, advertisement or other printed matter of any kind
 29 or character having reference to an election or to any candidate at any election,
 30 unless such circular, hand-bill, card, pamphlet, statement, advertisement or printed
 31 matter shall bear upon the face thereof the name and address of the candidate or cam-
 32 paign manager of the candidate causing the same to be published, and furnishing
 33 or agreeing to furnish payment for such printing and publication: *provided, howe-*
 34 *ever,* that this prohibition shall not apply to payment for the printing and distribu-
 35 tion of paid advertisements in newspapers or magazines, which advertisements shall
 36 be indicated by the words: "This advertisement has been paid for by"
 37 (inserting the true name and address of the person or persons paying for the same),
 38 or to payment for the printing and distribution of circulars, hand-bills, cards, pamph-
 39 lets or statements which shall have printed on the face thereof the true name and ad-
 40 dress of the person or persons paying for the printing and distribution thereof, which
 41 fact shall be indicated by the words "The cost of the printing and distribution of
 42 this circular (or as the case may be) has been paid by"
 43 (inserting the true name and address of the person or persons paying for the same).

Expenditures Prohibited.

1 Par. 471, Sec. 39. It shall be unlawful for any person directly or indirectly,
 2 by himself or through any other person—

3 (a) To pay, lend or contribute, or offer or promise to pay, lend or contribute,
 4 any money or other valuable consideration to or for any voter, or to or for any other
 5 person, to induce such voter to vote or refrain from voting at any election, or to
 6 induce any voter to vote or refrain from voting at such election for any particular
 7 person or persons, or to induce such voter to come to the polls or remain away from
 8 the polls at such election, or on account of such voter having voted or refrained from

9 voting or having voted or refrained from voting for any particular person, or hav-
10 ing come to the polls or remained away from the polls at such election.

11 (b) To give, offer or promise any office, place or employment, or to promise
12 to procure or endeavor to procure any office, place or employment to or for any
13 voter, or to or for any other person, in order to induce such voter to vote or refrain
14 from voting at any election, or to induce any voter to vote or refrain from voting
15 at such election for any particular person or persons.

16 (c) To make any gift, loan, promise, offer, procurement or agreement, as
17 aforesaid, to, for or with any person, in order to induce such person to procure,
18 or endeavor to procure, the election of any person, or the vote of any voter at any
19 election.

20 (d) To procure, or engage, promise or endeavor to procure, in consequence
21 of any such gift, loan, offer, promise, procurement or agreement, the election of any
22 person, or the vote of any voter at such election.

23 (e) To advance or pay, or cause to be paid, any money or other valuable thing,
24 to or for the use of any other person, with the intent that the same, or any part
25 thereof, shall be used in bribery at any election, or to knowingly pay, or cause to be
26 paid, any money or other valuable thing to any person in discharge or repayment
27 of any money, wholly or in part, expended in bribery at any election.

28 (f) To advance or pay, or cause to be paid, any money or other valuable thing,
29 to or for the use of any other person, with the intent that the same, or any part
30 thereof, shall be used to aid or assist any person to evade arrest who is charged with
31 the commission of a crime against the elective franchise.

32 (g) To advance or pay, or cause to be paid, any money or other valuable thing,
33 to or for the use of any other person, in consideration of being selected or endorsed
34 as the candidate of any convention, organized assemblage of delegates, or other body
35 representing, or claiming to represent, a political party or principle, or any club,
36 society or association, for a public office, or in consideration of the selection or
37 endorsement of any other person as a candidate for a public office, or in considera-
38 tion of any member of a convention, club, society or association, having voted to
39 select or endorse any person as a candidate for a public office.

40 (h) To advance or pay, or cause to be paid, any money or other valuable thing
41 to or for the use of any other person, in consideration of a person withdrawing as
42 a candidate for a public office.

Receipts Prohibited.

1 Par. 472, Sec. 40. It shall be unlawful for any person, directly or indirectly,
2 by himself or through any other person:

3 (a) To receive, agree or contract for, before or during an election, any money,
4 gift, loan or other valuable consideration, office, place or employment, for himself
5 or any other person, for voting or agreeing to vote, or for coming or agreeing to
6 come to the polls, or for refraining or agreeing to refrain from voting, or for voting
7 or agreeing to vote, or refraining or agreeing to refrain from voting for any par-
8 ticular person or persons at any election.

9 (b) To receive any money or other valuable thing during or after an election,
10 on account of himself, or any other person, having voted or refrained from voting
11 for any particular person or persons at such election, or on account of himself, or any
12 other person having come to the polls or remained away from the polls at such elec-
13 tion, or on account of having induced any other person to vote or refrain from
14 voting, or to vote or refrain from voting for any particular person or persons, or
15 to come to or remain away from the polls at such election.

16 (c) To receive any money or other valuable thing before, during or after
17 election, on account of himself, or any other person having voted to secure the elec-
18 tion or endorsement of any other person as the nominee or candidate of any conven-
19 tion, organized assemblage of delegates or other body, representing, or claiming to
20 represent, a political party or principal, or any club, society or association, or on
21 account of himself or any other person having aided in securing the selection or
22 endorsement of any other person as a nominee or candidate as aforesaid.

Bank Deposit in Another's Name Prohibited.

1 Par. 473, Sec. 41. No person shall make any payment of his own money, or of
2 the money of any other person, in connection with any nomination or election in any
3 other name than that of the person who really supplies such money, nor shall any per-
4 son knowingly receive such money, or thing of value, and enter it into his accounts or

5 deposit it in any bank or trust company, in any other name than the name of the per-
6 son who really supplies the same.

Office Holders' Restrictions.

1 Par. 474, Sec. 42. No holder of any public office or position not filled by elec-
2 tion by voters shall contribute to the nomination or the election of any person to public
3 office or party position; *provided*, that this prohibition shall not apply to any person
4 holding an appointive office or position the term of which is fixed by law. No person
5 shall invite, demand or accept payment or contribution from such persons for cam-
6 paign purposes.

Religious and Charitable Organizations.

1 Par. 475, Sec. 43. No person shall demand, solicit, ask or invite any payment
2 or contribution for any religious, charitable or other cause or organization supposed
3 to be primarily for the public good, from any candidate for nomination or election.

Solicitation of Candidates Prohibited.

1 Par. 476, Sec. 44. No person shall demand, solicit, ask or invite any candidate
2 for nomination for election to public office or party position to subscribe for the sup-
3 port of any club or organization, or to buy tickets to any entertainment or ball, or to
4 pay for space in any book, program, periodical or publication. This shall not apply to
5 the solicitation of any business advertising in periodicals in which the candidate was a
6 regular advertiser prior to his candidacy, nor to ordinary business advertising, nor
7 to the regular payments to any organizations, religious, charitable or otherwise, of
8 which he was a member, or to which he was a contributor for more than six months
9 before his candidacy, nor to any ordinary contributions at church services.

Contributions by Corporations Prohibited.

1 Par. 477, Sec. 45. No corporation carrying on the business of a bank, savings
2 banks, co-operative bank, trust, trustee, savings indemnity, safe deposit, insurance,
3 railroad, street railway, telephone, telegraph, gas, electric light, heat and power, canal
4 or aqueduct company, or having the right to condemn land, or to exercise franchises
5 in public ways granted by the State, county, city or town, and no corporation, person,
6 trustee or trustees, owning or holding the majority of stock in any such corporation,
7 shall pay or contribute any money or thing of value in order to aid or promote the

8 nomination or election of any person, or in order to aid or promote the interests, suc-
9 cess or defeat of any political party.

MISCELLANEOUS CRIMES AND PENALTIES

Disfranchisement as Extra Penalty.

1 Par. 478, Sec. 46. In addition to the penalties provided for violation of any of
2 the provisions of this act, the court imposing such penalties may add thereto that
3 such offender be thenceforth disfranchised as a voter and disqualified to hold any
4 office of trust or profit within this State for such length of time as such court may
5 deem proper; (a) *provided, nevertheless*, that nothing in this act contained shall be
6 held or construed to in anywise absolve or relieve any person or persons from any
7 liability, penalty, prosecution, indictment or punishment, for or on account of any
8 violation of any law in force at the time of the passage of this act.

Second Offense.

1 Par. 479, Sec. 47. Any person who, having once been convicted of a violation
2 of any of the provisions of this act, shall again be convicted of a violation of any of
3 the provisions of this act, whether such conviction be for the same offense or not,
4 shall, on such second conviction, be sentenced to disfranchisement and to pay a fine
5 not exceeding one thousand dollars, or to imprisonment for a term not exceeding five
6 years, or both, at the discretion of the court.

Neglect to Perform Duty.

1 Par. 480, Sec. 48. Every person charged with the performance of any duty
2 under the provisions of any law of this State relating to elections, who willfully neg-
3 lects or refuses to perform it, or who, in his official capacity, knowingly and fraud-
4 ulently acts in contravention or violations of any of the provisions of such laws, shall
5 be guilty of a misdemeanor.

Influencing Others to Disobey Act.

1 Par. 481, Sec. 49. Any candidate who procures, aids, assists, counsels, advises or
2 knowingly permits any person to violate this act shall be guilty of a misdemeanor.

Acting After Election Is Void.

1 Par. 482, Sec. 50. Any person chosen as member of the State committee, county
2 committee, or any city or municipal committee of any political party who shall sit or

3 perform any duty, or exercise any functions as a member of such committee after his
 4 election thereto, shall have been declared null and void, shall be guilty of a misde-
 5 meanor, and each member of any such committee who shall vote to recognize any such
 6 member after such election shall have been declared null and void, shall likewise be
 7 guilty of a misdemeanor.

Failure to Delegate to Surrender Certificate.

1 Par. 483, Sec. 51. Any delegate at large or district delegate to any national
 2 convention who shall fail to surrender such certificate of election forthwith, after the
 3 same has been declared null and void, as aforesaid, or who shall use such certificate of
 4 election, or who shall present such certificate of election as a credential at any such
 5 convention, or to any committee on credentials at such convention, or who shall leave
 6 the limits of this State with such certificate in his possession, with intent to use the
 7 same as a credential for admission to any political convention, shall be guilty of a
 8 misdemeanor.

Endorsement of Candidate Before Primary.

1 Par. 484, Sec. 52. It shall be unlawful for any State, county or municipal com-
 2 mittee of any political party prior to any primary election to endorse the candidacy of
 3 any candidate for a party nomination or position.

1 Par. 485, Sec. 53. Any person who neglects or refuses to furnish any informa-
 2 tion required or authorized by this act, or to exhibit the records, papers or documents
 3 herein authorized to be inspected, or which are required to be exhibited, shall be guilty
 4 of a misdemeanor.

Failure to Obey Subpoena.

1 Par. 486, Sec. 54. Any person who shall omit, neglect or refuse to obey a sub-
 2 poena attested in the name of the county clerk, municipal clerk, or county board and
 3 made returnable by said clerk or board, or who shall refuse to testify under oath be-
 4 fore said clerk or board, shall be guilty of a misdemeanor, and punished accordingly.

Making a False Statement.

1 Par. 487, Sec. 55. Any person who shall make any false statement under oath
 2 before the county clerk, municipal clerk or county board shall be guilty of a misde-
 3 meanor, and punished accordingly.

ENFORCEMENT OF LAWS

Subpœnas to be Obeyed.

1 Par. 488, Sec. 56. It shall be the duty of every person upon whom a subpœna
2 issued under and by virtue of this act shall have been served, and to whom the law-
3 ful fees shall have been paid or tendered, to obey the command of such subpœna,
4 under the penalty of fifty dollars, to be sued for and recovered, with costs, in an
5 action of debt, before any court of competent jurisdiction, by the person on whose
6 application such subpœna shall have been issued; *provided*, that no person shall in
7 any case be required to attend any such examination as a witness out of the county
8 in which he resides; and if any person duly subpœnaed as aforesaid shall neglect or re-
9 fuse to obey the command of such subpœna, it shall be lawful for any justice of the
10 Supreme Court or judge of the Court of Common Pleas, on due proof by affidavit
11 of the service of a subpœna on such witness, and of the payment of his legal fees,
12 and of his refusal or neglect to obey the command of said subpœna as aforesaid, to
13 issue an attachment against such person to bring him before said justice or judge;
14 and the said justice or judge shall have power to proceed against said witness as
15 for a contempt of said court.

Duty of Officers to Issue Subpœnas.

1 Par. 489, Sec. 57. If proof be made before any justice of the peace, recorder
2 or police justice of facts constituting probable cause for believing that this act has
3 been violated, and that any person or persons have knowledge of the circumstances
4 connected therewith, it shall be the duty of said justice or recorder to issue process
5 of subpœna for the appearance of such person or persons other than the accused be-
6 fore him, to be examined touching the same; *provided*, that the lawful expenses of
7 such subpœna and examination shall be paid by the applicant therefor, and such evi-
8 dence shall be filed with the clerk of the county, to be used before the grand jury;
9 *and provided, further*, that no such process of subpœna shall be issued or served nor
10 any such examination held on the day of election.

Witnesses Obligated to Answer Questions.

1 Par. 490, Sec. 58. On the trial of any indictment against any person or per-
2 sons for violation of any of the provisions of this act, all witnesses sworn on any

3 such trial shall truly answer all questions put to them which the court shall decide
4 to be proper and pertinent to the issue involved; and no witness shall be excused from
5 answering any such question on the ground that to answer the same might or would
6 incriminate him, or might or would tend to incriminate him; but no answer or
7 answers made by any witness to any such question shall be used as admitted in evi-
8 dence in any proceeding against said witness, except in case of a criminal proceeding
9 for perjury in respect to his answers to such questions.

Compulsory Testimony.

1 Par. 491, Sec. 59. No person shall be excused from attending and testifying,
2 or producing any books, papers or other documents before any court on any indict-
3 ment for violation of any of the provisions of this act, upon the ground or for the
4 reason that the testimony or evidence, documentary or otherwise, required of him
5 may tend to convict him of a crime or to subject him to a penalty or forfeiture, but
6 no person shall be prosecuted or subjected to any penalty or forfeiture for or on
7 account of any transaction, matter or thing concerning which he may so testify or
8 produce evidence, documentary or otherwise, and no testimony so given or produced
9 shall be received against him upon any criminal proceeding or action.

