

ASSEMBLY  
BILLS

1920

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ASSEMBLY, NO. 262

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 17, 1920.

By Mr. PIERSON.

Referred to Committee on Elections.

AN ACT to regulate elections (Revision 1920.)

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 1. For the purpose of this act the following words and terms shall be deemed  
2 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  
9 for at elections, or elect persons to fill party offices, or delegates and alternates to  
10 national conventions.

11 (d) Special Election—An election which is not provided for by law to be held  
12 at stated intervals.

13 (c) Any Election—The term "any election" as used in this act shall include  
14 all primary, general and special elections.

15 (f) Municipality—Any city, town, borough, village or township.

16 (g) Public Office—Any office in the government of this State or any of its  
17 political subdivisions now or hereafter filled at elections by the electors of such State  
18 or political subdivision.

19 (h) Public Question—Any question, proposition or referendum now or here-  
20 after required by the legislative or governing body of this State or any of its polit-  
21 ical subdivisions to be submitted by referendum procedure to the voters of such  
22 State or political subdivision for decision at elections.

23 (i) Political Party—A political party within the meaning of this act shall be  
24 a party which, at the election for members of the General Assembly next preced-  
25 ing the holding of any primary election held pursuant to this act, polled for mem-  
26 bers of the General Assembly at least five per centum of the total vote cast in the  
27 State.

28 (j) Party Office—Any delegate or alternate to the national convention of a  
29 political party or any member of the State, county or municipal committees of said  
30 political party.

#### APPLICATION OF ACT.

##### Applicable to Commission Governed Municipalities.

1 2. The provisions of this act shall apply to elections held in municipalities  
2 of this State under the provisions of chapter 221, Public Laws of 1911, approved  
3 April twenty-fifth, one thousand nine hundred and eleven; and the amendments  
4 and supplements thereto only insofar as such provisions are not inconsistent with  
5 the provisions of the aforesaid chapter 221, Public Laws of 1911, and the acts amend-  
6 atory thereof and supplemental thereto.

##### Applicable to Special Elections Authorized by Charters of Certain Municipalities.

1 3. The provisions of this act shall apply to special elections authorized by  
2 charter to be held in certain municipalities of this State only insofar as such pro-

visions are not inconsistent with the provisions of the acts authorizing such special elections and the acts amendatory thereof and supplemental thereto.

#### Referendum Procedure.

4. Except as in this act otherwise provided the provisions for the election of public and party offices shall also apply to the determination of public questions under the referendum procedure so far as may be.

### ARTICLE II.

#### ELECTIONS.

##### Types Authorized.

1. Hereafter no elections shall be held under the provisions of this act in this State or in any of the political subdivisions thereof except the general election and special elections; and no primary elections shall be held under the provisions of this act except the primary for the general election, primaries for special elections, and primaries for the selection of delegates and alternates to the national convention of political parties.

##### Time for Holding General and Special Elections.

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

##### Time for Holding Primary Elections.

3. The primary election for the general election shall be held on the fourth Tuesday of September in each year. Primaries for special elections shall be held not earlier than thirty nor later than twenty days prior to such special elections. The primary for the election of delegates and alternates to the national conventions of political parties shall be held on the fourth Tuesday of April in each presidential year.

## ARTICLE III.

## OFFICES AND QUESTIONS.

## GENERAL PROVISIONS.

## Classification.

1       1. Public offices and party offices and public questions shall be divided and classi-  
2 fied as follows: Those offices voted for and public questions voted upon by the elec-  
3 tors of the State or of more than one county thereof, or members of the House  
4 of Representatives; those offices voted for and public questions voted upon by the  
5 electors of a county or of more than one municipality thereof; those officers voted  
6 for and public questions voted upon by the electors of a municipality or of any  
7 portion thereof.

## Public Offices and Public Questions Decided at General and Special Elections.

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

## Party Offices Selected at Primary Elections.

1       3. Delegates and alternates to the national conventions of said political parties  
2 shall be elected at the primary for the election of delegates and alternates held on  
3 the fourth Tuesday of April in each presidential year as herein provided. The  
4 aforesaid members of said State, county and municipal committees of said political  
5 parties shall be chosen at the primary for the general election as hereinafter pro-  
6 vided.

## Basis of Election to Office.

1       4. At every election the person or persons, to the number to be elected therein,  
2 who shall by law be qualified for the office or offices to be filled at such election, and  
3 for whom the greatest number of votes shall have been given therein for such office

4 or offices, shall be deemed and taken to be elected to such office or offices.

Office Holding Restrictions.

1 5. No person shall hold at the same time more than one of the following  
2 offices: Elector of President and Vice-President of the United States, member of  
3 the United States Senate, member of the House of Representatives of the United  
4 States, member of the Senate or of the General Assembly of this State, county  
5 clerk, register, surrogate, sheriff or coroner. No person shall be elected an elector  
6 of President and Vice-President of the United States unless he shall be a male  
7 citizen of the United States, of the age of twenty-five years or upwards, and an  
8 inhabitant of this State, and shall have been a citizen of the United States seven  
9 years next preceding such election; and *provided, further*, that no person shall be  
10 elected a member of the House of Representatives, or an elector of President and  
11 Vice-President, who shall hold any office of trust or profit under the United States.

Basis of Determination of Public Questions.

1 6. Any public question voted upon at any election shall be deemed and  
2 taken to be approved when that percentage of the legal voters of the State  
3 or of any subdivision thereof as required by the statute authorizing the proposal  
4 of said public question shall vote in favor of its adoption. For the purpose of this  
5 act it is hereby declared that the intent and meaning in any such statute of the  
6 words "legal voters" are persons entitled to vote, and who do vote, at the time  
7 and in the manner prescribed in and by such statute upon the public question sub-  
8 mitted; and that for the purpose of ascertaining what is said percentage of the legal  
9 voters of any district defined in such statute, upon the public question herein directed  
10 to be submitted, the persons who do not vote at such election, and the persons who  
11 do not vote upon the public question, and the persons whose ballots may be de-  
12 clared invalid, shall not be estimated, counted or considered for the purpose of as-  
13 certaining what is said percentage of the legal voters in such district, with respect to  
14 the public question submitted.

CONDITIONS UNDER WHICH NOMINATIONS OR ELECTIONS TO PUBLIC OR  
PARTY OFFICE ARE NULL AND VOID.

Office Forfeited by Non-Filing of Statement or Filing of False Statement.

1 7. If any candidate for nomination for or election to any public office or party  
2 position, or the campaign manager of any such candidate, shall fail to file any  
3 statement required by this act to be filed, at the time, place and in the manner re-  
4 quired by this act, and duly verified as herein required, or shall file any false state-  
5 ment, the nomination or election of such candidate, if nominated or elected at the  
6 primary or other election concerning which such statement shall have been filed,  
7 shall be null and void.

Office Forfeited by Excess or Unauthorized Expenditures.

1 8. If any money, or other thing of value, shall be paid, promised or expended,  
2 or any liability incurred in excess of the amount permitted by this act, or for any  
3 purpose, or in any manner not authorized by this act, by or on behalf of any can-  
4 didate for nomination for or election to any office or party position, or in further-  
5 ance or in aid of his candidacy, whether such money or other thing of value was  
6 paid, promised or expended, or such liability incurred by the candidate or his cam-  
7 paign manager, or by any other person, corporation, association or committee  
8 whatsoever, the nomination or election of any such candidate at such primary or  
9 other election in connection with which such illegal expenditure was made or  
10 liability incurred, shall be null and void; provided, however, that any candidate or  
11 the campaign manager of any candidate, may disavow any expenditure made or  
12 liability incurred in behalf of such candidate and without his authorization or the  
13 authorization of his manager by filing in the public office in which the statement of  
14 moneys expended by or on behalf of such candidate is required to be filed, within five  
15 days after his first knowledge of such expenditure or of the incurring of such lia-  
16 bility, a statement signed by such candidate, or by his campaign manager, disavow-  
17 ing such expenditure. When any such statement is filed, as aforesaid, the amount of  
18 such expenditure shall not be counted for the purposes of this act as a part of the  
19 money expended in aid of the candidacy of such candidate, unless such disavowal

20 was not made in good faith. If no such disavowal is filed within the time afore-  
 21 said, it shall be conclusively presumed that such moneys were expended with the  
 22 knowledge and consent of such candidate or his campaign manager if it appear that  
 23 either said candidate or his campaign manager had knowledge of such expendi-  
 24 tures or by reasonable diligence could have obtained such knowledge.

Office Not Void in Case of Mitigating Circumstances.

1 9. When upon the trial of any action or proceedings instituted under this act  
 2 for the purpose of securing a determination that any nomination for or election to  
 3 any public office or party position is null and void, it shall appear from the evidence  
 4 that the offense complained of was not committed by the candidate, or with his  
 5 knowledge or consent, and that all reasonable means were taken by or on behalf of  
 6 the candidate to prevent the commission of any such offense, or that the offenses  
 7 complained of were trivial or unimportant in character, and that in all respects his  
 8 candidacy and election were free from all offensive or 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 nomina-  
 13 tion, position of office, then the nomination or election of such candidate shall not  
 14 by reason of such offense complained of be void.

EFFECTS OF NULL AND VOID NOMINATIONS OR ELECTIONS AND THE ENFORCEMENT  
 THEREOF.

Nomination Void; Name Not Printed on Ballot.

1 10. In case it shall be determined in the manner hereinafter provided, that the  
 2 nomination for any office of any successful candidate at any primary election is  
 3 null and void, then in case such determination shall have been made ten days before  
 4 the election at which the candidates nominated at said primary election are to be  
 5 voted for, an order shall be made by the court or judge making such determination  
 6 prohibiting the printing of the name of such candidate on the ballot to be used at  
 7 such election, and the name of the candidate for nomination or party position at

8 such primary election receiving the next highest number of votes shall thereupon  
9 be printed upon said ballot as the nominee for said office.

Candidate Elected; No Certificate Delivered.

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

Certificate Delivered; Certificate Void.

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

Candidate Inducted Into Office; Quo Warranto Proceedings.

1 13. In case such determination shall not have been made until after said can-  
2 didate has been inducted into office, then upon a certified copy of the record of  
3 such determination being sent to the Attorney-General, it shall be the duty of the  
4 Attorney-General to institute quo warranto proceedings for the vacation of such  
5 office; *provided, however*, that in case the said record relates to the election of any  
6 candidate for the office of United States Senator, Member of Congress, State Sen-  
7 ator or Member of the House of Assembly, the Attorney-General, instead of insti-  
8 tuting quo warranto proceedings for the vacation of said office, shall send such  
9 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 Representa-  
12 tives, State Senate or House of Assembly is then in session, and if not then in ses-  
13 sion, then on the first day of such session.



Election Void; No Certificate Delivered.

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

Certificate Delivered: Certificate Void

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

Candidate Inducted Into Office: Quo Warranto Proceedings.

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

Party Position Void: No Certificate Delivered.

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

Certificate Delivered; Certificate Void.

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

Procedure When Certificate Has Been Delivered to Delegates to National Con-  
 vention.

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

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

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

Candidate Removed From Office: Not Eligible to Fill Vacancies.

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

Appointments Null and Void.

1 22. Any appointment to an office made in violation of or contrary to the provi-  
2 sions of this section shall be void.

Nomination or Election Null and Void: Vacation of Office.

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

Right to Seek Recovery of Office Unabridged.

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

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

VACANCIES IN PUBLIC OFFICE AND THEIR FILLING.

Causes of Vacancies.

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

#### Filling vacancies in United States Senate.

1     26. If a vacancy shall happen in the representation of this State in the United  
 2 States Senate, said vacancy shall be filled at the general election next succeeding  
 3 the happening thereof, unless such vacancy shall happen within thirty days next  
 4 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  
 6 deem it advisable to call a special election therefor, which he is authorized hereby to  
 7 do. The Governor of this State hereby is authorized and empowered to make tem-  
 8 porary appointments of Senators of the United States from this State whenever  
 9 vacancies shall occur by reason of death, resignation or for any cause other than  
 10 the expiration of their term, and such appointees shall serve as such Senators  
 11 until a special election or general election shall have been held pursuant to law, and  
 12 the Board of State Canvassers can deliver to their successors certificates of election.

#### Filling Vacancy in United States House of Representatives.

1     27. Whenever any vacancy or vacancies shall happen in the representation of  
 2 this State in the United States House of Representatives, it shall be the duty of the  
 3 Governor to issue a writ or writs of election to fill such vacancy or vacancies, un-  
 4 less 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     28. Whenever any vacancy shall happen in the representation of any county  
 2 in the Senate or General Assembly of this State while such Senate or General  
 3 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  
 5 shall be of the opinion that the services of a person in the office then vacant will  
 6 not be required during the unexpired period of the legislative year. If such va-  
 7 cancy happens during the recess of the Legislature, or after the annual election,  
 8 and not less than fifteen days before the commencement of the legislative year, it

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

#### VACANCIES IN PUBLIC OFFICE AND THEIR FILLING.

##### Causes of Vacancies.

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

**Filling vacancies in United States Senate.**

1     26. If a vacancy shall happen in the representation of this State in the United  
 2 States Senate, said vacancy shall be filled at the general election next succeeding  
 3 the happening thereof, unless such vacancy shall happen within thirty days next  
 4 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  
 6 deem it advisable to call a special election therefor, which he is authorized hereby to  
 7 do. The Governor of this State hereby is authorized and empowered to make tem-  
 8 porary appointments of Senators of the United States from this State whenever  
 9 vacancies shall occur by reason of death, resignation or for any cause other than  
 10 the expiration of their term; and such appointees shall serve as such Senators  
 11 until a special election or general election shall have been held pursuant to law, and  
 12 the Board of State Canvassers can deliver to their successors certificates of election.

**Filling Vacancy in United States House of Representatives.**

1     27. Whenever any vacancy or vacancies shall happen in the representation of  
 2 this State in the United States House of Representatives, it shall be the duty of the  
 3 Governor to issue a writ or writs of election to fill such vacancy or vacancies, un-  
 4 less 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     28. Whenever any vacancy shall happen in the representation of any county  
 2 in the Senate or General Assembly of this State while such Senate or General  
 3 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  
 5 shall be of the opinion that the services of a person in the office then vacant will  
 6 not be required during the unexpired period of the legislative year. If such va-  
 7 cancy happens during the recess of the Legislature, or after the annual election,  
 8 and not less than fifteen days before the commencement of the legislative year, it



9 shall be the duty of the Governor forthwith to issue a writ for a special election to  
 10 be held to fill the said vacancy, unless he shall be of opinion that the services of a  
 11 person in the office then vacant will not be required during the legislative year, or  
 12 the residue thereof; *provided*, that the neglect of the Governor to issue a writ for  
 13 filling such vacancy shall not preclude the house in which such vacancy may have  
 14 happened from causing the same to be filled, if they judge it advisable; *and pro-*  
 15 *vided, moreover*, that if the board of chosen freeholders of such county in any  
 16 event shall signify in writing to the Governor, or to such house, when in session,  
 17 the desire of such board that the vacancy shall be filled, then such house, or the  
 18 Governor, as the case may be, shall forthwith, after such signification, issue such  
 19 writ for a special election to fill such vacancy.

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

Senator, General Assemblyman.

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

#### ARTICLE IV.

#### THE ELECTORATE.

#### THE RIGHT OF FRANCHISE.

##### Qualifications.

1 1. Every person possessing the qualifications required by Article II, Section  
 2 one of the constitution of the State of New Jersey and having none of the dis-  
 3 qualifications mentioned therein, and being duly registered as required by this act,  
 4 shall be entitled to vote in the polling place assigned to the election district in



5 which he actually resides, and not elsewhere. The term "election district" as herein  
6 used shall be construed to mean the territory within which or for which there is a  
7 polling place for all voters therein.

#### Privileges on Election Day.

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

#### ELECTION DISTRICTS.

##### Number of Electors to a District.

1 3. No election district within this State shall contain more than four hun-  
2 dred 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  
4 the number of voters shall be as near four hundred as possible; *provided, how-*  
5 *ever,* that election districts in counties having a population of less than sixty thou-  
6 sand inhabitants may contain five hundred voters.

##### Redistricting.

1 4. Whenever hereafter at any general election, in any election district, over  
2 four hundred votes shall have been cast, the governing board or body of the mu-  
3 nicipality wherein such election district shall lie, shall readjust the boundary lines  
4 of the election districts of said municipality so that no election district shall con-  
5 tain over three hundred and fifty registered voters, and for this purpose shall have  
6 power to consolidate any number of districts and resubdivide the same; *provided,*  
7 *that in every division, change or readjustment the geographical compactness of*  
8 *each district shall be maintained and the lines of such district shall not extend be-*  
9 *yond the boundary lines of the ward in the municipality in which such district is*  
10 *located; provided, further, that it shall not be lawful for such board to make divi-*  
11 *sion of any election district between the twentieth day of April and the day of the*  
12 *general election in any year.*

**County Clerks to Transmit Registers to Municipal Clerks.**

1 5. The clerk of any municipality may make application to the justice of the  
 2 Supreme Court holding the Circuit Court in his county, for an order directing the  
 3 county clerk of such county to transmit to such municipal clerk the registry books  
 4 of any election district in his municipality, for the purpose of such redistricting,  
 5 which order shall direct the time within which such registry books shall be returned  
 6 to such county clerk.

**Readjusted Districts to Be Recorded.**

1 6. Whenever any readjustment of the boundaries of an election district has  
 2 been made, the governing board making such readjustment shall immediately cause  
 3 a description of the boundaries of such readjusted district to be filed in the county  
 4 clerk's office and a duplicate thereof in the office of the clerk of the municipality  
 5 wherein such readjustment has been made.

**ARTICLE V.**

**PARTY ORGANIZATIONS.**

**Powers.**

1 1. A political party may nominate candidates for public office at primary elec-  
 2 tions provided for in this act, elect committees for the party within the State, county  
 3 or municipality, as the case may be, and in every other respect may exercise the  
 4 rights and shall be subject to the restrictions herein provided for political parties.

**MUNICIPAL COMMITTEE.**

**Membership and Organization.**

1 2. The members of the municipal committees of political parties shall be  
 2 elected annually by election districts at the primary for the general election in the  
 3 manner provided in this act for the selection of party candidates to be voted for at  
 4 the general election by the voters of a municipality. The members of said municipi-  
 5 pal committee shall take office on the first Monday following their election, on  
 6 which day the terms of all members of such committees theretofore elected shall

7 terminate. The annual meeting of each municipal committee shall be held on the  
 8 first Monday after the first Tuesday in September, at an hour and place to be desig-  
 9 nated in a notice to be given by the chairman thereof, at which annual meeting the  
 10 members of each committee shall elect some suitable person as chairman to hold office  
 11 for one year or until his successor is elected. Such chairman shall preside at all  
 12 meetings of his committee, and shall perform all duties required of him by law  
 13 and the constitution and by-laws of such committee. Such municipal committee  
 14 shall have power to adopt a constitution and by-laws for its proper government. A  
 15 member of a municipal committee of any political party may resign his office to  
 16 the committee of which he is a member, and upon an acceptance thereof by the com-  
 17 mittee a vacancy shall exist. Vacancies in the office of a member of a municipal com-  
 18 mittee of any political party shall be filled for the unexpired term by the remaining  
 19 members of said committee in the municipality in which such vacancy shall occur.

#### COUNTY COMMITTEE.

##### Membership and Organization.

1 3. The members of the county committees of political parties shall be elected  
 2 annually by election districts at the primary for the general election in the manner  
 3 provided in this act for the selection of party candidates to be voted for at the gen-  
 4 eral election by the voters of a municipality. The members of the county com-  
 5 mittee of each of the political parties, hereafter elected, shall take office on the first  
 6 Saturday following their election, on which day the terms of all members of such  
 7 committees heretofore elected shall terminate. The annual meeting of each county  
 8 committee shall be held on the first Saturday after the fourth Tuesday in September  
 9 at an hour and place to be designated in a notice to be given by the chairman thereof,  
 10 at which annual meeting the members of such committee shall elect some suitable per-  
 11 son as chairman to hold office for one year, or until his successor is elected.  
 12 Such chairman shall preside at all meetings of his committee and shall perform all  
 13 duties required of him by law and the constitution and by-laws of such committee.  
 14 Said committee shall have power to adopt a constitution and by-laws for their

15 proper government. A member of a county committee of any political party may  
16 resign his said office to the committee of which he is a member, and upon an ac-  
17 ceptance thereof by the committee a vacancy shall exist. Vacancies in the office or  
18 a member of the county committee of any political party, caused by death, resigna-  
19 tion or otherwise, shall be filled for the unexpired term by the remaining members  
20 of the county committee of such political party in the county in which such va-  
21 cancy shall occur.

#### STATE COMMITTEE.

##### Membership and Organization.

1 4. At the primary for the general election of the year wherein a Governor is  
2 to be elected, a member of the State committee of each of said political parties  
3 shall be elected in each county. The members of the State committee of each of  
4 the political parties hereafter elected shall take office on the first Tuesday follow-  
5 ing their election, on which the terms of all members of such committees heretofore  
6 elected shall terminate. The annual meeting of such State committee shall be held  
7 on the first Tuesday after the fourth Tuesday in September, at an hour and place to be  
8 designated in a notice to be given by the chairman thereof, at which annual meet-  
9 ing the members of said committee shall elect some suitable person as chairman  
10 to hold office for one year, or until his successor is elected. Such chairman shall  
11 preside at all meetings of his committee and shall perform all duties required of  
12 him by law and the constitution and by-laws of such committee. Said committee  
13 shall have power to adopt a constitution and by-laws for their proper government.  
14 A member of a State committee of any political party may resign his said office  
15 to the committee of which he is a member, and upon an acceptance thereof by the  
16 committee a vacancy shall exist. Vacancies in the office of a member of the State  
17 committee of any political party, caused by death, resignation or otherwise, shall  
18 be filled for the unexpired term by the remaining members of the State committee

19 of such political party in the county in which such vacancy shall occur. Mem-  
20 bers of the State committee shall serve for three years or until their successors  
21 are elected. Said State committee shall choose its chairman and the member or  
22 members of the National committee of their political party.

#### Party Maintenance.

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



## STATE CONVENTION.

## Composition; Time and Place of Holding.

1     6. There shall be held in each year a State convention of each of the political  
 2 parties aforesaid. The said State convention of each party shall be made up of the  
 3 following members: First, the party candidates who have been nominated at the  
 4 party primaries in September immediately preceding the convention for the office  
 5 of member of Assembly or State Senator in each county of the State; second, the  
 6 candidate of the party for Governor nominated at the said primaries in the year  
 7 in which a Governor is elected, and in each year in which no Governor is elected  
 8 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 the said State conven-  
 11 tion and whose successors are not to be chosen at the ensuing general election;  
 12 fourth, members of the State committee chosen as herein provided. The said con-  
 13 vention of each party shall be held at the city of Trenton on the first Tuesday after  
 14 the fourth Tuesday in September in each year. The place and the hour at  
 15 which the convention shall meet shall be fixed by call of the existing State com-  
 16 mittee, to be issued at least five days prior to said date of meeting. If no call is  
 17 issued by the State committee, any person qualified to sit in said convention may  
 18 issue a call. Said convention of each party shall have power to adopt and promul-  
 19 gate a party platform for said party, and to transact such other business as may  
 20 properly come before it.

## ARTICLE VI.

## ELECTION OFFICIALS.

## DISTRICT BOARDS OF REGISTRY AND ELECTION.

## Composition.

1     1. The district boards of registry and election in each election district of this  
 2 State shall consist of four members, who shall be appointed by the county board

3 of elections of the county in which such election district is located, in the manner  
4 hereinafter provided.

#### Volunteers for Service.

1     2. Any legal voter may volunteer for service as a member of a district board  
2 of registry and election of the municipality in which he resides, and any person,  
3 whether male or female, who is a citizen of the United States over twenty-one years  
4 of age, and who shall have been regularly appointed as a teacher in any public school  
5 of any municipality in this State, which now has, or hereafter shall have, a popula-  
6 tion of over ten thousand, may volunteer for service as a member of a district board  
7 of registry and election of such municipality. Any such volunteer shall send his  
8 or her name and address to the county board of elections on a blank form to be pre-  
9 pared for that purpose by such board. On such form such person shall, if a legal  
10 voter, state the political party to which he belongs, and if not a legal voter, may  
11 state whether or not he or she has any preference for any political party, and, if so,  
12 for which party.

#### List of Eligibles.

1     3. The names of the persons so volunteering, as aforesaid, shall be placed by  
2 said county board of elections on the eligible list for members of district boards of  
3 registry and election in the municipalities for which they shall have respectively  
4 volunteered. The county board of elections of any county shall also select and place  
5 on said eligible list for each municipality in said county as many legal voters resi-  
6 ding in said municipality as may in its discretion be advisable, and for the purpose  
7 of selecting such persons the said county board of elections may have access to the  
8 grand jury list of said county.

#### Selection of Members.

1     4. From the eligible list for each municipality in said county, prepared in the  
2 manner above stated, such county board of elections shall appoint the members of

3 the district boards of registry and election; *provided*, that said county board of  
4 elections shall not discriminate against any volunteer not a legal voter of the  
5 municipality for which such person volunteers because of any failure on the part  
6 of such person to state his or her preference for any political party; *provided*, that  
7 not more than two persons who are not legal voters of said municipality, not more  
8 than one of whom shall have stated in the manner above provided a preference  
9 for the same political party, shall be appointed as members of the same district  
10 board of registry and election; *provided*, that members of any district board of  
11 registry and election, who are legal voters of the municipality for which said board  
12 shall be appointed, shall be equally apportioned among each of the two political  
13 parties which at the last preceding general election cast the largest and next largest  
14 number of votes respectively in this State for members of the General Assembly.

#### Excuse from Service.

1 5. Any person other than a volunteer who shall have been selected as a mem-  
2 ber of a district board of registry and election shall, upon making application to  
3 the judge of the Court of Common Pleas prior to the twentieth day of August, be  
4 entitled to be excused from service upon showing that he has served on any such  
5 board in such county within four years next preceding such application, or upon  
6 showing some other good cause. In the event that any such person or persons are  
7 thus excused from service, the said judge of the Court of Common Pleas shall  
8 forthwith notify members of the county board of elections, who shall forthwith  
9 appoint other members.

#### Removal of Election Officers.

1 6. The county board of elections shall have power to dismiss any member of a  
2 district board of registry and election from such board for any illegal act, or for  
3 any cause, which shall be determined in a summary way, by the county board of  
4 elections.



#### Assignment of Members to Election Districts.

1     7. Any person selected as a member of a district board of registry and elec-  
 2 tion may be assigned by the county board of elections to any election district in the  
 3 municipality for which such person was selected, and the county board of elections  
 4 shall, on or before the twentieth day of August in each year in which members  
 5 of district boards of registry and elections are to be appointed, certify to the sheriff,  
 6 to the clerk of the county and to the municipal clerk the names of the per-  
 7 sons appointed to the district boards of registry and election in the election  
 8 districts in said county, specifying the municipalities and the districts therein for  
 9 which such members shall have been appointed.

#### Term of Office.

1     8. The terms of office of the members of the district boards of registry and elec-  
 2 tion shall be for one year and shall begin on September first, and such sheriff shall  
 3 summon, on or before the first day of September, such persons for service as mem-  
 4 bers of such district board of registry and election in the manner in which members  
 5 of the grand jury of said county are or hereafter shall be required by law to be  
 6 summoned, specifying the district in which the person so summoned shall sit and the  
 7 location of the polling place in which his duties are to be performed.

#### Obligations of Service.

1     9. Every person so summoned shall attend at the times and places now or here-  
 2 after fixed by law for the performance of any duty now or hereafter required of  
 3 any member of a district board of registry and election.

#### Organization of the Board.

1     10. Each of said boards shall, on the Thursday next preceding the first day  
 2 of registration for the general election, meet together and organize by the election

3 of one of its members as judge, who shall be chairman of said board, and another  
 4 of its members as inspector; such judge and inspector shall be members or favorers  
 5 of different political parties. In case of failure to elect a judge as herein provided,  
 6 after balloting or voting three times, the member of the board oldest in years shall  
 7 become judge, and in case of failure to elect an inspector, after balloting or voting  
 8 three times, the next oldest member of the board in years shall become the in-  
 9 spector; *provided*, that both chairman and inspector shall not be members or favorers  
 10 of the same political party. The other two members of the board shall be clerks of  
 11 election, and shall perform all the duties required by law of the clerks of district  
 12 boards of registry and election.

#### Oath of Office.

1 11. The members of said district boards of registry and election shall, before  
 2 entering upon the performance of their duties, severally take and subscribe an oath  
 3 or affirmation, in writing, before a duly qualified officer, faithfully and impartially  
 4 to 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 either  
 7 of said boards may, at any meeting thereof, administer any oath or affirmation re-  
 8 quired or permitted to be taken by this act.

#### Vacancy Arising by Member Becoming Candidate for Office.

1 12. The office of a member of a district board of registry and election in any  
 2 election district in this State shall be deemed vacant upon such member be-  
 3 coming a candidate for any office to be voted upon at any primary, general election,  
 4 or special election at which it shall be his duty to serve, said candidacy, to be de-  
 5 termined by the filing of a petition of nomination, duly accepted by such member,

6 in the manner provided by law. It shall be the duty of the municipal or county  
 7 clerk with whom such petition and acceptance may be filed to forthwith notify  
 8 the county board of elections of the county in which said election district is  
 9 located, giving the name and residence of the member of the district board of  
 10 registry and election who has thus become a candidate, and the vacancy shall be  
 11 filled as provided by law.

#### Filling of Vacancies.

1 13. Any vacancy arising in any district board of registry and elections other-  
 2 wise than by expiration of term, shall be filled for the unexpired term only in the  
 3 same manner as the original appointment. Such board shall send the name and  
 4 address of the person so appointed, and the name of the district in which such  
 5 vacancy shall exist, to the sheriff, to the clerk of the county and to the municipal  
 6 clerk, and the person so appointed shall be summoned for service in the manner  
 7 above provided.

#### Appointment of Boards for Changed or New Election Districts.

1 14. Whenever the boundaries of any election district in any municipality within  
 2 this State shall have been changed or any new district created between the time of  
 3 holding the general election and the time of holding the next primary or special elec-  
 4 tion, or where the boundaries of any election district shall not be the same as at the  
 5 general election, it shall be the duty of the county board of elections, on being noti-  
 6 fied thereof, to appoint a district board of registry and election for such election dis-  
 7 trict, in the manner hereinbefore provided for the appointment of district boards  
 8 of registry and election.

#### Constable Powers of Members.

1 15. The district boards of registry and election of every election district shall  
 2 preserve the peace and maintain good order in their respective polling places, dur-  
 3 ing the progress of all elections and the counting of the votes cast thereat, and to

4 that end each member of every such board, during the progress of any election and  
 5 the 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; said  
 7 election boards, or any two members of them, may, by writing under their hands  
 8 whenever in their opinion it shall be necessary to do so, request the municipal au-  
 9 thorities of any municipality within which their district is situate, or the body or  
 10 officer having charge and direction of the police force in such municipality, to de-  
 11 tail one or more policemen to assist in preserving the peace and good order in and  
 12 about such polling place, which request shall forthwith be complied with as far as  
 13 possible by the body or officer to whom the same is made.

Attendance of Policemen in Election Districts (Municipalities Over 15,000).

1 16. It shall be the duty of the board or official having charge of the police  
 2 department in each municipality having a population of more than fifteen thousand to  
 3 assign at least one policeman to each district board of registry and election to main-  
 4 tain order during the hours of registry and election, and to assist the members of  
 5 said board in carrying the ballot box to the office of the municipal clerk after the  
 6 ballots are counted.

COUNTY BOARDS OF ELECTIONS

Composition.

1 17. The county board of elections shall consist of four persons, who shall be  
 2 legal voters of the counties for which they are respectively appointed. Two mem-  
 3 bers of such county board shall be members of the political party which at the last  
 4 preceding general election cast the largest number of votes in this State for mem-  
 5 bers of the General Assembly, and the remaining two members of such board shall  
 6 be members of the political party which at said election cast the next largest num-  
 7 ber of votes in the State for members of the General Assembly. In all counties of  
 8 the first class said county board of election shall appoint some suitable person  
 9 clerk of such board, who shall be appointed from the competitive class of civil serv-

10 ice; *provided, however*, that all persons holding such positions as clerk of such  
 11 county board of elections at the time of the adoption of this act shall continue to  
 12 hold said positions and shall be classified in said competitive class of civil service.

**Appointment and Term of Office.**

1 18. In each county the chairman of the county committee of each of the two  
 2 political parties as aforesaid shall, during the month of June, in writing, nominate  
 3 two persons residing in such county, qualified as aforesaid, for members of the  
 4 county board of election in and for such county; and if nominations be made in  
 5 said month of June the Governor shall commission such appointees on or before  
 6 the third Tuesday in July; *provided*, that two of such appointees, who shall be  
 7 members of opposite parties, shall be commissioned for the term of one year from  
 8 the first day of August next and the remaining members shall be appointed for  
 9 the term of two years from the first day of August next; and thereafter one  
 10 member of such board shall be nominated annually by each of said chairmen, in  
 11 the same manner, in the month of June, and shall be commissioned by the Gov-  
 12 ernor as aforesaid, and shall continue in office for two years from the first day of  
 13 August next after their appointment. The terms of all members of the county  
 14 boards of election as now constituted shall cease and determine on the first day of  
 15 August next.

**Filling of Vacancy.**

1 19. In case of a vacancy arising in any county board of election from any  
 2 cause other than expiration of term the Governor shall be forthwith notified  
 3 thereof by the chairman, secretary or clerk of said board; the Governor shall cause  
 4 notice of such vacancy to be given to the chairman of the county committee who  
 5 appointed such member, and such chairman shall, not later than ten days thereafter,  
 6 nominate a successor, who shall thereupon be commissioned by the Governor; all  
 7 appointments to fill vacancies shall be for the unexpired term only.



Appointment if no nomination by county chairman.

1 20. If in any case either of said county chairmen shall fail to send in writing  
2 to the Governor nominations for appointments within the time specified, as afore-  
3 said, the Governor shall make such appointments of his own selection from the  
4 citizens of the county in which such failure shall occur.

Office of the Board.

1 21. Said county boards of election shall be provided by the board of free-  
2 holders of the respective counties with a suitable office, furniture and such other  
3 equipment as said county boards of election deem necessary in the court house  
4 of the county for which they are respectively appointed, or in a building as near as  
5 possible adjacent thereto.

Organization.

1 22. Said county boards of election shall, at ten o'clock in the forenoon, on the  
2 first Tuesday in August, or on such other day as they may agree on within the  
3 first ten days of August, in each year, meet at the court house, or other place pro-  
4 vided as aforesaid, in their respective counties, and organize by electing one of their  
5 number to be chairman and one to be secretary; but the chairman and secretary  
6 shall not be members of the same political party. In case of a failure to elect such  
7 chairman for three ballots or viva voce votes, then the oldest (in years) of such  
8 board shall be the chairman thereof, and on failure to elect such secretary for three  
9 ballots or viva voce votes, the member of the board next oldest (in years) to the  
10 chairman of such board, provided that the chairman and secretary shall not be  
11 members of the same political party.

Oath of Office.

1 23. The members of said county boards of election shall, before entering upon  
2 the performance of their duties, severally take and subscribe an oath or affirma-  
3 tion, in writing, before a duly qualified officer, faithfully and impartially to dis-  
4 charge all their duties as such officers, to the best of their skill and ability; which  
5 oath or affirmation shall be forthwith forwarded to the county clerk, and by him

6 filed in his office, and after qualification as aforesaid, any member of either of said  
7 board may, at any meeting thereof, administer any oath or affirmation required or  
8 permitted to be taken by this act.

#### Powers and Duties.

1 24. Wherever, under the sections of this act or any subsequent act which may  
2 be supplementary thereto or amendatory thereof, any powers or duties are given or  
3 conferred upon the county boards of election in counties of the first class, said county  
4 board may, under its supervision if it so determines, authorize or direct the clerk  
5 thereof, in the absence of said county board, to perform such duties and exercise  
6 such powers. Said board shall sit on the day of the general election, the day of the  
7 primary election for the general election and the primary for the election of dele-  
8 gates and alternates to national conventions, during the hours the polls are open,  
9 and exercise such powers and perform all the duties provided for by this act.

#### BOARD OF COUNTY CANVASSERS.

##### County Board of Elections to Act.

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

#### BOARD OF STATE CANVASSERS.

##### Composition.

1 26. The Board of State Canvassers shall consist of at least five persons, in-  
2 cluding the chairman, who shall be the Governor of this State. The remaining  
3 members of said Board of State Canvassers shall be members of the Senate, pro-  
4 vided 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 27. All the proceedings of the district board of registry and election, county  
2 board of elections, boards of county canvassers and Board of State Canvassers  
3 shall be open and public.

## A Majority Necessary for Decisions.

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

## Power to Maintain Regularity and Order.

1 29. The district board of registry and election in each election district, the  
2 county boards of election, the board of county canvassers and the Board of State  
3 Canvassers shall, respectively, possess full power and authority to maintain regu-  
4 larity and order, and to enforce obedience to their lawful commands during their  
5 sessions respectively; and if any person shall refuse to obey the lawful command  
6 of any such board, or by disorderly conduct in their hearing or presence shall in-  
7 terrupt or disturb their proceedings, they may by an order in writing, signed by  
8 the chairman and attested by the clerk of such board, commit the person so offend-  
9 ing to the common jail of the county in which they shall have met, for a period  
10 not exceeding three days, and such order shall be executed by any sheriff or con-  
11 stable to whom the same shall be delivered; or if a sheriff or constable shall not  
12 be present or shall refuse to act, by any other person who shall be deputed by such  
13 board in writing, and the keeper of such jail shall receive the person so committed,  
14 and safely keep him for such time as shall be mentioned in the commitment.



## ARTICLE VII.

## ELECTION QUASI-OFFICIALS.

## AGENTS OR CHALLENGERS.

## Appointment by Chairman of County Committee.

1     1. The chairman of the county committee of any political party that has duly  
 2 nominated any candidate for public office to be voted for at any election by all the  
 3 voters within said county or said political division thereof greater than a single mu-  
 4 nicipality, or where the election is within and for a single municipality only, or any  
 5 subdivision thereof, then the chairman of the committee of the political party mak-  
 6 ing such nomination within and for such single municipality, or such division  
 7 thereof, may appoint two agents for each election district in his county or muni-  
 8 pality, as the case may be.

## Appointment by Candidates.

1     2. Any candidate who has filed a petition for any office to be voted for at the  
 2 primary election, and any candidate duly nominated by petition for any office, whose  
 3 name may appear upon the ballot to be used in any election, may also act as an agent  
 4 as herein provided and may likewise appoint two agents for each district; *provided,*  
 5 *however,* that only two agents shall be allowed for each election district to represent  
 6 all the candidates nominated in and by the same petition or group of petitioners.  
 7 The appointment of agents shall be made in writing under the hand of the person  
 8 making the appointment, and shall specify the names and residences of the agents  
 9 and the election districts for which they are severally appointed.