Incriminating Testimony Not Used Against Witnesses.

1 Par. 492, Sec. 60. No person called by the State to testify in any proceedings
2 under this act shall be liable to a criminal prosecution, either under this act or other-
3 wise, for any matters or causes in respect to which he shall be examined, or to which
4 his testimony shall relate, except to a prosecution for perjury committed in such tes-
5 timony; nor shall any person, when called to testify in any trial for a violation of
6 this act, be privileged to refuse to answer any questions which may be asked him,
7 upon the ground that the same will tend to degrade or incriminate him.

Testimony of Offender.

1 Par. 493, Sec. 61. A person offending against any provision of this act shall be
2 a competent witness against another person so offending, and may be compelled to
3 attend and testify upon any trial, hearing, proceeding or lawful investigation or ju-
4 dicial proceeding, in the same manner as any other person. But the testimony so

5 given shall not be used in any prosecution or proceeding, civil or criminal, against
 6 the person so testifying. A person so testifying shall not thereafter be liable for in-
 7 dictment or presentment by information, nor to prosecution or punishment for the
 8 offense with reference to which his testimony was given, and may plead or prove the
 9 giving of testimony accordingly in bar of such indictment, information or prosecu-
 10 tion.

Duty of Prosecutor of Pleas to Present Matter to Grand Jury.

1 Par. 494, Sec. 62. If the prosecutor of the pleas of the county shall be notified
 2 by any officer or other person of any violation of any of the provisions of this act,
 3 it shall be his duty forthwith to diligently inquire into the facts of such violation,
 4 and if there is reasonable ground for instituting a prosecution, it shall be the duty
 5 of such prosecutor of the pleas to present the said charge, with all the evidence which
 6 he can procure, to the grand jury of such county.

Employment of Assistant for Prosecutor.

1 Par. 495, Sec. 63. Any citizen may employ an attorney to assist the prose-
 2 cutor of the pleas to perform his duties under this act, and such attorney shall be
 3 recognized by the prosecutor of the pleas and the court as associate counsel in the
 4 proceeding; and no prosecution, action or proceeding shall be dismissed without no-
 5 tice to, or against the objection of, such associate counsel until the reasons of the
 6 prosecutor of the pleas for such dismissal, together with the objections thereto, of
 7 said associate counsel, shall have been filed in writing, argued by counsel, and fully
 8 considered by the court with such limitation as to the time of filing such reasons and
 9 objections as the court may impose.

PART EIGHT. MISCELLANEOUS

ARTICLE XXXIII

Voting in Time of War by Electors in Military Service

Purpose and Application of Act.

1 Par. 496, Sec. 1. Every qualified elector of this State, in time of war, who is in
 2 service in the military forces of this State, or of the United States, or any auxiliary
 3 forces acting in co-operation therewith by the authority of this State, or under requi-

4 sition from the President of the United States shall have the right to vote at any elec-
 5 tion held in this State or in any subdivision thereof, notwithstanding the fact that
 6 such person may be absent on said election day from the election district in which he
 7 resides, whether such person is within or without this State, or within or without the
 8 United States, and notwithstanding the fact that such person may not be registered
 9 for such election as now required by law.

10 Any person shall be deemed to be in service in the military forces of this State
 11 or of the United States if actually in service as a member of the State militia of New
 12 Jersey National Guard, any branch or department of the army or navy or marine
 13 service of the United States, or any auxiliary forces acting in co-operation therewith.

Names and Addresses of Electors in Service.

1 Par. 497, Sec. 2. Within forty days prior to any election of this State or any
 2 subdivision thereof the Secretary of State shall ascertain either from the Adjutant-
 3 General of New Jersey or from the Adjutant-General or other proper authority of the
 4 United States the names and post-office addresses of every qualified elector of this
 5 State in service as aforesaid.

6 In case the Secretary of State is unable so to obtain said names and addresses of
 7 said electors in such service, he shall notify the county boards in each of the counties
 8 of the State, who shall cause notices to be posted in each election district within the
 9 county setting forth that any elector in service as aforesaid resident thereof may file
 10 with said county board his name and military address, or that any person who has
 11 knowledge of the name and military address of said elector may likewise file with said
 12 county board the name and military address of such elector of whom he has knowl-
 13 edge. The county board may also publish such notices in whatever newspaper or
 14 newspapers they shall think necessary, the expense of such printing and publishing to
 15 be paid for by the said county.

List Prepared and Forwarded to Secretary of State.

1 Par. 498, Sec. 3. From the names and addresses so filed a list of electors as
 2 aforesaid entitled to vote at such election shall be prepared by the county boards at
 3 least thirty-five days before election. The county boards shall prepare copies of such
 4 list and forthwith mail a copy to the Secretary of State, and in cases where an election

5 is to be held within a single municipality the county board shall obtain, at least ten
6 days before such election, from the municipal clerks, upon requisition, a sufficient
7 number of ballots for such election, and shall forward same, with such list, to the Sec-
8 retary of State to be mailed to said electors.

Ballot Prepared and Mailed.

1 Par. 499, Sec. 4. At least twenty-five days prior to any election the Secretary of
2 State shall forward, by mail or otherwise, to each elector in service as aforesaid, a
3 blank ballot conveniently prepared so that such elector may vote for any candidates at
4 such election, or on any public question to be submitted to the voters at such election.

Candidates' Names Printed on Ballot.

1 Par. 500, Sec. 5. The Secretary of State shall print the names of candidates
2 who are to be voted for upon said ballots, whenever it is possible to do so, and in case
3 said Secretary of State does not have sufficient time in which to print all the names
4 of the candidates upon said ballot he may leave a part of the ballot blank, in order
5 that the elector may insert therein the name or names of the persons for whom he de-
6 sires to vote.

Form of Ballot.

1 Par. 501, Sec. 6. The form of the ballot shall be substantially the same used at the
2 primary, municipal and general elections, as the case may be.

Directions for Voting.

1 Par. 502, Sec. 7. Secretary of State shall send with each ballot printed direc-
2 tions for voting and transmitting a ballot and shall also send with each ballot two
3 envelopes, the outer one of which shall be addressed to the Secretary of State and
4 shall contain a space on the back thereof for the name of the military organization
5 to which said elector belongs and the home address at which such elector is entitled
6 to vote, and also have printed thereon a certificate or declaration, to be signed by the
7 elector, showing that he is a duly qualified elector of the State of New Jersey, and
8 of its election district in which he claims residence, and that by reason of absence
9 on account of military service, has not been able to register, and shall be counter-
10 signed as hereinafter provided. The inner envelope shall be plain and shall contain
11 no marks whatever.

Voting by Mail.

1 Par. 503, Sec. 8. Any elector who is unable to vote at any election in the election
 2 district in which he resides, because of absence from such election district due to his
 3 being in service as aforesaid, shall be entitled to fill in any ballot forwarded to him,
 4 as herein provided, on the date of such election, or any day prior thereto. Such
 5 ballot, after having been prepared by the elector intending to vote the same, shall be
 6 placed in the inner envelope, which envelope shall then be sealed and placed in the
 7 outer envelope herein provided for. Such elector shall write upon the back of said
 8 envelope in the space left therefor the name of the military organization to which
 9 he belongs and his home address at which he is entitled to vote and also a statement
 10 as follows: "I certify that I am a duly qualified elector of the State of New Jersey,
 11 and that I reside in _____ in the county of _____, and that I am entitled to
 12 vote at the election held in the _____ on the _____ day of _____ 19 ____ . I
 13 further certify that this ballot was prepared on the _____ day of _____ 19 ____,"
 14 beneath which he shall sign his name. Said certificate shall be witnessed by any com-
 15 missioned officer.

Ballot Forwarded.

1 Par. 504, Sec. 9. After having prepared the ballot as aforesaid, the elector
 2 shall forward same by mail or otherwise to the Secretary of State, State House,
 3 Trenton, New Jersey.

Voting Unofficial Ballot.

1 Par. 505, Sec. 10. Any elector in service as aforesaid who shall not have received
 2 an official ballot prior to the date of any election shall be entitled to prepare and
 3 vote an unofficial ballot.

Distribution of Envelopes by Secretary of State.

1 Par. 506, Sec. 11. Upon receipt of the envelopes containing the ballots from
 2 electors in service, as aforesaid, the Secretary of State, not later than the fourth
 3 Tuesday following any election shall distribute said envelopes to the county board
 4 in the county in which the electors so voting reside, and upon the delivery of said
 5 ballots to such county board, shall take from the secretary or clerk of said board a
 6 receipt therefor, which receipt shall specify the number of envelopes delivered.

Opening and Canvassing Votes.

1 Par. 507, Sec. 12. The county board at a meeting or meetings to be held for
2 that purpose beginning not later than the fourth Tuesday following any election shall
3 proceed to open said envelopes and count the ballots in the manner now provided
4 by law and shall act as a canvassing board and forthwith make proper certification
5 thereof. After the outer envelopes have been removed, the plain envelopes therein
6 contained shall be mixed together before the same are unsealed.

Voting at Any Election Though Not Registered.

1 Par. 508, Sec. 13. Any elector who is in service as aforesaid and who is present
2 in the election district in which he resides at the time of any election, may vote at
3 such election, upon exhibiting to the proper district board a certificate showing his
4 honorable discharge from said service; *provided, however,* that in municipalities hav-
5 ing permanent registration said elector shall first fill out an emergency voting form.

Preservation of Outer Envelopes.

1 Par. 509, Sec. 14. All of the outer envelopes in which such ballots are received
2 and the ballots shall be retained by the county board and preserved for a period of
3 one year.

Counting Procedure.

1 Par. 510, Sec. 15. Any ballot received from any elector in service as aforesaid
2 shall be counted notwithstanding the fact that such elector may not know or may not
3 have properly designated the election district in which he is entitled to vote, and not-
4 withstanding the fact that the ballot may be informally prepared or may be marked
5 with a pencil or ink or some color other than black, or notwithstanding the fact that
6 any paster may be used thereon, whether the same is printed in black or otherwise.
7 Whenever the intent of the voter is apparent upon an examination of the ballot, the
8 vote shall be counted in accordance with such intent, whether such intent is ex-
9 pressed in the manner provided by law or otherwise.

Challengers Present at Canvassing.

1 Par. 511, Sec. 16. The political committee of each political party in each
2 county or in case of municipal election the municipal committee of each party or the

3 proponents or opponents of any public question to be voted upon shall each be per-
 4 mitted to have two challengers present at the meeting or meetings of the county
 5 board at which such votes are counted and canvassed.

Certification of Results.

1 Par. 512, Sec. 17. Said county board shall make proper certification to the
 2 proper officers of the result of such election, who shall file the same in their offices
 3 and add it to the result of such canvass so made and make it a part of the canvass
 4 of such election filed in their offices.

Interpretation of Provisions.

1 Par. 513, Sec. 18. The provisions of this act insofar as they relate to
 2 electors in service as aforesaid in time of war shall be liberally construed.

ARTICLE XXXIV

Meeting of Electoral College

Time and Place.

1 Par. 514, Sec. 1. The electors of President and Vice-President shall con-
 2 vene at the State House at Trenton, on the day appointed by Congress for that
 3 purpose, at the hour of three o'clock in the afternoon of that day, and constitute
 4 an electoral college.

Vacancies and Their Filling.

1 Par. 515, Sec. 2. When any vacancy shall happened in the college of electors
 2 of this State, or when any elector shall fail to attend, by the hour of three o'clock
 3 in the afternoon of the day fixed by the Congress of the United States for the
 4 meeting of the college of electors, at the place of holding such meeting, those of
 5 the said electors who shall be assembled at the said hour and place shall imme-
 6 diately after that hour proceed to fill, by a majority of votes, all such vacancies in
 7 the electoral college; *provided*, that if the members of the electoral college shall have
 8 been nominated and elected as representing different political parties, any vacancy
 9 occurring shall be filled by the elector or electors representing the same political party
 10 as the absent elector; and if there shall be no elector present representing the same
 11 political party as the absent elector, then such vacancy shall be filled by a majority

12 of the electors present, who shall choose some person of the political party which
13 the absent elector represents.

Organization and Performance of Duties.

1 Par. 516, Sec. 3. After choosing a president and secretary from their own
2 body, said electors shall proceed to perform the duties required of them by the
3 constitution and laws of the United States.

ARTICLE XXXV

Non-Binding Referenda in Municipality

Request to Have Question Placed on Ballot.

1 Par. 517, Sec. 1. Whenever the governing body of any municipality or of
2 any county desires to ascertain the sentiment of the legal voters of such munici-
3 pality or county upon any question or policy pertaining to the government or
4 internal affairs thereof, and there is no other statute by which such sentiment can
5 be ascertained by the submission of such question to a vote of the electors in such
6 municipality or county at any election hereafter to be held therein, it shall be lawful
7 for such governing body to adopt at any regular meeting an ordinance or a reso-
8 lution requesting the clerk of the county to print upon the official ballots to be
9 used at the next ensuing general election a certain proposition to be formulated and
10 expressed in such ordinance or resolution in concise form; *provided, however,* such
11 request shall be filed with the clerk of the county not later than thirty days previous
12 to such election.

County Clerk to Place Question on Ballot.

1 Par. 518, Sec. 2. If a copy of such ordinance or resolution certified by the
2 clerk or secretary of such governing body of any such municipality or county is
3 delivered to such county clerk not less than thirty days before any such general
4 election, he shall cause it to be printed on each sample ballot and official ballot to
5 be printed for or used in such municipality or county, as the case may be, at the
6 next ensuing general election.

Canvass of Votes.

1 Par. 519, Sec. 3. The said ballots so cast for or against said public question
2 shall be counted and the result thereof returned by the election officers and a

3 canvass of such election had and announced in the same manner as is now provided
4 by law.

Result Not Binding.

1 Par. 520, Sec. 4. Such result shall in no manner bind the governing body from
2 which such ordinance or resolution emanated, nor be taken or construed as other
3 than an expression of their sentiment by the voters, to be followed or disregarded
4 by such governing body in its discretion.

When Provisions Operative.

1 Par. 521, Sec. 5. Said submission of public question in the manner herein
2 provided shall not become operative in any municipality or county until the govern-
3 ing body thereof shall, by ordinance or resolution duly passed, declare its desire
4 to submit any question or questions in this manner.

ARTICLE XXXVI

Election of First Officials of Consolidated Municipalities

To be Elected at General Election.

1 Par. 522, Sec. 1. Whenever the voters of two or more municipalities in the
2 same county shall vote to consolidate and form a municipality by virtue of any act
3 of the Legislature of this State, and by reason thereof said municipalities are to
4 become a city on a certain date, the first set of officers and officials of said munic-
5 ipality shall be elected within the limits of the said municipalities at the general elec-
6 tion immediately preceding the date on which said municipalities are to become con-
7 solidated.

Preparation and Delivery of Election Essentials.

1 Par. 523, Sec. 2. The clerk of the county, the county board, the commis-
2 sioner and the municipal clerks, as the case may be, wherein such municipalities lie
3 shall prepare and deliver all the necessary books and records of registry of voters
4 as well as all ballots, booths, books and other equipment to be used in said munic-
5 ipalities for registry of voters and the nomination and election of said officers and
6 officials of the municipality so formed at said primary and general election.

Nomination.

1 Par. 524, Sec. 3. Said officers and officials shall be nominated as in this act
2 provided. All petitions and nominations, acceptances thereof, appointment of com-
3 mittees and statement of contributions and expenses as required by the provisions of
4 this act, for said primary election and said general election shall be filed with the
5 clerk of the county in which said municipalities are located.

Conduct of Primary and General Election.

1 Par. 525, Sec. 4. The primary for said general election and the general elec-
2 tion within municipalities that are to become consolidated shall be held in the
3 manner provided for in this act at the polling places within the election districts
4 and wards fixed and determined in the manner designated in the act providing
5 for the formation of said city.

Appointment and Duties of District Boards.

1 Par. 526, Sec. 5. It shall be the duty of the county board of the county where-
2 in said municipalities are located to appoint and provide proper election officers at
3 the various polling places, designated in the manner provided in the act providing
4 for the formation of said municipality, to properly conduct said primary election and
5 said general election and perform the usual duties required of said officers by this
6 act.

Certificates of Election Issued by County Clerk.

1 Par. 527, Sec. 6. Certificates of election shall be issued by the clerk of the
2 county within which such municipalities lie and be issued by him to the successful
3 candidates at said primary election and general election, which said certificates shall
4 be filed with the clerk of said municipality on the date set for said municipalities to
5 become consolidated.

ARTICLE XXXVII

CAMPAIGN EXPENDITURES

LIMITATION OF EXPENDITURES

General Provision.

1 Par. 528, Sec. 1. No money, or other thing of value, shall be paid or promised,
2 or expense authorized or incurred in behalf of any candidate for nomination or elec-
3 tion to any office or party position, whether such payment is made or promised, or

4 expense authorized or incurred by the candidate himself, or by any other person, com-
5 mittee or organization in furtherance or in aid of his candidacy, under any circum-
6 stances whatsoever, in excess of the sums hereinafter provided; but said sums shall
7 not include the traveling expenses of the candidate or of any person other than the
8 candidate, if such traveling expenses are voluntarily paid by such person without
9 any understanding or agreement with such candidate that such expenses shall be, di-
10 rectly or indirectly, repaid to him by such candidate.

Limit for Candidates.

1 Par. 529, Sec. 2. The amount which may be spent in aid of the candidacy of any
2 candidate for nomination at any primary election of a political party or at any gen-
3 eral election or at any special election or at any municipal election shall not exceed, in
4 the case of each of the aforesaid elections the amounts respectively set opposite the
5 respective offices hereinafter named.

6 Governor, fifty thousand dollars.

7 United States Senator, fifty thousand dollars.

8 Member of Congress, seventy-five hundred dollars.

9 State Senator, five cents for each voter who voted in the county at the last preced-
10 ing general election in a presidential year.

11 Member of General Assembly, five cents for each voter who voted in the county
12 at the last preceding general election in a presidential year; *provided, however*, that in
13 case two or more candidates, either for nomination for or election as members of
14 General Assembly, shall arrange for a joint campaign, either for nomination or elec-
15 tion as aforesaid, as hereinafter provided, no sum shall be spent at either the primary
16 or general election by such candidates in excess of two thousand dollars for each candi-
17 date engaged in such joint campaign; *provided, further*, that in case two or more can-
18 didates for nomination to General Assembly shall cause their names to be bracketed in
19 a group upon any primary ticket, no more than two thousand dollars shall be ex-
20 pended by each candidate in such group.

21 County office, having a fixed annual salary, one-half of the annual salary of said
22 county office.

23 County office, having no fixed annual salary, five cents for each voter who voted
24 at the last preceding general election in a presidential year in the county or in the por-
25 tion thereof in which such candidate is to be voted for.

26 Municipal office, ten cents for each voter who voted at the last preceding gen-
27 eral election in a presidential year in said municipality or in the portion thereof in
28 which such candidate is to be voted for.

29 Delegate-at-large to National Convention, ten thousand dollars.

30 District delegate to National Convention, ten thousand dollars.

31 Presidential elector, five thousand dollars.

32 Member of State Committee, one thousand dollars.

33 Member of County Committee, fifty dollars.

Appointment.

1 Par. 530, Sec. 3. Every candidate for nomination for or election to the office
2 of United States Senator, member of Congress or Governor shall, before receiving
3 any contribution or expending any money in furtherance or aid of his candidacy, ap-
4 point a campaign manager and file a certificate of such appointment, signed by such
5 candidate with the cashier of a National or State bank authorized to transact
6 a banking business in this State, or with the treasurer of a trust company organ-
7 ized and existing under the laws of this State, and shall also file a certificate of
8 the appointment of a campaign manager and the designated depository in the office
9 wherein the petition for nomination for such office is required to be filed. All other
10 candidates for nomination for any public office or for election to any office or party
11 position, who are permitted by this act to expend more than five hundred dollars
12 in furtherance or aid of their candidacy, shall, before receiving any contribution
13 or expending any money in furtherance or aid of their candidacy, appoint a campaign
14 manager and file a certificate of such appointment in the office wherein the petition
15 for nomination for such office is required to be filed. Any candidate may appoint
16 himself as campaign manager, which appointment shall be certified in the same man-
17 ner as the appointments above referred to. Two or more candidates for nomination
18 for any public office or for election to any public office or party position may ar-
19 range to conduct a joint campaign, in which event they shall jointly appoint a cam-

20 paign manager and select a bank or trust company, filing certificates of such ap-
 21 pointment and selection as in the case of a candidate for the office of United States
 22 Senator, member of Congress or Governor; *provided, however*, that any candidate
 23 who is prohibited by this act from expending more than five hundred dollars in
 24 furtherance or aid of his candidacy shall not be required to appoint a campaign
 25 manager or to file any statement of contributions or expenditures as required by this
 26 act.

Removal.

1 Par. 531, Sec. 4. Such candidate may remove any campaign manager so ap-
 2 pointed. Any joint campaign manager may be removed by the vote of a majority of
 3 those joined under this section.

Filling of Vacancy.

1 Par. 532, Sec. 5. In case of death, resignation or removal of such campaign
 2 manager such candidate shall forthwith appoint his successor and certify the appoint-
 3 ment in the manner provided in case of an original appointment. In case of such
 4 removal, or in case of the death or resignation of a joint campaign manager, a
 5 successor shall be chosen by the vote of a majority of the joint candidates.

Custody of Funds.

1 Par. 533, Sec. 6. All money which may be spent by any such candidate in be-
 2 half of his candidacy, or by any other person, corporation or organization, in fur-
 3 therance or aid of the candidacy of any such candidate, shall be paid to the campaign
 4 manager so appointed as aforesaid, except when spent by any State committee,
 5 county committee or municipal committee as hereinafter provided.

CAMPAIGN CONTRIBUTIONS

Time Limit for Contributions.

1 Par. 534, Sec. 7. All contributions in furtherance or in aid of the candidacy
 2 of a candidate for nomination for or election to any public office or party position
 3 who is required to appoint a campaign manager, shall be sent to the campaign
 4 manager or such candidate at least five days before the election at which such candi-
 5 date is to be voted for. Any contribution received by such campaign manager less
 6 than five days before the election at which such candidate is to be voted for shall

7 be returned by said campaign manager to the person sending the same, and shall not,
8 under any circumstances be used or expended in behalf of such candidate, or in
9 furtherance or aid of his candidacy.

Deposit of Contributions.

1 Par. 535, Sec. 8. Any contribution received by any campaign manager of a
2 candidate required to designate a depository for campaign funds shall, within
3 twenty-four hours, excluding Sundays, after the same shall have been re-
4 ceived by him, be deposited by such campaign manager in the bank or trust com-
5 pany in which the certificate of appointment of such manager has been filed, in a
6 special account, to be designated (Primary or Election, as the case may be) "Cam-
7 paign fund of (naming candidate)." In case of a joint campaign,
8 the account to the credit of which such funds shall be deposited shall be designated
9 "Joint campaign fund of (naming all of the candidates joining in such
10 campaign)." No deposit shall be made or received to credit of any such fund un-
11 less such deposit shall be accompanied by a deposit slip containing in detail the true
12 name and post office address of each person, association or corporation contributing
13 any part of the money so deposited, and the amount contributed by each such per-
14 son, association or corporation. Such deposit slip shall be retained by such bank or
15 trust company and disposed of as herein directed.

Solicitation of Contributions by Political Parties or Groups of Petitioners.

1 Par. 536, Sec. 9. It shall be lawful, after any primary election, for the State,
2 county or municipal committee or organization of any political party or group of peti-
3 tioners, to solicit and receive contributions in aid of any or all of the candidates duly
4 nominated at any party primary or by petition.

5 All such contributions, when received in behalf of any particular candidate, shall
6 be forwarded by the said committee to the campaign manager of such candidate, or to
7 such candidate if not required to appoint a campaign manager, together with a state-
8 ment of the amount of each contribution, and the name and post office address of the
9 person making the same.

10 If such committee received contributions on behalf of all the candidates upon any
11 party or group of petitioners' ticket, such committee shall have power to expend such

12 contributions in aid of the candidacy of all such candidates, or any one or more of such
 13 candidates, or for payment of any legitimate expenses of such committee.

14 All contributions forwarded as hereinbefore provided, if received within the time
 15 limited by this act, shall be deposited by such campaign manager in the bank or trust
 16 company selected by said candidate, as above provided, to the credit of the campaign
 17 fund of such candidate, if such candidate is required to designate a depository for
 18 campaign funds. In case the State, county or municipal committee, or organization
 19 of any political party, or any other committee, association, society or corporation, shall
 20 forward money to the campaign manager of any candidate or to any candidate, which
 21 money shall have been solicited and received by said committee, association, society or
 22 corporation as contributions to the campaign fund of such candidate, a statement of
 23 the amount of each contribution, and the name and post office address of the person
 24 making the same, shall accompany said money, when forwarded to said campaign man-
 25 ager or candidate, as aforesaid; said manager, if manager for a candidate required to
 26 designate a depository for campaign funds, shall copy said list on the deposit slip ac-
 27 companying the deposit of said money in the campaign fund of said candidate.

Contributions to Committees.

1 Par. 537, Sec. 10. It shall be lawful for any State committee, county committee
 2 or municipal committee of any political party, after the primary election, but not be-
 3 fore such election to receive contributions to be spent in aid of the candidacy of all the
 4 candidates of such party, or of any one or more of such candidates, or in the payment
 5 of any of the legitimate expenses of such committee.

EXPENDITURES

Expenditures Restricted to Deposits.

1 Par. 538, Sec. 11. No campaign manager, for a candidate required to designate
 2 a depository for campaign funds, shall authorize in the manner provided by this act,
 3 or in any other manner, the incurring of any expense in behalf of the candidate
 4 whose campaign he is managing, or in furtherance or aid of his candidacy, unless there
 5 are moneys on deposit in the bank selected in accordance with the provisions of this
 6 act, to the credit of the account known as the campaign fund of such candidate suffi-
 7 cient to pay the amount of expenditure so authorized, together with all other expendi-

8 tures previously authorized. Any contract made or liability incurred for any purpose
9 or in any manner except as authorized by this act shall be absolutely void.

Written Authorization of Expenditure Required.

1 Par. 539, Sec. 12. No expenses shall be incurred by any candidate required to
2 designate a depository for campaign funds, or by any person, corporation or associa-
3 tion whatsoever in behalf of such candidate, or in furtherance or aid of his candidacy
4 unless prior to the incurring of such expense a written order shall be made in the form
5 below set forth and signed by the campaign manager of such candidate, authorizing
6 such expenditure, and no money shall be withdrawn or paid by any bank or trust
7 company from any campaign fund account except upon the presentation of such writ-
8 ten order, signed as aforesaid, accompanied by the affidavit of the person claiming
9 such payment, which affidavit shall state that the amount named in the order, or such
10 part thereof as may be claimed, naming the amount claimed, is justly due and owing
11 to such claimant, and that the order truly states all of the purposes for which such in-
12 debtedness was incurred, and that no person other than the undersigned is interested,
13 directly or indirectly, in the payment of such claim and unless an order for payment in
14 the form below set forth, signed by the campaign manager, is presented to such bank
15 or trust company.

16 Such order authorizing the incurring expense, affidavit and order for payment
17 shall be on the same piece of paper and shall be in the following form: Campaign
18 Fund of

19 John Doe (name of candidate)

20 to

21 Richard Roe, Dr. (name of claimant)

22 (Here insert items for which expenditure is to be authorized or payment claimed,
23 in detail.)

24 I hereby authorize the expenditure from the campaign fund of
25 (name of candidate) of a sum not to exceed for the above purpose.

26 State of New Jersey,

27 County of

} ss.

28 being duly sworn according to law, on his oath says that the
29 sum of is justly due and owing to him from the campaign fund of

30 (naming candidate); that said indebtedness was incurred pursuant
31 to and for the purpose named in the above order and for no other purpose; that no
32 person other than the deponent has any interest whatsoever, direct or indirect, in the
33 payment of the above claim.