## Filing of Applications.

1     3. The applications for the appointment of challengers shall be filed with the  
 2 county board of elections not later than the second Tuesday preceding any election.

## Issuance of Permit.

1     4. The county board of elections shall thereupon issue, under their hands,  
 2 to the persons named in such appointment papers, permits for them to act as agents

3 of their respective parties or candidates at the election district specified. Such  
 4 permits shall be filed by the persons named therein with the board of election in  
 5 the district named therein, as evidence of their authority to be present in the poll-  
 6 ing place, and such permits may be issued and revoked and others issued in their  
 7 stead at any time up to and including the day of election; *provided, however, that*  
 8 when a permit shall be revoked, the new permit in the place thereof shall be issued  
 9 upon the nomination of the same person or officer upon whose nomination the origi-  
 10 nal permit was issued.

#### Powers.

1 5. Such agents shall be the authorized agents and challengers for their respec-  
 2 tive parties and candidates, and shall be at liberty to challenge the right to vote  
 3 therein of any person claiming such right; said agents may be present inside the  
 4 railed inclosure while the votes cast at any election at which they were agents are  
 5 being counted, and hear and see said ballots counted.

#### Badge to be Worn by Agents.

1 6. Every such challenger and agent shall on any primary, special or general  
 2 election day wear a badge, to be furnished by the county board of elections, which  
 3 shall show to any other person the political party or candidate or group of can-  
 4 didates for whom such challenger or agent is acting.

### ARTICLE VIII.

#### POLLING PLACES; BALLOT-BOXES; POLLING PLACE EQUIPMENT.

##### POLLING PLACES.

###### Definition.

1 1. For the purpose of this act a polling place shall be a room wherein a dis-  
 2 trict board of registry and election is directed as hereinafter provided to meet for  
 3 the purpose of registering voters or conducting elections.

#### Tentative List of Available Places.

1     2. It shall be the duty of the clerk of every municipality to send to the county  
 2 board of elections of every county wherein such municipality is located be-  
 3 fore the first day of August in each year, a suggested list of places in  
 4 said municipality suitable for polling places. The said county board of elec-  
 5 tions shall select the polling places for each election district in said munici-  
 6 palities of said county, provided no place shall be suggested by said munic-  
 7 pal clerks or chosen by said county boards of election as a polling place in any  
 8 building in which is located or maintained any inn or tavern or saloon where in-  
 9 toxicating liquors are licensed to be sold; and provided, further, that said county  
 10 board of elections shall not be obliged to select the polling places so suggested by  
 11 the municipal clerks, but may choose others where they deem it expedient.

#### Use of Schoolhouses (Municipalities Over 15,000.)

1     3. The county board of elections shall select the schoolhouse or schoolhouses  
 2 as the polling places in any municipality in said county having a population of  
 3 over fifteen thousand, whether or not such schoolhouses are located within the elec-  
 4 tion 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; provided,  
 6 however, that not more than three polling places may be located in the same school-  
 7 house; and that the county board of election may, in its discretion, select a polling  
 8 place other than a schoolhouse for any election district, when the location of such  
 9 election district and of the schoolhouses in the municipality in which such election  
 10 district is located is such that inconvenience would be caused the voters of such elec-  
 11 tion district by locating the polling place thereof in a schoolhouse.

#### County Board of Elections to Certify Selected Places to Sheriff.

1     4. Said county board of elections before the fifteenth day of August each year  
 2 shall certify a list of the polling places so selected to the sheriff and to the clerk  
 3 of the county and the municipal clerk.

Sheriff to Certify Selected Places to District Boards of Registry and Election and  
to Municipal Clerks.

1     5. The said sheriff in his summons to members of the district boards of reg-  
2 istry to serve as hereinbefore provided shall notify each member so summoned of the  
3 location of the polling place wherein he shall serve.

Display of American Flag.

1     6. An American flag, approximately three feet by five feet in size, shall be dis-  
2 played within each polling place in this State by the boards of registry and elec-  
3 tion during the hours when said boards are in session. Such flag shall be fur-  
4 nished by the clerk of the county and delivered to the municipal clerks for distribu-  
5 tion.

BALLOT-BOXES.

Board of Chosen Freeholders to Provide and Repair.

1     7. The board of chosen freeholders of each county shall at all times provide  
2 and keep in good repair sufficient ballot-boxes for use in the polling places of each  
3 election district within said county.

Description.

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

POLLING PLACES—EQUIPMENT.

Enumeration.

1     9. The county boards of election of the several counties shall have power to  
2 furnish the proper equipment of polling places, to enable the district boards of

3 registry and election to carry out the duties imposed upon them by this act. Said  
 4 equipment shall consist of tables, chairs, lights and all other things of a similar  
 5 nature necessary for the performance of said duties, and shall be ready for use by  
 6 said district boards of registry and election in ample time to enable them to per-  
 7 form said duties.

8 The clerks of the several municipalities shall furnish the polling booths in time  
 9 for use by said district boards of registry and elections.

10 In case of any election to be held in a municipality only, the duties now imposed  
 11 upon the county boards of election shall devolve upon the clerk of the municipality  
 12 wherein such election is to be held; any equipment in possession of the county board  
 13 of elections may be used in a municipal election upon requisition.

#### *Booths.*

##### *Description of Booths.*

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

##### *Number of Booths.*

1 11. The number of such booths shall not be less than one for every one hundred  
 2 votes cast at the next preceding general election held in such district, and not less  
 3 than two such booths shall be provided in any polling place.

##### *Location of Booths.*

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



## ARRANGEMENT OF POLLING PLACES.

## Location of Ballot-Boxes.

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

## ARTICLE IX.

## ELECTION SUPPLIES.

## Definition and Enumeration.

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

## Preparation of Books, Blank Forms, Etc.

1     2. Pamphlets of the election laws and instructions; signature copy registers;  
2 registers of voters; general election poll book; primary election registry books;  
3 canvassing books; party primary poll books; general election registry lists; can-  
4 vassing sheets; affidavits for registration of voters; statements of election results  
5 for the general election for State congressional and county officers or public ques-  
6 tions to be voted upon by voters of the entire State, shall be prepared and distrib-  
7 uted by the Secretary of State on or before the first day of August prior to the  
8 primary election for the general election and the general election. Upon the covers  
9 of each of said books shall be printed in conspicuous type such instructions to elec-  
10 tion officers regarding the use and disposition of such books by election officials as  
11 the Secretary of State shall deem necessary. All other books, blank forms, station-  
12 ery and supplies for the primary election for the general election, for the primary  
13 election for the election of delegates and alternates to national conventions and for  
14 the general election shall be prepared and distributed by the clerks of the various  
15 counties.

**Distribution of Supplies by Secretary of State.**

1     3. In all cases where such supplies to be prepared and distributed by the Secre-  
 2 tary of State shall be needed in any county or municipality thereof the Secretary of  
 3 State shall deliver to such county clerk such supplies on or before the time herein  
 4 set forth and take a receipt for the same, which receipt shall indicate the time  
 5 when such supplies were delivered by said Secretary of State and the time when they  
 6 were received by said clerk of the county. The Secretary of State shall file said  
 7 receipt in his office for the period of at least a year.

**Distribution of Supplies by County Clerks.**

1     4. In all cases where such supplies prepared either by said Secretary of State  
 2 or the county clerk shall be needed in a municipality the county clerk shall deliver  
 3 to a member of the district board of registry and elections at his office or in any  
 4 other way that he sees fit such supplies on or before the time they are so needed 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     5. In all cases where supplies are delivered by the county clerk to the municipi-  
 2 pal clerk for distribution, said municipal clerk shall deliver the same at his office to  
 3 a member of the district board of registry and election, and take a proper receipt  
 4 therefore 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     1. The Secretary of State shall within thirty days after the completion of the  
 2 canvass by the Board of State Canvassers, certify to each county clerk the fact that



3 at the next preceding general election, five per centum of the total vote cast in the  
4 State for members of the general assembly had been cast for candidates having the  
5 same designation thereby creating, within the meaning of this act, a political party,  
6 to be known and recognized as such under the same designation as used by the can-  
7 didates for whom the required number of votes were cast. He shall also, between  
8 the fifteenth day of July and the first day of August, in every year wherein electors  
9 of President and Vice-President of the United States, a representative in the United  
10 States Senate, members of the House of Representatives, a Governor, or Senator  
11 for any county, or any of them, are to be elected, direct and cause to be delivered  
12 to the clerk of the county and the county board of elections wherein any such elec-  
13 tion is to be held, a notice stating that such officer or officers are to be elected at the  
14 ensuing general election.

#### County Clerks to Municipal Clerks.

1 2. The clerk of such county shall immediately upon the receipt of the certifi-  
2 cate from the Secretary of State, setting forth that a political party has been created  
3 forward a certified copy of said certificate to each municipal clerk of his county.  
4 He shall also between the first day of August and the first day of September, cause  
5 a copy of the notice received from the Secretary of State of the officer or officers  
6 to be elected at the ensuing general election, certified under his hand to be true and  
7 correct, to be delivered to the clerk of each municipality in said county.

#### Notice of Offices to be Filled.

1 3. It shall also be the duty of the clerk of every county, between the first day  
2 of August and the first day of September, immediately preceding the expiration of  
3 the term of office of all other officers who are voted for by the voters of the entire  
4 county or of more than one municipality within said county, to direct and cause to  
5 be delivered to the clerk of each municipality and the county board of elections in  
6 said county a notice that such officer or officers, as the case may be, will be chosen  
7 at the ensuing general election.

#### Municipal Clerks to County Clerks.

1 4. It shall be the duty of all municipal clerks, at least forty-five days before any  
 2 general election, to make and certify under their hands and seals of office and for-  
 3 ward to the county board of elections and the clerk of the county in which such mu-  
 4 nicipality is located a statement, designating the public offices which are to be filled  
 5 at such election, and the number of persons to be voted for each office.

#### OFFICIALS TO PUBLIC.

##### Prior to General Election.

1 5. The county board of elections shall, at least two weeks preceding the pri-  
 2 mary for the general election, cause a notice to be published in not more than two  
 3 newspapers of the county as said county board of elections shall select, setting forth  
 4 that the district boards of registry and election of each election district in such  
 5 county will meet for the purpose of making a registration of voters on the days and  
 6 between the hours hereinafter designated for that purpose; that a primary for mak-  
 7 ing nominations for the general election will be held on the day and between the  
 8 hours and at the places as provided in this act, and making known the time, place  
 9 and purpose of holding the general election thereafter, and the office or offices to  
 10 be filled thereat, *provided*, that such part of the original notice as published which  
 11 pertains to a day of registration or primary election which has occurred shall be  
 12 eliminated from said notice in succeeding insertions.

##### Regulations as to Publication.

1 6. In municipalities having a population exceeding fifteen thousand, said  
 2 notices shall include a short description of the boundary lines of each election district  
 3 therein, and the place of meeting of the district board of registry and election for  
 4 said district.

##### Number of Insertions and Newspapers Selected.

1 7. In all municipalities said notices shall be published in such newspaper or  
 2 newspapers at least once, and not more than twice, in each week; *provided*, that if  
 3 there be a newspaper printed and published in such municipality, said newspaper  
 4 shall be one of the newspapers so selected by the county board of elections.

## ARTICLE XI

## REGISTRATION OF VOTERS.

*General Elections.*

## MUNICIPALITIES EXCEEDING FIFTEEN THOUSAND POPULATION.

*Registrations Required.*

## Time and Place.

1 1. In all municipalities which at the next last preceding Federal census  
2 had populations exceeding fifteen thousand, there shall be three days upon  
3 which the members of the district boards of registry and election of said mu-  
4 nicipalities shall meet in the election districts assigned to them for the purpose of  
5 preparing registers of the residents of said election districts entitled to vote at the  
6 next succeeding general election. The first registration day shall be on the second  
7 Tuesday of September of each year between the hours of three P. M. and nine  
8 P. M. The second registration day shall be on the fourth Tuesday of September  
9 of each year between the hours of seven A. M. and nine P. M. The third  
10 registration day shall be on the Tuesday three weeks next preceding the general  
11 election between the hours of one P. M. and nine P. M.

*Registration in Person.*

## Registry Books.

1 2. During each of said three registrations for the general election the members  
2 of each district board of registry and election shall enter in the registry books pro-  
3 vided for the purpose the information required herein for each resident of the elec-  
4 tion district to which they are assigned, who shall appear before them in person  
5 and claim the right of registration in said election district for the next ensuing gen-  
6 eral election. Said registry books shall be made up in two volumes for each elec-  
7 tion district, to be known as Volume Number One and Volume Number Two, and

8 shall be used by the members of the district board of registry and election so that  
9 part of the registration shall be entered in one volume and the remaining part shall  
10 be entered in the other volume, the object being to divide the work of registering  
11 the voters in the signature copy registers into two parts, as nearly equal as pos-  
12 sible, so that more than one voter can be registered at the same time. Said registry  
13 books shall be arranged in at least eighteen columns, and the leaves thereof in-  
14 dexed according to the names of the streets or avenues. The lines thereof shall be  
15 one-half inch apart and the pages of said registers shall be consecutively numbered.

#### Information Required.

1     3. The first column of said registers shall be left blank until the completion of  
2 registration on the last day when the names of the persons registered shall be num-  
3 bered consecutively from the first name to the last name entered in the book. In  
4 the second column shall be entered the date of the day of registration. In the third  
5 column on the page bearing the name of the street or avenue of his residence shall  
6 be entered the full name of the claimant, first the Christian name or names fol-  
7 lowed by the surname. In the fourth column shall be entered the number or other  
8 designation of his residence; in the fifth column shall be entered the name of the  
9 street or avenue of his residence, or a brief description of the locality thereof; in  
10 the sixth column shall be entered the number of the floor or room occupied at the  
11 residence given by him; in the seventh column shall be entered the full name of  
12 the owner, tenant, subtenant or apartment lessee of the premises in which he re-  
13 sides; in the eighth column the fact that he is over twenty-one years of age shall  
14 be indicated by the word "Yes"; in the ninth column shall be entered the num-  
15 ber of years he has resided in the State of New Jersey immediately preceding his  
16 registration; in the tenth column the fact that he has resided in the county at least  
17 five months immediately preceding his registration shall be indicated by the word  
18 "Yes"; in the eleventh column shall be entered the names of the municipality,  
19 ward and district from which he voted at the last preceding general election; in  
20 the twelfth column shall be entered the country, State or province of his birth;

21 in the thirteenth column shall be entered his occupation; in the fourteenth column  
 22 shall be entered the name of his business or by whom employed, if he is not in busi-  
 23 ness and has no employment the word "none" shall be entered together with the name  
 24 under which he was last in business or the name of his last employer; in the fif-  
 25 teenth column shall be entered the street and number or location of the place  
 26 where he is in business or employed, or if unemployed the place where he was last  
 27 in business or employed; in the sixteenth column shall be entered the number of  
 28 the ballot voted at the general election; in the seventeenth column at the general  
 29 election shall be entered the word "Voted" instead of a check "V" mark, to indi-  
 30 cate the completion of the act of voting.

Signature of Registrant.

1 4. The eighteenth column shall be reserved for the signature of such claimant  
 2 at the time of registration, or in case he alleges his inability to write, for entering  
 3 therein the number of the "identification statement," made by him as hereinafter pro-  
 4 vided, or, if he has registered by affidavit, for the entry and number of such affi-  
 5 davit as hereinafter required in such case. Above each horizontal line in the said  
 6 eighteenth column shall be printed the words "the foregoing statements are true,"  
 7 and such claimant shall, at the time of registration (unless he registers by affidavit  
 8 as hereinafter provided), sign his own name by his own hand and without assist-  
 9 ance, using black ink, below such words on the horizontal line in the register.

Registrant Unable to Sign.

1 5. If the claimant alleges his inability to sign his name, one of the members of  
 2 the district board of registry and election, in addition to taking down the informa-  
 3 tion required to be written in the signature copy register, shall read to such claim-  
 4 ant the following list of additional questions, which shall be contained in the signa-  
 5 ture copy register and known as "identification statements for registry day," said  
 6 additional questions to be printed in the signature copy register and numbered con-  
 7 secutively, from one to one hundred, and said member shall write in ink the answers  
 8 of such claimant to the following questions: What is your full name? What is or  
 9 was your father's full name? What is or was your mother's full name? Are you mar-



10 ried or single? Where did you actually reside immediately prior to taking up your  
 11 present residence; state floor and character of premises? At the bottom of each list  
 12 of questions shall be printed the following statement: "I certify that I have read to the  
 13 above-named elector each of the foregoing questions, and that I have truly recorded  
 14 his answers as above to each of said questions"; and said member who has made the  
 15 above record shall forthwith sign his name to said statement and date the same, and  
 16 the number corresponding to the number on each sheet containing said list of ques-  
 17 tions shall be entered, when the questions have been answered, in the proper  
 18 column, in the register in which claimants registering have signed their names.

*Registration by Affidavit.*

*When Permitted.*

1     6. The county boards of elections shall place upon the registers the  
 2 names of qualified voters who are unable by reason of illness or absence from the  
 3 State to register personally, provided each of said voters shall file with the  
 4 county board of elections of the district wherein he claims his residence an affi-  
 5 davit wherein he shall state the reason for his inability to register in person and also  
 6 answer the same questions required to be answered in the case of personal regis-  
 7 tration.

*How Taken.*

1     7. Said affidavit shall be taken before some person legally authorized to take  
 2 affidavits, and if taken outside of this State, shall be, when so required by the laws  
 3 of this State, accompanied by a proper certificate showing the authority of the per-  
 4 son administering the oath to take affidavits.

*Filing.*

1     8. Such affidavit shall be filed with the county board of elections of the county  
 2 in which such voter is entitled to vote, on the last registry day; and such county  
 3 board of elections on the receipt thereof shall endorse upon said affidavit a number  
 4 showing the order of its receipt by said board, and shall thereupon enter the name  
 5 of such voter on the proper register for the ensuing general election, together with



6 the statements, as contained in said affidavit, which the voter would be required to  
 7 make if registering personally, and shall enter in the eighteenth column of said sig-  
 8 nature copy register instead of the signature of such voter, the words "affidavit No.  
 9 —," giving the number endorsed on said affidavit. Such affidavit shall be attached  
 10 to the page of said signature copy register on which the county board of elections  
 11 has entered his name, and shall be used on election day as hereinafter provided.

*Signature Copy of Register.*

Definition.

1 9. The registers known as volume number one and volume number two, which  
 2 in the eighteenth column contain the signatures, identification statement numbers,  
 3 and affidavit numbers of those registering as hereinbefore provided, shall be known  
 4 as the "signature copy register."

Certificates of Registration.

1 10. The aforesaid signature copy register shall contain three certificates in each  
 2 volume to be known as "Certificates of Registration."

3 A. The certificate of registration to be made out at the close of the first day  
 4 of registration shall be arranged to give the following information: The name  
 5 of the county and municipality, the ward number and the election district number  
 6 wherein the registration is being held; the total number of names registered in  
 7 said volume on the first day of registration; the certificate of the board of regis-  
 8 try and election, and shall have printed thereon "to be filled out at the close of the  
 9 first day of registration."

10 B. The certificate of registration to be made out at the close of the second  
 11 day of registration shall be arranged to give the following information: The name  
 12 of the county and municipality, the ward number and the election district number  
 13 wherein the registration is being held; the total number of names in said volume of  
 14 the "signature copy register" at the close of the first day of registration; the total

15 number of names in said volume of the "signature copy register" at the close of  
 16 the second day of registration; the certificate of the board of registry and elec-  
 17 tion, and shall have printed thereon "to be filled out at the close of the second day  
 18 of registration."

19 C. The certificate of registration to be made out at the close of the third day  
 20 of registration shall be arranged to give the following information: The name  
 21 of the county and municipality, the ward number and the election district number  
 22 wherein the registration is being held; the total number of names in said volume  
 23 of the "signature copy register" at the close of the second day of registration;  
 24 the total number of names in said volume of the "signature copy register" at the  
 25 close of the third day of registration; the certificate of the board of registry and  
 26 election, and shall have printed thereon "to be filled out at the close of the third  
 27 day of registration."

28 At the close of each day of registration the district board of registry and elec-  
 29 tion shall make out the proper certificate of registration in said volume of the  
 30 "signature copy register," and shall certify over their signatures on said certificate  
 31 of registration that the statements contained therein are true and correctly made  
 32 out.

#### *Close of Registration.*

##### *Registrants Numbered.*

1 11. In the first column of each volume of said "signature copy register" there  
 2 shall be entered, at the time of the completion of the registration on the last day  
 3 of registration, a number opposite the name of each person so enrolled, beginning  
 4 with number "one" opposite the first name entered upon the first page, and con-  
 5 tinuing in numerical order to and including the last name entered upon the last page  
 6 of each volume of said "signature copy register."

##### *Registry Lists.*

1 12. On the same day after the close of the last day of registration as herein  
 2 provided the said district board of registry and election in each election district shall

3 make and complete one list of all persons registered in their district grouped accord-  
 4 ing to streets and avenues. Said list shall be substantially in the following form:

Grand Street.	
Residence number or other designation.	Name of Voter.
14	Smith, John M.
15	Jones, Charles M.

5 Said list shall be signed and certified by said board, and delivered on the same  
 6 day after the close of the last day of registration to the county clerk.

*Investigation of Registrants.*

*Use of Registry Lists.*

1 13. The county clerk shall forthwith cause copies of said registry lists to be  
 2 printed in hand-bill form, and shall furnish to any voter applying for the same  
 3 copies of said registry lists, charging therefor, as nearly as may be, the cost of  
 4 printing the same; he shall also furnish five printed copies thereof to the respec-  
 5 tive district boards of registry and election; said board shall post two said registry  
 6 lists, one in the polling place and one in another conspicuous public place within  
 7 such election district. Said county clerk shall also forthwith deliver to the chief  
 8 of police of each of said municipalities not less than five copies of the lists of voters  
 9 of each election district in such municipalities. The said chief of police shall cause  
 10 an investigation to be made of the names of the persons so appearing on said lists,  
 11 to ascertain if the said persons are residents of the houses from which they are  
 12 registered, and shall not later than five days after receipt of same from the county  
 13 clerk forward the various reports of such investigation, certified by the chief of  
 14 police, to the county board of elections, where they shall be kept open to public in-  
 15 spection. Said county clerk after causing copies of said registry lists to be printed  
 16 shall forthwith file said registry lists with the county board of elections.

*Disposition of Signature Copy Register.*

## Custody Until Election.

1     14. Said signature copy register shall be signed and certified by said district  
 2 board of registry and election as hereinbefore provided and retained by the district  
 3 board of registry and election for use at the polls on election day as hereinafter  
 4 provided. The signature copy register shall, not later than the day following each  
 5 registry day, be filed by said district board of registry and elections with the  
 6 county board of elections, who shall make use of and return same to the district  
 7 board of registry and elections in time to be used on each succeeding registry and  
 8 general election day.

## MUNICIPALITIES OF FIFTEEN THOUSAND POPULATION OR LESS.

*First Registration.*

## Canvassing Procedure.

1     15. The district boards of registry and election in all election districts in the  
 2 State, outside of municipalities having a population exceeding fifteen thousand, shall  
 3 meet annually on the second Tuesday of September in each year, and having first  
 4 organized, shall proceed to ascertain and truly and accurately enter in canvassing-  
 5 books, to be provided for that purpose, the names and residences and street numbers,  
 6 if any, of all legal voters residing within their respective election districts enti-  
 7 tled to vote therein at the next ensuing general election by making actual inquiry  
 8 at every dwelling-house or habitation, or of the head of every family residing  
 9 therein. In making such enumeration the said district boards of registry and elec-  
 10 tion may divide their election districts into subdivisions, and any two of their num-  
 11 ber, designated by the chairman and inspector, together and in company, may make  
 12 the enumeration in such subdivision. The name of every such voter, as aforesaid,  
 13 whose place of abode shall be in any family or habitation, or who may be casually  
 14 or temporarily absent therefrom when such enumeration is made, shall be entered in

15 said canvassing-books, but no name shall be entered on such canvassing-books with-  
16 out the concurrence of both of said members, or if said enumeration be made by  
17 the entire board, without the concurrence of a majority thereof. Said board shall  
18 continue such enumeration of voters from day to day thereafter, on successive  
19 days, until the same be completed; *provided*, that such enumeration shall terminate  
20 on or before the Friday next succeeding. Immediately after the completion of such  
21 enumeration the district board of registry and election shall transcribe and make up  
22 from said canvassing books three registers of voters for use at the general election,  
23 arranged alphabetically according to surnames, and adding information as to the  
24 residences and street numbers, if any, of all persons in their respective election dis-  
25 tricts entitled to the right of suffrage therein at the next general election. At the  
26 same time a correct list of the names entered on said registers of voters with resi-  
27 dence and street numbers, if any, to be known as the general election registry list,  
28 shall be prepared and certified by the district board of registry and election in hand-  
29 bill form, and shall be posted in some conspicuous public place within such election  
30 district on or before the following Tuesday. The canvassing-books duly certified  
31 and signed by the district board of registry and election as to their correctness, and  
32 the fact that a house-to-house canvass has actually been made, shall be filed with the  
33 county board of elections on or before the following Tuesday.

#### *Second Registration.*

##### *Preparation of Registers.*

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



7 those who shall be shown to the satisfaction of such board of registry and election  
8 by an affidavit of some voter in that municipality.

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

1 17. On the day succeeding the second registration day the district board of reg-  
2 istry and election shall transcribe from the registers of voters to the general election  
3 registry lists the names of all those who personally appeared before such board to-  
4 gether with the names of those who were registered by affidavit, and shall certify  
5 to the number of names so added.

*Third Registration.*

Completion of Registers.

1 18. The said district board of registry and election shall also meet on the third  
2 Tuesday next preceding the general election at the polling place at the hour of  
3 one in the afternoon, and remain in session until nine o'clock in the evening,  
4 for the purpose of revising and correcting the original registers, of adding thereto  
5 the names of all persons entitled to the right of suffrage in that election district  
6 at the next election, who shall appear in person before them or shall be shown by  
7 an affidavit of some voter in such election district to be a legal voter there-  
8 in, and of erasing therefrom the name of any person, who, after a fair opportunity  
9 to be heard, shall be shown not to be entitled to vote therein; *provided*, that no  
10 name shall be entered on said registers or either of them from said canvassing-  
11 books, or stricken therefrom, without the concurrence of a majority of all the mem-  
12 bers of said boards of registry and election.

Adding Names to General Election Registry List on Third Registration Day.

1 19. At the close of the third registration day the district board of registry and  
2 election shall transcribe from the registers of voters to the general election registry  
3 lists the names of all those who personally appeared before such board, together  
4 with the names of those who were registered by affidavit, and shall certify to the  
5 number of names so added.



*Disposition of Registers of Voters.*

## Filing and Custody.

1     20. On the day succeeding the completion of said registers of voters, one of the  
 2 said registers of voters shall be delivered by a member of the district board of reg-  
 3 istry and election to the county board of elections to be filed by them; the second of  
 4 the registers of voters shall be delivered by a member of said district board within two  
 5 days after the last registry day to the clerk of the municipality within which such  
 6 election district may be situated; the third of the registers of voters shall be retained  
 7 by the district board of registry and election for use on the day of the general elec-  
 8 tion, and then filed with the county clerk as hereinafter provided.

## REVISION AND CORRECTION OF REGISTERS IN ALL MUNICIPALITIES.

*County Board of Elections.*

## Meetings.

1     21. It shall be the duty of the several county boards of elections to sit at a  
 2 place convenient to the voters of said county on Thursday and on Friday next pre-  
 3 ceding the day of the general election, the day of the primary for the general elec-  
 4 tion and the primary for the election of delegates and alternates to the national  
 5 conventions from one P. M. to nine P. M. of each of said days, and at such other  
 6 times as such boards may deem necessary for the purpose of revising and cor-  
 7 recting the registry lists or registers hereinbefore provided to be filed with them.  
 8 In revising and correcting the registers of municipalities of over fifteen thousand  
 9 population the said county boards of election shall use so far as may be the re-  
 10 ports of investigations of registrations as herein provided to be made by the chief  
 11 of police of said municipalities.

## Registers and Issuance of Certificates by County Board of Elections.

1     22. Any legal voter who may have failed to register or whose name has been  
 2 left off the registry list, may, on the days and times hereinbefore mentioned, apply  
 3 in person to the county board of elections for the purpose of having his name  
 4 placed upon the registry list of the district in which he claims the right to vote;  
 5 and the said county board of elections, upon such application to them, and upon  
 6 proper evidence under oath satisfying them that such person is a legal voter entitled

7 to vote at said election, and that he made a reasonable effort to register, and that  
 8 for some reason other than his own neglect or forgetfulness he failed of registra-  
 9 tion, shall add his name to the proper register, if said register is on file with said  
 10 county board, otherwise, if said registers are not on file the said county board of  
 11 elections shall grant a certificate which shall give said voter the right to register  
 12 and vote upon presenting said certificate to the proper district board of registry  
 13 and elections. The county board of elections shall notify the municipal clerk of  
 14 the municipality of fifteen thousand population, or less, wherein such district lies  
 15 that such name has been added, and said clerk shall thereupon add said name to  
 16 the register of voters on file with him.

Addition of Name to Registers by District Boards of Registry and Election.

1 23. Such voter may present such certificate to the district board of registry  
 2 and election of the district in which he is entitled to vote, and said board shall  
 3 receive and file said certificate and add his name to the register of voters in their  
 4 possession, and he shall thereupon be allowed to vote at said election.

Removal of Name from Registers Filed with County Board of Elections and  
 Municipal Clerks.

1 24. Said county board of elections may order stricken from any register the  
 2 name of any person who shall be shown to the satisfaction of the board, for any  
 3 cause, not to be entitled to vote at the next general election in the election district  
 4 wherein he is registered, and said county board shall strike the name of such person  
 5 from the signature copy register, or register of voters, on file with them; *provided*,  
 6 that no name shall be stricken or ordered stricken from any such register in the  
 7 absence of the person to be affected thereby, unless it shall appear to the board  
 8 by affidavit of some qualified voter that notice has been given such person, either  
 9 personally or by leaving the same at his assigned place of residence, with some person  
 10 above the age of fourteen years, at least two entire days before such meeting of  
 11 the board, that at such meeting application would be made to have the name of  
 12 such registered person stricken from the register, and the grounds on which said  
 13 application would be based. When any name shall be stricken from any register in

14 any election district a certificate of such county board of elections, stating the name  
 15 stricken off and the cause therefor, and from what election district, shall be given  
 16 to the person applying to have such name stricken from such register. Said  
 17 county board of elections shall also notify the municipal clerk of municipalities  
 18 of fifteen thousand population or less wherein such district lies, of such erasure,  
 19 and said clerk shall remove said name from the register of voters on file with him.

Removal of Name from Register of Voters. by District Boards of Registry and  
 Election.

1 25. On the delivery of such certificate by the person to whom the same has  
 2 been granted by the county board of elections to the district board of registry and  
 3 election, the name of such person shall be stricken from the register in their posses-  
 4 sion.

*Powers and Duties of Courts on Election Days.*

Time of Meeting.

1 26. It shall be the duty of the justice of the Supreme Court assigned to hold  
 2 the Circuit Court, and the judge or judges of the Court of Common Pleas, in each of  
 3 the several counties of this State, or one of said judges, to sit and hold a Court of  
 4 Common Pleas at the court house in their respective counties on the day of the  
 5 primary election for the general election and the day of the general election during  
 6 the hours the polls are open.

Addition of Name to Registers of County Boards of Election and Municipal Clerks.

1 27. In case any legal voter in any election district has been refused the right to  
 2 register or vote, he may, on said election day, apply in person to said court for the  
 3 purpose of having his name placed upon the register; and the said court, upon such  
 4 application and upon satisfactory evidence that such person is a legal voter entitled  
 5 to vote at such election, may give a certificate under the seal of the court to that  
 6 effect directing the district board of registry and election to allow said person to  
 7 register and vote in said district.

Removal of Names from the Registry Lists by the Courts.

1 28. Said courts, on any election day, may order stricken from any register  
 2 the name of any person who shall be shown to the satisfaction of any of the said

3 courts for any cause not to be entitled to vote at any election in the election district  
 4 wherein he is registered; *provided*, that no name shall be ordered stricken from any  
 5 such register in the absence of the person to be affected thereby, unless it shall ap-  
 6 pear to said court by affidavit of some qualified voter that notice has been given such  
 7 person either personally or by leaving the same at his assigned place of residence  
 8 with some person above the age of fourteen years, at least two entire days before  
 9 such session of the court, that at such session application would be made to have the  
 10 name of such registered person stricken from the register and the grounds on which  
 11 said application would be based. When any name shall be stricken from any reg-  
 12 ister as aforesaid a certificate under the hand and seal of such court, stating the  
 13 name ordered stricken from and the cause therefor and from what election district,  
 14 shall be given to the person applying to have such name stricken from the register.  
 15 On the delivery of such certificate by the person to whom the same has been granted  
 16 by said court to the district board of registry and election the name of such person  
 17 shall be stricken from the register in their possession.

#### Attendance by County Clerk.

1 29. It shall be the duty of the county clerk, as clerk of the court of common  
 2 pleas, to attend upon said sessions of court, either in person or by deputy, at all times  
 3 during the sitting thereof, and to record and keep the minutes of the said court in  
 4 any matters arising under this act. And at the end of the session shall certify to the  
 5 county board of elections and to the clerks of municipalities of fifteen thousand  
 6 population or less any names added to or stricken from the registry lists, together  
 7 with their respective addresses, municipalities, wards and districts, and said mu-  
 8 nicipal clerk shall correct the register on file with him in accordance with said cer-  
 9 tificates.

#### Investigative Power of Court.

1 30. In making investigations under this act to determine the right of any  
 2 person or persons to vote or to register, the court shall have power to act upon such  
 3 application or matter in a summary manner, and to issue subpoenas for the produc-

tion of papers, or the appearance of persons with like power, jurisdiction and authority as said court would have in any civil cause pending therein. The sheriff of the county or a deputy duly appointed by him, shall be authorized and required to serve all processes issued out of the said court on any application pending under this act, and he shall also be authorized and required to enforce any orders or proceedings made, entered and directed to be executed by the said court.

*Privileges of Electorate.*

Right to be Heard.

31. All persons entitled to the right of suffrage in the election district shall be entitled to be freely heard in relation to the revision and correction of the registers by the district boards of registry and election, the county boards of election or by the courts for any election.

TRANSFER OF REGISTRANTS.

*Within a Municipality, or From One Municipality to Another.*

Transfers Issued by Courts and County Boards of Elections.

32. No person shall vote at any election in any municipality other than the one in which he is legally registered, unless he shall appear before either the justice of the Supreme Court holding the Circuit Court of said county, the judge or judges of the Court of Common Pleas of said county, one of the judges assigned to hold the Circuit Court of said county, or the county board of elections, at the court house, or at such other place within said county as will be most convenient and accessible to the largest number of voters in said county, as either the said justice, judge or county board of elections, in his or its discretion shall determine, on or prior to the day of any election, and shall make proof under oath to the satisfaction of said justice, judge or county board of elections, that he has moved from the election district in which he is registered, since the day on which he was so registered, and that he has moved into another district in said county where he legally



13 resides, and shall obtain from said justice, judge or county board of elections, an  
 14 order sealed with the seal of the county clerk or county board of elections, as the  
 15 case may be, directing the district board of registry and election of the district in  
 16 which said voter now legally resides, to place the name of said voter upon the  
 17 proper register of the said election district and allow said voter, to vote; *provided,*  
 18 *however,* that when such transfers are issued by the county board of elections and  
 19 the proper registers are in the possession of the county board of election, said  
 20 transfer shall be made, by erasing the name of said voter from the register in which  
 21 he was registered, and by causing his name to be added, together with his signature  
 22 where the register so provides, to the proper register in the possession of said  
 23 county board of elections, instead of by issuing an order or certificate of transfer  
 24 by said county board of elections, as heretofore mentioned.

#### Transfers Issued by Municipal Clerks.

1 33. Transfers may also be granted on the Saturday and Monday next preced-  
 2 ing the day of any election and on the day of such election by the municipal clerk,  
 3 excepting in such municipalities which are county seats, to any legal voter who shall  
 4 make proof under oath to the satisfaction of said municipal clerk, that he has moved  
 5 from the election district in said municipality in which he is registered since the  
 6 day on which he was registered, and that he has moved into another district in any  
 7 municipality within the county other than a municipality which is a county seat.  
 8 Such transfers or order of the municipal clerk shall be sealed with the seal of the  
 9 municipality in which said transfer or order is granted, directing the district board  
 10 of registry and election of the district in which said voter now legally resides, to  
 11 place the name of said voter upon the proper register of said election district and  
 12 allow said voter to vote.

#### Removal of Name by the District Board.

1 34. Said order shall be shown to the district board of registry and election  
 2 in which said voter is registered and said board shall thereupon erase his name  
 3 from said register and issue a transfer as now provided by law.

#### Addition of Name by Other District Board.



1 35. Said transfer and order of the court shall be filed by the voter with the  
2 district board of registry and election in the election district where said voter  
3 desires to vote, and said board shall add his name to the register in their  
4 possession.

**Changes Made by County Board of Elections and Municipal Clerk.**

1 36. A copy of said order of the court shall be sent to the county board of  
2 elections of the county wherein such municipality lies and another to the clerk  
3 of the municipality, and said county board of elections, and said municipal clerk  
4 shall make the changes indicated by said order in the proper register-books on  
5 file with them.

*Within a County.*

**Procedure.**

1 37. The transfer of registrants from one municipality to another municipality  
2 within the same county shall be the same as that herein provided for transferring  
3 registrants from one election district to another within the same municipality ex-  
4 cept that the municipal clerks shall not have the power to issue said transfers in such  
5 cases.

**FIRST REGISTERS OF NEWLY CREATED MUNICIPALITIES.**

**Procedure.**

1 38. In all newly created municipalities, the registers for the first general elec-  
2 tion therein shall be made as herein directed, unless otherwise provided by this act  
3 or any other act relative thereto.

**ARTICLE XXI.**

**NOMINATION OF CANDIDATES.**

*General Elections.*

**METHODS OF NOMINATION PERMITTED.**

**Direct Petition and Primary Election.**

1 1. Candidates for all public offices to be voted for at the general election in  
2 this State or in any political division thereof, except electors of President and

3 Vice-President of the United States, shall be nominated directly by petition as here-  
 4 inafter provided, or at the primary for said general election held pursuant to this  
 5 act.

#### State Convention.

1 2. In the year in which a President of the United States is to be elected, the  
 2 State conventions which are now required to meet on the Tuesday following the  
 3 primary for the general election in each year, shall severally nominate for their  
 4 respective parties such number of candidates for electors of President and Vice-  
 5 President of the United States as this State shall be entitled to elect or appoint.