34 Sworn and subscribed before me }
35 this day of }
36 nineteen hundred and }

37
37½ (signature of deponent)

38 Pay to the order of (name of claimant)

39 dollars. Campaign fund of

40 (Name of candidate)

41 To Bank.
42 Campaign Manager.

Expenditure Authorization in Joint Campaigns.

1 Par. 540, Sec. 13. No candidate who has joined with another candidate for the
2 conduct of a joint campaign shall pay or promise any money, or other thing of value,
3 or authorize or incur any expense, nor shall any money, or other thing of value be
4 paid or promised, or expense authorized or incurred in his behalf, or in furtherance
5 or aid of his candidacy, unless such payment is made from such joint campaign ac-
6 count by the joint campaign manager, in the manner provided by this act.

Time Restriction for Expenditures.

1 Par. 541, Sec. 14. The time during which such expenditures may be made and
2 for which accounting shall be required shall be the period of eight months
3 next preceding the election at which such candidate is to be voted for in the case of
4 candidate for office of Governor and United States Senator and four months in the
5 case of all other candidates for office, and no money, or other thing of value, shall
6 be paid or promised, or expense authorized or incurred by or in behalf of any candi-
7 date in furtherance or in aid of his candidacy prior to the commencement of such
8 time; *provided, however*, that any person who publicly announces his candidacy for
9 nomination for or election to any public office or party position prior to the com-

10 mencement of such period before the election at which such person is to be voted for,
 11 and who appoints a campaign manager and selects a bank or trust company in the
 12 manner hereinafter provided, prior to the commencement of said period, may make
 13 expenditures authorized by this act, but such expenditures shall be made and ac-
 14 counted for in the manner provided by this act.

Presumption of Candidacy.

1 Par. 542, Sec. 15. For the purpose of this act, any person who becomes a
 2 candidate for nomination for or election to the office of Governor or United States
 3 Senator without having publicly announced his candidacy more than eight months
 4 prior to the election at which he is to be voted for, shall be conclusively presumed
 5 to have been such candidate for the period of eight months next preceding the hold-
 6 ing of the election at which such candidate is to be voted for, and in case of all
 7 other officers or party positions four months.

AUDIT AND PAYMENT OF BILLS

Time Limit.

1 Par. 543, Sec. 16. All bills incurred in the candidacy of any person for any
 2 nomination for or election to any public office for whom a statement is required to
 3 be filed, shall be properly audited and paid within fifteen days after the primary or
 4 general or special election at which such person has been a candidate, and not after,
 5 except as hereinafter provided.

Disposition of Balance.

1 Par. 544, Sec. 17. Any balance which may remain may be withdrawn by the
 2 campaign manager in the same manner as hereinabove provided for the withdrawal
 3 of funds from said account.

Payment After Time Limit.

1 Par. 545, Sec. 18. The judge of the Court of Common Pleas in the county
 2 wherein the statement of expenses of a candidate is required to be filed
 2½ or in case the statement of expenses is required to be filed in the office of
 3 the Secretary of State, then any justice of the Supreme Court may, on the appli-
 4 cation of either the campaign manager or a creditor, allow any bill incurred in aid

5 of the candidacy of any person to be paid after the time limited by this act; *provided*,
6 that the expenditure of such money has been duly authorized in the manner and
7 form as required by this act, and a statement of any sum so paid, with the certificate
8 of its allowance, shall forthwith after payment be filed by the campaign manager in
9 the same office as the statement of campaign expenses of the candidates is required
10 to be filed. The claims of one or more creditors may be united in one application,
11 but the amount and specific character of each claim shall be separately stated. Any
12 claim ordered to be paid by the Common Pleas judge as aforesaid, shall be paid from
13 the account known as the campaign fund of the candidate, if such candidate is re-
14 quired to designate a depository for campaign funds, on deposit in the bank or trust
15 company selected by the candidate in accordance with the provisions of this act, or
16 if such account has been closed then from any other funds in the hands of the candi-
17 date or his manager.

Statement of Campaign Manager Before Election.

1 Par. 546, Sec. 19. On the Friday or Saturday next preceding any primary, gen-
2 eral, municipal or special election, the campaign manager of any candidate who is to
3 be voted for at such election shall file, as hereinafter provided with the officer with
4 whom the candidate is required to file his acceptance of nomination, an itemized
5 statement, showing in detail all moneys, or other thing of value, contributed,
6 donated, subscribed or in anywise furnished or received for the use of such candi-
7 date, or coming into his custody or under his control, directly or indirectly, as cam-
8 paign manager for such candidate, together with the name and address of and the
9 amount contributed, donated or subscribed by each contributor, donor or subscriber,
10 to the date of such statement, together with a statement of the total amount ex-
11 pended, or liability incurred by or on behalf of such candidate, or in furtherance or
12 in aid of such candidacy; *provided, however*, that any candidate who is prohibited
13 by this act from expending more than five hundred dollars shall not be required to
14 file a statement prior to any election; *provided, however*, that, if in the statement
15 herein required, no money has been received or expended, no further statement shall
16 be required of a candidate or of a campaign manager after said election.

17 Such statement shall be verified by the affidavit of the said campaign manager,
18 which affidavit shall be substantially in the following form:

18½ State of New Jersey, County of _____, ss.

19 I, _____ (name of campaign manager), being campaign manager of
 20 _____ (name of candidate), a candidate for nomination for (or election to,
 21 as the case may be) the office (or party position, as the case may be) of
 22 _____ (name of office or party position) at the _____ (primary or general, as the
 23 case may be) election, to be held on the _____ day of _____ in the
 24 _____ (county, district or other political division of) in the State of New Jersey, do
 25 solemnly swear (or affirm) that the foregoing statement is a true and accurate
 26 statement in detail of all moneys contributed, donated, subscribed or in anywise
 27 furnished or received for the use of said candidate as aforesaid, or coming into
 28 my custody or under my control, directly or indirectly, as campaign manager for
 29 such candidate, together with the name and address of each contributor, donor or
 30 subscriber or furnisher, and the amount contributed, donated, subscribed or fur-
 31 nished by each; that all said moneys were deposited by me within twenty-four hours
 32 after the same were received, in the _____ bank, to the credit of the account known
 33 as the campaign fund of _____, with a true and accurate list of each contributor,
 34 or donor, or subscriber, or furnisher thereof, and the amount contributed, donated,
 35 subscribed, or furnished by each; that no money, or other thing of value, has been
 36 received by me, or in anywise come into my custody or under my control, except as
 37 above stated; that to the best of my knowledge, information and belief, no money
 38 has been received by said candidate, or by anyone in his behalf, for use in aid of or
 39 in furtherance of his candidacy, except as above stated; that the above statement of
 40 the total amount expended or liability incurred by or in behalf of the said candidate,
 41 or in aid of or in furtherance of his candidacy, is a true and accurate statement;
 42 that no money has been expended, and no expenditure has been authorized by me,
 43 directly or indirectly, for any purpose or in any manner not permitted by law, and
 44 that to the best of my knowledge, information and belief no money has been ex-
 45 pended by said candidate, or by anyone in his behalf, or in furtherance or aid of
 46 his candidacy for any purpose or in any manner not authorized by law; that no
 47 moneys were expended by me in furtherance of or in aid of said candidacy prior to
 48 the _____ day of _____ (the date eight or four months prior to the primary,
 49 general, municipal or special election at which said candidate is to be voted for, or,

50 in case said candidate has publicly announced his candidacy at an earlier date than
 51 eight or four months prior to the election at which such candidate is to be voted
 52 for, then the affidavit in lieu of the last clause shall contain the following:) that
 53 said publicly announced his candidacy for nomination for (or election to,
 54 as the case may be) the office (or party position, as the case may be) of
 55 on the day of and on the day of I was
 56 appointed campaign manager of said campaign; that no money was expended by
 57 me in furtherance of or in aid of such candidacy prior to the date of my said
 58 appointment, and that, as I am informed and believe, no money was expended by the
 59 said candidate, or by anyone in his behalf, or in furtherance of or in aid of his
 60 candidacy, prior to the date of my said appointment as campaign manager; *pro-*
 61 *vided, however,* that when the candidate is also his own campaign manager, the
 62 statement required by Section 35, this Article, need not be filed. The portion of this
 63 statement regarding the deposits of campaign funds shall be omitted when the candi-
 64 date is not required to designate a depository.

65 The said candidate shall also make and attach to said statement an affidavit
 66 substantially in the following form:

66½ State of New Jersey, County of , ss.

67 I, (give name), a candidate for at the (primary, special,
 68 charter or general, as the case may be) election, to be held in the State of
 69 (county or , district of , or other political division, as the
 70 case may be), on the day of , do solemnly swear (or affirm)
 71 that I have not received or contributed any money, or other thing of value, for
 72 use in my candidacy, or to be expended in furtherance of or in aid of said candi-
 73 dacy, except as appears in the above statement; that all money, or other thing of
 74 value which has come into my hands for use in my said candidacy has been immedi-
 75 ately turned over to , the above named campaign manager; that the above
 76 statement of the total amount expended in my behalf, or in furtherance of or in
 77 aid of my said candidacy. is true, to the best of my knowledge, information and
 78 belief; that I have not expended any money, or other thing of value, or incurred
 79 any liability, or authorized the expenditure of money, or other thing of value, or
 80 the incurrence of any liability for any purpose other than that permitted by law, or

81 in any manner except through my said campaign manager, in the manner required by
 82 this act; that to the best of my knowledge, information and belief no money has been
 83 expended by anyone in my behalf, or in furtherance of or in aid of my candidacy
 84 for any purpose nor in any manner not authorized by said act; that no money was
 85 expended by me, nor, to the best of my knowledge, information and belief, by any-
 86 one in my behalf, prior to the day of (eight or four months
 87 prior to the election day at which such candidate is to be voted for, or, if said can-
 88 didate publicly announced his intention of becoming a candidate at an earlier date
 89 than eight or four months prior to said election day, then the affidavit in lieu of
 90 the last preceding sentence shall contain the following:) that I publicly announced
 91 my candidacy for nomination for (or election to, as the case may be) the office (or
 92 party position, as the case may be) of on the day of
 93 and appointed as my campaign manager on the day of ;
 94 that prior to the appointment of my said campaign manager no money, or other
 95 thing of value, was expended, or liability incurred, by me, nor was the expenditure
 96 of any money, or other thing of value, or the incurring of any liability in furtherance
 97 of or in aid of my candidacy, by anyone whatsoever, authorized by me prior to the
 98 day of , the date of the appointment of my said campaign
 99 manager.

STATEMENT OF CAMPAIGN MANAGER AFTER ELECTION

1 Par. 547, Sec. 20. Within twenty days after any primary, general, municipal or
 2 special election, the campaign manager of any candidate for nomination for or candi-
 3 date for election to any public office shall file, as hereinafter provided, with the
 4 officer with whom the candidate is required to file his acceptance of nomination a
 5 statement of the total amount expended, or liability incurred, by or in behalf of
 6 such candidate, or in furtherance of or in aid of such candidacy, which statement
 7 shall include the total amount named in the statement of expenses filed prior to such
 8 election, as well as the total amount of expenses incurred subsequent to the date of
 9 filing such last-named statement; *provided, however*, that when the candidate is also
 10 his own campaign manager, the affidavit required by section thirty-eight of this
 11 article need not be filed.

12 Such statement shall be verified by the affidavit of such campaign manager,
 13 which affidavit shall be in substantially the following form:

14 State of New Jersey, County of _____, ss.

15 I, _____ (name of campaign manager), campaign manager of
 16 _____ (name of candidate), a candidate for _____ at the _____ (primary, special,
 17 charter or general, as the case may be) election, held in the State of _____ (county
 18 of _____, district of _____, or other political division, as the case may be),
 19 on the _____ day of _____, do solemnly swear (or affirm) that no money has
 20 been received by me in behalf of such candidate, or come into my custody, or under
 21 my control, directly or indirectly, since the _____ day of _____ (five days pre-
 22 vious to the election at which such candidate was voted for); that the foregoing
 23 statement is a true and accurate statement of the total amount expended or liability
 24 incurred by or in behalf of said candidate, or in furtherance of or in aid of his said
 25 candidacy; that no money has been expended and no expenditure has been authorized
 26 by me, directly or indirectly, for any purpose or in any manner not permitted by law,
 27 and that, to the best of my knowledge, information and belief, no money has been
 28 expended by said candidate, or by anyone in his behalf, or in furtherance or aid of
 29 his candidacy, for any purpose, or in any manner not authorized by law; that I have
 30 not authorized, directly or indirectly, the expenditure of any money, or other thing
 31 of value, or the incurring of any liability in furtherance or in aid of the candidacy
 32 of said _____, except from the campaign fund of said _____, duly deposited
 33 in the _____ bank (or trust company, as the case may be), and that every voucher
 34 upon which funds have been withdrawn from said account has truly stated the pur-
 35 pose for which such withdrawal was made. The portion of this statement regard-
 36 ing deposits of campaign funds shall be omitted when the candidate is not required
 37 to designate a depository.

38 Such statement shall also be verified by the affidavit of the candidate, in sub-
 39 stantially the following form:

40 State of New Jersey, County of _____, ss.

41 I, _____ (giving name), a candidate for _____ at the (primary, special,
 42 charter or general, as the case may be) election, to be held in the State of
 43 _____ (county of _____, district of _____, or other political division, as the case

44 may be), on the day of , do solemnly swear (or affirm) that I
 45 have not received or contributed any money, or other thing of value, for use in my
 46 said candidacy, or to be expended in furtherance or in aid of said candidacy, after
 47 the day of , nineteen hundred and (the date five days
 48 previous to the election at which such candidate was voted for); that the above
 49 statement of the total amount expended in my behalf, or in the furtherance or aid
 50 of my said candidacy, is true, to the best of my knowledge, information and belief;
 51 that I have not expended any money, or other thing of value, or incurred any
 52 liability, or authorized the expenditure of any money, or other thing of value, or the
 53 incurrence of any liability for any purpose other than that permitted by law, or in
 54 any manner except through (name of campaign manager), my campaign
 55 manager, in the manner required by an act entitled "An act to regulate elections
 56 (Revision 1920), passed May fifth, one thousand nine hundred and twenty" and the
 57 amendments thereto and the supplements thereof: that to the best of my knowledge,
 58 information and belief no money has been expended by anyone in my behalf, or in
 59 furtherance or aid of my candidacy for any purpose or in any manner not authorized
 60 by said act.