#### DIRECT NOMINATION BY PETITION.

##### Addressee of Petition.

1 3. Direct nomination by petition for the general election shall be as follows:  
 2 Petitions naming candidates for office to be filled by voters of the entire State, or  
 3 of any congressional district, or of any political division greater than a single  
 4 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  
 6 division thereof, and all other petitions naming candidates to be voted for at the  
 7 general election, shall be addressed to the clerks of the respective counties wherein  
 8 the officers nominated are to be voted for.

##### Contents of Petition.

1 4. Said petition shall set forth the name or names and places of residence and  
 2 post-office addresses of the candidates for the offices to be filled, the title of the office  
 3 for which each candidate is named, and that such petitioners are legally qualified to  
 4 vote for such candidates. Said petition shall also state in not more than three words,  
 5 the designation of the party or principle which the candidates therein here named  
 6 represent; *provided, however,* that such designation shall not contain the designa-  
 7 tion, name, derivative, or any part thereof as a noun or an adjective of any political  
 8 party entitled to participate in the primary election. Said petition shall include also

9 the request that the names of the candidates and their designations of party or  
10 principle be printed upon the ballots to be used at the ensuing general election.

#### Number of Signers.

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

#### Signing Regulations.

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

#### Certification of Petition.

1 7. Before any petition shall be filed as hereinafter provided, at least five of the  
2 voters signing the same shall make oath before a duly qualified officer that the said  
3 petition is made in good faith, that the affiants saw all the signatures made thereto  
4 and verily believe that the signers are duly qualified voters; and a certificate that  
5 such oath has been taken shall be indorsed upon or annexed to the petition by the  
6 officer before whom the same is made.

#### Acceptance by Nominees.

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

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

1 9. All such petitions and acceptances thereof shall be filed with the officer or  
 2 officers to whom they are addressed, at least forty-five days previous to the election  
 3 at which the candidates nominated are to be voted for. All petitions when filed shall  
 4 be opened under proper regulation, for public inspection. It shall be the duty of the  
 5 county clerks to certify to the Secretary of State within eighteen days prior to the  
 6 general election, the names, places of residence and post-office addresses of the sev-  
 7 eral candidates nominated for Senator and Members of the General Assembly to-  
 8 gether with the designation of the party nominating said candidates, whether by  
 9 petition or at the primary election and the dates of filing such certificates of nomi-  
 10 nations and petitions.

#### Objections to Petitions.

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

#### Validity of Objections Determined.

1 11. Said officer with whom the original petition was filed shall in the first in-  
 2 stance pass upon the validity of such objection in a summary way unless an order shall  
 3 be made in the matter by a court of competent jurisdiction, and for this purpose said

4 officer shall have power to subpoena witnesses and take testimony or depositions.  
 5 Said officer shall file his determination in writing in his office at least thirty days be-  
 6 fore the election, which determination shall be open for public inspection.

**Appeal by Nominee to Court.**

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

**Correction of Defective Petition.**

1 13. It shall be lawful for any candidate whose petition of nomination or any  
 2 affidavit or affidavits thereto, be defective, to cause such petition, or the affidavit or  
 3 affidavits thereto, to be amended in matters of substance or of form as may be  
 4 necessary, or such amendment or amendments may be made by filing a new or sub-  
 5 stitute petition, or affidavit or affidavits, and the same when so amended shall be of  
 6 the same effect as if originally filed in said amended form; *provided, however,* that  
 7 every amendment shall be made at least twenty days before the election. This pro-  
 8 vision shall be liberally construed to protect the interest of candidates.

**NOMINATION BY PRIMARY ELECTION.**

**Procedure.**

1 14. The nomination of candidates for the general election by means of the  
 2 primary election shall be carried out in the manner hereinafter provided, and in such



3 election the person having in the aggregate the highest number of votes shall be the  
 4 candidate of his respective party for the office to be filled. In case more than one  
 5 person is to be elected to the same or similar office, the persons having the highest  
 6 number of votes to the extent of the number of offices to be filled shall be the candi-  
 7 dates of their respective parties for the said offices.

NOMINATION BY STATE CONVENTION.

Electors of President and Vice-President of United States.

1 15. Whenever the State convention of a political party shall have nominated  
 2 candidates for electors of President and Vice-President of the United States, as here-  
 3 in provided, said convention shall certify said nomination in a written or printed or  
 4 partly written and partly printed certificate of nomination. Said certificate of nomina-  
 5 tion shall contain the name of each person nominated, his residence and post-office  
 6 address, the office for which he is named, and shall also contain in not more than three  
 7 words the designation of the party or principles which such convention or nomi-  
 8 nating body represents. The names of the candidates for President and Vice-  
 9 President for whom such electors are to vote may be included in the certificate.  
 10 Said convention may also appoint a committee to whom shall be delegated the  
 11 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  
 13 by the presiding officer and secretary of such convention or nominating body, who  
 14 shall add to their signatures their respective places of residence and post-office ad-  
 15 dresses, and severally make oath before an officer qualified to administer the same  
 16 that the affiants were respectively such officers of such convention and that said cer-  
 17 tificate and the statements contained therein are true as they verily believe. A cer-  
 18 tificate that such oath has been taken shall be made and signed by the officer ad-  
 19 ministering the same and endorsed upon or attached to such certificate of nomina-  
 20 tion. Enclosed upon or attached to said certificate shall be statements in writing



21 that the persons named therein accept such nominations. Said certificate of nomina-  
 22 tion and the acceptances thereof shall be filed with the Secretary of State at least  
 23 thirty days previous to the general election at which such electors of Presi-  
 24 dent and Vice-President of the United States are to be voted for. All objections to  
 25 said certificates of nomination; the determination of the validity of such objec-  
 26 tions; the correction of defective certificates and the presentation of said certificates  
 27 and any documents attached thereto shall be the same as herein provided for direct  
 28 petitions of nomination.

#### VACANCIES AMONG NOMINEES.

##### Time Limit of Resignations.

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

##### Notice of Resignation.

1 17. The officer to whom the notification of declination is given shall forth-  
 2 with, by mail or otherwise, inform at least five of the persons who signed the afore-  
 3 said original petition that such nomination has been declined; *provided*, that in  
 4 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 18. Whenever any person shall thus decline his nomination, or if any petition  
 2 or certificate of nomination or if any nomination be insufficient or inoperative, or if

3 any nominee shall die or for any other reason vacate his nomination, the vacancy  
 4 thus occasioned may be filled in the following manner, provided that no vacancies  
 5 shall be filled later than twenty days before said general election.

**Filling Vacancies Among Direct Petition Nominees.**

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

**Filling Vacancies Among Primary Election Nominees.**

1 20. If the candidate vacating the nomination was nominated at the primary  
 2 election held pursuant to this act said vacancy shall be filled in the case of a candi-  
 3 date who had been voted for at said primary by the voters of a political party of  
 4 the entire State or of any political division greater than a single county or of any  
 5 Congressional district, by the chairman of the State committee of such political party;  
 6 *provided, however*, that where any vacancy occurs in a Congressional district lying  
 7 wholly within a single county the chairman of the county committee of the political  
 8 party which nominated the candidate shall fill the vacancy. In the case of a candi-  
 9 date who had been voted for by the voters of a political party of an entire county or  
 10 more than one municipality thereof by the chairman of the county committee of such  
 11 political party of said voters and in the case of a candidate who had been voted for by  
 12 the voters of a political party of a municipality or portion thereof by the chairman  
 13 of the municipal committee of such political party, if there is such a committee and if  
 14 not by the chairman of the county committee of such political party. In filling such  
 15 vacancy the chairman and secretary of such committee shall make and file with the  
 16 Secretary of State in the case of offices to be voted for by the voters of the entire  
 17 State or of any political division greater than a single county or of any Congres-  
 18 sional district; with the county clerk in the case of offices to be voted for by the voters  
 19 of the entire county or any portion thereof. Said certificate shall set forth the cause  
 20 of said vacancy, the name of the person nominated and that he is a member of

21 the same political party as the candidate for whom he is substituted, the office for  
 22 which he was nominated, the name of the person for whom the new nominee is to be  
 23 substituted, the fact that the committee was authorized to fill vacancies, and such  
 24 further information as is required to be given in any original petition of nomina-  
 24½ tion. The petition so made shall be executed and sworn to by the chairman  
 25 and secretary of such committee, and shall, upon being filed at least twenty days be-  
 26 fore election, have the same force and effect as an original petition of nomination.  
 27 Said petition must be filed with the Secretary of State or county clerk not later than  
 28 twenty days before the day of the election whereat such candidate is to be voted  
 29 for when filed with the Secretary of State he shall immediately certify the same  
 30 to the proper county clerk.

#### Filling Vacancies Among State Convention Nominees.

1 21. If the nomination vacated is that of a candidate for elector of the Presi-  
 2 dent and Vice-President of the United States, said vacancy shall be filled by the  
 3 committee to whom power shall have been delegated to fill vacancies if such there be,  
 4 otherwise by the State committee of the political party of the State convention which  
 5 nominated said elector whose nomination is vacated. The chairman and secretary  
 6 of such vacancy committee or State committee shall file with the Secretary of State  
 7 not later than twenty-five 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  
 9 manner and form as heretofore provided for filling vacancies among candidates  
 10 nominated at the primary.

#### CERTIFICATION OF NOMINEES.

##### *Original Nominees.*

#### Secretary of State to County Clerk.

1 22. It shall be the duty of the Secretary of State, not later than twenty-five days  
 2 before any election whereat any candidates nominated in any direct petition, pri-  
 3 mary certificate of nomination or State convention certificate filed with him is to

4 be voted for, to make and certify, under his hand and seal of office, and forward to  
 5 the clerks of the several counties of the State a statement of all the candidates thus  
 6 nominated for whom the voters within any such county may be by law entitled to  
 7 vote at such election. Such statement, in addition to the names of the candidates  
 8 for President and Vice-President of the United States, if any such have been in-  
 9 cluded in any such certificate or petition filed with him, shall also contain the  
 10 names and residences of all other candidates, the offices for which they are respec-  
 11 tively nominated, and the names of the parties by which or the political appellation  
 12 under which they are respectively nominated. Candidates nominated directly by  
 13 petition, without distinctive political appellation, be certified as independent can-  
 14 didates.

*Vacancy Nominees.*

*Certification of Substitutes to Fill Vacancies Among Nominees.*

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

*Precedence of Nominations.*

*Determination by Nominee.*

1     24. Any candidate receiving the nomination of more than one group of peti-  
 2 tioners may, within five days after the time for certifying nominations expires, file  
 3 with the Secretary of State or the county clerk with whom the petitions were filed,  
 4 a notice directing such official in what order the several designations mentioned in



5 the petition are to follow his name upon the official ballot, and if such candidate  
 6 shall fail to make such directions as aforesaid, then said Secretary of State or county  
 7 clerk shall add said designations after the name of such candidate in such order as  
 8 said official shall determine.

#### ARTICLE XIII.

#### BALLOTS

#### *General Elections.*

#### PRINTER'S COPY OF OFFICIAL BALLOT.

##### **Time Limit for Delivery.**

1 1. Every county clerk shall have ready for the printer on or before noon of  
 2 the seventeenth day prior to the general election a copy of the contents of official  
 3 ballots as hereinafter required to be printed for use at said election. He shall also  
 4 or before such time place another copy of the 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 2. There shall be a single or blanket form of ballot, upon which shall be printed  
 2 all the names of all the candidates of every party or group of petitioners having  
 3 candidates to be voted for at said election. The name of any candidate who shall  
 4 fail to accept his nomination in the manner herein provided shall not be printed on  
 5 the ballot, provided that any person nominated at the primary for the general elec-  
 6 tion who before the holding of such primary had not filed a certificate consenting to  
 7 stand as a candidate if so nominated, may, within five days after the holding of such  
 8 primary, file in the office of the clerk of the county within which said primary was  
 9 held a certificate stating that he is qualified for the office and accepts such nomi-  
 10 nation, in which event the name of such person shall be printed upon the official

11 ballot. The name of a candidate whose nomination has been vacated as hereinbe-  
12 fore provided shall not be printed on the ballot. Any public question which is to be  
13 submitted to the people of the State, county or municipality at said general election,  
14 shall be printed in a separate space at the foot of the ballot, with appropriate instruc-  
15 tions to the voter.

**Perforated Coupon.**

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

**Head of the Ballot.**

1 4. In the center of the ballot immediately below the perforated line shall be  
2 printed the words "Official Ballot" in bold-face type. Below the above stated words  
3 and extending across the ballot shall appear the words: "(Name of Municipality),  
4 ..... Ward, ..... Election District, ..... Date of Election, .....  
5 John Doe, County Clerk." *Provided*, that in any municipality having a popula-  
6 tion of more than fifteen thousand the street address or location of the polling  
7 place shall be printed after the words which indicate the number of the election dis-  
8 trict. The blank spaces shall be filled in with the name of the proper municipality,  
9 the ward and district numbers and the date of the election. The name of the county  
10 clerk shall be a facsimile of his signature. Below the last words extending across the  
11 ballot and at the extreme left shall be printed the words "Instructions to the voter,"  
12 and immediately to the right there shall be a bracket embracing the following in-  
13 structions numbered one to seven inclusive.



- 13½ 1. The only kind of a mark to be made on this ballot in voting shall be a cross  
 14 X or plus + except when writing a name in the column designated Personal Choice  
 14½ (see instruction 5 below).
- 15 2. To mark a cross X or plus + or when writing a name on this ballot use only  
 15½ black ink or black lead pencil.
- 16 3. To vote for all the candidates whose names are printed in a party column  
 16½ mark a cross X or plus + within the circle at the top of such column.
- 17 4. To vote for some, but not all of the candidates in any column, do not put a  
 17½ mark within any circle, but mark a cross X or plus + in the space or square at the  
 18 left of the names of such candidates not in excess of the number to be elected to the  
 19 office.
- 20 5. To vote for any person whose name is not printed on this ballot write or paste  
 21 the name of such person under the proper title of office in the column designated  
 22 Personal Choice, but do not mark a cross X or plus + before or after such name.
- 23 6. To vote upon any public question printed on this ballot if in favor thereof  
 24 mark a cross X or plus + in the square at the left of the word "Yes," and if op-  
 25 posed thereto mark a cross X or plus + in the square at the left of the word "No."
- 26 7. Do not mark this ballot in any other manner than above provided for and  
 27 make no erasures. Should this ballot be wrongly marked, defaced, torn or any era-  
 28 sure made thereon or otherwise rendered unfit for use return it and obtain another.
- 29 To the right of these aforementioned instructions shall be printed the words:  
 30 "Officers to be elected," and immediately to the right and at the extreme right of  
 31 the ballot there shall be a bracket embracing the offices to be filled and the number  
 32 of persons to be elected to each office. Below this information, in case there is a  
 33 public question to be voted upon, there shall be printed the words: "For the Public  
 34 Question to be voted upon see foot of this ballot." Below the above-stated instruc-  
 35 tions and information and three inches below the perforated line and parallel to it  
 36 there shall be printed a six-point diagram rule extending across the ballot to within  
 37 not less than a half inch of the right and left edges of the paper.

**Body of the Ballot.**

- 1 5. From each end of said six-point diagram rule there shall be printed a four-  
 2 point diagram rule extending at right angles, and from said six-point rule to within

3 not less than a half inch of the lower edge of the paper. Between these four-point  
4 rules and parallel to them and beginning at the six-point rule there shall be printed  
5 eight-point diagram rules to divide the ballot into vertical columns.

#### Column Designations and Accompanying Instructions.

1 6. In each column, immediately below the six-point rule, shall be printed the  
2 proper word or words to designate the column, to be known as the "Column  
3 Designation." In the columns at the extreme left shall be printed the name of  
4 each of the political parties which made nominations at the next preceding pri-  
5 mary election. Directly under which there shall be a circle one-half inch in  
6 diameter around the top of which shall appear the words "Mark a cross  $\times$  or  
7 plus  $+$  within this circle," and around the bottom of which shall appear the  
8 words "To vote for all candidates in this column." Said columns shall be three  
9 inches in width. The column next to the right of such columns shall be designated  
10 Personal Choice, under which shall appear the words "In the blank column  
11 below, under the proper title of office, the voter may write or paste the name of  
12 any person for whom he desires to vote, whose name is not printed on this ballot,  
13 but shall not mark a cross  $\times$  or plus  $+$  before or after such name. This  
14 column shall be four inches in width. The remaining column or columns, as the  
15 case may be, shall each be designated "Nomination by Petition," under which  
16 shall be printed the words "To vote for any candidate whose name appears in  
17 the column below mark a cross  $\times$  or plus  $+$  in the space or square at the left  
18 of the name of such candidate. Do not vote for more candidates than are to be  
19 elected to any office." Said columns shall be four inches in width. Below the  
20 column designations and accompanying instructions, and not more than one and one-  
21 half inches below the six-point diagram rule and parallel thereto shall be printed a  
22 six-point diagram rule extending across the entire ballot from one four-point rule  
23 to the other.

#### The Ruling of the Ballot.

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

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

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

1 8. In the columns of each of the political parties which made nominations at  
 2 the next preceding primary election, and in the Personal Choice column, within  
 3 the spaces between the two-point hair line rules, there shall be printed the title of  
 4 each office to be filled at such election. Such titles of office shall be arranged in  
 5 the following order: Electors of President and Vice-President of the United  
 6 States; member of the United States Senate; Governor; member of the House  
 7 of Representatives; member of the State Senate; members of the General Assem-  
 8 bly; sheriff; county clerk; surrogate; register of deeds and mortgages; coro-  
 9 ners; county supervisor; members of the board of chosen freeholders; mayor  
 10 and members of municipal governing bodies, and so forth. Above each of said  
 11 titles of office, except the one at the top, shall be printed a two-point diagram rule  
 12 in place of the two-point hair line rule. Below the titles of such offices shall be  
 13 printed the names of all the candidates for such offices; *provided*, that the names  
 14 of candidates for any office for which more than one are to be elected shall be  
 15 arranged in the same order as they appeared on the next preceding primary elec-  
 16 tion ballot; *and provided, further*, that when no nomination for any office has been  
 17 made the words "No nomination" shall be printed within the space or spaces  
 18 where the name or names of candidates for such office would have appeared. Im-  
 19 mediately to the left of the name of each candidate, at the extreme left of the  
 20 column, shall be printed a square one-quarter of an inch in size, formed by two-  
 21 point diagram rules; *provided, however*, that in the Party columns to the left of the  
 22 words "No nomination," no squares shall be printed and that in the Personal Choice  
 23 column no names of candidates and no squares shall be printed, and that to the right  
 24 of the title of each office and within parenthesis shall be printed the words "Vote  
 25 for—" inserting in words the number of persons to be elected to such office.

#### Nomination by Petition Columns.

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

#### ARRANGEMENT OF OTHER NOMINEES.

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

1 10. The surnames of candidates for President and Vice-President of the  
 2 United States shall be printed in one line in the space next above the title of the  
 3 office of electors for such candidates, but no squares shall be printed at the left of



4 the surnames of such candidates for President and Vice-President. In the nomina-  
5 tion by petition columns the surnames of candidates for President and Vice-Presi-  
6 dent shall be followed by the designation mentioned in the petitions filed. In the  
7 personal choice column the voter may write or paste the surnames of candidates  
8 for President and Vice-President for whom he desires the electors to vote.

Drawing for Position on Ballot.

1 11. The county clerks shall draw lots to determine which columns the political  
2 parties which made nominations at the next preceding primary election shall occupy  
3 on the ballot. The name of the party first drawn shall occupy the first column at  
4 the left of the ballot, and the name of the party next drawn shall occupy the second  
5 column, and so forth. The manner of drawing the lots shall be as follows: Paper  
6 cards, with the names of each political party written thereon, shall be placed in a  
7 covered box with an aperture in the top large enough to allow the said cards to  
8 be drawn therefrom. The county clerk, in the presence of the chairman of the  
9 county committees of such parties or any persons said chairmen shall designate,  
10 shall draw from the box each card without knowledge on his part as to which card  
11 he is drawing. In case of nominations by petitions the Secretary of State, the  
12 county clerks and the municipal clerks, for all petitions filed in their respective  
13 offices, shall draw lots to determine the order in which the names of candidates or  
14 group of candidates for each office shall appear upon the ballot. The manner of  
15 drawing the lots shall be as follows: Paper cards, with the name or names of  
16 each candidate or group of candidates written thereon for each office for which  
17 they were nominated, shall be placed in a covered box with an aperture in the top  
18 large enough to allow the said cards to be drawn therefrom. The Secretary of  
19 State, the county clerk or the municipal clerk, in the presence of the candidates or  
20 any persons they shall designate, shall draw from the box each card without  
21 knowledge on his part as to which card he is drawing. The name or names of the  
22 candidate or group of candidates first drawn from the box shall be printed  
23 directly below the proper title of the office for which they were nominated, and the

24 name or names of the candidate or group of candidates next drawn shall be printed  
 25 next in order, and so on until the last name or group of names shall be drawn  
 26 from the box; *provided, however*, that the arrangement of names of any group  
 27 of candidates for any office for which more than one are to be elected shall be  
 28 printed in the same order on the ballot as they were arranged on the original peti-  
 29 tion.

#### ARRANGEMENT OF PUBLIC QUESTIONS.

##### Drawing for Position on Ballot.

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

##### Foot of the Ballot.

1 13. Immediately below the six-point diagram rule which is to be printed in  
 2 place of the last two-point hair line rule across the entire ballot, from one four-  
 3 point rule to the other, shall be printed as near to the center of the ballot as possible  
 4 the following words: "Public Questions to be voted upon." Below said words and  
 5 above the first public question, beginning one and one-half inches to the right of  
 6 the four-point rule at the left of the ballot and extending to not more than one and  
 7 one-half inches from the four-point rule at the right of the ballot, shall be printed  
 8 in one line, if possible, the following instructions: "To vote upon the Public Ques-  
 9 tions printed below, if in favor thereof mark a cross X or plus + in the square  
 10 at the left of the word 'Yes,' and if opposed thereto mark a cross X or plus + in  
 11 the square at the left of the word 'No,'" underscored with a two-point diagram rule.  
 12 Below and flush with the left end of said two-point diagram rule shall be printed



13 two separate squares, one under the other, three-eighths of an inch in size formed  
 14 by two-point diagram rules. Immediately to the right of the upper square shall be  
 15 printed the word "Yes," and immediately to the right of the lower square shall be  
 16 printed the word "No." To the right of the words "Yes" and "No" shall be printed  
 17 a bracket embracing said words and to the right of the bracket shall be printed,  
 18 across the ballot, to not nearer than one and one-half inches from the four-point  
 19 diagram rule at the right of the ballot, each public question to be voted upon. Below  
 20 each public question shall be printed two-point diagram rule beginning one and one-  
 21 half inches to the right of the four-point rule at the left of the ballot and extend-  
 22 ing to not nearer than one and one-half inches from the four-point rule at the right  
 23 of the ballot; *provided*, that in place of the last two-point diagram rule there shall  
 24 be printed a four-point diagram rule extending across the entire ballot not less than  
 25 a half inch from the lower edge of the paper and terminating at the lower ends  
 26 of the four-point diagram rules at either side of the ballot.

#### APPEARANCE OF BALLOT.

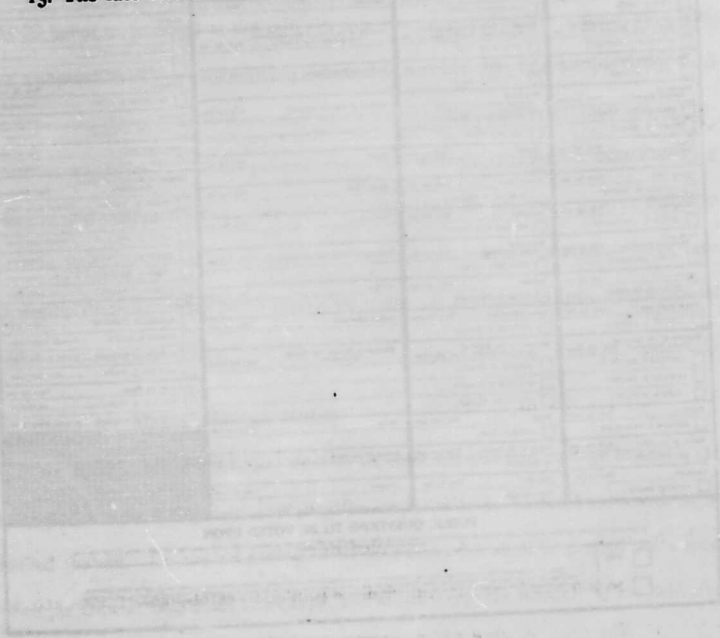
##### Style of Type, Rulings, Spacings, etc.

1 14. The words and figures to be printed on the perforated coupon shall be  
 2 printed in twelve-point bold face capital letters. On the head of the ballot the  
 3 words "Official Ballot" shall be printed in at least thirty-point bold face capital  
 4 letters. The name of Municipality, Ward, Election District, address of polling place  
 5 and date shall be printed in twelve-point bold face capital letters. The words "In-  
 6 structions to the Voter" and "Offices to be Filled" shall be printed in twelve-point  
 7 bold face capitals and small letters, while the instructions embraced within the  
 8 brackets and the names of the offices to be filled, including the notice regarding  
 9 public questions shall be printed in eight-point bold face capital and small letters.  
 10 The column designations shall be printed in eighteen-point bold face capital letters  
 11 and the accompanying instructions shall be printed in eight-point capitals and small  
 12 letters. The titles of office and accompanying instructions and also the words "No  
 13 Nomination," when used, shall be printed in ten-point bold face capital and small

14 letters. The names of all candidates shall be printed in ten-point capital letters. The  
 15 designations following the candidates' names in the Nomination by Petition Column  
 16 or Columns shall be printed in ten-point capitals and small letters, except that where  
 17 it will overrun the space within the column the designations may be abbreviated, and  
 18 all spaces between the two-point hair line rules not occupied by the title of office and  
 19 names of candidates shall be printed in with scroll or filling to guide the voter against  
 20 wrongly marking the ballot. On the foot of the ballot the words "Public Questions to  
 21 be voted upon" shall be printed in eighteen-point bold face capital letters. The accom-  
 22 panying instructions shall be printed in eight-point capital and small letters. The  
 23 Public Questions to be voted upon shall be printed in ten-point capital and small  
 24 letters, and the words "Yes" and "No" shall be printed in twelve-point bold face  
 25 capital letters.

**Ballot Model.**

1 15. The face of the official ballot shall be substantially in the following form:



WALSH P. 10  
TO BE TAKEN OFF BY THE MEMBER OF THE BOARD OF REGISTRY AND ELECTION IN CHARGE OF THE BALLOT BOX ON ELECTION DAY.  
FOLD TO THIS LINE

# OFFICIAL BALLOT

CITY OF NEWARK 4TH WARD 47TH ELECTION DISTRICT NOVEMBER 4, 1920

Instructions to the Voter  
1. This ballot is to be used only for the election of 1920, and for a term of one (1) year, unless otherwise directed.  
2. The ballot is to be used only for the election of 1920, and for a term of one (1) year, unless otherwise directed.  
3. The ballot is to be used only for the election of 1920, and for a term of one (1) year, unless otherwise directed.  
4. The ballot is to be used only for the election of 1920, and for a term of one (1) year, unless otherwise directed.  
5. The ballot is to be used only for the election of 1920, and for a term of one (1) year, unless otherwise directed.

Office to be Filled  
The names of the candidates for the office to be filled are printed on this ballot. The voter should mark his ballot by putting a cross in the circle next to the name of the candidate for whom he wishes to vote.

DEMOCRAT	REPUBLICAN	PERSONAL CHOICE	NOMINATION BY PETITION
<input type="checkbox"/> CHAPMAN B. DENNEY <input type="checkbox"/> STEPHEN STEPHENSON <input type="checkbox"/> RICHARD GARDNER <input type="checkbox"/> HENRY F. WHITNEY <input type="checkbox"/> THOMAS J. HENRY <input type="checkbox"/> HENRY S. WARREN <input type="checkbox"/> WILLIAM BURTELL <input type="checkbox"/> FRANK F. COLLINS <input type="checkbox"/> NATHAN HALE <input type="checkbox"/> ULVERES S. PATTON <input type="checkbox"/> JAMES G. DUTT <input type="checkbox"/> JOHN W. FIELDER <input type="checkbox"/> ALBERT NICHOLSON <input type="checkbox"/> WILLIAM F. HILKER	<input type="checkbox"/> BENJAMIN FRANKLIN <input type="checkbox"/> JOSEPH BROWN <input type="checkbox"/> MICHAEL FINNEGAN <input type="checkbox"/> HENRY NEPHEW <input type="checkbox"/> HERBERT W. COLLINGSWOOD <input type="checkbox"/> FREDERICK WIMMER <input type="checkbox"/> DONALD L. DOBBS <input type="checkbox"/> CHARLES S. GOODLOW <input type="checkbox"/> DAVID E. OSBORNE <input type="checkbox"/> MARTIN P. FINNEY <input type="checkbox"/> LOUIS B. WRIGHT <input type="checkbox"/> FRANK E. NEWBAM <input type="checkbox"/> NATHAN M. WATSON <input type="checkbox"/> JOHN O'CONNOR	<input type="checkbox"/> [Blank]	<input type="checkbox"/> WILLIAM E. HARRIS <input type="checkbox"/> WILLIAM H. WHITE <input type="checkbox"/> GEORGE J. GOULD <input type="checkbox"/> EDWARD P. WYVILL <input type="checkbox"/> JOSEPH P. COLLINS <input type="checkbox"/> JOHN H. WILLIAMSON <input type="checkbox"/> LEWIS D. LOWMEY <input type="checkbox"/> HENRY S. BRANTY <input type="checkbox"/> LAWRENCE C. LANG <input type="checkbox"/> FRANK L. MUNSEY <input type="checkbox"/> WILLIAM L. THOMAS <input type="checkbox"/> PAUL H. BRINSON <input type="checkbox"/> SAMUEL H. NELSON <input type="checkbox"/> CHARLES S. SANDERS <input type="checkbox"/> AUSTEN V. RAYMOND <input type="checkbox"/> WILLIAM E. RUDD <input type="checkbox"/> JOHN J. FRANCIS <input type="checkbox"/> GEORGE E. KEATING <input type="checkbox"/> KENNETH L. JONES <input type="checkbox"/> NATHAN W. HOYLE <input type="checkbox"/> JOHN C. PRICE <input type="checkbox"/> PETER W. WILKES <input type="checkbox"/> JOHN P. RICH <input type="checkbox"/> LOUIS H. HALE <input type="checkbox"/> JEREMIAH C. SMITH <input type="checkbox"/> FRANK E. ROLLING <input type="checkbox"/> JUDSON P. MOSEY <input type="checkbox"/> SAMUEL E. JOHNSON <input type="checkbox"/> FRANK D. LEWIS <input type="checkbox"/> JOSEPH P. COLLINS <input type="checkbox"/> MICHAEL E. FINNEY <input type="checkbox"/> WILLIAM A. ALBERRY <input type="checkbox"/> HARVEY H. WILSON
<input type="checkbox"/> JOHN W. FINCH <input type="checkbox"/> EMIL J. JUDGE <input type="checkbox"/> WILLIAM S. JENKINS <input type="checkbox"/> CARL C. RIDDER <input type="checkbox"/> HENRY WATTERSON <input type="checkbox"/> HENRY WATTERSON <input type="checkbox"/> GEORGE W. HANNEY <input type="checkbox"/> HENRY S. VAUGHAN <input type="checkbox"/> JOHN F. DRYDEN <input type="checkbox"/> ALFRED M. HENRY <input type="checkbox"/> GEORGE A. JACKSON <input type="checkbox"/> CHARLES S. DICKENS <input type="checkbox"/> EDWARD S. BELAMY <input type="checkbox"/> JAMES E. MARTIN <input type="checkbox"/> GEORGE S. REYNOLDS <input type="checkbox"/> JOSEPH DUNN <input type="checkbox"/> NORMAN GILBY	<input type="checkbox"/> THOMAS K. BROWN <input type="checkbox"/> VINCENZO I. COSTELLO <input type="checkbox"/> HYMAN LEVINE <input type="checkbox"/> WILLIAM S. LANE <input type="checkbox"/> KENNETH M. FORBES <input type="checkbox"/> LON S. COLE <input type="checkbox"/> JOHN H. SMITH <input type="checkbox"/> ROBERT W. DEBAT <input type="checkbox"/> GEORGE P. SEYMOUR <input type="checkbox"/> FRANKLIN LANE <input type="checkbox"/> JOHN W. SMULLEN <input type="checkbox"/> EDWARD A. BURAN <input type="checkbox"/> GEORGE S. BREATH <input type="checkbox"/> WILLIAM S. FARMER <input type="checkbox"/> GEORGE W. BLONCE <input type="checkbox"/> JACOB A. BISS <input type="checkbox"/> JOSEPH DUNN <input type="checkbox"/> NORMAN GILBY	<input type="checkbox"/> [Blank]	<input type="checkbox"/> [Blank]

### PUBLIC QUESTIONS TO BE VOTED UPON

1. Shall the city of Newark be authorized to issue bonds to the amount of \$1,000,000 for the purpose of providing for the construction and improvement of the city's water supply system?  
 YES  
 NO

PREPARATION AND DISTRIBUTION OF SAMPLE BALLOTS.

**Delivery by County Clerks to Municipal Clerks.**

1     16. The county clerk shall cause samples of the official ballot to be printed and  
 2 not later than noon of the eighth day prior to the general election shall at his office  
 3 furnish to the municipal clerk of each municipality in his county a sufficient number  
 4 of the said official sample ballots and a sufficient number of stamped envelopes to en-  
 5 able each of the board of registry and election in said municipality to mail one of  
 6 the said official sample ballots to each voter who is registered in said municipality for  
 7 said election, and shall take a receipt for the same from each one of said municipal  
 8 clerks, which receipt shall indicate the number of sample ballots and stamped en-  
 9 velopes delivered by said county clerk and the date and hour of their delivery.

**Form and Contents.**

1     17. The said sample ballots shall be as nearly as possible a facsimile of the  
 2 official ballot to be voted at the said election, provided that in any municipality hav-  
 3 ing a population of more than fifteen thousand at any election, said sample ballot shall  
 4 have printed thereon, after the words which indicate the number of the election dis-  
 5 trict for which the ballots are printed, the street address or location of the polling  
 6 place in said election district. Said sample ballot shall be printed on paper different  
 7 in color from the official ballot, and have the following words printed in large type  
 8 at the top thereof: "This ballot cannot be voted. It is a sample copy of the official  
 9 ballot used on election day."

**Envelopes for Mailing Sample Ballots.**

1     18. Said stamped envelopes shall be of sufficient size and postage to enable the  
 2 aforesaid sample ballots and anything else required to be enclosed therewith to be  
 3 mailed therein. On the face of each of said envelopes shall be printed the words:  
 4 "Sample Official Ballot" in large type, and in small type the words: "if not delivered  
 5 in two days, return to....., County Clerk, Court House ....."

Delivery by Municipal Clerks to District Boards of Registry and Election.

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

Mailing by District Boards of Registry and Election.

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

Preservation of Envelopes and Sample Ballots Returned by Postmaster.

1     21. Said county clerk shall preserve all envelopes and sample ballots which shall  
2 have been mailed by said district boards of registry and election but returned to him  
3 by the postmasters of the various municipalities of said county for the space of  
4 thirty days open to public inspection.

*Printing and Distribution With Sample Ballots of Referendum Information.*

**Inclusion With Sample Ballot.**

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

**Descriptive Marks in Case of Amendments.**

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

**Relation to Statute or Constitution Made Clear.**

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

**Attorney-General to Designate Information to be Sent.**

1     25. Whenever, under the provisions of this act, it shall be necessary to mail to  
2 the voters any portion of the statute law of the State, or any portion of the State  
3 constitution, it shall be the duty of the Attorney-General to designate by writing



4 filed with the Secretary of State what portion of the statute law or State constitu-  
5 tion shall be so printed and mailed.

#### Summary Statement Sufficient.

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

#### Printing and Delivering by Secretary of State.

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

#### PRINTING OF OFFICIAL BALLOTS.

##### Time Limit for Printing Order.

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

##### Custody of Printed Ballots.

1 29. Said county clerk shall keep said ballots in his custody and be responsible  
2 therefor until they shall be delivered to the municipal clerks as hereinafter pro-  
3 vided.

**Correction of Errors in Official Ballots.**

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

**ARTICLE XIV.**

**DELIVERY OF BALLOTS, BALLOTING EQUIPMENT AND SUPPLIES.**

*General Elections.*

**County Clerks to Municipal Clerks.**

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

**Municipal Clerks to Clerks of District Boards of Registry and Election.**

1 2. The said municipal clerk shall, on the day preceding any such general elec-  
 2 tion, deliver, at his office, to one of the members of each district board of registry and  
 3 election within his municipality, the ballot-box, the ballot-box keys, the ballots, and

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

#### ARTICLE XV.

#### BALLOTING.

#### *General Elections.*

#### OFFICIALS IN CHARGE.

#### District Boards of Registry and Election in Charge.

1 1. The county board of elections shall have supervision and direction of the dis-  
 2 trict boards of registry and election within the county. The district boards of  
 3 registry and election shall, in their respective election districts, hold and conduct the  
 4 general election at which the method of voting hereinafter prescribed shall be ob-  
 5 served.

#### GENERAL RULES AND REGULATIONS.

#### Opening and Closing of Polls; Adjournment.

1 2. The said district boards of registry and election shall open the polls for said  
 2 election at six o'clock in the morning and close them at seven o'clock in the evening,  
 3 and shall keep them open during the whole day of election, between the hours afore-

4 said; *provided*, that the said board may allow one member of the board at a time  
 5 to be absent from the polling place and room for a period not exceeding one hour  
 6 between the hours of one o'clock and five o'clock in the afternoon or for such  
 7 shorter time as they shall see fit; *provided*, that at no time from the opening of the  
 8 polls to the completion of the canvass shall there be less than a majority of the  
 9 board present in the polling room or place.

#### Lighting and Equipment of Booths.

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

#### Ballot Restrictions.

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

#### Registration Requirements.

1 5. The said board shall permit no person to vote whose name does not appear  
 2 on the register of their election district or whose name shall have been ordered re-  
 3 moved from said register by the county board of elections or by the court as herein  
 4 provided. They shall permit any person to vote, however, whose name is ordered  
 5 to be placed upon said register as hereinbefore provided.

#### Persons Allowed Within Polling Place or Polling Room.

1 6. No person shall be allowed or permitted to be present in the polling place  
 2 or polling-room during the progress of the election except the officers connected with  
 3 the election, the several candidates, the duly-authorized agents of the candidates

4 of political parties, such voters as are present for the purpose of voting, and such  
5 officers as may be fully detailed to be present, pursuant to this act, for preserving  
6 the peace or enforcing the provisions hereof.

Closing Polling Place or Polling Room.

1 7. After the hour fixed for closing the polls no voter shall be admitted within  
2 the polling place or polling room, but voters already within such place or room shall  
3 be permitted to prepare and cast their ballots.

BALLOTING PROCEDURE.

*Formal Opening of Polls.*

Proclamation of Opening.