STATEMENT OF CAMPAIGN MANAGER UNABLE TO COMPLETE DUTIES

1 Par. 548, Sec. 21. Any campaign manager who shall be removed or who shall
 2 resign shall, unless physically unable so to do, file the report of receipts and expen-
 3 tures, up to the date of such resignation or removal, stating and verifying the same as
 4 required by section twenty-three of this act. The failure of such campaign man-
 5 ager to file such report shall not affect the candidacy of such candidate unless such
 6 failure was counselled or caused by such candidate.

STATEMENTS WHEN CANDIDATE ACTS AS CAMPAIGN MANAGER

1 Par. 549, Sec. 22. When the candidate shall act as his own campaign manager
 2 all reports and statements required to be filed by the campaign manager shall be
 3 filed by the candidate as his own campaign manager, and in such case said candidate
 4 shall not be required to file any separate statements or reports.

STATEMENT OF DEPOSITORY OF CAMPAIGN FUNDS AFTER ELECTION

1 Par. 550, Sec. 23. Within twenty days after any primary, general, municipal
 2 or special election, the cashier or treasurer of the bank or trust company selected by
 3 any candidate at said election, as above provided, if any money was deposited, shall
 4 file, as hereinafter provided, all of the deposit slips presented to said bank with any
 5 deposit of moneys to the account known as the campaign fund of such candidate,
 6 arranged in the order of their respective dates, and all of the vouchers presented to
 7 said bank upon which any funds were withdrawn from any such account, arranged
 8 in the order of their respective dates.

9 Attached to such deposit slips and vouchers shall be an affidavit by such cashier
 10 or treasurer, or some employee of said bank or trust company, having knowledge of
 11 the facts, which affidavit shall be in substantially the following form:

12 State of New Jersey, County of _____ ss.
 13 _____, being duly sworn according to law, on his oath says that he
 14 is the _____ of the _____ bank (or trust company, as the case may
 15 be); that annexed to this affidavit are the original deposit slips presented to said
 16 bank with any deposit of moneys to the account known as the Campaign Fund of
 17 _____; that said account was opened on the _____ day of _____;
 18 that no deposit has been received in said account unless accompanied by one of
 19 the deposit slips hereto annexed; that annexed to this affidavit are all of the vouch-
 20 ers presented to said bank upon which any funds were withdrawn; that no funds
 21 have been withdrawn from said bank except upon one of the vouchers hereto an-
 22 nexed.

FILING OF STATEMENTS

1 Par. 551, Sec. 24. Any candidate for nomination for or election to any public
 2 office shall cause to be filed the statements of their campaign managers in the same
 3 office in which the petitions for nomination for such office are or hereafter shall be
 4 required by law to be filed. Any affidavits, statements or vouchers required by this
 5 act to be filed by the cashier or treasurer of any bank or trust company, relating to
 6 the candidacy of any candidate for nomination for or election to any public office
 7 or party position, shall be filed in the same office in which the above-mentioned state-
 8 ments of such candidate are by this act required to be filed. In case any statement

9 required by this act to be filed by or on behalf of any candidate has not been filed
 10 within the time herein limited, or in case such statement, or the affidavit verifying
 11 the same, contains an error or false recital, such candidate or his campaign mana-
 12 ger may apply to a justice of the Supreme Court if such statement has been filed,
 13 or is required to be filed in the office of the Secretary of State, or to a judge of the
 14 Court of Common Pleas of the county in which such statement is filed or required
 15 to be filed, if such statement is required to be filed with the county clerk of any
 16 county, or with any other public officer within any county. If it shall appear to
 17 such justice or judge that the failure to file such statement within such time, or the
 18 inaccuracy or false recital contained therein or in the affidavit thereto annexed was
 19 due to the illness of such candidate or the absence, illness or death of his campaign
 20 manager, or was caused by the misconduct of any person other than the said candi-
 21 date or his campaign manager, or by any other reasonable cause not involving gross
 22 negligence on the part of such candidate or his manager, or willful intention to
 23 violate any provision of this act, such justice or judge may make an order permitting
 24 such statement to be filed as of time, or permitting an amendment of such state-
 25 ment of affidavit.

ARTICLE XXXVIII

PUBLIC ELECTION EXPENSES

DISTRIBUTION OF BURDEN

General Provisions

Elections Held at Public Expense.

1 Par. 552, Sec. 1. All general elections, special elections, municipal elections, pri-
 2 mary elections for general elections and primary elections for delegates and alternates
 3 to national conventions held in this State or in any of the political subdivisions shall
 4 be conducted at the expense of such State or its political subdivisions.

Expenditures by State

Authorized Expenditures by State.

1 Par. 553, Sec. 2. All costs, charges and expenses incurred by the State Board
 2 of Canvassers, Secretary of State or by any other officer or official of the State gov-
 3 ernment in carrying out any provisions of this act shall be paid by the State.

Sum at Disposal of Attorney-General.

1 Par. 554, Sec. 3. The Attorney-General of the State is hereby authorized to ex-
 2 pend annually, under the direction and with the approval of the Governor, a sum not
 3 exceeding twenty-five thousand dollars, for the purpose of securing evidence of viola-
 4 tions of this act and assisting in the prosecution of such violations; *provided*, such
 5 sum shall be regularly appropriated in any annual or supplemental appropriation bill.

Expenditures by Counties

Authorized Expenditures by County.

1 Par. 555, Sec. 4. All costs, charges and expenses incurred by the county clerk,
 2 county board, commissioner, superintendent, or by any other officer or official of a
 3 county in carrying out the provisions of this act and the salaries of the members of
 4 the county board, commissioner, superintendent, the salaries and compensation for
 5 extra services of the clerk and other employees of the county board and the com-
 6 pensation of the members of the district boards (except as herein otherwise provided)
 7 shall be paid by the county, upon certification by said county clerk, county board, com-
 8 missioner, superintendent, or other county officer or official.

Expenditures by Municipalities

Authorized Expenditures by Municipalities.

1 Par. 556, Sec. 5. All costs, charges and expenses incurred by the municipal
 2 clerk, or by any other officer or official of a municipality in carrying out the provi-
 3 sions of this act shall be paid by said municipality (except as herein otherwise pro-
 4 vided); *provided, however*, that where any election is held in and for a municipality
 5 only, all costs, charges and expenses, including the compensation of the members of
 6 the district boards of said municipality and the compensation and expenses of the
 7 county board and the clerk thereof, for such elections, shall be paid by said muni-
 8 cipality.

SALARIES OF OFFICIALS

Compensation of Members of the District Boards.

1 Par. 557, Sec. 6. The compensation of each member of the district boards for
 2 all services performed by them, under the provisions of this act shall be paid within
 3 thirty days after each general election and shall be as follows:

4 For each registry day other than the primary registry day, including the services
 5 in making and completing the house-to-house canvass in municipalities not having
 6 permanent registration, ten dollars; for the primary registry day, including all serv-
 7 ices rendered in holding the primary election, except services in mailing the ballots,
 8 twenty-five dollars; for mailing the primary election for the general election sample
 9 ballots, five dollars; for mailing the general election sample ballots, five dollars; for
 10 all services on general election day, including the counting of votes and delivery of re-
 11 turns and ballot box, with contents to the municipal clerk, twenty-five dollars; for all
 12 services at any special election, twenty-five dollars. The same shall be in lieu of all
 13 other fees and payments whatsoever.

Compensation of Members and Clerks of County Boards.

1 Par. 558, Sec. 7. The members of the several county boards shall be as fol-
 2 lows: In counties having a population exceeding five hundred thousand, two thou-
 3 sand six hundred dollars per annum; in counties having a population of not more than
 4 five hundred thousand or less than two hundred thousand, two thousand dollars per
 5 annum; in counties having a population of not more than two hundred thousand
 6 or less than one hundred and fifty thousand, fifteen hundred dollars per annum; in
 7 counties having a population of not more than one hundred and fifty thousand or less
 8 than one hundred thousand, nine hundred dollars per annum; in counties having a
 9 population of not more than one hundred thousand or less than eighty-two thou-
 10 sand, seven hundred and fifty dollars per annum; in counties having a population of
 11 not more than eighty-two thousand or less than fifty thousand, six hundred dollars
 12 per annum; in counties having a population of not more than fifty thousand or less
 13 than forty thousand, four hundred dollars per annum; in counties having a popula-
 14 tion of less than forty thousand, three hundred dollars per annum; *provided, howe-*
 15 *ever,* that the member of the county board of elections in counties other than coun-
 15½ ties of the first class, who shall be secretary thereof and who shall perform the clerical
 16 duties thereof, shall receive an additional compensation of one-half of the compensa-
 17 tion of the individual members of said board. The compensation of the clerks of the
 18 county board of elections in counties of the first class shall be as follows: For the first
 19 year of service in such position the sum of thirty-five hundred dollars per annum, to be
 20 increased at the rate of one hundred and fifty dollars per annum for each year of

21 service, to the maximum of fifty-five hundred dollars per annum; and the compen-
22 sation of the assistant clerks shall be, for the first year of service in such positions,
23 the sum of three thousand dollars per annum, to be increased at the rate of one hun-
24 dred dollars per annum for each year of service to the maximum of forty-five hun-
25 dred dollars per annum; and the compensation of the clerk-stenographer shall be
26 fixed by the respective county boards of elections, to be paid by the county collector
27 or county treasurer, as the case may be, semimonthly as other county employees are
28 paid; *provided, however*, that this act shall be applicable to the present as well as to
29 the future incumbents and the years of service for such clerks and assistan clerks
30 heretofore or hereafter appointed shall be computed from the time of their respective
31 appointments to such positions. For services performed by commissioners of regis-
32 tration in counties of the first class, said commissioners shall receive additional
33 compensation in an amount equal to twenty-five per centum of their salaries as clerks
34 of the county boards, and for such services performed by commissioners of regis-
35 tration in other counties, said commissioners shall receive additional compensation
36 in an amount equal to fifty per centum of their salaries as members and secre-
37 taries of said county boards.

Compensation of Judges.

1 Par. 559, Sec. 8. Each of the judges holding court, as herein required, shall be
2 be entitled to receive the sum of twenty dollars for each day he shall be personally
3 present, pursuant to the provisions of this act, in addition to the salary to which he
4 is now entitled by law, which sum shall he paid by the collector of the county as other
5 court expenses are paid.

Compensation of County and Municipal Clerks.

1 Par. 560, Sec. 9. The boards of chosen freeholders in the several counties shall
2 have power to pay the county clerks for extra duties and services imposed upon
3 them and performed by them under this act, the amount of which to be fixed by
4 such boards of chosen freeholders and the governing bodies of the several munici-
5 palities in this State shall have power to pay the municipal clerks for extra duties
6 and services imposed upon them and performed by them under this act, the amount
7 of which to be fixed by such governing body.

ARTICLE XXXIX

MISCELLANEOUS

Preservation of Petitions and Other Documents.

1 Par. 561, Sec. 1. All petitions of nominations, affidavits attached thereto, ac-
2 ceptances, objections thereto and determinations of officers or courts relative to said
3 objections and all other documents relating to elections not otherwise provided for,
4 shall be preserved by the officer with whom they have been filed for a period of two
5 years from any election at which the candidates named therein are to be voted for.

Substitution of Day for Filing Documents and Performing Official Duties Fall-
ing on Sunday or Legal Holiday.

1 Par. 562, Sec. 2. Should the day of the filing of any petition, declination, resig-
2 nation, instrument in writing or other paper or document required to be filed in any
3 office under the provisions of this act, or the performance of any duty required by
4 this act by any person, candidate or official, fall upon the Sabbath day, or any legal
5 holiday, said filing or said performance of any duty shall be performed upon the
6 next following business day.

Invalidity of a Section Not to Affect Other Sections.

1 Par. 563, Sec. 3. In case for any reason any section or part of any section or
2 any provision of this act shall be questioned in any court and shall be held to be un-
3 constitutional or invalid, the same shall not be held to affect any other section or any
4 part of a section or provision of this act.

Effective Date and Repealers.

1 Par. 564, Sec. 4. The act entitled "An act to regulate elections" (Revision 1920),
2 passed May fifth, one thousand nine hundred and twenty and the act entitled "A fur-
3 ther supplement to an act entitled 'An act to regulate elections' (Revision of 1898),
4 approved April fourth, one thousand eight hundred and ninety-eight," which said
5 supplement constituted Chapter 210 of the Laws of 1918, and the act entitled "An
6 act to amend an act entitled 'A further supplement to an act entitled "An act to regu-
7 late elections," "' (Revision of 1898), approved April fourth, one thousand eight
8 hundred and ninety-eight which said a nomenclatory act constituted Chapter 91, of the

9 Laws of 1919, and the act entitled "A further supplement to an act entitled 'An act
10 entitled "An act to regulate elections" (Revision of 1898), approved April fourth, one
11 thousand eight hundred and ninety-eight,' " which said supplement constituted
12 Chapter 9 of the Laws of 1923, and the act entitled "An act to change the title of an
13 act entitled 'A further supplement to an act entitled "An act entitled 'An act to
14 regulate elections" ' " (Revision of 1898), approved April fourth, one thousand
15 eight hundred and ninety-eight, passed February twenty-eighth, one thousand nine
16 hundred and twenty-three," which said act to change the title of another act as afore-
17 said constituted Chapter 173 of the Laws of 1923, and all acts amendatory of any
18 of the aforesaid acts and all acts supplemental to any of the aforesaid acts and all
19 acts and parts of acts, general and special, inconsistent with this act, are hereby re-
20 pealed, but this repealer shall not revive any act heretofore repealed and this act
21 shall take effect the first day of July, one thousand nine hundred and thirty.

hundred and twelve," said amendment having been approved March twenty-ninth, one thousand nine hundred and twenty-six,

Was taken up and read a third time.

Upon the question, "Shall this Assembly bill pass?" it was decided as follows:

In the affirmative were—

Messrs. Chandless, Cole, Davis, McAllister, Pierson (President), Powell, Prall, Quinn, Read, Reeves, Sterner, Stewart, Simpson, Wolber, Yates—15.

In the negative—None.

The Secretary was directed by the President to carry said bill to the House of Assembly and inform that body that the Senate has passed the same, without amendment.

Assembly Bill No. 234, entitled "An act to amend an act entitled 'An act to establish public parks in certain counties of this State and to regulate the same,' approved May sixth, one thousand nine hundred and two,"

Was taken up and read a third time.

Upon the question, "Shall this Assembly bill pass?" it was decided as follows:

In the affirmative were—

Messrs. Chandless, Cole, Davis, Dawes, McAllister, Pierson (President), Prall, Quinn, Read, Reeves, Sterner, Stewart, Simpson, Wolber, Yates—15.

In the negative—None.

The Secretary was directed by the President to carry said bill to the House of Assembly and inform that body that the Senate has passed the same, without amendment.

Mr. Yates, Chairman of the Committee on Elections, reported

Senate Bill No. 242 with committee amendments,

Signed—Roy T. Yates, Joseph G. Wolber.

Mr. Yates moved the adoption of the following Committee Amendments to Senate Bill No. 242.

Which motion was adopted.

Amend paragraph 120, on page 47, line 5, by striking out the word "thirty" and inserting in lieu thereof the words, "twenty-four."

Amend paragraph 319, on page 128, line 20, by striking out the word "four" and inserting in lieu thereof the word "eight."

Amend paragraph 320, on page 129, line 9, by striking out the word "five" and inserting in lieu thereof the word "nine."

Amend paragraph 370, line 1, after the word "clerk," insert "in counties of the first class," and after the word "forthwith" insert "and the county clerk in all other counties may"

Amend paragraph 423, on page 177, by inserting after the period in line 6, the words, "The burden of proof shall be upon the applicant."

Amend said paragraph 423, on page 178, by inserting after the period in line 16, the words, "The superintendent or any person representing him shall have full power to cross-examine any witness."

Amend page 179, by striking out paragraph 431, section 25, and changing the paragraph numbers on all succeeding paragraphs.

Amend paragraph 494, on page 209, by inserting after the period in line 6, the words, "Nothing herein contained shall justify any such prosecutor in first-class counties in exercising the powers conferred upon the superintendent of elections in such counties."

Amend paragraph 557, line 9, strike out word "five" following the word "ballots" at beginning of line and insert in lieu thereof the word "two." Strike out the word "five" preceding the words "dollars; for" at end of line and insert in lieu thereof the word "three."

Mr. Wolber moved the rules be suspended, and Senate Bill No. 242, as amended be taken up on second reading.

Which was agreed to.

Senate Bill No. 242, entitled "An act to regulate elections" (Revision 1930),

Was taken up, read a second time, considered by sections, agreed to and ordered to have a third reading.

Mr. Wolber moved the rules be suspended and Senate Bill No. 242 as amended be taken up on third reading.

Senate Bill No. 242, entitled "An act to regulate elections" (Revision 1930),

As amended.

Was taken up and read a third time.

Upon the question, "Shall this Senate bill pass?" it was decided as follows:

In the affirmative were—

Messrs. Chandless, Davis, Kuser, McAllister, Pierson (President), Prall, Quinn, Read, Reeves, Sterner, Stewart, Wolber, Yates—13.

In the negative—None.

The Secretary was directed by the President to carry said bill to the House of Assembly and inform that body that the Senate has passed the same, and requests its concurrence therein.

Assembly Bill No. 208, entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building and in making certain improvements in land' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight."

Was taken up on third reading and laid over on motion of Mr. Wolber.

Committee Substitute for Assembly Bill No. 251, entitled "An act authorizing municipalities, including counties, to grant leave of absence with pay to disabled employees, officers, servants or agents."

Was taken up and read a third time.

Upon the question, "Shall this Assembly bill pass?" it was decided as follows:

In the affirmative were—

Messrs. Chandless, Cole, Dawes, Kuser, McAllister, Powell, Prall, Quinn, Read, Reeves, Sterner, Stewart, Simpson, Wolber—14.

In the negative was—

Mr. Yates—1.

The Secretary was directed by the President to carry said bill to the House of Assembly and inform that body that the Senate has passed the same, without amendment.

Assembly Bill No. 265, entitled "An act to amend an act entitled 'An act creating a Department of Municipal Accounts and the office of Commissioner of Municipal Accounts, and defining his duties and powers,' approved March twenty-seventh, one thousand nine hundred and seventeen,' approved April seventh, one thousand nine hundred and nineteen,"

Was taken up and read a third time.

Upon the question, "Shall this Assembly bill pass?" it was decided as follows:

In the affirmative were—

Messrs. Chandless, Davis, McAllister, Pierson (President), Powell, Prall, Quinn, Reeves, Sterner, Stewart, Wolber, Yates—12.

In the negative—None.

The Secretary was directed by the President to carry said bill to the House of Assembly and inform that body that the Senate has passed the same, without amendment.

Assembly Bill No. 375, entitled "An act amending the compact of April thirtieth, one thousand nine hundred and twenty-one, between the States of New Jersey and New York, which created The Port of New York Authority,"

Was taken up and read a third time.

Upon the question, "Shall this Assembly bill pass?" it was decided as follows:

In the affirmative were—

Messrs. Chandless, Cole, Davis, Dawes, Kuser, McAllister, Pierson (President), Powell, Prall, Quinn, Read, Reeves, Sterner, Stewart, Simpson, Wolber, Yates—17.

In the negative—None.

The Secretary was directed by the President to carry said bill to the House of Assembly and inform that body that the Senate has passed the same, without amendment.

Assembly Bill No. 376, entitled "An act relating to the Commissioners of the Port of New York Authority from the State of New Jersey, their appointment, terms of office and removal,"

Was taken up and read a third time.

Upon the question, "Shall this Assembly bill pass?" it was decided as follows:

In the affirmative were—

Messrs. Chandless, Cole, Davis, Dawes, Kuser, McAllister, Pierson (President), Prall, Quinn, Read, Reeves, Sterner, Stewart, Simpson, Wolber, Yates—16.

In the negative—None.

The Secretary was directed by the President to carry said bill to the House of Assembly and inform that body that the Senate has passed the same, without amendment.

SPONSORS' STATEMENT

A2 -1948

The purpose of this bill is as follows:

1. Sections 1, 4, 5, 6, 7, 8, 9 and 10, implement Article II, paragraph 1, and Article IV, Section III, of the new Constitution.

2. Section 2 implements Article II, paragraphs 1 and 2 of the new Constitution so far as it relates to the election of public officers and the submission of public questions at general and other elections.

3. Section 3 implements Article II, paragraphs 6 and 7 of the new Constitution, and sections 13 to 21, inclusive, implement Article II, paragraph 7 of the new Constitution in the following manner:

a. Section 3 repeats the constitutional deprivation of the right of suffrage for an idiot or insane person and states also in subparagraphs (2) and (3) the law defining the crimes, on conviction of which deprivation of the right of suffrage is or may be imposed as it existed at the time of the adoption of the new Constitution, the obsolete crime of polygamy and the obsolete definition of petty larceny being modernized in subparagraph (3) to conform with the present statutes.

b. Subparagraphs (4) and (5) are inserted to accomplish the following purpose, namely:

Under R. S. 19:34-46 disfranchisement as a voter may be imposed as an additional penalty upon persons convicted of violation of the provisions of Title 19, Elections.

Originally R. S. 19:32-19, 19:34-6, 19:34-7, 19:34-11, 19:34-12, 19:34-13, 19:34-15 and 19:34-28 (by operation of R. S. 19:34-31) provided for the imposition of criminal penalties for certain violations of the Title.

By P. L. 1940, chapter 199, these penalties were changed to civil penalties. This act was declared wholly unconstitutional by the Supreme Court in *Wilentz vs. Galvin*, 125 N. J. L. 455, but notwithstanding this decision, the sections have been carried on the statute books without restoration to their original form.

Sections 13 to 20, both inclusive, of this bill restore these sections to their proper language and thereby bring them in line with the provisions of R. S. 19:34-46.

Subparagraph (4) of section 3 of this bill carries over the disqualification to persons previously convicted, upon whom this additional penalty has been imposed and subparagraph (5) applies the disqualification to persons hereafter convicted and similarly punished.

Sections 12 and 21 of this bill restore the language of R. S. 19:32-18 and 19:34-38 by eliminating therefrom the changes made by the 1940 act.

4. Section 11 of this bill is intended to so clarify the language of R. S. 19:27-4, which relates to the issuance of writs of election, as to bring it in accord with the provisions of Article IV, Sections II, III and IV, paragraph 1 of the new Constitution.

A number of unimportant corrections have been made in the sections amended also.

This bill was drafted by the Law Revision and Bill Drafting Commission under the direction of the Senate and General Assembly Committees on Law Revision.

[OFFICIAL COPY REPRINT]
SENATE AMENDMENTS TO
ASSEMBLY, No. 2

STATE OF NEW JERSEY

ADOPTED FEBRUARY 16, 1948

Page 1, title, line 2, strike out "19:6-3," strike out "19:12-1,".

Page 5, section 5, strike out entire section.

Page 5, section 6, renumber as section 5.

Page 6, section 7, strike out entire section.

Pages 7 to 15, sections 8 to 22, renumber as sections 6 to 20.

ASSEMBLY, No. 2

STATE OF NEW JERSEY

INTRODUCED JANUARY 19, 1948

By Mr. McCAY

Referred to Committee on Law Revision

AN ACT concerning elections, and revising parts of the statute law by amending sections 19:1-1, 19:3-2, 19:4-1, 19:5-1, 19:6-17, 19:13-5, 19:23-7, 19:23-8, 19:27-4, 19:32-18, 19:32-19, 19:34-6, 19:34-7, 19:34-11, 19:34-12, 19:34-13, 19:34-15, 19:34-28 and 19:34-38 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 19:1:1 of the Revised Statutes is amended to read as
2 follows:

3 19:1-1. As used in this Title:

4 "Election" means the procedure whereby the electors of this State or
5 any political subdivision thereof elect persons to fill public office or pass on
6 public questions.

7 "General election" means the annual election to be held on the first Tues-
8-9 day after the first Monday in November.

10 "Primary election" means the procedure whereby the members of a po-
11 litical party in this State or any political subdivision thereof nominate can-
12 didates to be voted for at general elections, or elect persons to fill party
13 offices, or delegates and alternates to national conventions.

14 "Municipal election" means an election to be held in and for a single
15 municipality only, at regular intervals.

16 "Special election" means an election which is not provided for by law
17 to be held at stated intervals.

18 "Any election" includes all primary, general, municipal and special elec-
19 tions, as defined herein.

20 "Municipality" includes any city, town, borough, village, or township.

21 "Public office" includes any office in the government of this State or any
22 of its political subdivisions filled at elections by the electors of the State or
23 political subdivision.

24 "Public question" includes any question, proposition or referendum re-
25 quired by the legislative or governing body of this State or any of its politi-
26 cal subdivisions to be submitted by referendum procedure to the voters of
27 the State or political subdivision for decision at elections.

28 "Political party" means a party which, at the election held for all of
29 the members of the General Assembly next preceding the holding of any
30 primary election held pursuant to this Title, polled for members of the
31 General Assembly at least ten per centum (10%) of the total vote cast in
32 this State.

33 "Party office" means the office of delegate or alternate to the national
34 convention of a political party or member of the State, county or municipal
35 committees of a political party.

36 "Masculine" includes the feminine, and the masculine pronoun where-
37 ever used in this Title shall be construed to include the feminine.

38 "Presidential year" means the year in which electors of President and
39 Vice-President of the United States are voted for at the general election.

40 "Election district" means the territory within which or for which there
41 is a polling place or room for all voters in the territory to cast their bal-
42 lots at any election.

43 "District board" means the district board of registry and election in
44 an election district.

45 "County board" means the county board of elections in a county.

46 "Superintendent" means the superintendent of elections in counties
47 wherein the same shall have been appointed.

48 "Commissioner" means the commissioner of registration in counties.

1 2. Section 19:3-2 of the Revised Statutes is amended to read as
2 follows:

3 19:3-2. All elective public offices in this State or any of its political
4 subdivisions, except such as are provided by law to be filled at special or
5 municipal elections, shall be filled at the general elections as hereinafter pro-
6 vided. All vacancies in public offices to be filled by election, except such as
7 are provided by law to be filled at special or municipal elections, shall be
8 filled at the general elections. All public questions to be voted upon by the
9 people of the entire State and all other public questions, except such as are
10 provided by law to be decided at any other elections, shall be voted upon and
11 decided at the general elections.

1 3. Section 19:4-1 of the Revised Statutes is amended to read as
2 follows:

3 19:4-1. Except as provided in sections 19:4-2 and 19:4-3 of this Title,
4 every person possessing the qualifications required by Article II, paragraph 3,
5 of the Constitution of the State of New Jersey and having none of the dis-
6 qualifications hereinafter stated and being duly registered as required by this
7 Title, shall have the right of suffrage and shall be entitled to vote in the
8 polling place assigned to the election district in which he actually resides,
9-11 and not elsewhere.

12 No person shall have the right of suffrage--

13 (1) Who is an idiot or is insane or

14 (2) Who has been convicted of any of the following designated
15 crimes, that is to say—blasphemy, treason, murder, piracy, arson, rape,
16 sodomy, or the infamous crime against nature, committed with man-
17 kind or with beast, polygamy, robbery, conspiracy, forgery, larceny of
18 above the value of six dollars, perjury or subornation of perjury, un-
19 less pardoned or restored by law to the right of suffrage; or

20 (3) Who shall be convicted of any of said crimes, except po-
21 lygamy or larceny above the value of six dollars, or who shall be con-
22 victed of bigamy or larceny of above the value of twenty dollars, unless
23 pardoned or restored by law to the right of suffrage; or

24 (4) Who has been convicted of a violation of any of the provisions
25 of this Title, for which criminal penalties were imposed, if such person
26 was deprived of such right as part of the punishment therefor accord-
27 ing to law, unless pardoned or restored by law to the right of suffrage;
28 or

29 (5) Who shall be convicted of the violation of any of the provi-
30 sions of this Title, for which criminal penalties are imposed, if such
31 person shall be deprived of such right as part of the punishment there-
32 for according to law, unless pardoned or restored by law to the right of
33 suffrage.