1 8. The district boards of registry and election, before they receive any vote,  
2 shall make public proclamation of the opening of the election, and of their readi-  
3 ness to receive the votes of the voters, and thereupon the election shall be opened.

Distribution and Use of Ballot Box Keys.

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

Display of Ballot-Box.

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



**Keeping of Poll-Book.**

1 11. One of the members of the board acting as clerk of election, to be desig-  
 2 nated by the judge, shall keep at such election a poll-book, in which shall be re-  
 3 corded the names of the voters voting at such election. There shall be printed a  
 4 heading to the list of names so recorded in the following or like form: "Names  
 5 of voters at the general election held in the ..... district of ....., in the  
 6 county of ....., on the ..... day of ....., in the year of our Lord  
 7 one thousand ..... hundred and ....., for ....." (naming the offices  
 8 to be filled, which shall be written in by a member of the district board of registry  
 9 and election), and filling up the blanks in the form above given to conform to the  
 10 facts of the case, provided that in all election districts in municipalities having a  
 11 population exceeding fifteen thousand, such book shall have seven columns headed  
 12 respectively: "Number of voter," "name of voter," "residence of voter," "signa-  
 13 ture or statement number of voter," "ballot number," "signatures compared" and  
 14 "remarks." On the last page there shall be printed a statement in substantially the  
 15 following form: "The whole number of the names of the persons whose votes have  
 16 been received during this election is ....." Also providing a blank space for the  
 17 signatures of the members of the district board for registry and election. In the  
 18 first column of such poll-book there shall be entered, at the close of the polls, a num-  
 19 ber opposite the name of each person who has voted, beginning with number one  
 20 opposite the first name entered upon the first page and continuing in numerical order  
 21 to and including the last name entered upon the last page of such poll-book.

*Claimants' Right to Receive Ballot Determined.***Voter in Person Claims Right to Vote.**

1 12. Every person qualified to vote in any such election shall at any time after the  
 2 opening of the same, except during any period for which the district board of registry  
 3 and election have adjourned, be at liberty to enter said polling place or room  
 4 and claim his right to vote at said election in such district, and such person shall

5 claim such right in person before such board. Each voter in claiming such right to  
 6 vote shall first give his full name and address to the member of the election board  
 7 having charge of the poll-book, and in municipalities requiring personal registra-  
 8 tion shall sign his name therein. On such claim being made, one of the members of  
 9 such board shall audibly and publicly announce the name of the claimant, and the  
 10 member of said election board having charge of the registry, having ascertained  
 11 that said voter is registered as a qualified voter, shall place in front of each name  
 12 as they appear the number of ballot given each voter.

Voter's Signature and Comparison of Signatures (Municipalities Over 15,000).

1 13. In municipalities of over fifteen thousand population, however, previous to  
 2 the delivery of an official ballot by the ballot clerk to a voter, the member of said  
 3 board having charge of the poll-book shall enter therein in the appropriate column  
 4 the number of the ballot, in successive order, the name of the voter alphabetically,  
 5 according to his residence by street and number, or if he has no street number, a  
 6 brief description of the locality thereof. The voter shall, previous to the receipt of  
 7-8 an official ballot, sign his name by his own hand and without assistance, using black  
 9 ink, in the column headed "signature or statement number of voter" below the  
 10 words "the foregoing statements are true." After the voter shall have so signed, and  
 11 before an official ballot shall be given to him, one of the members of said district  
 12 board of registry and election shall compare the signature made in the poll-book with  
 13 the signature theretofore made by the voter in the registration book on registration  
 14 day, and if said signature is the same or sufficiently similar to the signature written  
 15 on registration day, said voter shall be eligible to receive a ballot.

Procedure if Voter is Unable to Sign (Municipalities Over 15,000).

1 14. If the voter on election day alleges his inability to so sign his name in the  
 2 poll-book, then one of the members of the district board of registry and election  
 3 shall read the same list of questions to the voter as were required on registration  
 4 day, said questions to be provided for election day, and to be known as "identifica-

tion statements for election day," and said member shall write the answers of the voter thereto. These statements which shall be printed on the last pages of the poll-book, shall be numbered consecutively from one to one hundred, and a number corresponding to the number on the statement sheet shall be entered in the fourth column of the poll-book opposite the name of the said voter answering the questions. Each statement shall contain the same questions as the voter was required to answer on registry day. The questions answered on registration day shall not be turned over or inspected until all the answers to said questions shall have been written down on election day by said member of the board. At the bottom of each list of questions shall be printed the following statement: "I certify that I have read to the above-named voter each of the foregoing questions and that I have duly recorded his answers as above to each of said questions," and said member of the board who has made the above record shall sign his name to said certificate and date the same, and note the time of day of making such record. If the answers to the questions asked of said voter on election day agree with the answers given by said voter to the same questions at the time he registered, said voter shall be eligible to receive a ballot.

Signature Procedure if Voter is Registered by Affidavit (Municipalities Over 15,000).

15. If the voter has registered by affidavit as herein provided, the signature made by the voter on such affidavit shall be compared with his signature made on election day, and if said signature is the same or sufficiently similar to the signature written on registration day, or in such affidavit as the case may be, as to identify it as being written by the same person who wrote the signature on registration day, or on such affidavit, said member shall thereupon certify that fact by writing his initials after such signature in the column headed "signatures compared," and said voter shall be eligible to receive a ballot. Said affidavit shall be attached in the back of the "signature copy register" and filed therewith.

Comparison of Signatures or Statements to be Public (Municipalities Over 15,000).

16. The comparison of signatures of a voter made on registration and election days, and if the voter alleges his inability to write the comparison of the answers

3 made by such voter on registration and election days, or if the voter is registered  
 4 by affidavit, then the comparison of his signature and answers on election day  
 5 with his signature and statements in his affidavit, shall be had in full view of the  
 6 watchers, challengers or agents.

*Challenge of Right to Receive Ballot.*

*Who Shall or May Challenge.*

1 17. The members of the district boards of registry and election, respectively,  
 2 shall, at such election, challenge every person who shall claim to have a right to vote  
 3 therein, whom they shall know, suspect or believe not to be qualified or entitled to  
 4 vote therein, and said person may be challenged by any duly accredited agent as  
 5 hereinbefore provided.

*Procedure if Ground of Challenge is Crime.*

1 18. If a person be challenged as convicted of any crime which bars him from  
 2 exercising the right to vote, he shall be required to answer in relation to such  
 3 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,  
 6 no proof of such conviction shall be received, other than the duly authenticated  
 7 record thereof, except such proof as may be necessary to establish his identity with  
 8 the person named in such record, or may be adduced by him to rebut the evidence  
 9 of identity produced on behalf of the challenge.

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

1 19. If any person shall be challenged, as not qualified or entitled to vote, and  
 2 the person challenging him shall specify a ground for such challenge to be that the  
 3 person so challenged is an alien, the judge of election may forthwith tender to him  
 4 an oath or affirmation, in the following form: "You do swear (or affirm, as the  
 5 case may be), that to the best of your knowledge, information and belief, you were  
 6 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  
9 taken to be an alien, unless he shall produce at the time of claiming his vote, to such  
10 board, a lawful certificate, issued out of and under the seal of some court of record,  
11 having authority to admit aliens to the rights of a citizen of the United States, show-  
12 ing that he has been admitted to the rights of a citizen of the United States. In the  
13 former case the said judge shall tender to the person so challenged an oath or affirma-  
14 tion in the following form:

15 "You do swear (or affirm, as the case may be), that you are the person named  
16 in the certificate of naturalization which you have produced to the board." In case  
17 the 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.  
20 In the latter case, an oath or affirmation, in the following form, shall be tendered to  
21 such person:

22 "You do swear (or affirm, as the case may be), 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  
25 the naturalization of your parent under the age of twenty-one years, and resident of  
26 the United States." If the person so challenged shall in either case refuse to take  
27 the oath or affirmation so tendered to him, he shall be deemed and taken to be an  
28 alien.

#### Procedure if Person is Challenged as Being Disqualified.

1 20. If any person shall be challenged, as not qualified or entitled to vote, the  
2 said judge may forthwith tender to the person so challenged an oath or affirmation,  
3 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  
 7 this election district; that, as far as you know and verily believe, you are twenty-one  
 8 years of age, and in all respects qualified to vote in this election, in this election dis-  
 9 trict, and that you have not voted elsewhere in this election," and if the person so  
 10 challenged shall refuse to take the oath or affirmation so tendered to him, he shall be  
 11 deemed not to be qualified or entitled to vote.

Duty of District Board of Registry and Election to Question Persons Challenged.

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

Questions to be Asked Persons Challenged (Municipalities Over 15,000).

1 22. In municipalities having a population exceeding fifteen thousand, if a voter  
 2 is challenged, the board shall ask him the questions which they asked him on regis-  
 3 tration day, the answers to which appear on the signature copy register if he has  
 4 registered in person, and if he has registered by affidavit, said board shall ask him the  
 5 same questions as are by this act required to be asked of a voter who has registered  
 6 personally, and if the answers do not correspond a note of said fact shall be entered in  
 7 the column of the poll-book entitled "remarks." If the signatures of the voters or  
 8 the answers to the questions made by the voter do not correspond, then it shall be  
 9 the privilege of the watchers and challengers to challenge, and the duty of each  
 10 member of the district board of registry and election to challenge, unless, some  
 11 other authorized person shall challenge.

Determination of Right of Challenged Person to Receive Ballot.

1 23. In all municipalities the district boards of registry and election shall in no  
 2 case give a ballot to any person, unless they shall be satisfied that such person is in  
 3 all respects qualified and entitled to vote; and, for the purpose of satisfying them-  
 4 selves as to the right of any person who shall claim a right to vote, they shall have

5 power to examine such person, and any other person or persons, under oath or  
 6 affirmation, touching such right, except as hereinbefore restricted. The said board  
 7 shall determine the right of such voter to vote, after making use of, and giving  
 8 due weight to, the evidence afforded by his signature, if any, and the said answers,  
 9 and if any member of such board shall give or assent to give a ballot to any per-  
 10 son challenged, without requiring such person to take the oath or affirmation here-  
 11 inbefore prescribed to be made upon such challenge, and such person shall not be  
 12 qualified and entitled to vote, such member so giving or assenting to give a ballot,  
 13 shall be deemed and taken to have given to such person a ballot, knowing it to be  
 14 illegal. The question as to the giving of such ballot to said person shall be put  
 15 in the following form: "Shall a ballot be given to this person by this board?"

*Challenged Person Denied Ballot to be Arrested.*

1 24. If a majority of the board shall decide against giving a ballot to such  
 2 voter no ballot shall be given. It shall be the duty of such board of registry and  
 3 election upon demand of a member of the board or any other citizen, to forthwith  
 4 issue a warrant for the arrest of such person and deliver the same to a peace  
 5 officer, who shall forthwith arrest such person, and the right to challenge voters  
 6 shall exist until the ballot shall have been deposited in the ballot-box.

*Casting of Ballot.*

*Ballot Handed to Voter.*

1 25. In all municipalities after the district board of election shall have ascer-  
 2 tained 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  
 4 with the poll number of said voter, allowing for spoiled ballots, if any. The said  
 5 inspector shall fold the ballot before handing it to the voter, so that no part of the  
 6 face of the ballot is observable, and leaving the face of the coupon exposed, and  
 7 at the same time shall call off said ballot number to the member having charge  
 8 of the poll-book, who shall make certain that the ballot number and poll number

9 agree, allowing for spoiled ballots, if any. In case the number of the ballot does  
 10 not follow consecutively the missing number or numbers shall be written on a blank  
 11 sheet of paper signed by the members of the district board of registry and elections  
 12 and placed on the string with the coupons in its or their proper place or places.

#### Voter Retires to Booth.

1 26. Every voter to whom a ballot is given shall thereupon retire into the  
 2 polling booth, unless physically unable to do so; *provided*, that not more than  
 3 one voter, except as hereinafter provided, shall be permitted to enter or be in  
 4 the same booth at one time. Said voter shall prepare his ballot in said booth  
 5 secretly and screened from the observation of others.

#### Marking the Ballot.

1 27. To vote for all the candidates whose names are printed in a party column  
 2 the voter shall mark a cross  $\times$  or plus  $+$  in black ink or black lead pencil within  
 3 the circle above such column. To vote for other than all the candidates of a party  
 4 whose names are printed in a party column the voter must not mark a cross  $\times$   
 5 or plus  $+$ , and within the circle above such column, but shall mark a cross  $\times$  or  
 6 plus  $+$  in black ink or black lead pencil in the space or square at the left of the  
 7 name of each candidate in any column for whom he desires to vote to the number  
 8 to be elected for each office. To vote upon the public questions printed on the  
 9 ballot the voter shall indicate his choice by marking a cross  $\times$  or plus  $+$  in black  
 10 ink or black lead pencil in the space or square at the left of either the word "Yes"  
 11 or "No" of each public question.

#### Voting in Personal Choice Column.

1 28. Nothing contained in this act shall prevent any voter from writing or past-  
 2 ing under the proper title of office in the designated Personal Choice the name or  
 3 names of any person or persons for whom he desires to vote for any office or  
 4 offices, but shall not mark a cross  $\times$  or plus  $+$  before or after such name, pro-  
 5 vided that said writing shall be in black ink or black lead pencil, and provided that  
 6 all pasters used shall be printed with black ink on white paper.

#### Voter Spoils Ballot.

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

#### Voter Leaves Booth.

1 30. Before leaving the booth the voter shall fold his ballot, so that no part  
 2 of the face of the ballot shall be visible, and so as to display the face of the num-  
 3 bered coupon, and the ballot of such claimant shall remain in his own hand until  
 4 such board shall have decided to receive the same.

#### Voter Delivers Ballot.

1 31. He shall then hand the ballot with the coupon undetached to the member  
 2 of the election board having charge of the ballot-box, which member shall call off  
 3 the number of the ballot and the name of the voter. If the name and number agree  
 4 with the record in the poll-book, the election officer having charge of the poll-book  
 5 shall so announce and place the word "voted" opposite the poll number to indicate  
 6 that the person shown thereon as receiving the ballot has voted. In districts having  
 7 personal registration the member of the board having charge of the registry list  
 8 shall place the word "voted" in the proper column opposite the name of the voter,  
 9 and write in front thereof the number of such voter's ballot.

#### Member of the Board Deposits Ballot.

1 32. Thereupon the member of the board having charge of the ballot-box, with-  
 2 out displaying any part of the face of the ballot, shall remove the coupon from the  
 3 top of the ballot and place the ballot in the box and the coupon on a file string.  
 4 The member of the board having charge of the ballot-box shall keep the ballot in

5 full view of the voter and the other election officers until it is deposited, and the  
6 voter may take hold thereof, with the member of the board having charge of the  
7 ballot-box, until it is actually deposited.

Procedure When Ballot-Box is Filled.

1 33. When one ballot-box is filled with ballots the board shall seal the same and  
2 provide another box.

Time Limit for Challenging.

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

*Voter Unable to Prepare Ballot.*

Procedure to be Followed.

1 35. At any election any person who declares under oath and establishes  
2 to the satisfaction of a majority of all the members of the district board of registry  
3 and election that by reason of blindness or other physical disability he is unable to  
4 mark his ballot without assistance, may have the assistance of two members of such  
5 board of opposite political faith, to be assigned by the board, in preparing his bal-  
6 lot. Such members of such board shall retire with such voter to the booth and  
7 assist him in the preparation of his ballot and folding the same. The member act-  
8 ing as clerk of the district board of registry and election shall make an entry in the  
9 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 of registry and election  
14 shall be eligible to witness the preparation of the ballot of any such voter, but no  
15 other person shall be allowed to assist such voter in marking his ballot or to wit-  
16 ness the marking of the same. No member of such board shall reveal the name of



17 any person for whom such voter has voted, or anything that took place while such  
18 voter was being assisted.

*Voter's Name Checked as Having Voted.*

**Procedure to be Followed.**

1     36. When any legal voter shall apply to the district board of registry and  
2 election in the district in which he resides, and shall find that his name upon the  
3 poll-book is marked as having voted, it shall be lawful for said district board of  
4 registry and election to receive his vote, upon due proof to them that he is a lawful  
5 voter in such district and has not voted in said election.

**COURT AUTHORIZATION TO VOTE.**

**Determination of Applications for Right to Vote.**

1     37. It shall be the duty of the justice of the Supreme Court and the judge of  
2 the Court of Common Pleas, or one of them, to sit and hold a Court of Common  
3 Pleas at the court house in their respective counties on the day of  
4 any election during the hours the polls are open, and in case the  
5 vote of any person, in any election district, has been refused or re-  
6 jected by the district board of elections, in such district, the said court shall,  
7 upon application, in person, by the person so refused or rejected, proceed, in a  
8 summary way, to inquire whether such person is entitled to vote in such election  
9 district. If the court shall find that such person is legally entitled to vote in said  
10 election district, it shall issue a certificate, under its seal, to the district board of  
11 registry and election of the district in which such person is entitled to vote, reciting  
12 that such person is entitled to vote in such election district and shall deliver such  
13 certificate to such person and notify the county board of election of such order.  
14 Such person may present said certificate to the district board of registry and elec-  
15 tion of the district in which he is entitled to vote, and said board shall receive and  
16 file said certificate, and thereupon said person shall be allowed to vote at such elec-  
17 tion.

## EMERGENCY OFFICIAL BALLOTS.

Cause; Preparation; Use.

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

## UNOFFICIAL BALLOTS.

Identical in Appearance of Official Ballots.

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

## TRANSPORTATION OF VOTERS TO POLLS.

## Petition for Transportation.

1     40. The chairman of the county committee or other organization of any po-  
 2 litical party which has nominated candidates to be voted for at any general election,  
 3 or any person endorsed as a candidate for the nomination of any political party or  
 4 group of petitioners to public office in any county may petition the judge of the  
 5 Court of Common Pleas of said county at least fourteen days prior to the day of  
 6 the general election, setting forth that certain voters described in said petition reside  
 7 at a distance of at least two miles from the polling place at which, under the law,  
 8 they are entitled to vote on election day, or are aged or infirm, and that the said  
 9 voters do not, nor does any of them possess any vehicle or other means of transpor-  
 10 tation from their places of residence to the said polling place, and no trolley line is  
 11 available as hereinafter stated, and requesting that the said judge shall order the  
 12 expense of the said transportation of the said voters on election day from their  
 13 homes to their polling places and return, to be paid by the board of freeholders of  
 14 said county upon vouchers, as hereinafter provided.

## Order by Judge.

1     41. If the said judge shall be satisfied that the public interests require the trans-  
 2 portation of the said voters, he may make an order, authorizing the petitioner to  
 3 employ such number of conveyances, at rates of compensation to be fixed in said  
 4 order.

## Presentation of Bill With Affidavit.

1     42. Each person who shall furnish a vehicle or conveyance under the order of  
 2 the said judge shall file with the said judge, within four days after the day of elec-  
 3 tion, a voucher or bill, setting forth the number of voters transported in his ve-  
 4 hicle, and the time consumed in such transportation. The owner or operator of  
 5 such vehicle or conveyance shall make oath or affirmation to the truth of the facts  
 6 set forth in said voucher.

**Affidavit of Persons Transported.**

1 43. Annexed to said voucher or bill shall be the affidavit of each person claimed  
 2 to have been transported by the person presenting the said voucher or bill. Said  
 3 affidavit shall state the place of residence of said voter, and shall set forth that the  
 4 place of said residence is more than two miles from the polling place at which said  
 5 voter voted, and that said voter did not own any horse and wagon or motor ve-  
 6 hicle on said day of election, and that there was no trolley line running within half  
 7 a mile of the residence of the said voter upon which he could be transported to  
 8 within half a mile of the said polling place, or that said voter is aged and infirm.

**Obligation of County to Pay.**

1 44. If the said judge of said court shall approve the said voucher, the same  
 2 shall be paid by the county board of freeholders.

**ARTICLE XVI.**

**COUNTING OF BALLOTS BY DISTRICT BOARDS OF REGISTRY AND ELECTION.**

*General Elections.*

**RULES AND REGULATIONS AS TO COUNTING.**

**Summary Statement in Poll-Book.**

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

**Public Count Without Adjournment.**

1 2. The said district board of registry and election shall then proceed forthwith  
 2 to 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 to  
 4 the extent that the number present shall hinder, delay or inconvenience the election  
 5 officers in counting the ballots and ascertaining the result.

**Votes Based on Ballot Markings.**

1     3. In canvassing the ballots the district board of registry and election shall  
2 count the votes as follows:

3     A. A cross  $\times$  or plus  $+$  marked with black ink or black lead pencil within  
4 any circle or any square shall constitute a proper mark or a vote on the ballot, and  
5 where said proper mark is made within the circle above a party column and no  
6 candidate in any other column is voted for a vote shall be counted for each candi-  
7 date whose name is printed in such party column.

8     B. Where a proper mark is made in the circle and no nominations have been  
9 made for any office or offices by such political party and one or more proper marks  
10 are made in the square or squares to the left of the name or names of any candi-  
11 date or candidates printed in any other column under the same title or titles of office,  
12 or the name or names of a person or persons is written or pasted in the column  
13 designated Personal Choice under the same title or titles of office and no other  
14 candidate or person in any other column is voted for, a vote shall be counted for each  
15 candidate whose name is printed in such party column and in addition thereto a  
16 vote shall be counted for the candidate or candidates or the person or persons  
17 whose name or names are written or pasted for the office for which such party has  
18 made no nominations.

19     C. Where a proper mark is made in the circle and in addition one or more  
20 proper marks are made in the square or squares to the left of the name or names  
21 of any candidate or candidates printed in such column and no candidate in any other  
22 column is voted for, a vote shall be counted for each candidate whose name is  
23 printed in such party column.

24     D. If no mark is made in a circle and proper marks are made in the squares  
25 to the left of the names of any candidates in any column and names of persons are  
26 written or pasted in the column designated Personal Choice, the total number voted  
27 for for each office not exceeding the number of candidates to be elected to each  
28 office, a vote shall be counted for each candidate so marked and to each person whose  
29 name is so written or pasted on the ballot.



30 E. Where the name of any person is written, or pasted under the proper title  
31 of office in the column designated Personal Choice, a vote shall be counted for such  
32 person whether a cross  $\times$  or plus  $+$  appears before or after such name.

33 F. In case of any public question printed on the ballot where a proper mark is  
34 made in the square to the left of the word "Yes" it shall be counted as a vote in  
35 favor. If a proper mark is made in the square to the left of the word "No" it shall  
36 be counted as a vote against said public question. If no mark is made in either  
37 square to the left or either the word "Yes" or "No" it shall not be counted as a vote  
38 either in favor or against. If a mark is made in each of the squares to the left of  
39 both the words "Yes" and "No" it shall not be counted either as a vote in favor or  
40 against.

#### Void Ballots.

1 4. In counting the ballots said board shall deem and take to be null and void  
2 all ballots which are wholly blank, or on which more names have been marked for  
3 every office than there are persons to be elected to such office and on which both  
4 "Yes" and "No" have been marked upon every public question. All ballots still  
5 remaining in the ballot-box after ballots equal in number to the number of names  
6 of voters in the poll-book, exclusive of void ballots, shall be deemed and taken to  
7 be null and void. Any ballot which shall have either on its face or back, any mark,  
8 sign, designation or device whatsoever, other than is permitted by this act, shall be  
9 null and void; *provided, however*, that no ballot shall be invalid by reason of the  
10 fact that the mark made in the circle or square is not a perfect cross  $\times$  or plus  $+$   
11 or is not entirely within the circle or square, if said mark is substantially a cross  
12  $\times$  or plus  $+$  and is substantially within said circle or square; *provided, further*, that  
13 no ballot shall be declared invalid by reason of the fact that the mark made with  
14 ink appears bluish or the mark made with lead pencil appears greyish; *and pro-*  
15 *vided, further*, that no ballot cast for any candidate shall be invalid by reason of  
16 the fact that the name of such candidate may be misprinted, or his Christian name  
17 or initials may be omitted; *provided, further*, that no ballot cast for any candidate  
18 shall be invalid by reason of the use of any paster permitted by this act on which  
19 the name of such candidate may be misprinted or part of his Christian or surname

20 or initials may be omitted, or that by reason of the fact that the voter in writing the  
 21 name of such candidate may misspell the same or omit part of his Christian or sur-  
 22 name or initials.

#### Counting of Void and Partially Void Ballots.

1 5. In every case in which a ballot shall be declared invalid, the same shall  
 2 not be canvassed, estimated or numbered, but shall be marked "void" on the  
 3 outside thereof, and shall be numbered consecutively beginning with number one,  
 4 and shall be preserved like other ballots and placed on a separate string. Ballots  
 5 which shall be declared invalid with respect to a part of the officers 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 6. The decision of a majority of the district board of registry and election on  
 2 any question shall be deemed and taken to be the decision of such board, and final.  
 3 If any member of such board shall dissent from any decision of the same, and shall  
 4 desire to protect himself from the consequences which may result from such deci-  
 5 sion, it shall be lawful for such member to record his dissent, in cases relating to  
 6 registration, in the register, and in all other cases, in the poll-book of such election,  
 7 signing his name to such record with his own hand, and unless he shall do so, he  
 8 shall be deemed and taken to have assented to the decision so made.

#### COUNTING PROCEDURE.

##### Reading and Stringing of Ballots.

1 7. Such board in the actual procedure of counting the ballots shall thereupon  
 2 unlock and open the ballot-box; the ballots shall then be taken singly and sepa-  
 3 rately therefrom by the judge of the election, and while each ballot shall remain  
 4 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

6 the judge. After the reading of said ballot and before taking another ballot from  
 7 the box the judge shall fold the ballot to a size about five inches square, and shall  
 8 deliver the same so folded to the inspector, who shall write on the back thereof the  
 9 number of such ballot from one onward, in the order in which the same shall have  
 10 been taken from the box; and shall string the ballot as one ticket in the order in  
 11 which the same shall be taken from the box and numbered, by means of a needle  
 12 and string to be provided for that purpose. Void ballots shall be strung in the  
 13 same manner as valid ballots but on a separate string.

#### Recording of Votes.

1 8. The clerks of such board, under the inspection and direction of such board,  
 2 shall each, upon a tally-sheet provided for that purpose, make a list of the names of  
 3 all persons for whom one or more votes shall have been given, designating the office  
 4 which such person shall be voted for or any public question voted upon, upon two  
 5 sheets known as tally-sheets provided for that purpose; and as each ballot shall  
 6 be read he shall write the figure "1" opposite the name of each person whose name  
 7 shall be contained thereon, as designated for any office or in the proper column  
 8 designating the vote upon the public question. One of said tally-sheets shall be  
 9 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 9. When all the votes which shall have been received shall have been read, ex-  
 2 amined, numbered and strung, as above directed, such board shall carefully and  
 3 accurately add up the votes given for each person for any office to be filled at such  
 4 election or any public question and note the same upon said tally-sheets.

#### Public Announcement of Results.

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

ARTICLE XVII.

MAKING OF RETURNS BY DISTRICT BOARDS OF REGISTRY AND ELECTION.

*General Elections.*

Number of Statements and Form.

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

FORM OF STATEMENT.

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

11     The whole number of names on the signature copy register or register of voters  
 11½ is .....

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

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

14     For members of the Senate,

15                     received                     votes

16                     received                     votes

17     For members of the General Assembly,

18                     received                     votes

19                     received                     votes

20     For sheriff,

21                     received                     votes

22 received votes

23 For coroners,

24 received votes

25 received votes

26 For each public question,

27 received Yes votes

28 received No votes"

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

Certification of Statements.

1 2. Said election board shall then certify said statement in substantially the fol-  
2 lowing 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 No-  
6 vember, in the year of our Lord one thousand nine hundred and .....

.....  
.....  
.....  
..... } District Board  
of Registry  
and Election."

7 Provided, that no member of any district board of registry and election shall sign  
8 any returns of election until after the completion of the counting of votes, and his  
9 personal examination of the tally-sheets to determine the correctness of the results.



#### Filing of Statements.

1     3. After the district board of registry and election shall have made up and cer-  
 2 tified said statements, said board shall at the same time and with the ballot-boxes,  
 3 as hereinafter provided, deliver or safely transmit one of said statements to the  
 4 clerk of the municipality wherein such election is held, who shall forthwith file the  
 5 same. The said board shall, immediately after election, deliver or safely transmit  
 6 another of said statements of the result of such election to the clerk of the county,  
 7 who shall forthwith file the same. In the event that officers were voted for or public  
 8 questions were voted upon at said election by the voters of the entire State or of  
 9 more than one county thereof, or of a congressional district, together with the  
 10 statements relating to the office of justice of peace, then said board shall immedi-  
 11 ately after such election deliver or safely transmit said statements to the clerk of  
 12 the county, and shall inclose, seal up and transmit the third statement to the Sec-  
 13 retary of State by mail, directing the same in the following manner: "To the Sec-  
 14 retary of State of New Jersey, Trenton, New Jersey," and the Secretary of State  
 15 upon receiving such statement shall forthwith file the same in his office.

#### Penalty for Failure to Deliver Statements.

1     4. If any district board of registry and election shall neglect or fail to deliver  
 2 or safely transmit any statement of the result of any election or any document or  
 3 book pertaining thereto within the time required by this act, the payment of the  
 4 compensation of the members of said board shall be withheld by the county collector  
 5 by order of the county board of elections, or may be forfeited by order of said  
 6 county board of elections; and it shall be the duty of the Secretary of State or the  
 7 clerk of the county or the municipal clerk, as the case may be, to certify to the  
 8 county board of elections the name of any district board of registry and election so  
 9 failing to deliver or transmit such statement. In case of failure on the part of said  
 10 district board of registry and election to produce the required statements within  
 11 twenty-four hours after being notified, the county board of elections may make ap-

12 plication to the Court of Common Pleas for a rule to show cause why the members  
 13 of such district board of registry and election shall not be held in contempt of court  
 14 for such neglect or failure and punished accordingly.

ARTICLE XVIII.

DISPOSITION OF BALLOT-BOXES, ELECTION RECORDS AND ELECTION EQUIPMENT.

*General Elections.*

Election Records Placed in Ballot-Box.

1 1. As soon as the election shall be finished, and the votes canvassed and the  
 2 statements made and certified by the district board of registry and election, as herein  
 3 required, all ballots which have been cast, whether the same have been canvassed and  
 4 counted or rejected for any cause, the general election poll-book and one tally-  
 5 sheet spoiled, and unused ballots shall be carefully collected and deposited in the  
 6 ballot-box.

Delivery of Ballot-Boxes to Municipal Clerks.

1 2. Such ballot-box, after being locked and bound with tape and sealed, shall, in  
 2 all municipalities, be immediately taken in charge by two members of the board of  
 3 election, and by them forthwith carried to the office of the clerk of such municipality  
 4 in which such election may be held, by the most direct route, and without delay, and  
 5 said members shall not stop at any place between the polls and the municipal clerk's  
 6 office.

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

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

8 names of the members of the district board of registry and election delivering it,  
 9 and the name of the police officer or other witness who may accompany them, and  
 10 such other particulars as he may deem important; said book shall be filed in the  
 11 office of the municipal clerk, which book shall be preserved by said clerk for two  
 12 years.

#### Preservation of Ballot-Boxes with Contents.

1 4. Every municipal clerk to whom said ballot-boxes shall be delivered, shall  
 2 thereupon keep the same, with their contents, but shall not have the keys thereof  
 3 in his possession until required for the next ensuing election, and shall not open or  
 4 permit to be taken or opened any ballot-box deposited as aforesaid for the space of  
 5 three months after the same has been so deposited, except when he shall be called  
 6 upon by some court or other tribunal authorized to try the merits of such election, or  
 7 to take testimony regarding the same; and after such trial or investigation, it shall  
 8 be the duty of the clerk to have said box or boxes returned to his custody; *pro-*  
 9 *vided*, that when any election is required to be held for any purpose within the time  
 10 that said ballot-boxes are required to remain in the custody of said clerk, it shall be  
 11 lawful for the judge of the Circuit or Common Pleas Court of the county, upon  
 12 application of the governing body of any municipality, to direct the contents thereof  
 13 to be removed and preserved for two years, and the said ballot-boxes to be used at  
 14 such election.

#### Disposition of Register.

1 5. Not later than noon of the day following the canvass of the votes the  
 2 register kept and checked by the district board of registry and election shall be  
 3 filed by said board with the clerk of the county.

#### Disposition of Ballot-Box Keys.

1 6. Not later than noon of the day following the canvass of the votes the keys  
 2 of each ballot-box shall be deposited by a member of said district board of registry  
 3 and election with the county clerk.

Sale of Registers, etc.

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

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

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

ARTICLE XIX.

CANVASS OF RETURNS BY BOARD OF COUNTY CANVASSERS.

*General Elections.*

MEETINGS AND ADJOURNMENTS.

Time and Place of Meeting.

1 1. The board of county canvassers of each county shall meet on the Monday  
 2 next after any such election, at twelve o'clock noon, at the court house of such county,  
 3 for the purpose of canvassing the statements of the district boards of registry and

4 election filed with the county clerk as hereinbefore provided. At said time and place  
 5 the said clerk of such county shall attend and bring with him the statements of the  
 6 result of such election as filed with him by said district boards of registry and  
 7 election.

#### Substitute Clerk in Absence of County Clerk.

1 2. If the clerk of such county shall be absent at such meeting at the time ap-  
 2 pointed therefor, the board shall forthwith proceed to appoint a fit person to be the  
 3 clerk of such board, who shall obtain such statements from the office of said clerk.

#### Administration of Oath to Clerk.

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

#### Adjournment and Its Cause.

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

#### Obtaining of Missing Statements.

1 5. If said adjournment is occasioned by the fact that at the time fixed for the  
 2 meeting of such board the statements from every election district have not been  
 3 filed with the clerk of the county, then such clerk shall forthwith, by a special mes-  
 4 senger or otherwise, at the expense of such county, obtain such statement or state-  
 5 ments as shall be lacking, in time to be produced to such board at their next meet-  
 6 ing, and for this purpose the statements directed to be filed with the clerk of any  
 7 municipality wherein such election was held, or those directed to be filed with the  
 8 county clerk, a copy certified by the Secretary of State, of the statements trans-

mitted to him, shall be sufficient. The clerk of such board shall lay before such board, at their subsequent meeting, all such statements and certified copies as he shall have obtained as above directed.

#### Second Adjournment Permitted.

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

#### Custody of Statements During Adjournment.

7. Whenever any board of county canvassers shall find it necessary to adjourn, as herein provided, all statements of the result of an election which shall have been delivered to such board, or to any member thereof, shall, in the presence of such board, and before it shall adjourn, be securely inclosed and sealed and delivered to the county clerk for safekeeping until the next meeting of such board.

#### CANVASSING PROCEDURE.

##### Canvass and Statement Thereof.

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

##### Contents of Statement and Certificate.

9. Each of which statements shall contain the name of each election district, the number of names on the signature copy register or the register of voters, the



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

#### Form of Statement.

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

#### Form of Certificate.

1 11. The certificate shall be in substantially the following form: "I do hereby  
 2 certify that the foregoing is a true, full and correct statement of the result of the elec-  
 3 tion above mentioned, as the same is exhibited by the statements produced and laid  
 4 before the board of county canvassers according to law, and that the same exhibits  
 5 the number of the names in the signature copy registers and the registers of voters,

6 the number of names of the voters in the poll-books of the election districts, respec-  
 7 tively, and of the ballots rejected, the whole number of the names in the signature  
 8 copy registers and the registers of voters, the whole number of names of the voters  
 9 in the poll-books of the several election districts, the name of each person for whom  
 10 any vote or votes were cast, the number of votes cast for each person in each elec-  
 11 tion district, and the whole number of votes cast for each person for each office des-  
 12 ignated, and also specifies each public question quoted upon and the number of votes  
 13 cast thereupon in each election district respectively, and the whole number of votes  
 14 cast thereupon in the several election districts as they appear by the statements so  
 15 produced and laid before the said board. In witness whereof, I have hereunto set  
 16 my hand, this ..... day of ....., in the year of our Lord one thousand nine  
 17 hundred and .....

18

Chairman of the board of county canvassers.

19 Attest:

, Clerk."

#### Delivery of One Statement to County Clerk.

1 12. Such board shall deliver one of the said statements to the clerk of the  
 2 county, who shall forthwith file the same.

#### Delivery of Other Statement to Secretary of State.

1 13. The clerk of such board shall inclose and seal up the other statement  
 2 and deliver or safely transmit the same so inclosed and sealed up, to the Secretary  
 3 of State at Trenton, so that he shall receive the same within three days next after  
 4 the meeting of such board, and the Secretary of State shall forthwith file the same.

#### Preservation of Statements Made by District Boards of Registry and Election.

1 14. All the statements made by the district boards of registry and election and  
 2 copies of such statements which shall be produced and laid before such board shall,  
 3 by such board, be delivered to the clerk of such county, and shall be by him filed  
 4 and preserved in his office for a period of five years.

## COLLECTION OF STATEMENTS BY SECRETARY OF STATE.

**Secretary of State to Make Sure of Receiving Statements of Board of County Canvassers.**

1     15. If it shall so happen that the Secretary of State shall not, on or before  
 2 the seventh day after the time appointed for the meeting of the board of can-  
 3 vassers in the several counties, have received the statements of the result of such  
 4 election in every county, which are hereinbefore directed to be delivered or trans-  
 5 mitted 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     16. Whenever and so soon as such secretary shall receive or obtain any state-  
 2 ment of the result of such election, in any county, in the manner hereinbefore pro-  
 3 vided for, he shall ascertain whether or not such statement includes the statement  
 4 of the result of such election in every election district of such county; and if it  
 5 shall appear to him that the statement of the result of such election in any election  
 6 district is not exhibited by or included in the statement of the result of such elec-  
 7 tion, 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  
 10 otherwise, 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     17. The district board of registry and election, the clerk or the chair-  
 2 man of the board of canvassers of any county, or any other person who  
 3 shall be in possession of any statement, or copy of any statement, which  
 4 shall have been made and subscribed under the provisions of this act, shall forth-

5 with, on application by any messenger who shall have been dispatched for the same  
 6 by the Secretary of State, deliver to such messenger such statement or copy, such  
 7 messenger shall be commissioned as such in writing, under the hand and official seal  
 8 of the Secretary of State, and shall exhibit his commission to the person to whom  
 9 he shall apply for such statement or copy; and when he shall have obtained such  
 10 statement or copy shall forthwith deliver the same to the said Secretary of State.

#### ARTICLE XX.

#### DETERMINATION BY BOARD OF COUNTY CANVASSERS.

##### *General Elections.*

##### Scope of Authority.

1 1. The board of county canvassers, in case of officers voted for or public ques-  
 2 tions voted upon exclusively by the voters of a single county or any political subdi-  
 3 vision thereof, except for any congressional district or part of a congressional dis-  
 4 trict, shall proceed to determine what officers have been elected, and the result of the  
 5 vote cast upon any public question setting forth that it was approved or rejected.

##### *Offices Voted for by County or More than One Municipality Thereof.*

##### Statement of Determination.

1 2. The board of county canvassers in the case of an election for a member of  
 2 the Senate, members of the General Assembly, or other officer elected or public ques-  
 3 tion approved or rejected by all of said voters of said county, except for members of  
 4 the House of Representatives, shall make two statements of their determination in  
 5 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, in  
 8 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 approved  
 16 or rejected (as the case may be)."

**Certification of Determination.**

1 3. The said board shall thereupon certify said statement to be true and cor-  
 2 rect, by a certificate appended to the same, and signed by the chairman of such  
 3 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 de-  
 5 termination of the board of canvassers therein mentioned.

6 In witness whereof I have hereunto set my hand this ..... day of November,  
 7 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 4. One of the statements of such determination, and the certificate thereto, shall  
 2 be annexed to one of the statements of the results of the canvass of the election, and  
 3 shall be delivered therewith to the clerk of the county and filed in his office.

**Certificates Issued to Successful Candidates by Board of County Canvassers.**

1 5. The board of county canvassers, in the case of an election for Senator or  
 2 Members of the Assembly, or for any officer voted for by the voters of the entire  
 3 county or of any subdivision more than a single municipality, except for members  
 4 of the House of Representatives, shall issue a certificate to the successful candidate  
 5 based upon the statement of the determination of such board, and shall sign his name  
 6 thereto, and affix thereto the seal of the county, and shall, without delay, deliver one  
 7 of the same to each person who shall 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     6. In the case of a State Senator, Member of the General Assembly or any  
2 county officer, or any public questions to be voted upon by the voters of the entire  
3 State or any political subdivision thereof greater than a county, the board of county  
4 canvassers shall inclose, seal up and transmit one of the statements of the results of  
5 the canvass of the election together with one of the statements of the determination  
6 and the certificate thereto annexed to the Secretary of State at Trenton, within five  
7 days next after the meeting of such board; and the said Secretary shall file the same  
8 in his office:

State Legislators' Certificates and Organization of Legislature.

1     7. In the organization of the Senate and General Assembly the certificates  
2 issued by the board of county canvassers based upon the aforesaid statements of  
3 the determination of such board shall be deemed and taken to be prima facie evi-  
4 dence of the right of the persons therein mentioned to seats in the houses, respec-  
5 tively, to which they shall have been so determined to be elected.

*Municipal Offices.*

Filing of Statements and Certificates with Municipal Clerks.

1     8. The board of county canvassers 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 to  
4 their determination and the 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 Canvassers.

1     9. The board of county canvassers in the case of an election of officers of a  
2 municipality or part thereof, or public questions voted upon in such municipalities  
3 shall issue a certificate to the successful candidate based upon the statement of the



4 determination of such board of county canvassers together with a certificate of the  
 5 approval or rejection of any public question as aforesaid, and shall sign his name  
 6 thereto and affix the seal of the county and shall without delay deliver them to the  
 7 various municipal clerks who shall without delay deliver one of the same to each  
 8 person who shall be so elected.

## ARTICLE XXI.

## CANVASS BY BOARD OF STATE CANVASSERS.

*General Elections.*

## MEETING.

*Time and Place of Meeting.*

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

*Substitutes for Absentee Members.*

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

### Oath of Members.

1     3. The chairman of such board shall administer to each member thereof, and  
 2 each member thereof shall take an oath or affirmation in the following form:  
 3 "You do swear (or affirm, as the case may be) that you will faithfully and im-  
 4 partially execute the duties of a member of this board according to law"; and  
 5 thereupon one of the members of such board, to be appointed by such board for  
 6 that purpose, shall administer to the chairman thereof an oath or affirmation in  
 7 the same form as that which shall have been taken by the other members.

### Substitute for Absentee Secretary.

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

### PROCEDURE.

#### Presentation of Statements.

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

**Statement and Certification of Canvass.**

1 6. Such board shall then forthwith canvass such statements and proceed to  
2 make a statement of the result of such election in the State; said statement shall  
3 contain the whole number of names of the voters in all the signature copy registers  
4 and registers of voters, the whole number of the names of the voters in all the poll-  
5 books and the whole number of ballots rejected in the State, the names of all the  
6 persons for whom any vote or votes shall have been given for any office or offices to  
7 be filled at such election, and the whole number of the votes which shall have been  
8 given to each person for any such office or offices, mentioning the office or offices for  
9 which each person shall have been designated, together with the results of the votes  
10 cast upon any public questions voted upon by the voters of the entire State or of any  
11 political subdivision thereof greater than a county, and shall contain the name of each  
12 county, the number of names in the poll-books in the counties respectively, the num-  
13 ber of votes given for each person in each county for any such office or offices; and  
14 in such statement the name of each person for whom any vote or votes shall have  
15 been given, the whole number of votes given for each person, and the name of each  
16 county, shall be in the words written at full length; the whole number of names of  
17 the voters in all the signature copy registers and registers of voters, and the whole  
18 number of the names of the voters in all the poll-books and the whole number of  
19 ballots rejected in the State, together with the result of the votes cast upon any  
20 public questions voted upon by the voters of the entire State or any political subdi-  
21 vision thereof greater than a county, the number of names of the voters in all the  
22 signature copy registers and registers of voters and the number of names in the poll-  
23 books and the number of ballots rejected in the counties respectively, together with  
24 the result of the votes cast upon any public questions voted upon by the voters of the  
25 entire State or any political subdivision thereof greater than a county, and the num-  
26 ber of votes given for each person in each county may be in figures; and such  
27 statement shall be certified to be true and correct, by a certificate appended to the  
28 same; and the chairman of such board shall sign his name thereto, in the presence  
29 of the clerk of the board, and such clerk shall attest the signing of the same by such  
30 chairman by signing his name thereto.

Form of Statement and Certificate.

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

ARTICLE XXII.

DETERMINATION OF RESULTS BY BOARD OF STATE CANVASSERS.

*General Elections.*

Statement of Determination.

1     1. When the statement and certificate above mentioned shall have been made  
2 and subscribed, such board shall proceed to determine the person or persons who  
3 shall, by the greatest number of votes, have been duly elected to the office or offices  
4 for which he or they shall have been designated, together with the result of the vote  
5 cast upon any public question setting forth that it was approved or rejected; and  
6 thereupon such board shall make a statement of their determination.

Basis of the Statement.

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

#### Certification of Statement.

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

#### Form of Statement and Certificate.

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

#### Filing of Statements.

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

#### Certificates Issued to Successful Candidates by Secretary of State.

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

#### Certificate in Case of United States Senator or Congressman.

1     7. In case of an election for one or more members of the United States Sen-  
2 ate or of the House of Representatives, the Secretary of State shall prepare a general  
3 certificate of the election of such member or members of the United States Senate  
4 and one of the member or members of the House of Representatives, and lay  
5 the same before the Governor, who shall sign his name thereto, in the presence  
6 of such secretary; and such secretary shall attest the signing of the same by the  
7 Governor by signing his name thereto, and shall thereupon affix the seal of the

8 State thereto and transmit the same forthwith to the clerk of the United States Sen-  
 9 ate and of the House of Representatives, as the case may be, if they shall then be in  
 10 session, and if not in session, then at their first meeting.

*Certificate in Case of Presidential Elector.*

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

**PART THREE. PRIMARY ELECTIONS.**

**ARTICLE XXIII.**

**PRIMARY ELECTION FOR THE GENERAL ELECTION.**

*Notice of Elections.*

*Party Officials to Public Officials.*

1 1. The chairman of the State committee of a political party shall, on or before  
 2 the fifteenth day of June in the year when a Governor is to be elected, notify in  
 3 writing the chairman of each county committee of said party that a member of  
 4 such State committee is to be elected from said county at the ensuing general elec-  
 5 tion. Said chairman of the county committee shall, on or before the first day of  
 6 July of said year, send a copy of such notice to the clerk of each municipality  
 7 within said county. The chairman of each county or municipal committee shall  
 8 also, on or before the first day of July in each year, file with the clerks of the  
 9 several municipalities the number of committeemen to be elected at the ensuing  
 10 primary for the general election to such county or municipal committee, as pro-  
 11 vided by the constitution or by-laws of such committee.



Public Officials to the Public.

1 2. In addition to the notice of the primary for the general election hereinbe-  
 2 fore provided to be published along with the notice of said general election in the  
 3 newspapers circulating in municipalities wherein such elections are to be held,  
 4 notice of the time and place of holding such primary elections shall be given by  
 5 each district board of registry and election by five or more advertisements posted  
 6 at conspicuous places in their election district at least ten days before such pri-  
 7 mary elections.

*Registration of Voters.*

*Municipalities Exceeding Fifteen Thousand Population.*

**Separate Primary Election Registry Book Required.**

1 3. In municipalities which at the Federal census immediately preceding any  
 2 primary for the general election contained a population exceeding fifteen thou-  
 3 sand each district board of registry and election shall prepare on the first day of  
 4 registration for said general election in addition to the signature copy register a  
 5 primary election registry book.

**Preparation of Primary Election Registry Book.**

1 4. Said district board of registry and election shall prepare the primary elec-  
 2 tion registry book for their district by placing upon it alphabetically according to  
 3 streets upon which they reside the names of all persons whose names appear upon  
 4 the poll-book of their election district at the last preceding general election; the  
 5 names of all voters who shall appear in person before said board and register upon  
 6 said first registry day; and the names of all persons presented to said board by  
 7 affidavit. When a voter shall be registered by affidavit a separate affidavit shall  
 8 be required for each person so registered, which shall contain the address of the  
 9 affiant and be signed by him; such affidavits shall be preserved in the custody of  
 10 the member of the board of registry and election acting as judge and shall be deliv-  
 11 ered to the county board of elections on the day following the first registration day  
 12 with the primary election registry book. Said boards shall, upon the completion of  
 13 said primary election registry book at the close of the first day of registration, con-

14 sult the party poll-books kept at the primary for the next preceding general elec-  
 15 tion and place the letter "R" opposite the names on the said primary election registry  
 16 book as appear in the said Republican primary poll-book; the letter "D" opposite  
 17 such of the said names as appear in the Democratic primary poll-book, and so on.

*Filing Books Used at the Primary Election with the County Boards of Elections.*

1 5. Said primary election registry book shall be signed and certified by said dis-  
 2 trict board of registry and election and shall, not later than the day following the  
 3 first day of registration together with all party primary poll-books and the general  
 4 election poll-book used in making up the primary election registry book, be filed by  
 5 said district board of registry and election with the county board of elections who  
 6 shall make use of same in a similar manner as is required for the use of the signa-  
 7 ture copy register and registers of voters and return same to the district board of  
 8 registry and election in time to be used on the succeeding primary election day.

*Municipalities of Fifteen Thousand Population or Less.*

*Primary Election Registry Book.*

1 6. In municipalities which at the Federal census immediately preceding any  
 2 primary for the general election contained a population of fifteen thousand or  
 3 less the district boards of registry and election shall make two primary election regis-  
 4 try books by transcribing from the register of voters, which they are required to  
 5 prepare for the general election, to said primary election registry books the names  
 6 of all voters which appear in said registers of voters. After each name in said  
 7 primary election registry book shall be placed the letters "R" or "D," or, as the  
 8 case may be, in the manner and form hereinbefore provided for the preparation of  
 9 said primary election registry book in municipalities exceeding fifteen thousand  
 10 population. Said primary election registry books shall be completed before the  
 11 Tuesday following the house to house canvass.

**Disposition of Primary Election Registry Books.**

1 7. One of the primary election registry books shall be posted for public in-  
 2 spection at least one week prior to the primary election. The other primary elec-  
 3 tion registry book shall be signed and certified by said district board of regis-  
 4 try and election and shall on or before the Tuesday following the house to house  
 5 canvass together with all party primary poll-books used in making up the primary  
 6 election registry book, be filed by said district board of registry and election with  
 7 the county board of elections who shall make use of same in a similar manner as  
 8 is required for the use of the signature copy registers and registers of voters.

*Preparation of Primary Election Registry Book in Emergencies.*

**New Election Districts Formed.**

1 8. Whenever it shall happen, in any municipality, by reason of the creation of  
 2 new election districts under this act, or for any other reason, that there is no copy  
 3 of the poll-book of the said election district used at the general election of the pre-  
 4 vious year, or no copies of the primary party poll books for such election district,  
 5 the municipal clerk shall furnish to the said board of registry and election, on or be-  
 6 fore said first registry day, a list of the names of voters in said election district  
 7 who voted therein at the last previous general election, and also of those who voted  
 8 therein at the last previous primary election in each party primary, which names  
 9 shall be taken from the general election poll-book and the primary party poll-books  
 10 of the election district or districts of which the new district formed a part; and  
 11 from such books said board shall make up the primary election registry book as  
 12 herein provided.

**Poll-Books Missing.**

1 9. If the poll-book of any election district has been lost or destroyed at the time  
 2 of the said first registry day, then the said board in said district shall make up the pri-  
 3 mary election registry book in said district from the names indicated as having  
 4 voted on the last signature copy register filed with the county clerk and from the

5 names on the primary party poll-books of the various political parties of the last  
6 previous primary election, together with the names of voters filed with them by  
7 affidavit, as herein provided.

*Revision and Correction by County Board of Elections.*

*Procedure to be Followed.*

1 10. The county board of elections shall sit on the Thursday and Friday pre-  
2 ceding the primary election for the general election from 1 P. M. to 9 P. M., and  
3 at such other times as said board may deem necessary for the purpose of re-  
4 vising and correcting the primary registry books and shall have power to add and  
5 remove names from said primary registry books and shall proceed in the same  
6 manner as hereinbefore provided for the general election.

*Appeal From Decision of County Board of Elections.*

1 11. Any voter who is dissatisfied with the action of the said county board of  
2 elections may apply to a judge of the Court of Common Pleas in the said county  
3 by petition, stating the act complained of, and said judge may hear such application  
4 in a summary way, and make such order as may be just, which order shall be  
5 binding upon both the county board of elections and the district board of registry  
6 and election.

*Transfer of Registrants.*

*General Election Procedure to be Followed.*

1 12. The issuance of transfers for the primary election for the general election  
2 shall be governed by the provisions of this act as hereinbefore provided.

*Nomination of Candidates.*

*Methods Allowed.*

*Petition Exclusively Used for Primary Nominations.*

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

*Petition Procedure.**Addresses of Petitions.*

1     14. Said petitions nominating candidates to be voted for by the voters of a  
 2 political party throughout the entire State or of any subdivisions thereof more than  
 3 a single county or any congressional district shall be addressed to the Secretary of  
 4 State; petitions nominating candidates to be voted for by the voters of a political  
 5 party throughout a county or any subdivisions thereof more than a single municipi-  
 6 pality shall be addressed to the clerk of said county; all other petitions shall be  
 7 addressed to the clerks of municipalities.

*Contents of Petition.*

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



#### Numbers of Signers to Petitions.

1     16. Said petitions for candidates to be voted for by the voters of a political  
 2 party throughout the entire State shall in the aggregate be signed by at least one  
 3 thousand of said voters; in the case of candidates to be voted for by the voters of a  
 4 political party throughout a congressional district, by at least two hundred of said  
 5 voters; in the case of candidates to be voted for by the voters of a political party  
 6 throughout a county, by at least one hundred of said voters; in the case of candidates  
 7 to be voted for by the voters of a political party throughout a municipality having a  
 8 population exceeding fifteen thousand, by at least fifty of said voters; in the case of  
 9 candidates to be voted for by the voters of a political party through a municipality  
 10 having a population of fifteen thousand or less, or any ward of any municipality by  
 11 at least twenty-five of said voters; in the case of a candidate to be voted for by the  
 12 voters of a political party within a single election district by at least ten of said  
 13 voters; *provided*, that in municipalities containing but one election district said peti-  
 14 tions in the aggregate need not be signed by more than ten of such voters, and that  
 15 the number of signers to any such petition in any case need not exceed five per cen-  
 16 tum in number of the total vote cast at the last preceding election for members of  
 17 the General Assembly in said municipality, ward or election district, as the case  
 18 may be.

#### Freeholder Petition Privilege.

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



### Signing Rules and Regulations.

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

### Verification of Petition.

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

### Vacancy Committee Named in Petition.

1 20. The signers to petitions for Governor, United States Senator, member of  
 2 the House of Representatives, State Senator and members of the General Assembly  
 3 may name three men in their petition as a committee on vacancies, which com-  
 4 mittee shall have power in case of death or resignation or otherwise of the person  
 5 endorsed as a candidate in said petition to fill such vacancy by filing with the Sec-

6 retary of State in the case of offices to be voted for by the voters of the entire State  
7 or a portion thereof involving more than one county thereof or any congressional dis-  
8 trict, and with the county clerk in the case of offices to be voted for by the voters of  
9 the entire county, a certificate of nomination to fill such vacancy. Such certificate  
10 shall set forth the cause of said vacancy the name of the person nominated and that  
11 he is a member of the same political party as the candidate for whom he is substi-  
12 tuted the office for which he is nominated, the name of the person for whom the new  
13 nominee is to be substituted, the fact that the committee is authorized to fill vacan-  
14 cies and such further information as is required to be given in any original peti-  
15 tion of nomination. The certificate so made shall be executed and sworn to by the  
16 members of said committee, and shall, upon being filed at least fifteen days before  
17 election, have the same force and effect as the original petition of nomination for  
18 the primary election for the general election. The name of the candidate substituted  
19 shall be immediately certified to the proper municipal clerks.

#### Filing of Petitions.

1 21. Petitions addressed to the Secretary of State shall be filed with said officer  
2 at least thirty days prior to the primary election for the general election; petitions  
3 addressed to the county clerk shall be filed with said officer at least twenty-five days  
4 prior to said primary; petitions addressed to the municipal clerk shall be filed with  
5 said officer at least twenty days prior to said primary.

#### Acceptance by Candidate.

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

#### Party Designation.

1 23. Any person endorsed as a candidate for nomination for any public office,  
2 whose name is to be voted for on the primary ticket of any political party, may by

3 endorsement on the petition of nomination in which he is endorsed, request that there  
 4 be printed opposite his name on said primary ticket a designation, in not more than six  
 5 words, as named by him in said petition, for the purpose of indicating either any  
 6 official act or policy to which he is pledged or committed, or to distinguish him as  
 7 belonging to a particular faction or wing of his political party.

#### Grouping of Candidates.

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

#### Defective Petition.

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

#### Amendment of Defective Petition.

1 26. Such candidate shall be permitted to amend such petition either in form or  
 2 in substance, so as to remedy such defect, at any time prior to the printing of such  
 3 ballots.

#### *Vacancies Among Nominees.*

##### Filling of Vacancies.

1 27. Should any person endorsed in any petition as a candidate to be voted for  
 2 at any primary election, except for the office of Governor, United States Senator,  
 3 Member of the House of Representatives, State Senator, and members of the  
 4 General Assembly, die before such election, or in writing filed at least fifteen days

5 prior to the primary with the county clerk or municipal clerk, with whom said peti-  
 6 tion had been filed, decline to stand as a candidate, the vacancy or vacancies thus  
 7 caused shall be filled by a majority of the persons signing the petition in and by  
 8 which the person so dying or declining was endorsed, filing within three days after the  
 9 occurrence of such vacancy with the county clerk or municipal clerk as the case may  
 10 be, a new petition, setting forth the name of the person declining or dying, the office  
 11 for which he was endorsed, and the name of the person to be substituted; the said  
 12 petition shall be verified by three of the signers, and shall have the same force and  
 13 effect as the original petition. When the name of the candidate substituted is filed  
 14 with the county clerk said clerk shall immediately certify the same to the proper  
 15 municipal clerks.

#### *Certification of Nominees.*

##### Secretary of State Certifies Nominees to County Clerks.

1 28. The Secretary of State shall certify the names of the persons endorsed in  
 2 said petitions filed in his office to the clerks of counties concerned thereby at least  
 3 twenty-five days prior to the holding of said primary election, specifying in said cer-  
 4 tificates the political parties to which the persons so nominated in said petitions be-  
 5 long.

##### County Clerks Certify Nominees to Municipal Clerks.

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

#### *Contents and Form of Ballot.*

##### Separate Ballot for Each Party.

1 30. There shall be separate ballots for each political party.

Party Ballots Alike.

1 31. Said ballots shall be alike in form for all political parties.

Contents of Ballot.

2 32. Said ballots shall be made up and printed in substantially the following  
3 form:

4 Each ballot shall have at the top thereof a coupon at least two inches deep  
5 extending across the ballot above a perforated line. The coupon shall be numbered  
6 for each of said political parties, respectively, from one consecutively to the num-  
7 ber of ballots delivered and received by the election officers of the respective polling  
8 places. Upon the coupon and above the perforated line shall be the words "To be  
9 torn off by the judge of election. Fold to this line." Below the perforated line  
10 shall be printed the words "Democratic Primary Ticket," or "Republican Primary  
11 Ticket," or, as the case may be, naming the proper political party, as provided in  
12 this act; below which and extending across the ballot in one or more lines, as may  
13 be necessary, shall be printed the words ..... name of municipality .....  
14 ward ..... election district ..... date of election ..... John Doe, Mu-  
15 nicipal Clerk; the blank spaces shall be filled in with the name of the proper  
16 municipality, the ward and district number and the date of the election. The  
17 name of the municipal clerk shall be a facsimile of his signature. This heading  
18 shall be set apart from the body of the ballot by a heavy diagram rule. Below this  
19 rule shall be printed the following directions instructing the voter how to indicate  
20 his choice for each office and position, and for how many persons to vote for each  
21 office and position: To vote for any person whose name appears on this ballot  
22 mark a cross X or plus + with black ink or black lead pencil in the space or  
23 square at the left of the name of such person. Below these instructions shall be  
24 printed a heavy diagram rule below which shall be printed the titles of offices and  
25 positions for which candidates are to be voted for at said primary election, together  
with such directions to the voter as may be necessary as "Vote for one," "Vote for



26 two," or a greater number, as the case may be. Underneath the proper title of  
27 office and position shall be printed the names of all those persons certified as can-  
28 didates for such offices to said municipal clerk by the county clerks as hereinbefore  
29 provided, and the names of persons endorsed as such candidates in petitions on  
30 file in the office of said municipal clerk as they appear signed to the certificate of  
31 acceptance; *provided*, that the name of any person endorsed in a petition as afore-  
32 said who shall fail to certify his consent and agreement to be a candidate for  
33 nomination to the office specified therein shall not be printed upon the ballots to be  
34 used at such primary election; *and provided, further*, that in the case of a vacancy  
35 among nominees the name of the person selected in the manner provided in this  
36 act to fill such vacancy shall be printed upon the ballots in the place and stead of the  
37 person vacating such nomination. Said candidates shall be arranged in groups and  
38 the groups bracketed in all cases where the petitions endorsing such candidates  
39 request such grouping. The designation named by candidates in their petitions for  
40 nomination, as provided by this act, shall be printed to the right of the names of  
41 such candidates or groups of candidates in as large type as the space will allow. Im-  
42 mediately to the left and on the same line with the name of each candidate for  
43 office and position shall be printed a square three-eighths of an inch in size, formed  
44 by the single line rules between the names of the candidates connected by vertical  
45 single line rules, in which the voter shall indicate his choice. A single light-faced  
46 rule shall be used to separate the different names in each group of candidates. A  
47 heavy-faced rule shall be used between each group of candidates for different  
48 offices. Where candidates are arranged in groups and the groups bracketed, said  
49 groups shall be separated from other groups and candidates by two single line rules  
50 one eighth of an inch apart.

#### Form of Ballot.

1 33. The following is an illustration of the said form of ballot:



To be torn off by the Judge of Election.

No. ....  
Fold to this line.

Republican Party Ticket.

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

To vote for any person whose name appears on this ballot mark a cross X or plus + with black ink or black lead pencil in the space or 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

<i>For Members of the General Assembly</i>	<i>Vote for Two</i>
<input type="checkbox"/> WILLIAM BLACK,	Republican Party
<input type="checkbox"/> RUDOLPH BLY,	
<input type="checkbox"/> PETER JOHNSON	Regular Progressive
<input type="checkbox"/> SIMON ABBOTT	

<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

2 using so much of said form as may be applicable to the current primary election  
3 and extending the same to provide for cases not therein specified.

*Sample Official Ballots.*

Ballots and Envelopes Ordered from Printer.

1 34. Said municipal clerk shall cause to be printed as herewith prescribed a suffi-  
2 cient number of sample primary ballots of each political party and a sufficient num-  
3 ber of stamped envelopes to enable every district board of registry and election to  
4 mail one copy of the sample primary election ballot of each political party to each  
5 voter who is registered in said district for said primary election.

Sample Ballot Facsimile of Official Ballot.

1 35. The said sample ballots shall be, as nearly as possible, a facsimile of the  
2 official ballot to be voted at the said primary election and shall be printed on paper

3 different in color from the official ballot, so that the same may be readily distin-  
 4 guished from the official ballot. The sample ballot shall have printed at the top in  
 5 large type the words: "This sample ballot is an exact copy of the ballot to be used  
 6 on primary election day. This ballot cannot be voted." The sample ballot shall  
 7 also have printed thereon following the words which indicate the election district  
 8 the following words: "The voting place for this election district is .....  
 9 (Stating the location of said voting place)."

#### Words on Envelope.

1 36. Each of said envelopes shall have printed on the face thereof, in large type,  
 2 the words, "Official Sample Primary Ballot," and in smaller type the words, "If not  
 3 delivered in two days, return to ....." (municipal clerk).

#### Sample Ballots and Envelopes Furnished to District Boards of Registry and Election.

1 37. The municipal clerk in each municipality in this State shall furnish to a  
 2 member of each board of registry and election in his municipality, at his office, on  
 3 or before Tuesday preceding the primary election in September in each year, suffi-  
 4 cient sample ballots and sufficient stamped envelopes to enable said board to mail  
 5 said sample ballots to said voters as aforesaid. Each of said boards shall give the  
 6 municipal clerk a receipt for said sample ballots and envelopes, signed by one of  
 7 their members.

#### Mailing of Sample Ballots.

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

#### Posting of Sample Ballots.

1 39. The board of registry and election shall also post such sample ballot in the  
 2 polling place in its district and five other public places therein.

#### Return of Unused Sample Ballots and Envelopes.

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

**Public Display of Returned Envelopes.**

1 41. All said envelopes which shall have been mailed but undelivered to the ad-  
 2 dressee and shall have been returned to the municipal clerk and said returned en-  
 3 velopes shall be retained by said municipal clerk for thirty days, open to public  
 4 inspection.

**Official Primary Ballots.**

**Ballots Ordered from Printer.**

1 42. Not later than twelve o'clock noon of the Saturday preceding said primary  
 2 for the general election said municipal clerks shall have had printed and on hand in  
 3 his office for the use of each of said political parties official ballots equal in num-  
 4 ber to double the number of votes cast by such political party at the then last pre-  
 5 ceding election for members of the General Assembly held in such election district.  
 6 When an election district shall have been divided or the boundaries thereof changed,  
 7 or a new district created, the municipal clerk shall ascertain as nearly as may be  
 8 possible the number of voters in the new or rearranged or divided district, and pro-  
 9 vide therefor a sufficient number of ballots in the above proportion.

**Style of Ballot.**

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

**Correction of Error in Official Ballots.**

1 44. Whenever it shall appear that any error or omission has occurred in the  
 2 printing of the official ballots for any primary election, by any municipal clerk, any  
 3 voter resident in any election district affected by such error or omission may present  
 4 to the justice of the Supreme Court holding the Circuit Court in and for the county  
 5 containing said election district a verified statement setting forth such error or  
 6 omission, and such justice, being satisfied thereof, shall thereupon summarily, by  
 7 his order, require the municipal clerk to correct such error and omission, or show  
 8 cause why such error and omission should not be corrected.

*Delivery of Ballots and Ballot-Boxes.*

*Municipal Clerk to Members of District Boards of Registry and Election.*

1 45. The said municipal clerk shall, on the day preceding said primary election,  
 2 cause to be delivered, at his office, to a member or members of the district board of  
 3 registry and election of each election district within his municipality, the ballots and  
 4 the ballot-boxes provided for each election district, and any registers and poll-books  
 5 and other documents that he may have received from the county clerk or the county  
 6 board of elections, 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 for  
 8 the period of one year.

*Members of District Boards to Entire Board.*

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

*Balloting.*

*Time and Place of Holding.*

1 47. The primary election for the general election shall be held for all political  
 2 parties in the same places and at the same time as herein provided for the second

3 registration of voters entitled to vote at said ensuing general election, i. e., upon  
 4 the fourth Tuesday of September in each year, between the hours of seven A. M. and  
 5 nine P. M.

Registration Privilege and requirement.

1 48. On said primary election day any voter may register for the ensuing gen-  
 2 eral election without being obliged to vote at said primary election, but every voter  
 3 before voting at the said primary election shall register for the ensuing general elec-  
 4 tion.

Officers in Charge.

1 49. All of the members of said board of registry and election shall conduct the  
 2 primary election for all political parties holding primary elections under this act.

Method of Conduct.

1 50. Said primary election for the general election shall be conducted by the dis-  
 2 trict boards of registry and election substantially in the same manner as the general  
 3 election, except as herein otherwise provided.

Use of Primary Election Registry Book.

1 51. Each district board of registry and election shall use at said primary elec-  
 2 tion the primary election registry book, made up as hereinbefore provided and the  
 3 number of the ballot given to each voter shall be marked in front of the name of  
 4 said voter on said primary election registry book.

Keeping of Party Primary Poll-Books.

1 52. In addition to the primary election registry book hereinbefore provided, there  
 2 shall also be a primary party poll-book for each political party, which shall be called  
 3 and labeled Party Primary Poll-Book, inserting the proper name of the political party.  
 4 The district board of registry and elections shall cause the name of each voter at  
 5 said primary election to be written in ink, in the primary party poll-book of the  
 6 political party in whose ballot-box said vote is deposited. Each of these primary  
 7 party poll-books shall be signed by the members of the district board of registry



8 and elections at the close of said primary election and delivered by said board to  
9 the clerk of the municipality at the time of the delivery of the ballot-boxes.

#### Balloting Regulations.

1 53. No voter shall be allowed to vote at said primary election unless his name  
2 appears on the poll-book of the previous general election, or has been placed on said  
3 primary election registry book prior to said primary day as hereinabove provided.  
4 No voter shall be allowed to vote in the ballot-box of a political party if the name of  
5 such voter appears in the primary party poll-book of another political party as made  
6 up at the next preceding primary election.

#### Ascertainment of Right to Vote.

1 54. Each voter offering to vote shall announce his name and the party primary  
2 in which he wishes to vote. The district board of registry and election shall there-  
3 upon ascertain by reference to the primary election registry book required by this  
4 act, and if necessary by reference to the poll-book of the preceding general election  
5 or the primary party poll-books of the preceding primary election, that said voter  
6 is registered as required by this act, and also that he did not vote in the party pri-  
7 mary of any other political party at the last preceding primary election; in which  
8 event he shall be allowed to vote.

#### Balloting Procedure.

1 55. Said voter shall thereupon prepare and cast his ballot in substantially the  
2 same manner as herein provided for the preparation and casting of ballots at the  
3 general election and subject to the same regulations.

#### Challenge Procedure.

1 56. In case a voter is challenged, he shall take an oath or affirmation, to be  
2 administered by a member of the district board of registry and elections in the fol-  
3 lowing form: "You do solemnly swear (or affirm) that you are a member of the  
4 ..... political party (specifying the political party to which the affiant claims  
5 to belong); that at the last election for members of the General Assembly at which  
6 you voted you voted for a majority of the candidates of said party nominated for



7 national, State and county offices, and that you intend to support the candidates of  
 8 said party at the ensuing election." If the person so challenged shall refuse to take  
 9 the oath or affirmation so tendered to him, he shall be deemed not to be qualified or  
 10 entitled to vote at such primary election.

*Canvass of Votes; Ascertainment and Certification of Results.*

*Procedure of Counting of Ballots by District Board of Registry and Election.*

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

*Statement of Election.*

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

*Form of Statement.*

1 59. The aforesaid statement shall be substantially in the following form:

2 Statement of the result of a primary election held in the ..... ward  
 3 ..... election district of the ..... of ..... (municipality) in the county  
 4 of ..... and State of New Jersey, on the ..... day of ..... 19.....:  
 5 Total number of names on the primary election registry book at said election  
 6 ..... the total number of votes cast was:  
 7 The total number of ..... ballots cast was .....

8 The total number of ..... ballots rejected was .....

9 (Filling in the names 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 ..... posi-

12 tion ..... received ..... votes. (Filling in the same of each candidate and

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

Certification of Statement.

1 60. To such statement shall be added a certificate in the following form:

2 We certify the foregoing to be a true and correct statement of the result of the

3 primary elections held in such district at the time above stated; that the same truly

4 and correctly exhibits the entire number of votes cast for each political party at such

5 election, the whole number of ballots rejected and the number of said ballots re-

6 jected belonging to each party respectively; also the number of votes received by

7 any person to be a candidate of any party for any office or position named on any

8 ballot or ballots cast at such election.

9 In witness whereof, we have hereunto set our hands this ..... day of

10 ....., one thousand nine hundred and .....

11 ..... } District

12 ..... } Board of

13 ..... } Registry and

14 ..... } Election.

Statement Transmitted to County and Municipal Clerks.

1 61. Said district board of registry and election shall immediately deliver or

2 transmit said statement to the clerks of the county and municipality within which the

3 said primary election was held.

Canvass by Municipal Clerks of Statements of District Boards of Registry and Election.

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

1 62. Said municipal clerk shall forthwith canvass said statements of the district

2 board of registry and election as far as they relate to the election of members of  
 3 the county and municipal committee of any political party, and shall issue a cer-  
 4 tificate of election to each person shown by the returns filed in the office of said  
 5 municipal clerk to have been so elected.

*Canvass by County Clerks of Statements of Municipal Clerks.*

Canvassing Procedure for County Clerks.

1 63. Said county clerks shall forthwith canvass said statements relating to all  
 2 officers and position to be voted for by the voters of the entire State, county, con-  
 3 gressional district, municipality or ward, and shall determine what persons have by  
 4 the highest number of votes been so elected or nominated by said political parties.  
 5 In the case of United States Senator, Governor and member of the House of Repre-  
 6 sentatives the said county clerk shall immediately transmit to the Secretary of State  
 7 a statement showing the total number of votes cast for such officers in said county.  
 8 Said statement shall be in the form herein provided for the statement required to be  
 9 transmitted by the district board of registry and election.

Certificate of Election to the County Clerk.

1 64. The county clerk shall issue a certificate to the person receiving the highest  
 2 number of votes for the position of member of the State committee of any political  
 3 party at the primary as shown by the returns in his office.

*Canvass by Secretary of State of Statements of County Clerks.*

Canvassing Procedure for Secretary of State.

1 65. Said Secretary of State shall forthwith canvass said statements of said  
 2 county clerks and determine what persons by the highest number of votes have been  
 3 so nominated by the voters of said political parties of such State or portion thereof  
 4 involving more than a single county or congressional district.

*Filling Vacancies Among Nominees.***After Primary and Twenty Days Before General Election.**

1     66. In the event of a vacancy occurring by death, removal or otherwise among  
2 candidates nominated at primaries, which vacancy shall occur not later than twenty-  
3 three days before the general election, or in the event of inability to select a candidate  
4 because of a tie vote at said primary, a candidate shall be selected in the following  
5 manner: In case of an office to be filled by the voters of the entire State or a por-  
6 tion thereof involving more than one county, said candidate shall be selected by  
7 the State committee of the political party wherein such vacancy has occurred; in  
8 the case of an office to be filled by the votes of an entire county or a portion thereof  
9 involving more than one municipality, said candidate shall be selected by the  
10 county committee of such political party within said county; *provided*, that when a  
11 vacancy shall occur in a congressional district lying wholly within a county, the  
12 county committee of the political party of said county wherein such vacancy has  
13 occurred shall select a candidate to fill such vacancy and shall certify the name of  
14 such candidate to the chairman of the State committee who shall certify the name  
15 of such candidate to the Secretary of State, and in the case of an office to be filled  
16 by the voters of an entire municipality or portion thereof, then such candidate shall  
17 be selected by the municipal committee of such political party within said munici-  
18 pality, if there is such a committee, and if not by the county committee; *provided*,  
19 that in case of a tie vote such selection shall be made from among those who have  
20 thus received the same number of votes at said primary. Such committee shall  
21 make such selection within five days after the vacancy shall occur and file a state-  
22 ment of such selection as follows: The State committee with the Secretary of State,  
23 the county committee with the county clerk, and the municipal committee with the  
24 county clerk; *provided*, that such statement shall not be filed later than twenty days  
25 prior to the general election, which statement shall be in substantially the same form  
26 as is required by this act for filling vacancies for candidates nominated by petition  
27 for the primary election. The person so selected shall be the candidate of the party  
28 for said office at the ensuing general election.

## ALL PRIMARIES.

*Return of Election Documents, Equipment, Etc.***District Boards of Registry and Election to Municipal Clerks.**

1     67. At the close of all primary elections held according to the provisions of  
 2 this act, and after counting the ballots cast at such primary and making the state-  
 3 ments thereof as herein provided each district board of registry and election shall  
 4 place all ballots voted at such election and all spoiled and unused ballots inside the  
 5 ballot-boxes used at said election, and after locking the same, shall forthwith deliver  
 6 said ballot-boxes to the municipal clerk and the keys thereof to the county clerk. Said  
 7 board shall also at the same time and along with the said ballot-boxes deliver to said  
 8 municipal clerk the general election poll-book, and the party primary poll-books of  
 9 the previous year, together with the primary election register book, the primary  
 10 party poll-books made-up at the current primary election, affidavits and all other  
 11 books and forms which shall have been used by said board at said primary election.  
 12 The municipal clerk shall, on or before the Tuesday following the primary election,  
 13 file the primary election register books of the various election districts with the  
 14 county board of election, who shall preserve same for a period of five years.

**Primary Books Open for Public Inspection.**

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

**Custody of Primary Books.**

1     69. Said primary books shall be kept by said clerk until the ensuing primary



2 election, and then delivered by him to the board of registry and election for use  
3 as herein provided at such ensuing primary election.

Regulation by Application.

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

ARTICLE XXIV.

PRIMARY ELECTION FOR DELEGATES AND ALTERNATES TO NATIONAL CONVENTIONS.

*Notice of Elections.*

State Committee to Secretary of State.

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

Secretary of State to County Clerks.

1 2. The Secretary of State shall, on or before the twentieth day of March in  
2 such year, certify to the county clerk of each county in this State the number of  
3 delegates and alternates at large to be chosen by each party as aforesaid, and the  
4 number of delegates and alternates to be chosen in each congressional district or  
5 other territorial subdivision of the State composed in whole or in part of the  
6 county of such county clerk.