34 A person who will have on the day of general election the qualifications
35 to entitle him to vote shall have the right to be registered for and vote at the
36 primary election and register for and vote at the general election as though
37 such qualifications were met before registration for the primary election.

1 4. Section 19:5-1 of the Revised Statutes is amended to read as
2 follows:

3 19:5-1. A political party may nominate candidates for public office at
4 primary elections provided for in this Title, elect committees for the party
5 within the State, county or municipality, as the case may be, and in every
6 other respect may exercise the rights and shall be subject to the restrictions
7 herein provided for political parties; except that no political party which
8 fails to poll at any primary election for a general election at least ten per
9 centum (10%) of the votes cast in the State for members of the General
10 Assembly at the next preceding general election, held for the election of all
11 of the members of the General Assembly, shall be entitled to have a party
12 column on the official ballot at the general election for which the primary
13 election has been held. In such case the names of the candidates so nomi-

14 nated at the primary election shall be printed in the column or columns
15 designated "Nomination by Petition" on the official ballot under the respec-
16 tive titles of office for which the nominations have been made, followed by
17 the designation of the political party of which the candidates are members.

1 5. Section 19:6-17 of the Revised Statutes is amended to read as
2 follows:

3 19:6-17. The county board shall consist of four persons, who shall be
4 legal voters of the counties for which they are respectively appointed. Two
5 members of such county board shall be members of the political party which
6 at the last preceding general election, held for the election of all of the mem-
7 bers of the General Assembly, cast the largest number of votes in this State
8 for members of the General Assembly, and the remaining two members of
9 such board shall be members of the political party which at such election
10 cast the next largest number of votes in the State for members of the General
11 Assembly. No person who holds elective public office shall be eligible to
12 serve as a member of the county board during the term of such elective of-
13 fice. The office of member of the county board shall be deemed vacant upon
14 such member becoming a candidate for an office to be voted upon at any pri-
15 mary, general election or special election, except for nomination for or elec-
16 tion to membership in any county committee or State committee, such can-
17 didacy to be determined by the filing of a petition of nomination duly ac-
18 cepted by such member in the manner provided by law.

19 In all counties of the first class the county board shall appoint some
20 suitable person clerk of such board, and may also appoint not more than
21 two assistant clerks, and one clerk-stenographer, all of whom shall be ap-
22 pointed from the competitive class of civil service. All persons holding posi-
23 tions as clerk, assistant clerks and clerk-stenographer of the county board
24 and who held such positions on April eighteenth, one thousand nine hundred
25 and thirty, shall continue to hold same and shall be classified in the competi-
26 tive class of civil service.

1 6. Section 19:13-5 of the Revised Statutes is amended to read as
2 follows:

3 19:13-5. The petition shall be signed by legally qualified voters of this
4 State residing within the district or political division in and for which the
5 officer or officers nominated are to be elected, equal in number to at least two
6 per centum (2%) of the entire vote cast for members of the General Assembly
7 at the last preceding general election, held for the election of all of the mem-
8 bers of the General Assembly, in the State, county, district or other politi-
9 cal division in and for which the nominations are made; except that when the
10 nomination is for an office to be filled by the voters of the entire State eight
11 hundred signatures in the aggregate for each candidate nominated in the
12 petition shall be sufficient; and except that no more than one hundred signa-
13 tures shall be required to any petition for any officers to be elected save
14 only such as are to be voted for by the voters of the State at large.

15 In case of a first general election to be held in a newly established elec-
16 tion district, county, city or other political division, the number of fifty sig-
17 natures to a petition shall be sufficient to nominate a candidate to be voted
18 for only in such election district, county, city or other political division.

1 7. Section 19:23-7 of the Revised Statutes is amended to read as
2 follows:

3 19:23-7. Each such petition shall set forth that the signers thereof are
4 qualified voters of the State, congressional district, county, municipality,
5 ward or election district, as the case may be, in which they reside and for
6 which they desire to nominate candidates; that they are members of a poli-
7 tical party (naming the same), and that at the last general election preceding
8 the execution of the petition they voted for a majority of the candidates of
9 such political party, and that they intend to affiliate with that political party
10 at the ensuing election; that they indorse the person or persons named in
11 their petition as candidate or candidates for nomination for the office or
12 offices therein named, and that they request that the name of the person or
13 persons therein mentioned be printed upon the official primary ballots of

14 their political party as the candidate or candidates for such nomination. The
15 petition shall further state the residence and post-office address of each per-
16 son so indorsed, and shall certify that the person or persons so indorsed is
17 or are legally qualified under the laws of this State to be nominated, and
18 is or are a member or members of the political party named in the
19 petition.

20 Accompanying the petition each person indorsed therein shall file a cer-
21 tificate, stating that he is qualified for the office mentioned in the petition,
22 that he is a member of the political party named therein; that he consents
23 to stand as a candidate for nomination at the ensuing primary election of
24 such political party, and that, if nominated, he consents to accept the nom-
25 ination.

1 8. Section 19:23-8 of the Revised Statutes is amended to read as
2 follows:

3 19:23-8. The petitions for candidates to be voted for by the voters of a
4 political party throughout the entire State shall in the aggregate be signed
5 by at least one thousand such voters; in the case of candidates to be voted
6 for by the voters of a political party throughout a congressional district by at
7 least two hundred of such voters; in the case of candidates to be voted for
8 by the voters of a political party throughout a county by at least one hun-
9 dred of such voters; in the case of candidates to be voted for by the voters
10 of a political party throughout a municipality having a population in excess
11 of fourteen thousand as ascertained by the last Federal census by at least
12 fifty of such voters; in the case of candidates to be voted for by the voters
13 of a political party throughout all other municipalities or any ward of any
14 municipality by at least twenty-five of such voters; in the case of a candi-
15 date to be voted for by the voters of a political party within a single elec-
16 tion district by at least ten of such voters.

17 In municipalities containing but one election district the petitions in the
18 aggregate need not be signed by more than ten of such voters, and the num-
19 ber of signers to any such petition in any case need not exceed five per

20 centum (5%) in number of the total vote cast at the last preceding general
21 election, held for the election of all of the members of the General Assem-
22 bly, in such municipality, ward or election district, as the case may be.

1 9. Section 19:27-4 of the Revised Statutes is amended to read as
2 follows:

3 19:27-4. When any vacancy happens in the representation of this State
4 in the United States Senate or in the House of Representatives, the Gov-
5 ernor shall issue a writ of election to fill the same unless the term of serv-
6 ice of the person whose office shall become vacant will expire within six
7 months next after the happening of the vacancy and except as hereinafter
8 provided.

9 When any vacancy happens in the representation of any county in the
10 Senate or General Assembly, the House in which such vacancy happens shall
11 direct a writ of election to be issued for filling the same, unless the term of
12 service of the person whose office shall have become vacant will expire with
13 the expiration of the legislative year in which the vacancy happens and such
14 House shall be of the opinion that the services of a person in the office then
15 vacant will not be required during the unexpired period of the legislative
16 year; but if such vacancy happens during the recess of the Legisla-
17 ture, or after the general election, and not less than fifteen days before
18 the commencement of the next legislative year (or a shorter time before such
19 commencement if the board of chosen freeholders makes the requirements
20 hereinafter mentioned), the Governor shall forthwith issue a writ of election
21 to fill the vacancy, unless the term of service of the person whose office
22 shall have become vacant will expire with the expiration of the legislative
23 year in which the vacancy happens and he shall be of the opinion that the
24 services of a person in the office then vacant will not be required during
25 the legislative year, or the residue thereof; but the failure of the Gov-
26 ernor to issue a writ for filling the vacancy shall not preclude the House in
27 which it may have happened from directing a writ of election to be issued
28 for filling the same, if it judge this advisable; *provided*, that if the

29 board of chosen freeholders of the county shall signify in writing to the Gov-
30 ernor, in case the vacancy occurs during the recess of the Legislature, or
31 after the general election, and before the commencement of the next legis-
32 lative year, or to such House, when in session, the desire of such board that
33 the vacancy shall be filled, then the Governor, or such House, as the case
34 may be, shall forthwith, after such signification, issue such writ.

1 10. Section 19:32-18 of the Revised Statutes is amended to read as
2 follows:

3 19:32-18. Any person affected by the action of the superintendent shall
4 during the week immediately preceding the election and on the election day
5-7 have the right to make application to a judge of the court of common
8 pleas of the county for the purpose of obtaining an order entitling him to vote
9 in the district in which he actually resides. The burden of proof shall be
10 upon the applicant.

11-12 A judge of the court of common pleas, if satisfied that the appli-
13 cant is entitled under the law to vote at such election and after deter-
14 mining the election district in which the person actually resides may issue
15 an order directing the district board of that district to permit such person
16 to vote. If the order is directed to a district board in municipalities having
17 permanent registration, the district board shall certify and return the order
18 to the commissioner at the close of the election, who thereupon shall re-
19 store the permanent registration forms of such person to the active file.
20 Before the issuance of such order, the superintendent shall be heard per-
21 sonally, or by his chief deputy or assistants, as to the reasons why he has
22 issued an order denying such person the right to vote. The superintendent
23 or any one representing him shall have full power to cross-examine any
24 witness.

25-26 The judge of the court of common pleas making such order shall
27 cause a full record of the proceedings of the application to be taken steno-
28 graphically, transcribed and filed in the office of the county clerk of the

29 county, which record shall be an open and public record. All costs and ex-
30 pense of such proceedings shall be paid by the county.

31 Any person whose name shall appear on the Peremptory Order List and
32 who shall not apply for and be granted an order to vote, during the week
33 immediately preceding the election or on the election day immediately fol-
34 lowing the publication of his name as heretofore provided, shall not be
35 permitted to vote by court order or otherwise until he shall have first rereg-
36 istered.

1 11. Section 19:32-19 of the Revised Statutes is amended to read as
2 follows:

3 19:32-19. Any member of a district board who, after the receipt of an
4 order from the superintendent denying any person the right to vote, un-
5-6 less the order of the superintendent has been revoked by a judge of the
7 court of common pleas of the county, as herein above provided, allows such
8 person to vote, shall be guilty of a misdemeanor, shall forfeit his right to
9 such office and be subject to imprisonment for a term not exceeding three
10 years, or the payment of a fine of one thousand dollars (\$1,000.00), or both.

1 12. Section 19:34-6 of the Revised Statutes is amended to read as
2 follows:

3 19:34-6. If a person shall on election day tamper, deface or interfere
4 with any polling booth or obstruct the entrance to any polling place, or ob-
5 struct or interfere with any voter, or loiter, or do any electioneering within
6 any polling place or within one hundred feet thereof, he shall be guilty of
7 a misdemeanor and shall be punished by a fine not exceeding five hundred
8 dollars (\$500.00) or by imprisonment not exceeding one year, or both.

1 13. Section 19:34-7 of the Revised Statutes is amended to read as
2 follows:

3 19:34-7. No person shall within the polling room mark his ballot in a
4 place other than in the polling booth or show his ballot, nor shall anyone
5 request such person to show his ballot during the preparation thereof, nor
6 shall any other person inspect such ballot during the preparation thereof

7 or after it is prepared for voting in such a way as to reveal the contents,
8 nor shall any person within the polling place or within a hundred feet
9 thereof, loiter, electioneer, or solicit any voter.

10 No voter, at any election where official ballots are used, shall knowingly
11 vote or offer to vote any ballot except an official ballot as by this Title re-
12 quired.

13 No person shall on any pretext carry any official ballot from the polling
14 room on any election day except such persons as may by this Title be au-
15 thorized to do so.

16 Any person violating any of the provisions of this section shall be
17 guilty of a misdemeanor and shall be punished by a fine not exceeding five
18 hundred dollars (\$500.00) or by imprisonment not exceeding one year, or
19 both.

1 14. Section 19:34-11 of the Revised Statutes is amended to read as
2 follows:

3 19:34-11. Every person not entitled to vote who fraudulently votes, and
4 every person who votes more than once at any one election; or knowingly
5 hands in two or more ballots folded together; or changes any ballot after it
6 has been deposited in the ballot box; or adds, or attempts to add, any ballot
7 to those legally polled at any election, either by fraudulently introducing
8 the same into the ballot box before or after the ballots therein have been
9 counted; or adds to or mixes with, or attempts to add to or mix with, the
10 ballots lawfully polled, other ballots while the same are being counted or can-
11 vassed, or at any other time, with intent to change the result of such elec-
12 tion; or carries away or destroys, or attempts to carry away or destroy,
13 any poll list, or ballots, or ballot box, for the purpose of breaking up or in-
14 validating the election; or willfully detains, mutilates or destroys any elec-
15 tion returns; or in any manner so interferes with the officers holding the
16 election, or conducting the canvass, or with the voters lawfully exercising
17 their rights of voting at the election, as to prevent the election or canvass
18 from being fairly had and lawfully conducted, shall be guilty of a mis-
19 demeanor.

1 15. Section 19:34-12 of the Revised Statutes is amended to read as
2 follows:

3 19:34-12. Every person not entitled to vote who fraudulently attempts
4 to vote, or who being entitled to vote attempts to vote more than once at
5 any election, or who personates or attempts to personate a person legally
6 entitled to vote, shall be guilty of a misdemeanor.

1 16. Section 19:34-13 of the Revised Statutes is amended to read as
2 follows:

3 19:34-13. Every inspector, judge or clerk of an election, who, previous
4 to putting the ballot of an elector in the ballot box, attempts to find out any
5 name on such ballot, or who opens or suffers the folded ballot of any elector
6 which has been handed in to be opened or examined previous to putting the
7 same in the ballot box, or who makes or places any mark or device on any
8 folded ballot with the view to ascertain the name of any person for whom
9 the elector has voted, shall be guilty of a misdemeanor.

1 17. Section 19:34-15 of the Revised Statutes is amended to read as
2 follows:

3 19:34-15. If a person shall distribute or display any circular or printed
4 matter or offer any suggestion or solicit any support for any candidate, party
5 or public question within the polling place or room or within a distance of
6 one hundred feet of the outside entrance to such polling place or room, he
7 shall be guilty of a misdemeanor.