### County Clerks to Public.

1     3. The county board of election shall, at least two weeks preceding the primary  
 2 for the election of delegates and alternates to the national convention of political  
 3 parties, cause a notice to be published in at least one, but not more than two news-  
 4 papers printed and published in each municipality within said county to the effect  
 5 that such primary elections are to be held and giving the time, place and purpose  
 6 thereof. In municipalities having more than fifteen thousand population, said notices  
 7 shall include a short description of the boundary lines of each election district  
 8 therein, and the place of meeting of the district board of registry and election for  
 9 said district. In all municipalities said notices shall be published in such news-  
 10 paper or newspapers at least once, and not more than twice in each week. Further-  
 11 more, notice of the time and place of holding such primary elections shall also be  
 12 given by the clerks of each district board of registry and election by five or more  
 13 advertisements posted at conspicuous places in their election district at least ten  
 14 days before such primary elections.

### Primary Election Registry Book.

1     4. In the case of primary elections for delegates and alternates to the national  
 2 conventions of political parties every district board of registry and election shall  
 3 prepare and have ready at least ten days before such primary election a primary  
 4 registry list made up from the names of voters listed in the poll-book of the last  
 5 preceding general election and of those who register by affidavit as herein provided.

### Registration by Affidavit.

1     5. Any voter qualified to vote at the general election in this State, who did not  
 2 vote at the general election preceding any primary election to be held under this act  
 3 for the selection of delegates to national conventions, may have his name placed  
 4 upon said primary election registry book by filing with the municipal clerk on or  
 5 before the second Tuesday preceding the day of the primary, an affidavit in the

6 form now required by this act for registering voters for any general election. Said  
7 municipal clerk on the day following the receipt of said affidavits shall file the same  
8 with the county board of elections.

Party Affiliations Indicated on Register.

1 6. Said district boards of registry and election after the completion of said  
2 primary election registry book shall consult the primary party poll-books of the  
3 primary election for the next preceding general election and in accordance with the  
4 voters listed therein place the letters "R" or "D" or as the case may be, after the  
5 names included in said primary election registry book.

Nomination by Petition.

1 7. Candidates for election as delegates or alternates to the national conven-  
2 tions of political parties shall be nominated by petition in the same manner as here-  
3 in provided for the nomination of candidates to be voted for at the primary election  
4 for the general election except as herein otherwise provided.

Delegates and Alternates at Large and Chosen from Congressional District.

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

Choice for President in Petition.

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

Petition Endorsing Nominee for President.

1 10. It shall be lawful for not less than one thousand voters of any political  
 2 party in this State to file a petition with the Secretary of State on or before the  
 3 first day of April in any year in which a President of the United States is to be  
 4 chosen, requesting that the name of the person endorsed in said petition as a can-  
 5 didate of the said party for the office of the President of the United States shall  
 6 be printed upon the official primary ballot of said party for the then ensuing election  
 7 for delegates to the national convention of said party. Said petition shall be pre-  
 8 pared and filed in the form and manner herein required for the endorsement of  
 9 candidates to be voted for at the primary election for the general election; *provided,*  
 10 *however,* that it shall not be necessary to have the consent of such candidate for  
 11 President endorsed on said petition.

Certification of Nominees.

1 11. The Secretary of State shall certify the names so filed in his office to the  
 2 county clerk of each county on or before the sixth day of April; *provided, how-*  
 3 *ever,* that if any person so endorsed shall on or before the sixth day of April de-  
 4 cline in writing, filed in the office of the Secretary of State, to have his name  
 5 printed upon said primary election ballot as a candidate for President, the said Sec-  
 6 retary of State shall not certify the name of such candidate to the respective county  
 7 clerks.

*Printer's Copy.**Preparation and Display by Municipal Clerks.*

1     12. The clerks of the various counties shall not later than fifteen days prior to  
 2 the primary for delegates and alternates to the national conventions of political  
 3 parties have prepared and ready for public inspection in his office printers' copies  
 4 of the official ballots to be used at said primary.

*Contents and Form of Ballot.*

1     13. Said printers' copies of the ballots shall be prepared in the manner and  
 2 form hereinbefore provided for printers' copies of the official ballots to be used by  
 3 political parties at the primary for the general election and shall contain the names  
 4 of the nominees of said parties for President, if such there be, under the words,  
 5 "Choice for President of the United States," and the names of delegates and alter-  
 6 nates certified to said county clerks as hereinbefore provided by the Secretary of  
 7 State.

*Sample Ballot.**Printing of Sample Ballots.*

1     14. Said county clerk shall in the same manner and form as herein provided  
 2 for the primary election for the general election cause to be printed from said  
 3 printer's copy for the selection of delegates and alternates to the national conven-  
 4 tions, a sufficient number of official sample primary ballots of each party, and a  
 5 sufficient number of stamped envelopes, to enable each district board of registry and  
 6 election to mail one copy of the sample primary ballot of each political party to  
 7 each voter who has registered for said primary election. Said county clerk shall  
 8 deliver such sample ballots and sufficient number of stamped envelopes to the various  
 9 municipal clerks on the second Saturday preceding the day of the primary election.

*Delivery of Sample Ballots to District Boards of Registry and Election.*

1     15. On the Tuesday preceding said primary election each municipal clerk shall  
 2 at his office deliver to each board of registry and election in his municipality the

3 sample ballots and stamped envelopes provided for the election districts which said  
4 board represents and take a receipt for the same signed by one of the members of  
5 said board.

*Disposition of Sample Ballots.*

1 16. Said sample ballots shall then be distributed, posted and otherwise disposed  
2 of at the same time and in the same manner hereinbefore provided for sample bal-  
3 lots for the primary election for the general election.

*Official Ballot.*

*Printing and Correction.*

1 17. The official ballots for said primary election shall be printed by the county  
2 clerk, and any errors or omissions on said ballot corrected in the same manner as  
3 hereinbefore provided for the printing and correction of the official ballots for the  
4 primary election for the general election, and delivered to each municipal clerk on  
5 the Saturday preceding the primary election.

*Delivery of Ballots and Ballot-Boxes.*

1 18. The ballots and ballot-boxes required for use in each election district of  
2 this State shall be delivered to the district boards of registry and election of said  
3 district at the same hours and in the same manner as herein provided in the case of  
4 the primary for the general election.

*Election Procedure.*

1 19. The primary election for delegates and alternates to the national conven-  
2 tions of political parties shall be conducted by the members of the district boards of  
3 registry and election, as near as may be in the manner hereinbefore provided for  
4 the conduct of the primary for the general election.

*Canvass of Votes and Ascertaining and Certifying Results.*

1 20. The district boards of registry and election, the county clerks and the  
2 Secretary of State upon the close of the primary election held for the election of  
3 delegates and alternates to the national conventions of political parties shall in turn  
4 canvass the votes cast thereat, prepare statements of such canvass and the Secre-



5 tary of State shall issue certificates of election to the persons shown by such can-  
 6 vass and statements to have been elected to the positions of such delegates and  
 7 alternates. In making such canvass and in ascertaining and certifying to the results  
 8 thereof they shall proceed in the same manner as herein provided for the primary  
 9 election to the general election, provided that the Secretary of State in all cases  
 10 where nominees for President of the United States have been placed upon the ballot  
 11 of any political party shall publicly announce the vote cast for said candidate as  
 12 shown by the said statements so filed in his office.

Regulation by Application.

1 21. Any provisions of this act which pertain particularly to any election or to  
 2 the general election or to the primary election for the general election shall apply  
 3 to the primary election for delegates and alternates to national conventions in so  
 4 far as such provisions are not inconsistent with the special provisions of this act  
 5 pertaining to the primary election for delegates and alternates to national conventions.

PART FOUR. SPECIAL ELECTIONS AND FILLING VACANCIES.

ARTICLE XXV.

GENERAL PROVISIONS.

Election Procedure to be Followed.

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

No New Register Required in Unchanged Election Districts.

1 2. In all cases where the boundaries of an election district shall have remained  
 2 unchanged between one election and the time for preparing registers for a next en-  
 3 suing special election, it shall not be necessary for the district board of registry and  
 4 election of said district to make a new register, but only to correct and revise the  
 5 register used at the general election next preceding such special election.



Petition used for Nomination for Special Elections.

1 3. Candidates to be voted for at a special election shall be nominated exclu-  
2 sively by the members of the same political party by petition in the manner herein  
3 provided.

Filling of Vacancies by Writ of Election.

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

24 in session, the desire of such board that the vacancy shall be filled, then such house,  
 25 or the Governor, as the case may be, shall forthwith, after such signification, issue  
 26 such writ.

Nature of Writ.

1 5. Every writ of election which shall be issued under the provisions of this  
 2 act shall be of the nature of a proclamation, and be signed by the Governor, or  
 3 by the President of the Senate, or the Speaker of the House of Assembly, as the  
 4 case may be.

Special Election and Primary Therefor Designated.

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

Delivery of Writ to Secretary of State.

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

Delivery of Copies of Writ to County Clerk.

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

*Notice by Officials to Public.*

Publication of Writ.

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

Special Elections and Filling Vacancies.

1 10. In the event of any vacancy occurring by death, removal, resignation or  
 2 otherwise in any county or municipal office filled at the general election which  
 3 vacancy shall occur subsequent to twenty days prior to the primary election day,  
 4 and twenty-five days preceding the general election the county committee of each

5 political party in the county affected by such vacancy or the municipal committee,  
 6 if there be such, and if not then the county committee of such political party in  
 7 the county in which the municipality is located affected by such vacancy is hereby  
 8 authorized to select a candidate for the office in question and within twenty days prior  
 9 to the general election file a statement of such selection duly certified to with the  
 10 county clerk and the person so selected shall be the candidate of the party at the ensu-  
 11 ing general election. Besides the selection of candidates by the respective committees  
 12 of each political party as aforesaid, candidates may also be nominated by petition in a  
 13 similar manner as herein provided for direct nomination by petition for the general  
 14 election; *provided, however,* that such petition shall be filed with the county clerk,  
 15 at least twenty-days prior to such general election. Any vacancy happening in the  
 16 office of sheriff, coroner, clerk, register or surrogate of any county, shall be supplied  
 17 at the general election next succeeding the happening thereof, unless such vacancy  
 18 shall happen within fifteen days next preceding such election, in which case such  
 19 vacancy shall be supplied at the second succeeding general election.

SPECIAL ELECTIONS OTHER THAN THOSE TO FILL VACANCIES IN U. S. SENATE; U. S.  
 HOUSE OF REPRESENTATIVES; STATE SENATE AND GENERAL ASSEMBLY.

*Notice of Special Election.*

Procedure.

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

*General Provisions Regarding Registration.*

*Modification of Procedure by County Boards of Election.*

1     12. The registers for such special elections shall be made up as herein pro-  
2     vided with such modifications, if any, as to the time of meeting of the district  
3     boards of registry and election as the county boards of election may deem necessary.

*Delivery of Registers by County Clerk to Municipal Clerk.*

1     13. In each municipality which at the Federal census next preceding said special  
2     election has a population exceeding fifteen thousand the county clerk shall deliver  
3     to the clerk of said municipality in which said special election is to be held, at least  
4     thirty days prior thereto, the signature copy registers filed with said county clerk  
5     at said previous general election. In any municipality of fifteen thousand popu-  
6     lation or less said county clerk shall deliver said registers of voters to the clerk  
7     of such municipality at least thirty days prior to said special election.

*Delivery of Registers by Municipal Clerk to District Boards of Registry and  
Election.*

1     14. In said municipalities exceeding fifteen thousand population said municipal  
2     clerks shall deliver said signature copy registers to the district boards of registry  
3     and election of said municipalities in time to be used at said special election. In  
4     said municipalities of fifteen thousand population or less said municipal clerks shall  
5     deliver said registers of voters to the district boards of registry and election of said  
6     municipalities in time to be used at said special election.

*Registration in Municipalities of Over Fifteen Thousand.*

*First Meeting of District Boards.*

1     15. In said municipalities exceeding fifteen thousand population said district  
2     boards of registry shall meet at the polling places assigned to them for registration  
3     purposes on Tuesday four weeks next preceding said special election, between the  
4     hours of three P. M. and nine P. M.

*Posting Copies of Register After First Meeting.*

1     16. On the day succeeding such first meeting, each of the clerks shall post, in



2 hand-bill form, in some conspicuous place in such election district, a copy of the  
3 revised register.

**Second Meeting of District Boards.**

1 17. Said boards shall hold a second and final meeting at the same places and  
2 between the same hours on the Tuesday two weeks next preceding said special  
3 election.

**Disposition of Registers After Second Meeting.**

1 18. On the day succeeding such second meeting, one copy of said register shall  
2 be delivered by the chairman to the county board of elections to be filed by them  
3 and one copy shall be retained by him for use by the district board of election at  
4 said special election.

*Registration in Municipalities of Fifteen Thousand or Under.*

**Meeting of District Boards.**

1 19. In said municipalities of fifteen thousand population or less said district  
2 boards of registration and election shall meet for registration purposes as herein  
3 required for said boards in municipalities of over ten thousand on the Tuesday  
4 next preceding such special election, between the hours of three P. M. and nine  
5 P. M.

**Disposition of Registers After Meeting.**

1 20. No copy of any register prepared or revised and corrected register at such  
2 meeting need be posted, but one copy thereof shall be filed by the chairman of the  
3 district board of registry and election with the county board of elections within  
4 one day thereafter and another copy retained by him for use by the district board  
5 of election at said special election.

*Revision of Registers by County Boards of Election.*

**Meetings and Procedure.**

1 21. It shall be the duty of the several county boards of elections to sit on  
2 Thursday and also on Saturday next preceding any special election in their respec-  
3 tive counties for the purpose of adding to the register the names of any legal

4 voters entitled to vote at such election and erasing therefrom the name of any per-  
 5 son not so entitled to vote; and such county board shall proceed in all respects as  
 6 is provided for the revision by them of the register for the general election.

PART FIVE. ANY ELECTION.

ARTICLE XXIV.

RECOUNT OF VOTES.

Application to Court for Recount.

1 1. Whenever any candidate at any election shall have reason to believe that an  
 2 error has been made by any district board of registry and election or board of can-  
 3 vassers in counting the vote or declaring the vote of such election, or whenever any  
 4 citizen shall have reason to believe that an error has been made by any of said  
 5 boards in counting the vote or declaring the result of any election upon any propo-  
 6 sition or question submitted to the electors, whereby the result of such election has  
 7 been changed, such candidate or such citizen may, within two weeks after any election,  
 8 apply to any justice of the Supreme Court for a recount of the votes cast at such  
 9 election.

Expenses of Record.

1 2. Any applicant for such recount upon applying therefor shall deposit with the  
 2 county clerk such sum of money as such justice shall order as security for the payment  
 3 of the costs and expenses of such recount in case the original count be confirmed, or  
 4 the result of such recount is not sufficient to change the result; the said justice shall  
 5 fix and determine the amount of compensation to be paid for making such recount  
 6 of the ballots, and the costs and expenses thereof; if it shall appear that an error  
 7 sufficient to change the result has been made, then the expenses of such recount shall  
 8 be paid by the county or municipality in and for which such election was held, upon  
 9 the warrant of said justice, the same as other election expenses are paid; but if no  
 10 error shall appear sufficient to change such result, then the costs and expenses of such  
 11 recount shall be paid by the party making the application.

#### Recount Proceedings.

1     3. Said justice shall be authorized to order and cause, upon such terms as he  
 2 may deem proper, a recount of the whole or such part of the votes as he may  
 3 determine, to be publicly made under his direction by the county board of elections,  
 4 which board shall have power to subpoena witnesses to testify and produce docu-  
 5 ments and paraphernalia as said board may determine, after three days' notice by such  
 6 candidate to the parties interested of the time and place of such recount. The dis-  
 7 trict board of registry and elections or a majority thereof shall be subpoenaed to  
 8 be present at such recount to witness the opening of the ballot-box or boxes used in  
 9 their election district, and to give such testimony as the county board of elections shall  
 10 deem necessary. Said justice shall have power to decide all disputed questions  
 11 which the board shall fail to decide by a majority vote thereof.

#### Correction of Error in Public Office Recount.

1     4. If it shall appear upon such recount that an error has been made sufficient  
 2 to change the result of such election, then such justice in case of candidates shall re-  
 3 voke the certificates of election already issued to any person, and shall issue in its  
 4 place another certificate in favor of the party who shall be found to have received  
 5 a plurality of the votes cast at such election, which certificate shall supersede all  
 6 others and entitle the holder thereof to the same rights and privileges as if said  
 7 certificate had been originally issued by the canvassing board.

#### Filing of New Certificate.

1     5. Whenever any such certificate shall be issued by any justice of the Supreme  
 2 Court, the same shall be filed with the Secretary of State or with the clerk of the  
 3 county or municipality in and for which such election was held.

#### Certificate Delivered to Successful Candidate.

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

**Copy of Certificate to Secretary of State in Certain Cases.**

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

**Correction of Error in Referendum Recount.**

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

**ARTICLE XXVII.**

**CONTEST OF NOMINATIONS OR ELECTIONS.**

**Grounds for Contest.**

- 1 1. The nomination or election of any person to any public office or party posi-  
 2 tion, or the approval of any public proposition, may be contested by the voters of  
 3 this State or any of its political subdivisions upon one or more of the following  
 4 grounds:
- 5 I. Malconduct, fraud or corruption on the part of the members of the board of  
 6 election in any election district, or of any members of the board of county canvassers,  
 7 sufficient to change the result;
- 8 II. When the incumbent was not eligible to the office at the time of the elec-  
 9 tion;
- 10 III. When the incumbent had been duly convicted before such election of any  
 11 crime which would render him incompetent to exercise the right of suffrage, and  
 12 the incumbent had not been pardoned at the time of the election;
- 13 IV. When the incumbent had given or offered to any elector or any member  
 14 of a board of election, clerk or canvasser, any bribe or reward, in money, property  
 15 or thing of value, for the purpose of procuring his election;
- 16 V. When illegal votes have been received, or legal votes rejected at the polls  
 17 sufficient to change the result;

18 VI. For any error in any board of canvassers in counting the votes or declar-  
 19 ing the result of the election, if such error would change the result;

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

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

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

Term "Incumbent" Defined.

1 2. The term "incumbent" in this act means the person whom the canvassers  
 2 declare elected; but in case of a tie vote either party may contest the election, in  
 3 which case the term "incumbent" means the person having an equal number of  
 4 votes with the contestant.

Petition to Courts for Redress.

1 3. In the case of an office or proposition voted for by the voters of the entire  
 2 State or more than one county thereof, said contest shall be heard by and deter-  
 3 mined 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  
 5 therefor with the clerk of the Supreme Court signed by at least twenty-five voters  
 6 of the State or by any defeated candidate for said nomination, party position or  
 7 public office.

8 In all other cases said contest shall be heard and determined by the several Cir-  
 9 cuit Courts of this State, and shall be commenced by the filing of a petition therefor  
 10 with the clerk of said Circuit Court holding session in the county wherein such  
 11 office or proposition is to be contested, signed by at least fifteen voters of said  
 12 county or by any defeated candidate for said nomination, party position or public  
 13 office.

14 Such petition shall be verified by the oath of at least two of said petitioners,  
 15 or by the candidate filing the same, as the case may be, which verification may be



16 made on information and belief. Said petition shall be accompanied with a bond  
 17 to the incumbent, with two or more sureties, to be approved by the justice holding  
 18 such circuit, in the penal sum of five hundred dollars, conditioned to pay all costs  
 19 in case the election be confirmed, or the petition be dismissed or the prosecution  
 20 fail. When the reception of illegal or the rejection of legal voters is alleged as a  
 21 cause of contest, the names of the persons who so voted, or whose votes were re-  
 22 jected, with the election district where they voted, or offered to vote, shall be set  
 23 forth in the petition, if known.

#### Filing of Petition.

1 4. Said petition contesting any nomination to public office, election to party  
 2 office or the proposal of any proposition shall be filed not later than ten days after  
 3 the primary election. Said petition contesting any election to public office or ap-  
 4 proval of any proposition shall be filed not later than thirty days after such elec-  
 5 tion, unless the ground of action is discovered from the statements, deposit slips or  
 6 vouchers filed under this act, subsequent to such primary or other election, in  
 7 which event such petition may be filed ten or thirty days respectively after such  
 8 statements, deposit slips or vouchers are filed.

#### Time Fixed for Trial of Case.

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

#### Adjournment.

1 6. The trial shall proceed at the time appointed unless postponed for good cause  
 2 shown by either party by affidavit, the terms of which postponement shall be in the  
 3 discretion of the court; *provided*, the court may, for its own necessity or conveni-  
 4 ence, adjourn to such time, not more than thirty days thereafter, as it may see fit,  
 5 of which adjournment the parties interested shall take notice.

#### Trial Proceedings.

1 7. The proceedings shall be similar to those in an action at law so far as prac-  
 2 ticable, but shall be under the control and direction of the court, which shall hear  
 3 and determine the matter without a jury, with power to order any amendments in  
 4 the petition or proceedings as to form, and to allow adjournments to any time not  
 5 more than thirty days thereafter for the benefit of either party, on such terms as  
 6 shall seem reasonable to the court, the grounds for such adjournment being shown  
 7 by affidavit.

Appearance of Witnesses and Submission of Evidence.

1 8. The said court shall have authority and power to compel the attendance of  
 2 any officer of such election and of any other person capable of testifying con-  
 3 cerning the same, and also to compel the production of all ballot-boxes, books,  
 4 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  
 6 fees of officers and witnesses, shall be the same as in the Circuit Court in other  
 7 cases, as far as the nature of the case admits.

Witness Obligated to Answer Questions.

1 9. The court may require any person called as a witness who voted at such  
 2 election, to answer touching his qualification as a voter, and if the court, from his  
 3 examination, or otherwise, is satisfied that he was not a qualified voter in the elec-  
 4 tion district where he voted; then the court can compel him to answer for whom he  
 5 voted; and if the witness answers such questions no part of his testimony on the  
 6 trial shall be used against him in any criminal proceeding.

Judgment Pronounced by Court.

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

#### Effect of Judgment in Certain Cases.

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

#### Successful Party to Possess Office.

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

#### Appeal to Supreme Court for Error of Law.

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

#### Hearing of Appeal.

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

#### Enforcement of Judgment.

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

#### Liability for Costs.

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

### ARTICLE XXVIII.

#### MISCELLANEOUS.

##### Preservation of Petitions and Other Documents.

1 1. All petitions of nomination, affidavits attached thereto, acceptances, objec-  
 2 tions thereto and determinations of officers or courts relative to said objections  
 3 shall be preserved by the officer with whom they have been filed for a period of two  
 4 years from any election at which the candidates named therein are to be voted for.

##### Substituting Monday for Sunday for Official Duties.

1 2. Should the day of the filing of any petition or other document or the perform-  
 2 ance of any duty required by this act by any person fall upon the Sabbath day,  
 3 said filing or said performance of any duty shall be performed upon the follow-  
 4 ing Monday.

*Voting in Time of War by Electors in Military Service.*

Purpose of Act.

1 3. Every qualified elector of this State, in time of war, who is in service in the  
 2 military forces of this State, or of the United States, or any auxiliary forces acting  
 3 in co-operation therewith by the authority of this State, or under requisition from  
 4 the President of the United States shall have the right to vote at any election held  
 5 in this State or in any subdivision thereof, notwithstanding the fact that such  
 6 person may be absent on said election day from the election district in which he re-  
 7 sides, 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.

To Whom Act Applies.

1 4. Any person shall be deemed to be in service in the military forces of this  
 2 State or of the United States if actually in service as a member of the State militia  
 3 of New Jersey National Guard, any branch or department of the army or navy  
 4 or marine service of the United States, or any auxiliary forces acting in co-opera-  
 5 tion therewith.

Names and Addresses of electors in Service Obtained.

1 5. Within forty days prior to any election of this State or any subdivision  
 2 thereof the Secretary of State shall ascertain either from the Adjutant-General of  
 3 New Jersey or from the Adjutant-General or other proper authority of the United  
 4 States, the names and post-office addresses of every qualified elector of this State in  
 5 service as aforesaid.

If Authorities Unable to Furnish Names and Addresses, Notices Posted.

1 6. In case the Secretary of State is unable to obtain said names and military ad-  
 2 dresses of said electors in such service from the Adjutant-General of the State of  
 3 New Jersey, or the Adjutant-General or other proper authority of the United  
 4 States, he shall notify the county boards of elections in each of the counties of the  
 5 State, who shall cause notices to be posted in each election district within the



6 county setting forth that any elector in service as aforesaid resident thereof may  
 7 file with said county board of election his name and military address, or that any  
 8 person who has knowledge of the name and military address of said elector may  
 9 likewise file with said county board of elections the name and military address of  
 10 such elector of whom he has knowledge. The county board of elections may also  
 11 publish such notices in whatever newspaper or newspapers they shall think necessary,  
 12 the expense of such printing and publishing to be paid for by the said county.

#### List Prepared and Forwarded to Secretary of State.

1 7 From the names and addresses so filed a list of electors as aforesaid entitled  
 2 to vote at such election shall be prepared by the county boards of election at least  
 3 thirty-five days before election. The county boards of election shall prepare copies  
 4 of such list and forthwith mail a copy to the Secretary of State, and in cases where  
 5 an election is to be held within a single municipality the county board of elections  
 6 shall obtain, at least ten days before such election, from the municipal clerks, upon  
 7 requisition, a sufficient number of ballots for such election, and shall forward same,  
 8 with such list, to the Secretary of State to be mailed to said electors.

#### Ballot Prepared and Mailed.

1 8 At least twenty-five days prior to any election the Secretary of State shall  
 2 forward, by mail or otherwise, to each elector in service as aforesaid, a blank ballot  
 3 conveniently prepared so that such elector may vote for any candidates at such elec-  
 4 tion, or on any public question to be submitted to the voters at such election.

#### Candidates' Names Printed on Ballot.

1 9. The Secretary of State shall print the names of candidates who are to be  
 2 voted for upon said ballots, whenever it is possible to do so, and in case said Secre-  
 3 tary of State does not have sufficient time in which to print all of the names of the  
 4 candidates upon said ballot he may leave a part of the ballot blank, in order that the  
 5 elector may insert therein the name or names of the persons for whom he desires to  
 6 vote.

### Form of Ballot.

1 10. The form of the ballot required by this act shall be substantially the form of  
2 ballot used at the primary, municipal and general elections, as the case may be.

### Directions for Voting.

1 11. Secretary of State shall send with each ballot printed directions for voting  
2 and transmitting a ballot as required by this act. Said Secretary of State shall also  
3 send with each ballot, whether such ballot is sent by mail, or otherwise, to each  
4 elector, in service, as aforesaid, two envelopes, the outer one of which shall be  
5 addressed to the Secretary of State and shall contain a space on the back thereof for  
6 the name of the military organization to which said elector belongs and the home  
7 address at which such elector is entitled to vote, and also have printed thereon a  
8 certificate or declaration, to be signed by the elector, showing that he is a duly  
9 qualified elector of the State of New Jersey, and of its election district in which he  
10 claims residence, and that by reason of absence on account of military service, has  
11 not been able to register, and shall be countersigned as hereinafter provided. The  
12 inner envelope shall be plain and shall contain no marks whatever.

### Voting by Mail.

1 12. Any elector who is unable to vote at any election in the election district in  
2 which he resides, because of absence from such election district due to his being in  
3 service as aforesaid shall be entitled to fill in any ballot forwarded to him, as herein  
4 provided, on the date of such election, or any day prior thereto. Such ballot, after  
5 having been prepared by the elector intending to vote the same, shall be placed in the  
6 inner envelope, which envelope shall then be sealed and placed in the outer envelope  
7 herein provided for. Such elector shall then write upon the back of said envelope in  
8 the space left therefor the name of the military organization to which he belongs  
9 and his home address at which he is entitled to vote and also a statement as follows:  
10 "I certify that I am a duly qualified elector of the State of New Jersey, and that  
11 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 ....."

13 19..... I further certify that this ballot was prepared on the ..... day  
 14 of .....19.....," beneath which he shall sign his name. Said certificate  
 15 shall be witnessed by any commissioned officer.

**Ballot Forwarded.**

1 13. After having prepared the ballot as aforesaid, the elector shall forward  
 2 same by mail or otherwise to the Secretary of State, State House, Trenton, New  
 3 Jersey.

**Voting Unofficial Ballot.**

1 14. Any elector in service as aforesaid who shall not have received an official  
 2 ballot prior to the date of any election, shall be entitled to prepare and vote an  
 3 unofficial ballot.

**Distribution of Envelopes by Secretary of State.**

1 15. Upon receipt of the envelopes containing the ballots from electors in service,  
 2 as aforesaid, the Secretary of State, not later than the fourth Tuesday following  
 3 any election shall distribute said envelopes to the county board of elections in the  
 4 county in which the electors so voting reside, and upon the delivery of said ballots  
 5 to such county board of elections, shall take from the secretary or clerk of said board  
 6 a receipt therefor, which receipt shall specify the number of envelopes delivered.

**Opening and Canvassing Votes.**

1 16. The county board of elections at a meeting or meetings to be held for  
 2 that purpose beginning not later than the fourth Tuesday following any election  
 3 shall proceed to open said envelopes and count the ballots in the manner now pro-  
 4 vided by law and shall act as a canvassing board and forthwith make proper cer-  
 5 tification thereof. After the outer envelopes have been removed, the plain envelopes  
 6 therein contained shall be mixed together before the same are unsealed.

**Voting at any Election though Not Registered.**

1 17. Any elector who is in service as aforesaid and who is present in the election  
 2 district in which he resides at the time of any election, may vote at such election.  
 3 Any elector who has been in service as aforesaid, but who has been honorably dis-  
 4 charged from such service subsequent to the last preceding registration day for such

5 election may vote upon exhibiting to the proper district board of registry and elec-  
6 tion a certificate showing his honorable discharge from said service.

#### Preservation of Outer Envelopes.

1 18. All of the outer envelopes in which such ballots are received and the bal-  
2 lots shall be retained by the county board of elections and preserved for a period of  
3 one year.

#### Counting Procedure.

1 19. Any ballot received from any elector in service as aforesaid shall be counted  
2 notwithstanding the fact that such elector may not know or may not have properly  
3 designated the election district in which he is entitled to vote, and notwithstanding  
4 the fact that the ballot may be informally prepared or may be marked with a pencil  
5 or ink or some color other than black, or notwithstanding the fact that any paster  
6 may be used thereon, whether the same is printed in black or otherwise. Whenever  
7 the intent of the voter is apparent upon an examination of the ballot, the vote shall  
8 be counted in accordance with such intent, whether such intent is expressed in the  
9 manner now provided by law or otherwise.

#### Challengers Present at Canvassing.

1 20. The political committee of each political party in each county or in case of  
2 municipal election the municipal committee of each party or the proponents or  
3 opponents of any public question to be voted upon shall each be permitted to have  
4 two challengers present at the meeting or meetings of the county board of elections  
5 at which such votes are counted and canvassed.

#### Certification of Results.

1 21. Said county board of elections shall make proper certification to the proper  
2 officers of the result of such election, who shall file the same in their offices and add  
3 it to the result of such canvass so made and make it a part of the canvass of such  
4 election filed in their offices.

#### Interpretation of Provisions.

1 22. The provisions of this act insofar as they relate to electors in service as  
2 aforesaid in time of war shall be liberally construed.

ABSENTEE VOTING.

Definition of Absentee Elector.

1 23. An absentee elector shall be deemed to be a qualified registered elector who  
2 by reason of inability through illness or absence from the county in which he re-  
3 sides is unable to cast his ballot on the day of the general election at the polling  
4 place in the election district in which he is registered.

Application for Ballot.

1 24. Any absentee elector desiring to vote at a general election shall make appli-  
2 cation for an official ballot to the county board of election of the county in which  
3 he resides. Said application shall be filed with said county board not later than the  
4 second Tuesday preceding the day of the general election. The county board of  
5 elections shall, immediately upon receipt of said application, forward to said elector,  
6 with a return stamped envelope enclosed, a formal application.

FORM.

Formal Application.

1 25. Notice. This application must be filed with the county board of elections  
2 not later than the second Tuesday preceding the day of the general election:  
3 To the County Board of Election, ..... County, New Jersey:  
4 I, ....., residing at ..... (street number),  
4½ in ..... (name of municipality), in the county of .....  
5 in the State of New Jersey, a duly qualified elector and entitled to vote at the next  
6 general election, will be absent and unable to cast my ballot on the day of the  
7 general election at the polling place in the election district in which I reside for the  
8 following reasons: .....  
9 hereby make application for an Absentee Elector's Official Ballot to be voted by  
10 me at such election.

11 Signed .....

12 Post-office address to which ballot is to be mailed ....."



AFFIDAVIT.

13 County of ....., State of ....., ss. ...., being duly sworn  
14 according to law, on his oath says that the foregoing statement is true and correct  
15 in every particular, and is made in good faith and only to enable him to cast his  
16 ballot at the next ensuing general election.

17 Signature of affiant, .....

18 Sworn and subscribed to before me at ....., this ..... day  
19 of ....., A. D. 19....

20 Official title of officer, .....

21 Attach certificate of clerk of a court of record as to officer's authority if affi-  
22 davit is taken outside of county in which affiant resides.

Formal Application Forwarded to County Board of Elections.

1 26. After making out the formal application and affidavit said absentee elector  
2 shall enclose the same in the return envelope and forward the same by mail or other-  
3 wise to the county board of elections of the county in which he resides.

County Board of Elections Makes Requisition on County Clerk for Ballots Required.

1 27. Upon receipt of such formal application properly filled out, signed and  
2 sworn to, the county board of elections shall immediately make requisition to the  
3 county clerk for an absentee elector's official ballot for the proper election district for  
4 the purpose of mailing the same to such absentee elector.

Form of Absentee Elector's Official Ballots.

1 28. The county clerk, at the same time that the sample ballots are printed, shall  
2 have printed on white paper of the same quality as is used for the official ballots  
3 for general election a sufficient number of ballots based upon the requisition re-  
4 ceived from the county board of elections for the purpose of providing official bal-  
5 lots for absentee electors. The said absentee elector's official ballot shall be a fac-  
6 simile of the official ballot printed for general election except that the perforated  
7 coupon, including the words "This ballot cannot be voted. It is a sample copy of the  
8 official ballot used on election day," printed at the top thereof, shall be omitted, and  
9 shall be arranged in districts and delivered in sealed packages to the county board

10 of elections at the same time as the sample ballots for the general election are de-  
 11 livered to the various municipal clerks.

Ballot Mailed to Absentee Elector with two Envelopes.

1 29. Said absentee elector's official ballot shall be mailed to such absentee elector,  
 2 together with two envelopes.

3 a. Inner Envelope Containing Ballot.

4 a. The inner envelope shall be of sufficient size to hold said ballot, and shall  
 5 have printed thereon the following words: "This envelope contains an absentee  
 6 elector's official ballot, and must be opened only on election day in the presence of all  
 7 the members of the proper district board of registry and election, and the ballot taken  
 8 therefrom shall immediately be deposited in the ballot-box without being unfolded  
 9 or the face thereof exposed to view."

10 b. Outer Envelope Bearing Declaration.

11 b. The outer envelope with proper postage affixed shall be of sufficient size to  
 12 hold said inner envelope containing said ballot, and shall have printed thereon "To  
 13 the county board of elections of the ..... county ..... (municipality) New  
 14 Jersey," the blanks to be filled out with the proper name and post-office address of  
 15 the county board of elections, and shall also have printed thereon at the left of the  
 16 aforementioned address the following form of declaration:

17 "I, the undersigned, do hereby declare that I am a resident and duly qualified  
 18 elector of the ..... ward ..... election district of the ..... of .....  
 19 (name of municipality), county of ....., State of New Jersey, residing at  
 20 ..... (street and number), and that this envelope contains an official ballot,  
 21 which I desire to have cast at the general election to be held on the .... day of  
 22 November, A. D. 19——. .... (Absentee elector's name  
 23 in full)."

24 Said county board of elections may also enclose and forward to said absentee  
 25 electors such instructions as they may deem necessary.

Distribution of Ballots by County Board of Elections.

1 30. Upon the receipt of the envelopes containing said absentee electors' official  
 2 ballots by the county board of elections, they shall be stamped with the date and  
 3 hour of receipt, and shall be arranged according to wards and districts. Said ballots  
 4 for each district shall be placed in a package and sealed and delivered not later than  
 5 twelve o'clock noon on Saturday preceding the day of said general election to the  
 6 various municipal clerks, and take a receipt for the same. Said municipal clerks shall  
 7 deliver said ballots to a member or members of the proper district board of registry  
 8 and election at the same time and place that the official ballots and ballot boxes are  
 9 delivered. Said member or members of said district board shall safely keep said  
 10 sealed package of absentee electors' official ballots, and shall deliver the same to the  
 11 district board of registry and election on the morning of the day of said general elec-  
 12 tion and take a receipt for same, which receipt said member or members shall pre-  
 13 serve for a period of one year. Any absentee elector's official ballot received by the  
 14 county board of election too late to be delivered to the various municipal clerks shall  
 15 be delivered or forwarded by mail or otherwise by such county board of elections to  
 16 the proper district board of registry and election on the day of said general election.

Casting the Absentee Elector's Official Ballot.

1 31. On the day of the general election in the presence of a majority of the dis-  
 2 trict board of registry and election, said district board shall ascertain upon inspection  
 3 of the proper register of the general election if the absentee elector who signed the  
 4 declaration printed on the outer envelope is registered, and if found to be registered,  
 5 shall enter his name in the poll-book, and after his name, in the remark column, shall  
 6 mark the words, "Absentee Elector." The outer and inner envelopes shall then be  
 7 opened, the ballot removed therefrom and without being unfolded or the face of the  
 8 ballot exposed to view, deposited in the ballot-box, and at the same time shall write  
 9 the word "voted" in the proper column in the register and on the poll-book in the  
 10 ballot number column, in lieu of such ballot number, shall be written the word  
 11 "voted." The outer envelope bearing the absentee elector's signed declaration shall  
 12 be placed on the proper string in lieu of a coupon. At the close of the election, the  
 13 inner envelope shall be deposited in the ballot-box.

Notice Regarding Absentee Voting.

1 32. The county board of elections shall include in the notice published for the  
2 general election the fact that absentee electors who are registered for the general  
3 election may make application to the county board of elections for a ballot to enable  
4 them to vote on.

*Meeting of Electoral College.*

Time and Place.

1 33. The electors of President and Vice-President shall convene at the State  
2 House at Trenton, on the day appointed by Congress for that purpose, at the hour  
3 of three o'clock in the afternoon of that day, and constitute an electoral college.

Vacancies and Their Filling.

1 34. When any vacancy shall happen in the college of electors of this State, or  
2 when any elector shall fail to attend, by the hour of three o'clock in the afternoon  
3 of the day fixed by the Congress of the United States for the meeting of the col-  
4 lege of electors, at the place of holding such meeting, those of the said electors who  
5 shall be assembled at the said hour and place shall immediately after that hour  
6 proceed to fill, by a majority of votes, all such vacancies in the electoral college;  
7 *provided*, that if the members of the electoral college shall have been nominated and  
8 elected as representing different political parties, any vacancy occurring shall be  
9 filled by the elector or electors representing the same political party as the absent  
10 elector; and if there shall be no elector present representing the same political  
11 party as the absent elector, then such vacancy shall be filled by a majority of the  
12 electors present, who shall choose some person of the political party which the absent  
13 elector represents.

Organization and Performance of Duties.

1 35. After choosing a president and secretary from their own body, said elec-  
2 tors shall proceed to perform the duties required of them by the constitution and laws  
3 of the United States.

*Non-Binding Referenda in Municipality.*

Request to Have Question Placed on Ballot.

1 36. Whenever the common council, board of aldermen or other governing

2 body of any municipality desires to ascertain the sentiment of the legal voters of  
 3 such municipality upon any question or policy pertaining to the government or in-  
 4 ternal affairs thereof, and there is no other statute by which such sentiment can be  
 5 ascertained by the commission of such question to a vote of the electors in such mu-  
 6 nicipality at any election hereafter to be held therein, it shall be lawful for such  
 7 common council, board of aldermen or other governing body to adopt at any regular  
 8 meeting an ordinance or a resolution requesting the clerk of the county in which such  
 9 municipality is situated to print upon the official ballots to be used in such city at  
 10 the next ensuing general election a certain proposition to be formulated and ex-  
 11 pressed in such ordinance or resolution in concise form.

#### County Clerk to Place Question on Ballot.

1 37. If a copy of such ordinance or resolution certified by the clerk or secretary  
 2 of such common council, board of aldermen or other governing body of any such  
 3 municipality is delivered to such county clerk not less than thirty days before any  
 4 such general election, he shall cause it to be printed on each sample ballot and offi-  
 5 cial ballot to be printed for or used in such city at the next ensuing general elec-  
 6 tion.

#### Canvass of Votes.

1 38. The said ballots so cast for or against said public question shall be counted  
 2 and the result thereof returned by the election officers and a canvass of such election  
 3 had and announced in the same manner as is now provided by law in the case of  
 4 the election of a mayor or other like officer of such municipality.

#### Result Not Binding.

1 39. Such result shall in no manner bind the governing body from which such  
 2 ordinance or resolution emanated, nor be taken or construed as other than an ex-  
 3 pression of their sentiment by the voters, to be followed or disregarded by such gov-  
 4 erning body in its discretion.

#### When Provisions Operative.

1 40. Said submission of public question in the manner herein provided shall not  
 2 become operative in any municipality until the common council, board of aldermen or



3 other governing body thereof shall, by ordinance or resolution duly passed, declare  
4 its desire to submit any question or questions in this manner.

*Election of First Officials of Consolidated Municipalities.*

To be Elected at General Election.

1 41. Whenever the voters of two or more municipalities in the same county shall  
2 vote to consolidate and form a municipality by virtue of any act of the Legislature of  
3 this State, and, by reason thereof said municipalities are to become a city on a cer-  
4 tain date, the first set of officers and officials of said municipality shall be elected  
5 within the limits of the said municipalities at the general election immediately preced-  
6 ing the date on which said municipalities are to become consolidated.

Preparation and Delivery of Election Essentials.

1 42. The clerk of the county wherein such municipalities lie shall prepare and  
2 deliver all books and records of registry of voters as well as all ballots, booths,  
3 books and other equipment to be used in said municipalities for registry of voters  
4 and the nomination and election of said officers and officials of the municipality so  
5 formed at said primary and general election.

Nomination.

1 43. Said officers and officials shall be nominated as in this act provided. All  
2 petitions of nominations, acceptances thereof, appointment of committees and  
3 statement of contributions and expenses as required by the provisions of an act  
4 entitled "An act to regulate elections" (Revision of 1898), approved April fourth,  
5 one thousand eight hundred and ninety-eight, and the acts amendatory thereof and  
6 supplemental thereto, for said primary election and said general election shall be  
7 filed with the clerk of the county in which said municipalities are located.

Conduct of Primary and General Election.

1 44. The primary on said general election and the general election within mu-  
2 nicipalities that are to become consolidated shall be held in the manner provided for in  
3 this act at the polling places within the election districts and wards fixed and deter-  
4 mined in the manner designated in the act providing for the formation of said city.

Appointment and Duties of District Boards of Registry and Election.

1 45. It shall be the duty of the board of elections of the county wherein said  
 2 municipalities are located to appoint and provide proper election officers at the vari-  
 3 ous polling places, designated in the manner provided in the act providing for the  
 4 formation of said municipality, to register voters and properly conduct said primary  
 5 election and said general election and perform the usual duties required of said offi-  
 6 cers by the laws of this State.

Certificates of Election Issued by County Clerk.

1 46. Certificates of election shall be issued by the clerk of the county within which  
 2 such municipalities lie and be issued by him to the successful candidates at said pri-  
 3 mary election and general election, which said certificates shall be filed with the clerk  
 4 of said municipality on the date set for said municipalities to become consolidated.

ARTICLE XXIX.

CAMPAIGN EXPENDITURES.

LIMITATION OF EXPENDITURES.

General Provision.

1 1. No money, or other thing of value, shall be paid or promised, or expense  
 2 authorized or incurred in behalf of any candidate for nomination or election to any  
 3 office or party position, whether such payment is made or promised, or expense  
 4 authorized or incurred by the candidate himself, or by any other person, committee  
 5 or organization in furtherance or in aid of his candidacy, under any circumstances  
 6 whatsoever, in excess of the sums hereinafter provided; but said sums shall not in-  
 7 clude the traveling expenses of the candidate or of any person other than the candi-  
 8 date, if such traveling expenses are voluntarily paid by such person without any  
 9 understanding or agreement with such candidate that such expenses shall be, directly  
 10 or indirectly, repaid to him by such candidate.

Limit for Candidate for Governor.

1 2. The amount which may be spent in aid of the candidacy of any candidate  
 2 for nomination for Governor at any primary election of a political party shall not

3 exceed twenty-five thousand dollars. The amount which may be spent in aid of the  
4 candidacy of any candidate for election to the office of Governor at any general  
5 election shall not exceed twenty-five thousand dollars.

Limit for Candidate for U. S. Senate.

1 3. The amount which may be spent in aid of the candidacy of any candidate  
2 for nomination for United States Senator at any primary election of a political  
3 party shall not exceed twenty-five thousand dollars. The amount which may be  
4 spent in aid of the candidacy of any candidate for the office of United States Sena-  
5 tor at any general or special election shall not exceed twenty-five thousand dollars.

Limit for Candidate for U. S. Congress.

1 4. The amount which may be spent in aid of the candidacy of any candidate  
2 for nomination for member of Congress at any primary election of a political party  
3 shall not exceed thirty-five hundred dollars. The amount which may be spent in aid  
4 of the candidacy of any candidate for election to the office of member of Congress  
5 at any general election shall not exceed thirty-five hundred dollars.

Limit for Candidate for State Senate.

1 5. The amount which may be spent in aid of the candidacy of any candidate  
2 for nomination for State Senator at any primary election of a political party shall  
3 not exceed ten cents for each voter who voted in the county at the last preceding  
4 general election at which presidential electors were chosen. The amount to be spent  
5 in aid of the candidacy of any candidate for election for the office of State Sena-  
6 tor at any general election shall not exceed ten cents for each voter who voted in  
7 the county at the last preceding general election at which presidential electors were  
8 chosen.

Limit for Candidates for General Assembly.

1 6. The amount which may be spent in aid of the candidacy of any candidate  
2 for nomination for member of General Assembly at any primary election of a politi-  
3 cal party shall not exceed five cents for each voter who voted in the county at the  
4 last preceding general election at which presidential electors were chosen. The

5 amount which may be spent in aid of the candidacy of any candidate for election  
 6 for the office of member of General Assembly at any general election shall not  
 7 exceed five cents for each voter who voted in the county at the last preceding gen-  
 8 eral election at which presidential electors were chosen; *provided, however*, that in  
 9 case two or more candidates, either for nomination for or election as members of  
 10 General Assembly, shall arrange for a joint campaign, either for nomination or elec-  
 11 tion as aforesaid, as hereinafter provided, no sum shall be spent at either the  
 12 primary or general election by such candidates in excess of two thousand dollars  
 13 for each candidate engaged in such joint campaign; *provided, further*, that in case  
 14 two or more candidates for nomination to General Assembly shall cause their names  
 15 to be bracketed in a group upon any primary ticket, no more than two thousand  
 16 dollars shall be expended by each candidate in such group.

**Limit for Candidates for County Office With Fixed Salary.**

1 7. The amount which may be spent in aid of the candidacy of any candidate  
 2 for nomination for any county office, having a fixed annual salary, at any primary  
 3 election of a political party, shall not exceed one-half of the annual salary of said  
 4 county office. The amount which may be spent in aid of the candidacy of any can-  
 5 didate for election to any county office, having a fixed annual salary, at any general  
 6 election, shall not exceed one-half of the annual salary of said county office.

**Limit for Candidate for County Office With No Fixed Salary.**

1 8. The amount which may be spent in aid of the candidacy of any candidate  
 2 for nomination for any county office, having no fixed annual salary, at any pri-  
 3 mary election of a political party, shall not exceed ten cents for each voter who  
 4 voted at the last preceding general election at which presidential electors were chosen  
 5 in said county, or in the portion of said county in which such candidate is to be  
 6 voted for. The amount which may be spent in aid of the candidacy of any candi-  
 7 date for election to any county office, having no fixed annual salary, at any election,  
 8 shall not exceed ten cents for each voter who voted at the last preceding general



9 election at which presidential electors were chosen in said county, or in the portion  
10 thereof in which such candidate is to be voted for.

Limit for Candidate for Municipal Office.

1 9. The amount which may be spent in aid of the candidacy of any candidate  
2 for nomination for any municipal office at any primary of a political party shall not  
3 exceed ten cents for each voter who voted at the last preceding general election at  
4 which presidential electors were chosen in said municipality, or in the portion thereof  
5 in which such candidate is to be voted for. The amount which may be spent in aid  
6 of the candidacy of any candidate for election to any municipal office at any general  
7 or charter election shall not exceed ten cents for each voter who voted at the last  
8 preceding general election at which presidential electors were chosen in said muni-  
9 pality, or in the portion of such municipality in which such candidate is to be voted  
10 for.

Limit for Candidate for Party Delegates.

1 10. The amount which may be spent in aid of the candidacy of any candidate  
2 for the party position of delegate at large to a national convention shall not exceed  
3 five thousand dollars, and the amount which may be spent in aid of the candidacy  
4 of any candidate for the position of delegate to a national convention from any  
5 district shall not exceed five thousand dollars.

Limit for Candidate for Presidential Elector.

1 11. The amount which may be spent in aid of the candidacy of any candidate  
2 for the position of presidential elector in any presidential election shall not exceed  
3 five thousand dollars.

Limit for Candidate for State Committee.

1 12. The amount which may be spent in aid of the candidacy of any candidate  
2 for the position of member of the State Committee shall not exceed five hundred  
3 dollars. The amount which may be spent in aid of the candidacy of any candidate  
4 for the position of member of any county committee, city or municipal committee  
5 of any political party shall not exceed twenty-five dollars.



## CAMPAIGN MANAGER.

## Appointment.

1 13. Every candidate for nomination for any public office or for election to any  
 2 public office or party position shall, before receiving any contribution or expending  
 3 any money in furtherance or in aid of his candidacy, appoint a campaign manager,  
 4 and file a certificate of such appointment, signed by such candidate with the cashier  
 5 of a National or State bank authorized to transact a banking business in this State,  
 6 or with the treasurer of a trust company organized and existing under the laws of  
 7 this State, and also in the public office in which such campaign manager is re-  
 8 quired to file the statement of campaign expenses of such candidate, as hereinafter  
 9 provided; *provided, however*, that any candidate who by this act is prohibited from  
 10 expending more than five hundred dollars shall not be required to appoint a cam-  
 11 paign manager, and shall not be required to designate a National or State bank or  
 12 trust company as a depository of his campaign funds, but may disburse moneys for  
 13 the purposes authorized by this act in furtherance or in aid of his candidacy; *pro-*  
 14 *vided, further*, that in such case no moneys shall be expended in furtherance or in  
 15 aid of the candidacy of such candidate except by such candidate as campaign man-  
 16 ager. Any candidate may appoint himself as campaign manager, which appoint-  
 17 ment shall be certified in the same manner as the appointments above referred to.  
 18 Two or more candidates for nomination for or election to any public office or party  
 19 position may arrange to conduct a joint campaign, in which event they shall jointly  
 20 appoint a campaign manager and select a bank or trust company; *provided, fur-*  
 21 *ther*, that any candidate who is prohibited by this act from expending more than  
 22 twenty-five dollars shall not be required to appoint a campaign manager or to file  
 23 any statement of contributions or expenditures as required by this act.

## Removal.

1 14. Such candidate may remove any campaign manager so appointed. Any  
 2 joint campaign manager may be removed by the vote of a majority of those joined  
 3 under this section.

#### Filling of Vacancy.

1 15. In case of death, resignation or removal of such campaign manager such  
 2 candidate shall forthwith appoint his successor and certify the appointment in the  
 3 manner provided in case of an original appointment. In case of such removal, or in  
 4 case of the death or resignation of a joint campaign manager, a successor shall be  
 5 chosen by the vote of a majority of the joint candidates.

#### Custody of Funds.

1 16. All money which may be spent by any such candidate in behalf of his  
 2 candidacy, or by any other person, corporation or organization in furtherance or  
 3 aid of the candidacy of any such candidate, shall be paid to the campaign manager  
 4 so appointed as aforesaid.

#### CAMPAIGN CONTRIBUTIONS.

##### Time Limit for Contributions.

1 17. All contributions in furtherance or in aid of the candidacy of a candidate  
 2 for nomination for or election to any public office or party position shall be sent to  
 3 the campaign manager of such candidate at least five days before the election at  
 4 which such candidate is to be voted for. Any contribution received by such cam-  
 5 paign manager less than five days before the election at which such candidate is to be  
 6 voted for shall be returned by said campaign manager to the person sending the  
 7 same, and shall not, under any circumstances, be used or expended in behalf of  
 8 such candidate, or in furtherance or aid of his candidacy.

##### Deposit of Contributions.

1 18. Any contribution received by such campaign manager shall, within twenty-  
 2 four hours, excluding holidays and Sundays, after the same shall have been received  
 3 by him, be deposited by such campaign manager in the bank or trust company in  
 4 which the certificate of appointment of such manager has been filed, in a special ac-  
 5 count to be designated (Primary or Election, as the case may be), "Campaign fund

6 of ..... (naming candidate)." In case of a joint campaign, the account to the  
 7 credit of which such funds shall be deposited shall be designated "Joint Campaign  
 8 Fund of ..... (naming all of the candidates joining in such campaign)." No  
 9 deposit shall be made or received to the credit of any such fund unless such deposit  
 10 shall be accompanied by a deposit slip containing in detail the true name and post-  
 11 office address of each person, association or corporation contributing any part of the  
 12 money so deposited and the amount contributed by each such person, association or  
 13 corporation. Such deposit slip shall be retained by such bank or trust company and  
 14 disposed of as herein directed.

**Solicitation of Contributions by Political Parties or Groups of Petitioners.**

1 19. It shall be lawful, after any primary election, for the State, county or mu-  
 2 nicipal committee or organization of any political party or group of petitioners, to  
 3 solicit and receive contributions in aid of any or all of the candidates duly nomi-  
 4 nated at any party primary or by petition.

**Solicited Contributions Forwarded to Campaign Managers.**

1 20. All such contributions, when received in behalf of any particular candidate,  
 2 shall be forwarded by the said committee to the campaign manager of such candi-  
 3 date, together with a statement of the amount of each contribution and the name  
 4 and post-office address of the person making the same.

**Allotment of General Solicited Contributions.**

1 21. If such committee receives contributions on behalf of all the candidates  
 2 upon any party or group of petitioners' ticket, the chairman or presiding officer of  
 3 such committee shall have the power to allot such contributions to the credit of  
 4 any one of the candidates on said ticket or to apportion such contributions among  
 5 said candidates, but all such contributions shall be forwarded to the campaign man-  
 6 ager of each candidate to whom any allotment is made, with a statement of the  
 7 names and addresses of contributors and the amount contributed by each, as here-  
 8 inbefore provided.

#### Deposit of Solicited Contributions.

1     22. All such contributions so forwarded, if received within the time limited by  
2 this act, shall be deposited by such campaign manager in the bank or trust company  
3 selected by said candidate, as above provided, to the credit of the campaign fund of  
4 such candidate. In case the State, county or municipal committee or organization  
5 of any political party, or any other committee, association, society or corporation  
6 shall forward money to the campaign manager of any candidate, which money shall  
7 have been solicited and received by said committee, association, society or cor-  
8 poration as contributions to the campaign fund of such candidate, a statement of  
9 the amount of each contribution and the name and post-office address of the per-  
10 son making the same shall accompany said money, when forwarded to said cam-  
11 paign manager as aforesaid, said manager shall copy said list on the deposit slip  
12 accompanying the deposit of said money in the campaign fund of said candidate.

#### Contributions by Candidates.

1     23. It shall be lawful for any State committee, county committee or muni-  
2 cipal committee of any political party, after the primary election but not before such  
3 election, to receive contributions from any candidate of any such party, such con-  
4 tributions to be spent in aid of the candidacy of the contributor or of the candi-  
5 dates of such party and may be expended for the following purposes only: ex-  
6 penses in connection with the conduct of public meetings, for advertising in news-  
7 papers or periodicals, and for the preparation and mailing of letters, and for the  
8 hire of watchers at the polls on any election day. Such contributions when made  
9 by such candidates shall be accompanied by a statement of the campaign manager  
10 of such candidate of the specific purpose for which such contribution is to be ex-  
11 pended, and shall be paid to said committee by said campaign manager from the  
12 campaign fund of such candidate in the manner outlined in this act for the expen-  
13 diture of money from such campaign fund, and such moneys shall be expended by  
14 said committee for no purpose other than that so named.

## EXPENDITURES.

## Expenditures Restricted to Deposits.

1 24. No campaign manager shall authorize, in the manner provided by this act,  
 2 or in any other manner, the incurring of any expense in behalf of the candidate  
 3 whose campaign he is managing, or in furtherance or aid of his candidacy, unless  
 4 there are moneys on deposit in the bank selected in accordance with the provisions  
 5 of this act, to the credit of the account known as the campaign fund of such candi-  
 6 date sufficient to pay the amount of expenditure so authorized, together with all  
 7 other expenditures previously authorized. Any contract made or liability incurred  
 8 for any purpose or in any manner except as authorized by this act shall be abso-  
 9 lutely void.

## Written Authorization of Expenditure Required.

1 25. No expenses shall be incurred by any candidate or by any person, corpora-  
 2 tion or association whatsoever in behalf of such candidate, or in furtherance or aid  
 3 of his candidacy unless prior to the incurring of such expense a written order shall  
 4 be made in the form below set forth and signed by the campaign manager of such  
 5 candidate, authorizing such expenditure, and no money shall be withdrawn or paid  
 6 by any bank or trust company from any campaign fund account except upon the  
 7 presentation of such written order, signed as aforesaid, accompanied by the affi-  
 8 davit of the person claiming such payment, which affidavit shall state that the  
 9 amount named in the order, or such part thereof as may be claimed, naming the  
 10 amount claimed, is justly due and owing to such claimant, and that the order truly  
 11 states all of the purposes for which such indebtedness was incurred, and that no  
 12 person other than the undersigned is interested, directly or indirectly, in the pay-  
 13 ment of such claim, and unless an order for payment in the form below set forth,  
 14 signed by the campaign manager, is presented to such bank or trust company.

## Form of Expenditure Authorization.

1 26. Such order authorizing the incurring of expense, affidavit and order for  
 2 payment shall be on the same piece of paper and shall be in the following form:  
 3 Campaign Fund of .....



4 John Doe (name of candidate)

5 to

6 Richard Roe, Dr. (name of claimant)

7 (Here insert items for which expenditure is to be authorized or payment  
8 claimed, in detail.)

9 I hereby authorize the expenditure from the campaign fund of ..... (name  
10 of candidate) of a sum not to exceed ..... for the above purpose.

11 State of New Jersey,

ss.

12 County of.....

13 ....., being duly sworn according to law, on his oath says that the  
14 sum of ..... is justly due and owing to him from the campaign fund of  
15 .....(naming candidate); that said indebtedness was incurred pursuant to  
16 and for the purpose named in the above order and for no other purpose; that no  
17 person other than the deponent has any interest whatsoever, direct or indirect, in  
18 the payment of the above claim.

19 Sworn and subscribed before me, )

20 this ..... day of ..... )

21 nineteen hundred and ..... )

22 .....

23 (signature of deponent)

24 Pay to the order of ..... (name of claimant) ..... dollars.

25 Campaign fund of .....

26 (name of candidate)

27 To ..... Bank. ....

28 Campaign Manager.

Expenditure Authorization in Joint Campaigns.

1 27. No candidate who has joined with another candidate for the conduct of a  
2 joint campaign shall pay or promise any money, or other thing of value, or au-  
3 thorize or incur any expense, nor shall any money, or other thing of value be paid

4 or promised, or expense authorized or incurred in his behalf, or in furtherance or  
 5 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 28. The time during which such expenditures may be made and for which ac-  
 2 counting shall be required shall be the period of eight months next preceding the  
 3 election at which such candidate is to be voted for, and no money, or other thing  
 4 of value, shall be paid or promised, or expense authorized or incurred by or in be-  
 5 half of any candidate in furtherance or in aid of his candidacy prior to the com-  
 6 mencement of such time; *provided, however,* that any person who publicly an-  
 7 nounces his candidacy for nomination for or election to any public office or party  
 8 position prior to the commencement of such period of eight months before the elec-  
 9 tion at which such person is to be voted for, and who appoints a campaign manager  
 10 and selects a bank or trust company in the manner hereinafter provided, prior to the  
 11 commencement of said period of eight months, may make expenditures authorized by  
 12 this act, but such expenditures shall be made and accounted for in the manner pro-  
 13 vided by this act.

**Presumption of Candidacy.**

1 29. For the purpose of this act, any person who becomes a candidate for nom-  
 2 ination for or election to the office of Governor or United States Senator without  
 3 having publicly announced his candidacy more than eight months prior to the elec-  
 4 tion at which he is to be voted for, shall be conclusively presumed to have been such  
 5 candidate for the period of eight months next preceding the holding of the election  
 6 at which such candidate is to be voted for, and in case of all other officers or party  
 7 positions four months.

**AUDIT AND PAYMENT OF BILLS.**

**Time Limit.**

1 30. All bills incurred in the candidacy of any person for any nomination for or  
 2 election to any public office or party position shall be properly audited and paid

3 within fifteen days after the primary or general or special election at which such  
4 person has been a candidate, and not after, except as hereinafter provided.

Disposition of Balance.

1 31. Any balance which may remain may be withdrawn by the campaign man-  
2 ager in the same manner as hereinabove provided for the withdrawal of funds  
3 from said account.

Payment After Time Limit.

1 32. The judge of the Court of Common Pleas in the county wherein the state-  
2 ment of expenses of a candidate is required to be filed, or in case the statement of  
3 expenses is required to be filed in the office of the Secretary of State, then any ju-  
4 dice of the Supreme Court may, on the application of either the campaign manager  
5 or a creditor, allow any bill incurred in aid of the candidacy of any person to be  
6 paid after the time limited by this act, provided that the expenditure of such money  
7 has been duly authorized in the manner and form as required by this act, and a  
8 statement of any sum so paid, with the certificate of its allowance, shall forthwith  
9 after payment be filed by the campaign manager in the same office as the statement  
10 of campaign expenses of the candidate is required to be filed. The claims of one or  
11 more creditors may be united in one application, but the amount and specific character  
12 of each claim shall be separately stated. Any claim ordered to be paid by the Com-  
13 mon Pleas judge as aforesaid, shall be paid from the account known as the  
14 campaign fund of the candidate, on deposit in the bank or trust company selected  
15 by the candidate in accordance with the provisions of this act, or if such account  
16 has been closed, then from any other funds in the hands of the candidate or his  
17 manager.

STATEMENT OF CAMPAIGN MANAGER BEFORE ELECTION.

Contents of Statement.

1 33. On the Friday or Saturday next preceding any primary or general or  
2 special election, the campaign manager of any candidate who is to be voted for at  
3 such election shall file, as hereinafter provided, an itemized statement, showing in

4 detail all moneys, or other thing of value, contributed, donated, subscribed or in any-  
 5 wise furnished or received for the use of such candidate, or coming into his custody  
 6 or under his control, directly or indirectly, as campaign manager for such can-  
 7 didate, together with the name and address of and the amount contributed, donated  
 8 or subscribed by each contributor, donor or subscriber, to the date of such state-  
 9 ment, together with a statement of the total amount expended, or liability incurred  
 10 by or on behalf of such candidate, or in furtherance or in aid of such candidacy;  
 11 *provided, however*, that any candidate who is prohibited by this act from expending  
 12 more than one hundred dollars shall not be required to file a statement prior to  
 13 any election.

Verification of Statement by Campaign Manager.

1 34. Such statement shall be verified by the affidavit of the said campaign man-  
 2 ager, which affidavit shall be substantially in the following form:  
 3 State of New Jersey, County of . . . . ., ss.  
 3½ I, . . . . . (name of campaign manager), being campaign manager of  
 4 . . . . . (name of candidate), a candidate for nomination for (or election to, as  
 5 the case may be) the office (or party position, as the case may be) of . . . . .  
 5½ (name of office or party position) at the . . . . . (primary or gen-  
 6 eral, as the case may be) election, to be held on the . . . . . day of  
 7 . . . . . in the . . . . . (county, district or other political division of) in the  
 8 State of New Jersey, do solemnly swear (or affirm) that the foregoing statement  
 9 is a true and accurate statement in detail of all moneys contributed, donated, sub-  
 10 scribed or in anywise furnished or received for the use of said candidate as afore-  
 11 said, or coming into my custody or under my control, directly or indirectly, as  
 12 campaign manager for such candidate, together with the name and address of each  
 13 contributor, donor or subscriber or furnisher, and the amount contributed, donated,  
 14 subscribed or furnished by each; that all of said moneys were deposited by me  
 15 within twenty-four hours after the same were received, in the . . . . . bank, to  
 16 the credit of the account known as the campaign fund of . . . . ., with a true

17 and accurate list of each contributor, or donor, or subscriber, or furnisher thereof,  
 18 and the amount contributed, donated, subscribed, or furnished by each; that no  
 19 money, or other thing of value, has been received by me, or in anywise come into  
 20 my custody or under my control, except as above stated; that to the best of my  
 21 knowledge, information and belief, no money has been received by said candidate,  
 22 or by anyone in his behalf, for use in aid of or in furtherance of his candidacy, ex-  
 23 cept as above stated; that the above statement of the total amount expended or  
 24 liability incurred by or in behalf of the said candidate, or in aid of or in furtherance  
 25 of his candidacy, is a true and accurate statement; that no money has been ex-  
 26 pended, and no expenditure has been authorized by me, directly or indirectly, for  
 27 any purpose or in any manner not permitted by law, and that to the best of my  
 28 knowledge, information and belief no money has been expended by said candidate,  
 29 or by anyone in his behalf, or in furtherance or aid of his candidacy for any purpose  
 30 or in any manner not authorized by law; that no moneys were expended by me in  
 31 furtherance of or in aid of said candidacy prior to the ..... day of .....  
 32 (the date eight months prior to the primary, general or charter election at which  
 33 said candidate is to be voted for, or, in case said candidate has publicly announced  
 34 his candidacy at an earlier date than eight months prior to the election at which  
 35 such candidate is to be voted for, then the affidavit in lieu of the last clause shall  
 36 contain the following:) that said ..... publicly announced his candidacy for  
 37 nomination for (or election to, as the case may be) the office (or party position,  
 38 as the case may be) of ..... on the ..... day of ..... and on the  
 39 ..... day of ..... I was appointed campaign manager of said campaign;  
 40 that no money was expended by me in furtherance of or in aid of such candidacy  
 41 prior to the date of my said appointment, and that, as I am informed and believe, no  
 42 money was expended by the said candidate, or by anyone in his behalf, or in fur-  
 43 therance of or in aid of his candidacy, prior to the date of my said appointment as  
 44 campaign manager



## Verification of Statement by Candidate.

1     35. The said candidate shall also make and attach to said statement an affidavit  
2 substantially in the following form:

3 State of New Jersey, County of ....., ss.

4     I, ..... (give name), a candidate for ..... at the (primary, special,  
5 charter or general, as the case may be) election, to be held in the State of .....  
6 (county of ....., district of ....., or other political division, as the case  
7 may be), on the ..... day of ....., do solemnly swear (or affirm) that I  
8 have not received or contributed any money, or other thing of value, for use in my  
9 candidacy, or to be expended in furtherance of or in aid of said candidacy, except  
10 as appears in the above statement; that all money, or other thing of value which  
11 has come into my hands for use in my said candidacy has been immediately turned  
12 over to ....., the above-named campaign manager; that the above statement  
13 of the total amount expended in my behalf, or in furtherance of or in aid of my said  
14 candidacy, is true, to the best of my knowledge, information and belief; that I have  
15 not expended any money, or other thing of value, or incurred any liability, or  
16 authorized the expenditure of money, or other thing of value, or the incurrence of  
17 any liability for any purpose other than that permitted by law, or in any manner  
18 except through my said campaign manager, in the manner required by this act; that  
19 to the best of my knowledge, information and belief no money has been expended  
20 by anyone in my behalf, or in furtherance of or in aid of my candidacy for any  
21 purpose nor in any manner not authorized by said act; that no money was ex-  
22 pended by me, nor, to the best of my knowledge, information and belief, by any-  
23 one in my behalf, prior to the ..... day of ..... (eight months prior to  
24 the election day at which such candidate is to be voted for, or, if said candidate  
25 publicly announced his intention of becoming a candidate at an earlier date than  
26 eight months prior to said election day, then the affidavit in lieu of the last preceding  
27 sentence shall contain the following:) that I publicly announced my candidacy for  
28 nomination for (or election to, as the case may be) the office (or party position,

29 as the case may be) of ..... on the ..... day of ..... and appointed  
 30 ..... as my campaign manager on the ..... day of .....; that prior  
 31 to the appointment of my said campaign manager no money, or other thing of  
 32 value, was expended, or liability incurred, by me, nor was the expenditure of any  
 33 money, or other thing of value, or the incurring of any liability in furtherance of  
 34 or in aid of my candidacy, by anyone whatsoever, authorized by me prior to the  
 35 ..... day of ....., the date of the appointment of my said campaign  
 36 manager.

**STATEMENT OF CAMPAIGN MANAGER AFTER ELECTION.**

**Contents of Statement.**

1 36. Within twenty days after any primary, or general, or special election, the  
 2 campaign manager of any candidate for nomination for or election to any public  
 3 office or party position shall file, as hereinafter provided, a statement of the total  
 4 amount expended, or liability incurred, by or in behalf of such candidate, or in  
 5 furtherance of or in aid of such candidacy, which statement shall include the total  
 6 amount named in the statement of expenses filed prior to such election, as well as  
 7 the total amount of expenses incurred subsequent to the date of filing such last-men-  
 8 tioned statement.

**Verification of Statement by Campaign Manager.**

1 37. Such statement shall be verified by the affidavit of such campaign manager,  
 2 which affidavit shall be in substantially the following form:  
 3 State of New Jersey, County of ....., ss.  
 4 I, ..... (name of campaign manager) campaign manager of .....  
 5 (name of candidate), a candidate for ..... at the ..... (primary, special,  
 6 charter or general, as the case may be) election, held in the State of (county of  
 7 ....., district of ....., or other political division, as the case may be) on  
 8 the ..... day of ....., do solemnly swear (or affirm) that no money has  
 9 been received by me in behalf of such candidate, or come into my custody, or under  
 10 my control, directly or indirectly, since the ..... day of ..... (five days

11 previous to the election at which such candidate was voted for); that the foregoing  
 12 statement is a true and accurate statement of the total amount expended or liability  
 13 incurred by or in behalf of said candidate, or in furtherance of or in aid of his said  
 14 candidacy; that no money has been expended and no expenditure has been author-  
 15 ized by me, directly or indirectly, for any purpose, or in any manner not permitted by  
 16 law, and that to the best of my knowledge, information and belief no money has been  
 17 expended by said candidate, or by anyone in his behalf, or in furtherance or aid of  
 18 his candidacy, for any purpose, or in any manner not authorized by law; that I have  
 19 not authorized, directly or indirectly, the expenditure of any money, or other thing  
 20 of value, or the incurring of any liability in furtherance or in aid of the candidacy  
 21 of said ..... except from the campaign fund of said ..... duly deposited  
 22 in the ..... bank (or trust company, as the case may be), and that every  
 23 voucher upon which funds have been withdrawn from said account has truly stated  
 24 the purpose for which such withdrawal was made.

Verification of Statement by Candidate.

1 38. Such statement shall also be verified by the affidavit of the candidate, in  
 2 substantially the following form:

3 State of New Jersey, County of ....., ss.

4 I, ..... (giving name), a candidate for ..... at the (primary, special,  
 5 charter or general, as the case may be) election, to be held in the State of  
 6 ..... (county of ....., district of ....., or other political division,  
 7 as the case may be), on the ..... day of ....., do solemnly swear (or  
 8 affirm) that I have not received or contributed any money, or other thing of value,  
 9 for use in my said candidacy, or to be expended in furtherance or in aid of said  
 10 candidacy, after the ..... day of ....., nineteen hundred and .....  
 11 (the date five days previous to the election at which such candidate was voted for);  
 12 that the above statement of the total amount expended in my behalf, or in further-  
 13 ance or aid of my said candidacy, is true, to the best of my knowledge, informa-  
 14 tion and belief; that I have not expended any money, or other thing of value, or

15 incurred any liability, or authorized the expenditure of any money, or other thing  
 16 of value, or the incurrence of any liability for any purpose other than that per-  
 17 mitted by law, or in any manner except through ..... (name of campaign  
 18 manager), my campaign manager, in the manner required by an act entitled "A  
 19 further supplement to an act entitled 'An act to regulate elections (Revision of  
 20 1898),' approved April fourth, one thousand eight hundred and ninety-eight,"  
 21 approved (date of approval of this act); that to the best of my knowledge, informa-  
 22 tion and belief no money has been expended by anyone in my behalf, or in fur-  
 23 therance or aid of my candidacy for any purpose or in any manner not author-  
 24 ized by said act.

#### STATEMENT OF CAMPAIGN MANAGER UNABLE TO COMPLETE DUTIES.

##### Partial Reports to Be Filed.

1 39. Any campaign manager who shall be removed or who shall resign shall,  
 2 unless physically unable so to do, file the report of receipts and expenditures, up to  
 3 the date of such resignation or removal, stating and verifying the same as required  
 4 by section twenty-three of this act.

##### Candidacy of Candidate Not Affected.

1 40. The failure of such campaign manager to file such report shall not affect  
 2 the candidacy of such candidate unless such failure was counselled or caused by  
 3 such candidate.

#### STATEMENTS WHEN CANDIDATE ACTS AS CAMPAIGN MANAGER.

##### Same Procedure Required.

1 41. Such candidate shall be required to file the reports of expenditures required  
 2 by this act and all other provisions of this act shall apply to such candidate and to the  
 3 campaign conducted by him or in his behalf.

#### STATEMENT OF DEPOSITORY OF CAMPAIGN FUNDS AFTER ELECTION.

##### Scope of Statement.

1 42. Within twenty days after any primary, or general, or special election, the  
 2 cashier or treasurer of the bank or trust company selected by any candidate at said

3 election, as above provided, shall file, as hereinafter provided, all of the deposit  
 4 slips presented to said bank with any deposit of moneys to the account known as the  
 5 campaign fund of such candidate, arranged in the order of their respective dates,  
 6 and all of the vouchers presented to said bank upon which any funds were with-  
 7 drawn from any such account, arranged in the order of their respective dates.

**Affidavit of Depository.**

1 43. Attached to such deposit slips and vouchers shall be an affidavit by such  
 2 cashier or treasurer, or some employee of said bank or trust company, having  
 3 knowledge of the facts, which affidavit shall be in substantially the following  
 4 form:

5 State of New Jersey, County of . . . . ., ss.

6 . . . . ., being duly sworn according to law, on his oath says that he is the  
 7 . . . . . of the . . . . . bank (or trust company, as the case may be); that an-  
 8 nexed to this affidavit are the original deposit slips presented to said bank with  
 9 any deposit of moneys to the account known as the Campaign Fund of . . . . . ;  
 10 that said account was opened on the . . . . . day of . . . . . ; that no deposit has  
 11 been received in said account unless accompanied by one of the deposit slips hereto  
 12 annexed; that annexed to this affidavit are all of the vouchers presented to said  
 13 bank upon which any funds were withdrawn; that no funds have been withdrawn  
 14 from said bank except upon one of the vouchers hereto annexed.

**FILING OF STATEMENTS.**

**Place of Filing.**

1 44. Any candidate for nomination for or election to any public office shall cause  
 2 to be filed the statements of their campaign managers in the same office in which the  
 3 petitions for nomination for such office are or hereafter shall be required by law to  
 4 be filed. Any affidavits, statements or vouchers required by this act to be filed by the  
 5 cashier or treasurer of any bank or trust company, relating to the candidacy of any  
 6 candidate for nomination for or election to any public office or party position, shall



7 be filed in the same office in which the above-mentioned statements of such candi-  
8 date are by this act required to be filed.

*Application to Court for Late Filing or Correction of Error.*

1 45. In case any statement required by this act to be filed by or on behalf of any  
2 candidate has not been filed within the time herein limited, or in case such statement,  
3 or the affidavit verifying the same, contains an error or false recital, such candidate  
4 or his campaign manager may apply to a justice of the Supreme Court if such  
5 statement has been filed, or is required to be filed in the office of the Secretary of  
6 State, or to a judge of the Court of Common Pleas of the county in which such  
7 statement is filed or required to be filed, if such statement is required to be filed with  
8 the county clerk of any county, or with any other public officer within any county.

*Action by Court.*

1 46. If it shall appear to such justice or judge that the failure to file such state-  
2 ment within such time, or the inaccuracy or false recital contained therein or in the  
3 affidavit thereto annexed was due to the illness of such candidate or the absence,  
4 illness or death of his campaign manager, or was caused by the misconduct of any  
5 person other than the said candidate or his campaign manager, or by any other  
6 reasonable cause not involving gross negligence on the part of such candidate or his  
7 manager, or willful intention to violate any provision of this act, such justice or  
8 judge may make an order permitting such statement to be filed as of time, or per-  
9 mitting an amendment of such statement or affidavit.

ARTICLE XXX.

**PUBLIC ELECTION EXPENSES.**

**DISTRIBUTION OF BURDEN.**

*General Provisions.*

**Elections Held at Public Expense.**

1 1. All general, special and primary elections held in this State or in any of the  
2 political subdivisions shall be conducted at the expense of such State or its political  
3 subdivisions.

*Expenditures by State.***Authorized Expenditures by State.**

1 2. All costs, charges and expenses incurred by the State Board of Can-  
 2 vassers, Secretary of State or by any other officer or official of the State govern-  
 3 ment in carrying out any provisions of this act shall be paid by the State.