1 18. Section 19:34-28 of the Revised Statutes is amended to read as
2 follows:

3 19:34-28. No person shall, directly or indirectly, by himself or by any
4 other person in his behalf, make use of, or threaten to make use of, any force,
5 violence or restraint, or inflict or threaten the infliction, by himself or through
6 any other person, of any injury, damage, harm or loss, or in any manner to
7 practice intimidation upon or against any person, in order to induce or compel
8 such person to vote or refrain from voting at any election, or to vote or refrain
9 from voting for any particular person or persons at any election, or on

10 account of such person having voted or refrained from voting at any election.

1 19. Section 19:34-38 of the Revised Statutes is amended to read as
2 follows:

3 19:34-38. No person shall pay, lend or contribute, or offer or agree to
4 pay, lend or contribute, any money or other valuable consideration to or for
5 any person for any of the following:

6 a. The doing or procuring to be done of any act forbidden to be done
7 by the laws relating to primary or general elections; or

8 b. The commission of any crime or offense against the elective franchise,
9 or the encouragement or assistance of a person in the commission of a crime
10 or offense against the elective franchise, or aiding or assisting any person
11 charged with the commission of a crime against the elective franchise to evade
12 arrest or to escape conviction and punishment; or

13 c. Providing, wholly or in part, directly or indirectly, for the expense of
14 boarding, lodging or maintaining a person in any place of domicile in any
15 election precinct or ward or district, with the purpose of securing the vote of
16 such person, or of inducing such person to vote for himself, or any other
17 person at an election; or

18 d. The hiring or employment of a person to take or maintain a place in,
19 or to otherwise obstruct or hinder, or to prevent the forming of the line of
20 voters awaiting their opportunity or time to enter the polling place or election
21 booth of an election precinct; or

22 e. In consideration of any person withdrawing as a candidate for public
23 office or presidential elector, at any election; or

24 f. To pay any person for loss or damage due to attendance at the polls
25 at any primary or general or charter election, or any registry therefor, or for
26 the purpose of such registration; or

27 g. For any purpose in contravention of the provisions of this Title; or

28 h. Making any payment except in the manner provided by this Title; or

29 i. To pay for the printing or publishing or distribution of any circular,
30 handbill, card, pamphlet, statement, advertisement or other printed matter

31 having reference to an election or to any candidate at any election, unless
32 such circular, handbill, card, pamphlet, statement, advertisement or printed
33 matter shall bear upon its face the name and address of the candidate or his
34 campaign manager causing the same to be published and furnishing or agree-
35 ing to furnish payment for such printing and publication. This prohibition
36 shall not apply to payment for the printing and distribution of paid advertise-
37 ments in newspapers or magazines and bearing the words: "This advertise-
38 ment has been paid for by" (inserting the true name
39 and address of the person or persons paying for the same), or to payment
40 for the printing and distribution of circulars, handbills, cards, pamphlets or
41 statements which shall have printed on the face thereof the true name and
42 address of the person or persons paying for their printing and distribution,
43 indicated by the words: "The cost of the printing and distribution of this
44 circular (or as the case may be) has been paid by"
45 (inserting the true name and address of the person or persons paying for
46 the same).

1 20. This act shall take effect immediately.

ASSEMBLY, No. 558

STATE OF NEW JERSEY

INTRODUCED MARCH 14, 1960

By Assemblymen LAMORTE and MADDEN

Referred to Committee on State, County and Municipal Government

AN ACT concerning elections, and amending section 19:6-17 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of*
2 *New Jersey:*

1 1. Section 19:6-17 of the Revised Statutes is amended to read as follows:
2 19:6-17. The county board shall consist of 4 persons, who shall be legal
3 voters of the counties for which they are respectively appointed. Two mem-
4 bers of such county board shall be members of the political party which at the
5 last preceding general election, held for the election of all of the members of
6 the General Assembly, cast the largest number of votes in this State for
7 members of the General Assembly, and the remaining 2 members of such
8 board shall be members of the political party which at such election cast the
9 next largest number of votes in the State for members of the General Assem-
10 bly. No person who holds elective public office shall be eligible to serve as
11 a member of the county board during the term of such elective office. The
12 office of member of the county board shall be deemed vacant upon such
13 member becoming a candidate for an office to be voted upon at any primary,
14 general election or special election, except for nomination for or election to
15 membership in any county committee or State committee, such candidacy to

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

16 be determined by the filing of a petition of nomination duly accepted by such
17 member in the manner provided by law.

18 In all counties of the first class the county board shall appoint some suit-
19 able person clerk of such board, and may also appoint not more than 4 ad-
20 ditional office employees, all of whom shall be appointed from the competi-
21 tive class of civil service. The compensation of the clerk of the county board
22 of elections in counties of the first class shall be not less than ~~[\$3,500.00]~~
23 ~~\$5,000.00~~ per annum, nor more than ~~[\$7,500.00]~~ ~~\$8,500.00~~ per annum; pro-
24 vided, that any increase between the said minimum and maximum shall be
25 effective only upon recommendation of the county board of elections and the
26 approval of the board of chosen freeholders of the county affected. The
27 compensation of such office employees shall be recommended by the county
28 board and approved by the board of chosen freeholders. All persons now
29 employed by the board in the competitive class of civil service shall continue
30 to hold such employment in the competitive class of civil service.

1 2. This act shall take effect immediately.

SPONSORS' STATEMENT

A558 (1960)

Under the present law the salary of the clerk to the county boards of elec-
tions in counties of the first class is limited to a sum ranging from \$3,500.00 to
\$7,500.00. Many persons in county employ who are in this same salary bracket
and who are doing comparable work to that of the clerk to the county boards
of elections, due to the increased cost of living, have had their salaries increased
far beyond the sum of \$7,500.00. If it were not for the present ceiling of \$7,500.00
the clerk of the county board of elections in counties of the first class would have
received increases beyond that figure in conformity with increases granted to
other county employees doing comparable work. The clerk of the county board
of elections is a full-time job requiring both administrative and executive
ability. The purpose of this bill is to permit the county board of freeholders in
counties of the first class, upon recommendation of the county board of elec-
tions, to increase the salary of the clerk of the county board of elections by not
more than \$1,000.00.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

November 28, 1960

ASSEMBLY BILL NO. 558

To the General Assembly:

Pursuant to Article V, Section I, paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 558, with my objections, for reconsideration.

R.S. 19:6-17 provides that the clerk of the county board of elections in a county of the first class shall receive a salary of not less than \$3,500.00 and not more than \$7,500.00. The board of chosen freeholders determines the salary, within that range, upon recommendation of the county board of elections. This bill would amend the section to raise the minimum to \$5,000.00 and the maximum to \$8,500.00.

I have considered the responsibilities of the office in question and I have compared the compensation of the officeholders with the compensation of comparable officials in other counties. It appears from both tests that the proposed change is not unwarranted. The principle of a salary range is retained as recommended in my message concerning Assembly Bill No. 468 of 1956. For these reasons I do not object to the substance of the bill.

The bill must be returned, however, because of a deficiency in form. Our Constitution says that a bill to amend a section of the law must set forth the section at length. Art. IV, Sec. VII, par. 5. This bill contains the text of the section to be amended as it existed when the bill was introduced on March 14, 1960. Since that time, however, the section was amended. L. 1960, c. 43. The present bill was not altered after introduction to insert the language added by chapter 43.

It is not clear from the text of the bill whether the omission was intended to have significance. It could imply an intention to repeal the

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

Assembly Bill No. 558

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omitted language, or it could have been due to oversight. The legislative history suggests that oversight is the answer, but I believe the Legislature should amend the bill to make its intention evident from the text.

If repeal is intended, I could not approve the bill. If repeal is not intended, the failure to insert the section at length might impair the bill under the constitutional provision in question.

For this reason, I herewith return Assembly Bill No. 558 for reconsideration and recommend that the omitted language be restored by an amendment in the following form:

On page 1, section 1, line 15, after "State committee" insert "or for nomination for or election as a delegate at large or alternate delegate at large, or district delegate or alternate district delegate to any national political convention".

Respectfully,

ROBERT B. MEYNER

GOVERNOR

[SEAL]

Attest:

EDWIN C. LANDIS, JR.

Acting Secretary to the Governor

ASSEMBLY AMENDMENT TO
ASSEMBLY, No. 558

STATE OF NEW JERSEY

ADOPTED NOVEMBER 28, 1960

Amend page 1, section 1, line 15, after "State committee" insert "or for nomination for or election as a delegate at large or alternate delegate at large, or district delegate or alternate district delegate to any national political convention".

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 558

STATE OF NEW JERSEY

INTRODUCED MARCH 14, 1960

By Assemblymen LAMONTE and MADDEN

Referred to Committee on State, County and Municipal Government

AN ACT concerning elections, and amending section 19:6-17 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of*
2 *New Jersey:*

1 1. Section 19:6-17 of the Revised Statutes is amended to read as follows:
2 19:6-17. The county board shall consist of 4 persons, who shall be legal
3 voters of the counties for which they are respectively appointed. Two mem-
4 bers of such county board shall be members of the political party which at the
5 last preceding general election, held for the election of all of the members of
6 the General Assembly, cast the largest number of votes in this State for
7 members of the General Assembly, and the remaining 2 members of such
8 board shall be members of the political party which at such election cast the
9 next largest number of votes in the State for members of the General Assem-
10 bly. No person who holds elective public office shall be eligible to serve as
11 a member of the county board during the term of such elective office. The
12 ~~office of member of the county board shall be deemed vacant upon such~~
13 member becoming a candidate for an office to be voted upon at any primary,
14 general election or special election, except for nomination for or election to
15 membership in any county committee or State committee *or for nomination*

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

15A *for or election as a delegate at large or alternate delegate at large, or dis-*
15B *trict delegate or alternate district delegate to any national political conven-*
16 *tion, such candidacy to be determined by the filing of a petition of nomina-*
17 *tion duly accepted by such member in the manner provided by law.*

18 In all counties of the first class the county board shall appoint some suit-
19 able person clerk of such board, and may also appoint not more than 4 ad-
20 ditional office employees, all of whom shall be appointed from the competi-
21 tive class of civil service. The compensation of the clerk of the county board
22 of elections in counties of the first class shall be not less than **[\$3,500.00]**
23 **\$5,000.00** per annum, nor more than **[\$7,500.00]** **\$8,500.00** per annum; pro-
24 vided, that any increase between the said minimum and maximum shall be
25 effective only upon recommendation of the county board of elections and the
26 approval of the board of chosen freeholders of the county affected. The
27 compensation of such office employees shall be recommended by the county
28 board and approved by the board of chosen freeholders. All persons now
29 employed by the board in the competitive class of civil service shall continue
30 to hold such employment in the competitive class of civil service.

1 2. This act shall take effect immediately.

ASSEMBLY, No. 355

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 1, 1965

By Assemblymen EVERETT, POLICASTRO, KIMMELMAN,
GENOVA and BURKE

Referred to Committee on County and Municipal Government

AN ACT concerning elections and amending section 19:6-17 of the Revised
Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 19:6-17 of the Revised Statutes is amended to read as fol-
2 lows:

3 19:6-17. The county board shall consist of 4 persons, who shall be legal
4 voters of the counties for which they are respectively appointed. Two mem-
5 bers of such county board shall be members of the political party which at
6 the last preceding general election, held for the election of all of the members
7 of the General Assembly, cast the largest number of votes in this State for
8 members of the General Assembly, and the remaining 2 members of such
9 board shall be members of the political party which at such election cast the
10 next largest number of votes in the State for members of the General As-
11 sembly. No person who holds elective public office shall be eligible to serve
12 as a member of the county board during the term of such elective office. The
13 office of member of the county board shall be deemed vacant upon such mem-
14 ber becoming a candidate for an office to be voted upon at any primary, gen-
15 eral election or special election, except for nomination for or election to

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted
and is intended to be omitted in the law.**

16 membership in any county committee or State committee or for nomination
17 for or election as a delegate at large or alternate delegate at large, or dis-
18 trict delegate or alternate district delegate to any national political conven-
19 tion, such candidacy to be determined by the filing of a petition of nomina-
20 tion duly accepted by such member in the manner provided by law.

21 In all counties of the first class the county board may appoint some suit-
22 able person clerk of such board [.] . [and may also appoint not more than
23 4 additional office employees, all of whom shall be appointed from the com-
24 petitive class of civil service.] *In counties of the first class having a popu-*
25 *lation of less than 800,000, the county board may appoint 4 additional office*
26 *employees, and in counties of the first class having a population of more than*
27 *800,000, the county board may appoint not more than 6 additional office em-*
28 *ployees, all of whom when appointed by such county boards shall be appointed*
29 *from the competitive class of civil service, provided, however, that any em-*
30 *ployee now serving and who has not been appointed from the competitive class*
31 *of civil service shall be in the classified service of the civil service upon pas-*
32 *sage of this act. The compensation of the clerk of the county board of elec-*
33 *tions in counties of the first class shall be [not less than \$5,000.00 per annum,*
34 *nor more than \$8,500.00 per annum; provided, that any increase between the*
35 *said minimum and maximum shall be effective only upon recommendation*
36 *of] in an amount recommended by the county board of elections and subject*
37 *to the approval of the board of chosen freeholders of the county affected,*
38 *provided, however, that such compensation shall be not less than \$5,000.00*
39 *per annum. The compensation of such office employees shall be recommended*
40 *by the county board and approved by the board of chosen freeholders. All*
41 *persons now employed by the board in the competitive class of civil service*
42 *and such other employees now performing assigned duties shall [continue*
43 *to] hold such employment in the competitive class of civil service.*

1 2. This act shall take effect immediately.

SPONSORS' STATEMENT

A 355 (1965)

Under Title 19:6-17, county boards of election in first class counties are permitted to have 4 office employees. However, with the growth of population in Essex county, 4 employees are not sufficient help to keep abreast of the increased work load. Processing of civilian and military absentee ballots which reached an all peacetime high in 1964, the increased number of local elections under the Faulkner Act, the redistricting of election districts, the processing of a greater number of election officers, and challengers, are some of the reasons for requiring 2 additional employees, as provided for in this bill.