**Sum at Disposal of Attorney-General.**

1 3. The Attorney-General of the State is hereby authorized to expend annually,  
 2 under the direction and with the approval of the Governor, a sum not exceeding  
 3 twenty-five thousand dollars, for the purpose of securing evidence of violations of  
 4 this act and assisting in the prosecution of such violations; *provided*, such sum  
 5 shall be regularly appropriated in any annual or supplemental appropriation bill.

*Expenditures by Counties.***Authorized Expenditures by County.**

1 4. All costs, charges and expenses incurred by the county clerk, county  
 2 board of elections or by any other officer or official of a county in carrying out the  
 3 provisions of this act and the salaries of the members and clerk of the county board  
 4 of elections and the members of the district boards of registry and election shall be  
 5 paid by said county.

*Expenditures by Municipalities.***Authorized Expenditures by Municipalities.**

1 5. All costs, charges and expenses incurred by the municipal clerk, or by any  
 2 other officer or official of a municipality in carrying out the provisions of this act  
 3 shall be paid by said municipality.

**SALARIES OF OFFICIALS.****Compensation of Members of District Boards of Registry and Election.**

1 6. The compensation of each member of the district boards of registry and  
 2 election for all services performed by them under the provisions of this act shall be  
 3 as follows:

4 For each registry day other than the primary registry day, including the serv-  
 5 ices in making the house-to-house canvass in municipalities having a population of

6 less than fifteen thousand, ten dollars; for the primary registry day, including all  
 7 services rendered in holding the primary election, except services in mailing the  
 8 ballots, eighteen dollars; for mailing the primary election for the general election  
 9 sample ballots, two dollars; for mailing the primary election for delegates and alter-  
 10 nates to national conventions sample ballots, two dollars; for mailing the general  
 11 election sample ballots, two dollars; for all services on election day, including  
 12 counting of the votes and delivery of returns and ballot-box, with contents to the  
 13 municipal clerk, eighteen dollars; for all services at any special election, fifteen dol-  
 14 lars; for all services in holding the primary election for delegates and alternates to  
 15 national conventions, including the making up of the registry books and the mailing  
 16 of sample ballots, eighteen dollars. The same shall be in lieu of all other fees and  
 17 payments whatsoever.

#### Compensation of Members and Clerks of County Boards of Elections.

1 7. The members of the several county boards of elections shall receive compen-  
 2 sation which shall be as follows: In counties having a population exceeding three  
 3 hundred thousand, twelve hundred dollars per annum; in counties having a popu-  
 4 lation of not more than three hundred thousand or less than one hundred and fifty  
 5 thousand, nine hundred dollars per annum; in counties having a population of not  
 6 more than one hundred and fifty thousand or less than one hundred thousand, six  
 7 hundred dollars per annum; in counties having a population of not more than one  
 8 hundred thousand or less than seventy-five thousand, five hundred dollars per an-  
 9 num; in counties having a population of not more than seventy-five thousand or  
 10 less than fifty thousand, four hundred dollars per annum; in counties having a popu-  
 11 lation of not more than fifty thousand or less than thirty-five thousand, three hun-  
 12 dred dollars per annum; in counties having a population of less than thirty-five  
 13 thousand, two hundred dollars per annum; *provided, however,* that the member of  
 14 the county board of elections in counties other than counties of the first class who  
 15 shall be the secretary thereof and who shall perform the clerical duties thereof shall  
 16 receive an additional compensation of one-half of the compensation of the indi-  
 16½ vidual members of said board. The compensation of the clerks of the county  
 17 boards of elections in counties of the first class shall be as follows; for the first year

18 of service in such position the sum of twenty-five hundred dollars per annum, to be  
 19 increased at the rate of one hundred dollars per annum for each year of service, to  
 20 the maximum of forty-five hundred dollars per annum, to be paid by the county  
 21 collector semi-monthly as other county employees are paid; *provided, however, that*  
 22 this act shall be applicable to the present as well as to future incumbents and the  
 23 years of service for such clerks heretofore or hereafter appointed shall be com-  
 24 puted from the time of their respective appointments to such positions.

#### Compensation of Judges.

1 8. Each of the judges holding court, as herein required, shall be entitled to re-  
 2 ceive the sum of twenty dollars for each day he shall be personally present, pursuant  
 3 to the provisions of this act, in addition to the salary to which he is now entitled  
 4 by law, which sum shall be paid by the collector of the county as other court expenses  
 5 are paid.

#### Compensation of County and Municipal Clerks.

1 9. For the duties and services imposed upon and required of them by this act,  
 2 the county clerks of the several counties and the clerks of the different municipali-  
 3 ties shall be paid out of the county funds of their respective counties or the funds of  
 4 their respective municipalities, as the case may be, a fair and reasonable compensa-  
 5 tion, to be ascertained and determined, in the cases of the county clerks, by the  
 6 boards of chosen freeholders of their respective counties, and in case of said mu-  
 7 nicipal clerks, by the governing bodies of their respective municipalities.

### ARTICLE XXXI.

#### CRIMES AND PENALTIES AND ENFORCEMENT OF LAWS.

##### REGISTRATION.

##### False Registration by Officials.

1 1. If any member or members of the board of registry and election shall will-  
 2 fully refuse to enter in the canvassing books or upon the registers the name of any  
 3 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 ex-  
6 ceeding two years, or both, in the discretion of the court.

#### False Registration by Registrant.

1     2. Any person who shall cause or procure his name to be registered in more  
2 than one election district, or shall cause or procure his name or that of any other  
3 person to be registered, knowing that he or the person whose name he has procured  
4 to be registered, is not entitled to vote in the election district wherein said registry  
5 is made, at the next election to be held therein, shall be punished for each offence  
6 by a fine not exceeding one thousand dollars, or imprisonment for a term not ex-  
7 ceeding five years, or both, at the discretion of the court.

#### Illegal Transfer of Registrants.

1     3. It shall not be lawful for any district board of registry and election in any  
2 municipality exceeding ten thousand inhabitants in the State to execute or deliver  
3 to any voter any paper in the nature of a transfer, purporting to authorize the said  
4 voter to vote in any other election district than that in which he is registered, as now  
5 provided by law, except when authorized by the court as hereinafter provided.

### NOMINATION.

#### Certificate of Petition of Nomination.

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



#### Improper Signing of Petition.

1 5. Any person who, being a member of one political party, shall sign his name  
2 to any petition endorsing any person as a candidate for office of another political  
3 party, shall be guilty of a misdemeanor.

#### BALLOTS.

##### Violation of Duty by Printer.

1 6. If any printer employed by any county or municipal clerk to print the offi-  
2 cial ballots for such clerk, or any person engaged in printing the same, shall ap-  
3 propriate to himself or give or deliver or knowingly permit to be taken any of said  
4 ballots by any other person than such county or municipal clerk or his duly author-  
5 ized agent, or shall print or cause to be printed any official ballot in any other form  
6 than that prescribed by such county or municipal clerk, or with any other names  
7 thereon, or with the names spelled or the names or printing thereon arranged in  
8 any other way than that authorized and directed by this act, such person so offend-  
9 ing shall be guilty of a misdemeanor, and on conviction thereof shall be punished  
10 by a fine not exceeding one thousand dollars or imprisonment not exceeding five  
11 years, at the discretion of the court.

##### Unauthorized Persons Not to Print or Have Ballots.

1 7. No person not authorized by the proper officers shall print or make any  
2 official or sample ballot provided for in this act, or on or prior to election day have  
3 in his possession an official ballot, without being such person as is authorized by  
4 this act to have charge or possession thereof. Any person or persons who shall  
5 willfully violate any provision of this act, or who shall do any act herein prohibited,  
6 shall be guilty of a misdemeanor.

##### Forgery of Ballot.

1 8. No person shall forge or falsely make any ballot or the official endorsement  
2 thereof. Every person violating any provisions of this section shall be deemed  
3 guilty of a misdemeanor, and upon conviction thereof shall be punished by impris-  
4 onment for not more than five years.

## CONDUCT OF ELECTIONS

## Convicted Person Not to Vote.

1 9. If any person convicted of crime which disfranchises him shall vote at  
2 any election, unless he shall have been pardoned or restored by law to the right of  
3 suffrage, he shall be deemed guilty of a misdemeanor, and on conviction thereof  
4 shall be punished by a fine not exceeding two hundred dollars, or imprisonment at  
5 hard labor not exceeding two years, or both.

## Hindering of Election.

1 10. No person shall, during the election, with intent to hinder or delay said  
2 election, or to hinder or delay any voter in the preparation of his ballot, remove  
3 or destroy any of the ballots or pencils placed in the booths or compartments for the  
4 purpose of enabling the voter to prepare his ballot. Any person willfully violating  
5 any of the provisions of this section shall be deemed guilty of a misdemeanor, and  
6 on conviction thereof shall be punished by fine not exceeding five hundred dollars  
7 and imprisonment until such fine and the costs of the conviction are paid.

## Obstruction of Polling Place.

1 11. If any person shall on election day tamper, deface or interfere with any  
2 polling booth or obstruct the entrance to any polling place, or shall obstruct or inter-  
3 fere with any voter, or do any electioneering within any polling-place, he shall be  
4 deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by  
5 a fine not exceeding fifty dollars.

## Breach of Ballot Regulations.

1 12. No person shall, within the polling-room, show his ballot after it is prepared  
2 for voting to any person in such a way as to reveal the contents, nor shall any per-  
3 son within the polling-place or within a hundred feet thereof solicit the voter to  
4 show the same; no voter, at any election where official ballots are used, shall know-  
5 ingly vote or offer to vote any ballot except an official ballot as by this act required,  
6 nor shall any voter at any election where official ballots are not used, vote or offer  
7 to vote any ballot; no person shall on any pretext carry any official ballot from the

8 polling-room on an election day except such persons as may by this act be authorized  
 9 to do so; any person violating any of the foregoing provisions of this section shall  
 10 incur a penalty of twenty-five dollars for each offense, to be recovered by action of  
 11 tort, before any court of competent jurisdiction, by any person who bona fide shall  
 12 first bring suit therefor.

#### Sample Ballots Not to Be Accepted.

1 13. It shall be unlawful for any election officer to accept from any voter and de-  
 2 posit in the ballot-box any sample primary ballot.

#### Prompting of Voter.

1 14. Any person who shall prompt a voter in answering any questions provided  
 2 by this act shall be guilty of a misdemeanor.

#### Identification Marks on Ballot.

1 15. If any person shall write, paste or otherwise place upon any official ballot  
 2 any mark, sign or device of any kind as a distinguishing mark whereby to indicate  
 3 to any member of any election board or other person how any voter has voted at  
 4 any election, or if any person shall induce or attempt to induce any voter to write,  
 5 paste or otherwise place on his ballot any mark, sign or device of any kind, as a  
 6 distinguishing mark by which to indicate to any member of any election board or  
 7 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  
 9 voters or any voter to so place any distinguishing mark, sign or device on his bal-  
 10 lot, whether or not said act be committed or attempted to be committed, such per-  
 11 son or persons so offending shall be guilty of a misdemeanor, and being thereof con-  
 12 victed, shall be punished by a fine not exceeding five hundred dollars or imprison-  
 13 ment not exceeding one year, or both, at the discretion of the court.

#### Fraudulent Voting.

1 16. Every person not entitled to vote, who fraudulently votes, and every person  
 2 who votes more than once at any one election; or knowingly hands in two or more

3 tickets folded together; or changes any ballot after the same has been deposited  
 4 in the ballot-box; or adds, or attempts to add, any ballot to those legally polled at  
 5 any election, either by fraudulently introducing the same into the ballot-box before  
 6 or after the ballots therein have been counted; or adds to or mixes with, or attempts  
 7 to add to or mix with, the ballots lawfully polled, other ballots while the same are  
 8 being counted or canvassed, or at any other time, with the intent to change the result  
 9 of such election; or carries away or destroys, or attempts to carry away or destroy,  
 10 any poll list, or ballots, or ballot-box, for the purpose of breaking up or invalidating  
 11 such election; or willfully detains, mutilates or destroys any election returns; or in  
 12 any manner so interferes with the officers holding such election, or conducting such  
 13 canvass, or with the voters lawfully exercising their rights of voting at such elec-  
 14 tion, as to prevent such election or canvass from being fairly had and lawfully con-  
 15 ducted, shall be guilty of a misdemeanor

#### Impersonating.

1 17. Every person not entitled to vote, who fraudulently attempts to vote, or  
 2 who, being entitled to vote, attempts to vote more than once at any election, or who  
 3 personates or attempts to personate, a person legally entitled to vote, shall be guilty  
 4 of a misdemeanor.

#### Seeking to Discover Vote.

1 18. Every inspector, judge or clerk of an election, who, previous to putting  
 2 the ballot of an elector in the ballot-box, attempts to find out any name on such bal-  
 3 lot, or who opens or suffers the folded ballot of any elector which has been handed in  
 4 to be opened or examined previous to putting the same in the ballot-box, or who  
 5 makes or places any mark or device on any folded ballot with the view to ascer-  
 6 tain the name of any person for whom the elector has voted, shall be guilty of a  
 7 misdemeanor.

#### Revealing Vote.

1 19. If any member of any board of election has knowledge how any person  
 2 has voted and shall reveal such knowledge to any other person, or shall fraudulently

3 or corruptly disclose what other candidates were voted for on any ballot bearing a  
 4 name not printed thereon, or fraudulently or corruptly gives any information con-  
 5 cerning the appearance of any ballot voted, such person so offending shall be guilty  
 6 of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceed-  
 7 ing two thousand dollars or imprisonment not exceeding five years.

#### Criminal Treatment of Registry Lists.

1 20. Any person who shall remove, destroy or mutilate any registry list or copy  
 2 thereof, or who shall before such election closes remove, destroy or mutilate any  
 3 list of voters posted in accordance with this act, shall be guilty of a misdemeanor,  
 4 and shall be punished, on conviction thereof, by fine of not more than one thousand  
 5 dollars or imprisonment for not more than two years.

#### Criminal Treatment of Ballot-Boxes and Election Records.

1 21. If any person shall rob or plunder any ballot-box, or unlawfully and by  
 2 stealth or violence take the same or remove therefrom any ballot or other paper, or  
 3 exchange, alter or destroy any ballot or other paper contained therein, or if any  
 4 person other than the clerk of any county or the Secretary of State, shall willfully  
 5 and corruptly suppress, withhold, mutilate, destroy, alter or change any return,  
 6 statement or certificate, or any copy thereof, which shall have been made in pursu-  
 7 ance of this act, and delivered to him to be filed, or which shall have been entrusted  
 8 or delivered to him to be delivered or transmitted to any other person or persons in  
 9 pursuance of this act, every such person, his aiders, procurers and abettors, shall be  
 10 deemed and taken to be guilty of a misdemeanor, and on conviction thereof shall  
 11 be punished by a fine not exceeding five hundred dollars, or by imprisonment at  
 12 hard labor for any term not exceeding two years, or both.

#### Interference with Return of Ballot-Boxes.

1 22. Any person who shall willfully obstruct or interfere with the clerk or  
 2 clerks on the way from the polls to the office of the city clerk, shall be guilty of a  
 3 misdemeanor, and upon conviction thereof shall be punished by fine not exceeding  
 4 five hundred dollars, or by imprisonment at hard labor for any term not exceeding  
 5 two years, or both.



Insignia at Polls.

1 23. No person shall sell, give or provide any political badge, button or other  
2 insignia to be worn at or about the polls on any primary, general or special election  
3 day, except the badge furnished by the county board of elections as herein provided.

Summary Provision.

1 24. Whoever shall solicit the registering of his name on the registry list of any  
2 election district or precinct in this State, knowing that he is not a legal voter in such  
3 district or precinct; whoever shall willfully counsel, procure, aid, advise, assist or  
4 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 there-  
6 in; 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 or  
9 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 at  
11 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 to  
16 vote upon any name other than his own, or knowingly casts or attempts to cast more  
17 than one ballot at one time of voting; whoever at any election in this State shall in  
18 any way willfully mark or deface his ballot, or shall willfully counsel, procure, aid,  
19 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 or  
21 abet any official or person in any act which is contrary to the provisions of this act  
22 or the act to which this is a supplement; whoever at any election in this State shall  
23 in any way willfully hinder or prevent a voter from casting his legal vote, knowing  
24 such person to have a right to vote; whoever shall willfully tamper with, injure, mu-

25 tilate, destroy or render unfit for use, any ballot-box shall be guilty of a misde-  
 26 meanor and punishable by a fine of five hundred dollars or imprisonment in State  
 27 prison for the term of three years, or both.

#### Voting in Wrong Party Ballot-Box.

1 25. Any person who, being a member of one political party, shall vote in the  
 2 ballot-box used for the primary election of another political party, shall in each  
 3 case be guilty of a misdemeanor, and, on conviction, shall be punished by a fine  
 4 not exceeding five hundred dollars, or be imprisoned not exceeding two years, or  
 5 both, at the discretion of the court.

#### False Voting at Primary.

1 26. If any person not entitled to vote at any primary election as herein pro-  
 2 vided shall vote or offer to vote at any such primary meeting or caucus knowing  
 3 or having reason to believe himself not entitled to vote as aforesaid, or if any per-  
 4 son or persons shall counsel or procure anyone to vote as aforesaid, knowing or  
 5 having reason to believe such voter not entitled so to vote, or if any person having  
 6 voted at any primary meeting held by any political party or organization to nomi-  
 7 nate candidates or to elect delegates to nominate candidates, to be voted for at  
 8 any election, shall vote or offer to vote at the primary meeting held by any other  
 9 political party or organization held to nominate candidates or to elect delegates to  
 10 nominate candidates, to be voted for at the same election, such person or persons  
 11 shall be guilty of a misdemeanor, and on conviction thereof shall for each offense  
 12 be punished by imprisonment at hard labor for a term of not more than three  
 13 months, or by a fine of not more than one hundred dollars, or both, at the option  
 14 of the court.

#### Fraudulent Actions at Primary.

1 27. If any judge, inspector, clerk or other officer of a primary election as  
 2 aforesaid shall presume to act in such a capacity before taking and subscribing to  
 3 the oath or affirmation required by this act, or shall willfully disregard or violate  
 4 the provisions of any rule duly made by the party of which he is a member, and

5 for whom he is acting, for the government of the primary elections of the party,  
 6 or if any judge or inspector of any primary election as aforesaid shall knowingly  
 7 reject the vote of any person entitled to vote under the rules of the said party, or  
 8 shall knowingly receive the vote of any person or persons not qualified as afore-  
 9 said, or if any judge, inspector, clerk or any other officer of a primary election,  
 10 as aforesaid, shall be guilty of any willful fraud in the discharge of his duties, by  
 11 destroying or defacing ballots, adding ballots to the poll, by false counting, by  
 12 making false returns, or by any act or thing whatsoever, the person or persons so  
 13 offending shall be deemed guilty of a misdemeanor, and, upon conviction, shall be  
 14 punished by a fine not exceeding five hundred dollars, or by imprisonment not ex-  
 15 ceeding one year, or both, at the discretion of the court.

#### BETTING.

##### By Persons in General.

1 28. No person shall make, lay or deposit any bet, wager or stake, to be de-  
 2 cided by the result of any election, by the election or defeat of one or more per-  
 3 sons at any election, or by any contingency connected with or growing out of any  
 4 election; and all contracts for or on account of any money, property or thing in  
 5 action so bet, wagered or staked shall be void; and any person who shall pay,  
 6 deliver or deposit any money, property or thing in action upon the event of any  
 7 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 stake-  
 11 holder or stakeholders, or other person or persons, whether or not the same shall  
 12 have been paid over by such stakeholder, or whether or not such bet, wager or  
 13 stake shall have been lost.

##### By Candidate.

1 29. It shall be unlawful for any candidate for public office, before or during  
 2 an election, to make any bet or wager with a voter, or take a share or interest in.

3 or in any manner become a party to such bet or wager, or provide or agree to pro-  
 4 vide any money to be used by another in making such bet or wager, upon any  
 5 event or contingency whatever. Nor shall it be lawful for any person, directly or  
 6 indirectly, to make a bet or wager with a voter, depending upon the result of any  
 7 election, with the intent thereby to procure the challenge of such voter, or to pre-  
 8 vent him from voting at such election.

## LIQUOR.

## Prohibition Against Sale.

1 30. No spirituous, vinous, malt or intoxicating liquors shall be sold, offered  
 2 for sale, or exposed for sale on election day; any violation of the provisions of this  
 3 section shall be deemed a misdemeanor and punished accordingly.

## Additional Penalty.

1 31. In addition to the penalties provided by law for the unlawful sale or offer to  
 2 sell or exposure for sale of any spirituous, vinous, malt or intoxicating liquors on  
 3 any election day, every person so offending, for every offense, shall forfeit and pay  
 4 the sum of one hundred dollars, to be sued for and recovered in an action of debt  
 5 in any court having jurisdiction of that amount, by any citizen of this State, resi-  
 6 dent in the county where such offense shall be committed, one-half of which pen-  
 7 alty shall, when collected, be paid to the county collector of said county where said  
 8 offense is committed for the benefit of said county, and the other half to the person  
 9 who shall prosecute for the same.

## Not to be Brought into Polling Place.

1 32. Spirituous, vinous, malt or intoxicating liquors shall not be brought by any  
 2 person into the polling place on the day of election, or on any day of registry  
 3 during the hours that the election or registration is in progress, nor during the  
 4 counting or canvassing of the votes; any violation of the provisions of this section  
 5 shall be a misdemeanor, punishable by a fine not exceeding one hundred dollars or  
 6 imprisonment not exceeding two months, or both.

## BRIBERY.

## Bribery by Giving or Promising Reward.

1     33. If any person shall, directly or indirectly, by himself or by any other per-  
 2 son in his behalf, give, lend or agree to give or lend, or shall offer, promise or  
 3 promise to procure, or endeavor to procure, any money or other valuable considera-  
 4 tion or thing to or for any voter, or to or for any person, in order to induce any  
 5 voter to vote or refrain from registering for any election, or shall corruptly do or  
 6 commit any of the acts in this section mentioned on account of any such voter  
 7 having voted or refrained from voting at an election, or registered or refrained  
 8 from registering at an election, such person so offering shall be guilty of a mis-  
 9 demeanor, and, on conviction thereof, shall be punished by a fine and imprison-  
 10 ment, or both, at the discretion of the court, the fine not to exceed two thousand  
 11 dollars, and the imprisonment not to exceed five years.

## Bribery by Giving or Promising Employment.

1     34. Any person who shall directly or indirectly, by himself or by any other  
 2 person in his behalf, give or procure, or agree to give or procure or offer or promise  
 3 to procure, or endeavor to procure any office, place or employment to or for any  
 4 voter, or to or for any person on behalf of such voter, or to or for any other per-  
 5 son, in order to induce such voter to vote or refrain from voting, or to register  
 6 or refrain from registering, or shall corruptly do any act as aforesaid on account  
 7 of any voter having voted or refrained from voting, or having registered or re-  
 8 frained from registering for any election, shall be guilty of a misdemeanor, and  
 9 being thereof convicted, shall be punished by fine not exceeding two thousand dol-  
 10 lars, or imprisonment not exceeding five years, at the discretion of the court.

## Receiving of Bribe.

1     35. Any voter who shall directly or indirectly, by himself, or by any other per-  
 2 son on his behalf, receive, agree or contract for any money, gift, loan or valuable  
 3 consideration, office, place or employment for himself or for any other person for  
 4 voting or agreeing to vote, or for refraining or agreeing to refrain from voting at



5 any election, or for registering or agreeing to register, or for refraining or for  
 6 agreeing to refrain from registering for any election, shall be guilty of a misde-  
 7 meanor, and being thereof convicted shall be punished by fine not exceeding one  
 8 thousand dollars, or imprisonment for not longer than one year, at the discretion  
 9 of the court.

#### Bribery at Election of Delegates.

1 36. If any person shall, directly or indirectly, give, offer or promise to give  
 2 any sum or sums of money or any valuable thing in action, victuals, drink or pre-  
 3 ferment or other considerations, by way of fee, reward, gift or gratuity, or other  
 4 valuable present or reward to obtain, procure or influence the opinion, behavior,  
 5 vote or abstaining from voting for the election of any delegate to any convention  
 6 of any political party of this State, to nominate any candidate or candidates for  
 7 member of the Legislature of this State, for any member of Congress of the United  
 8 States, for electors for President and Vice-President of the United States, for  
 9 Governor of this State, or for any candidate for any office in any county, city,  
 10 town, township or borough in this State; or if any person being a delegate to  
 11 any political convention to nominate candidates for any of the offices named in  
 12 this act, shall, directly or indirectly, ask for, accept, receive or take any sum or  
 13 sums of money, or other valuable consideration by way of fee, reward, gift or  
 14 gratuity, or other valuable consideration for the giving or refusing to give his  
 15 vote at any such convention, all and every of such persons so offering, asking, or  
 16 receiving the same, in either case aforesaid, shall be deemed and taken to be guilty  
 17 of misdemeanor, and on conviction thereof shall be punished by a fine or imprison-  
 18 ment, or both, at the discretion of the court; said fine not to exceed five hundred  
 19 dollars, nor such imprisonment six months.

#### Bribery at Election.

1 37. Whoever shall, directly or indirectly, give, furnish, supply, offer or  
 2 promise, or procure to be given, furnished, supplied, offered or promised, to any

3 person or persons, any money, service, preferment or valuable thing with the in-  
 4 tent that such money or valuable thing, or any other money, service, preferment  
 5 or valuable thing shall be given, offered, promised or used, by any person or per-  
 6 sons, by way of fee, reward, gift or gratuity, for giving or refusing to give any  
 7 vote or votes of any citizen of this State, at any election of any public officer,  
 8 State, county or municipal, to be held therein, or of any member of Congress of  
 9 the United States, of electors for President and Vice-President of the United  
 10 States, or at any election of any delegate or delegates to any political convention  
 11 to be held for the nomination of any of the officers aforesaid, or by way of gift,  
 12 gratuity or reward, for giving or withholding the vote or votes of any delegate  
 13 or delegates at any such conventions, shall be guilty of a misdemeanor, and upon  
 14 conviction thereof shall be punished by a fine or imprisonment, or both; such fine  
 15 not to exceed the sum of ten thousand dollars, and such imprisonment not to ex-  
 16 ceed the term of one year.

#### Bribery at Election.

1 38. Any person who shall, directly or indirectly, by himself or by any other  
 2 person in his behalf, give, lend, or agree to give or lend, or procure, or agree to  
 3 procure or offer or promise to procure, or endeavor to procure, any money or  
 4 other valuable consideration or thing, or any office, place or employment to or for  
 5 any voter, or to or for any person, in order to induce such voter to vote or refrain  
 6 from registering or voting at any election, or shall corruptly do or commit any of  
 7 the acts in this section mentioned, on account of any voter having voted or re-  
 8 frained from voting, or having registered or refrained from registering for any  
 9 election, shall be guilty of a misdemeanor, and upon conviction thereof shall be  
 10 sentenced to disfranchisement for a period of five years from the date of conviction.

#### Contributions for Bribery Purposes.

1 39. Any person who shall give, advance or pay, or cause to be given, advanced  
 2 or paid, any money or other valuable thing to any person, or to the use of any other

3 person, with the intent that such money or other valuable thing, or any part thereof,  
 4 shall be expended, or used for bribery of voters, or for any other unlawful purpose  
 5 at any election, or who shall knowingly pay, or cause to be paid, any money to any  
 6 person wholly or in part expended in bribery of a voter or voters at any election,  
 7 shall be guilty of a misdemeanor, and, on conviction thereof, shall be sentenced to  
 8 disfranchisement for five years from the date of conviction.

#### Receiving of Rewards.

1 40. Any person who shall, directly or indirectly, by himself, or by any other  
 2 person on his behalf, receive, agree or contract for any money, gift, loan or valu-  
 3 able consideration, office, place or employment for himself or for any other person  
 4 for voting or agreeing to vote, or for refraining or agreeing to refrain from vot-  
 5 ing at any election, or for registering or agreeing to register, or for refraining or  
 6 for agreeing to refrain from registering for any election, shall be guilty of a mis-  
 7 demeanor, and on conviction thereof shall be sentenced to disfranchisement for a  
 8 period of five years from the date of conviction.

#### Bribery.

1 41. No person shall give or agree to give for the purpose of promoting or  
 2 procuring the election of a candidate for public office, or for the purpose of pro-  
 3 moting or procuring the nomination of any person as a candidate for public office,  
 4 any money or any valuable thing to be used for any of the purposes hereinafter  
 5 enumerated.

6 (a) To provide or give or to pay, wholly or in part, the expense of giving  
 7 or providing any meat, drink, entertainment or provision to or for any person for  
 8 the purpose of influencing that person or any other person to give or refrain from  
 9 giving his vote at any election, or on account of any such person or any other per-  
 10 son having voted or refrained from voting.

11 (b) To provide for the payment of rent for or for the purpose of providing  
 12 and fitting up any clubroom for social or recreative purposes, or providing for uni-  
 13 forms for any organized club.

14 (c) To provide for the payment for the insertion in any newspaper or maga-  
 15 zine of any article tending to influence any voter; *provided, however*, that this  
 16 prohibition shall not be construed to prohibit the insertion of paid advertisements,  
 17 which advertisements shall be indicated by the words "This advertisement has been  
 18 paid for by . . . . . ." (inserting the name of the person or persons paying for the  
 19 same).

20 No person shall accept any money or other valuable thing, the payment of  
 21 which is prohibited by this act.

22 Any person found guilty of bribery as hereinabove defined shall be guilty of a  
 23 misdemeanor, and upon conviction thereof shall, for the first offense be disfran-  
 24 chised for a period of two years from the date of such conviction, and for any  
 25 subsequent offense shall be perpetually disfranchised, and in addition thereto the  
 26 court in which such conviction is obtained, may, in its discretion, in case of a sub-  
 27 sequent conviction, impose upon the person so convicted the punishment now pre-  
 28 scribed by law for a misdemeanor.

#### Perjury and Subornation of Perjury.

1 42. If any person shall be guilty of willful and corrupt false swearing or  
 2 affirming, or by any means shall willfully and corruptly suborn or procure any per-  
 3 son 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  
 5 high misdemeanor, and, on conviction thereof, shall be punished by a fine not ex-  
 6 ceeding eight hundred dollars or imprisonment at hard labor not exceeding seven  
 7 years, or both, at the discretion of the court, and be deemed and taken to be an  
 8 incompetent witness thereafter for any purpose within this State, until such time as  
 9 he shall have been pardoned.

#### DURESS, UNDUE INFLUENCE.

##### Threats Against Employee.

1 43. Any employer of any workmen, or any agent, superintendent or overseer  
 2 of any company or corporation employing workmen, or any person whatsoever,

3 who shall directly or indirectly, by himself or by any other person in his behalf  
 4 or by his direction, make use of or threaten to make use of any force, violence or  
 5 restraint, or inflict or threaten to inflict by himself or by any other person any  
 6 injury, damage, harm or loss against any person or persons in his employ, in order  
 7 to induce or compel such employee or employees to vote or refrain from voting  
 8 for any particular candidate or candidates at any election, or on account of such  
 9 employee or employees having voted or refrained from voting for any particular  
 10 candidate or candidates at any election, or who shall, by any sort of duress, con-  
 11 straint or improper influence or by any fraudulent or improper device, contrivance  
 12 or scheme, impede, hinder or prevent the free exercise of the franchise of any voter  
 13 at any election, or shall thereby compel, induce or prevail upon any voter to vote  
 14 for or against any particular candidate or candidates at any election, shall be guilty  
 15 of a misdemeanor, and, being thereof convicted, shall be punished by a fine not ex-  
 16 ceeding two thousand dollars, or imprisonment not exceeding five years, or both,  
 17 at the discretion of the court before which conviction is had.

#### Threats Against Any Voter.

1 44. It shall be unlawful for any person, directly or indirectly, by himself or  
 2 any other person in his behalf, to make use of, or threaten to make use of, any  
 3 force, violence or restraint, or to inflict or threaten the infliction, by himself or  
 4 through any other person, of any injury, damage, harm or loss, or in any manner  
 5-6 to practice intimidation upon or against any person, in order to induce or compel  
 7 such person to vote or refrain from voting at any election, or to vote or refrain from  
 8 voting for any particular person or persons at any election, or on account of such  
 9 person or persons at any election, or on account of such person having voted or re-  
 10 frained from voting at any election.

#### Interference with Voter.

1 45. And it shall be unlawful for any person, by abduction, duress or any  
 2 forcible or fraudulent device or contrivance whatever, to impede, prevent or other-



3 wise interfere with the free exercise of the elective franchise by any voter; or to  
 4 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  
 6 person or persons at any election.

Influencing of Vote by Employer.

1 46. It shall not be lawful for any employer, in paying his employees the salary  
 2 or wages due them, to enclose their pay in "pay envelopes" upon which there is  
 3 written or printed the name of any candidate or any political mottoes, devices or argu-  
 4 ments containing threats, express or implied, intended or calculated to influence the  
 5 political opinions or actions of such employees. Nor shall it be lawful for any em-  
 6 ployer, within ninety days of an election, to put up or otherwise exhibit in his  
 7 factory, workshop, or other establishment or place where his workmen or employees  
 8 may be working, any handbill or placard containing any threat, notice or informa-  
 9 tion that in case any particular ticket of a political party, or organization, or can-  
 10 didate 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  
 12 workmen or employees be reduced, or other threats, express or implied, intended or  
 13 calculated to influence the political opinions or actions of his workmen or em-  
 14 ployees.

Applicable to Corporations.

1 47. The foregoing sections shall apply to corporations as well as individuals,  
 2 and any person or corporation violating the provisions of this section is guilty of a  
 3 misdemeanor, and any corporation violating this section shall forfeit its charter.

ILLEGAL CONTRIBUTIONS AND EXPENDITURES.

Contributions by Insurance Corporations Prohibited.

1 48. No insurance corporation or association doing business in this State shall,  
 2 directly or indirectly, pay or use, or offer, consent or agree to pay or use, any  
 3 money or property for or in aid of any political party, committee, organization or  
 4 corporation, or for or in aid of any candidate for political office, or for nomination

5 for such office, or for any political purpose whatsoever, or for the reimbursement  
 6 or indemnification of any person for money or property so used. Any officer, di-  
 7 rector, stockholder, attorney or agent of any corporation or association which  
 8 violates any of the provisions of this act, who participates in, aids, abets, or ad-  
 9 vises or consents to any such violation, and any person who solicits or knowingly  
 10 receives any money or property in violation of this act, shall be guilty of a misde-  
 11 meanor.

Contributions by State, County or Municipal Committee Prohibited.

1 49. It shall be unlawful for any State, county or municipal committee or organi-  
 2 zation of any political party in this State to expend any money in aid of the candidacy  
 3 of any candidate for election as a delegate at any national convention, or election  
 4 to any party position, or for nomination as a candidate of a political party for public  
 5 office.

Contributions by Petitioners Prohibited.

1 50. It shall be unlawful for any such party committee or organization, or any  
 2 committee of any group of petitioners, or any other person, to expend any money in  
 3 aid of any candidate for public office, except as hereinafter provided.

Contributions by Any Person Prohibited.

1 51. Any person who shall expend or aid or assist in the expenditure of any such  
 2 moneys for any purpose not authorized by this section, or for any purpose not  
 3 named in the statement accompanying such contribution, shall be guilty of a misde-  
 4 meanor and liable to the punishment provided by law for misdemeanors.

Advertising, Meetings, Refreshments, Rent and Salaries.

1 52. No person shall expend any money or other thing of value or incur any  
 2 liability in aid or furtherance of his candidacy for nomination for or election to any  
 3 public office or party position, in aid or furtherance of the candidacy of any other  
 4 person for nomination for or election to any public office or party position for any  
 5 purpose whatsoever except the following: Advertising in newspapers and period-  
 6 icals, holding political meetings, including expenses for music and other entertain-

7 ment, exclusive of food and drink, at such meetings, and for advertising such meet-  
 8 ings; the traveling expenses and compensation of agents actually employed in ar-  
 9 ranging for and conducting such meetings, paying for watchers at the polls, as in  
 10 this act provided, making contributions to the State or county committee, as in this  
 11 act provided, maintaining candidates or party headquarters, including the hire of  
 12 rooms and the compensation of employees actually employed therein; salary or fees  
 13 of stenographers, telegraph or telephone charges, postage, expressage, traveling ex-  
 14 penses of candidates, and the preparation and printing of literature for distribution.

Expenditures Authorized.

1 53. No person shall expend any money or other thing of value or incur any  
 2 liability in aid or furtherance of his candidacy for nomination for or election to  
 3 any public office or party position, or in aid or furtherance of the candidacy of any  
 4 other person for nomination for or election to any public office or party position  
 5 for any of the following purposes, but the specific prohibitions contained in this sec-  
 6 tion, or in any other portion of this act, shall not operate to permit, by implication  
 7 or otherwise, the expenditure of any money or thing of value or the incurring of  
 8 any liability for any purpose not specifically authorized by this act or to limit or in  
 9 any way restrict the operation of the next preceding section of this act:

10 (a) For the printing or distribution of posters or for the posting of cards, ad-  
 11 vertisements or posters upon billboards, dead-walls, trees or posts, or the placing  
 12 of the same in the windows of buildings;

13 (b) The hiring of any watchers, agents or challengers for any work on any  
 14 primary day or other election day; *provided, however,* that any candidate for nom-  
 15 ination or party position may hire one watcher for each election district in which he  
 16 is to be voted for at any primary election; *provided, further,* that any group of  
 17 candidates who shall have been bracketed on any primary ticket or who shall have  
 18 united in a joint campaign shall not hire more than one watcher or challenger at  
 19 each such polling place, which watcher or challenger shall represent all of such  
 20 group; *provided, further,* that nothing in this act contained shall prohibit any can-

21 didates not bracketed or conducting a joint campaign from joining in the hire of  
22 watchers; *provided, further*, that each political party or organization may employ  
23 not exceeding two persons on election day to act as challengers or agents in each  
24 polling place as now provided by law;

25 (c) The hiring of any vehicle for the transportation of voters to or from the  
26 polls; *provided, however*, that nothing in this act contained shall be construed to in  
27 any way limit the right of any volunteer acting without compensation to transport  
28 any voters, properly registered, to and from any polling places where he may be  
29 legally entitled to cast his vote;

30 (d) To pay any compensation of any kind or character to any person on ac-  
31 count of services rendered or to be rendered in seeking to create a public sentiment  
32 in favor of, or against any candidate by any means or method, except those for  
33 which expenditure of money is above specifically authorized;

34 (e) To pay any compensation of any kind or character to any person for any  
35 personal services rendered, except clerical services, the services of watchers at the  
36 polls on any election day as authorized by this act in furtherance or in aid of the can-  
37 didacy of any candidate for nomination for election to any public office or party  
38 position, unless within twenty-four hours after said person shall have been employed  
39 by said candidate or the campaign manager of such candidate, or shall have com-  
40 menced to render the services for which compensation is to be paid, a notice shall  
41 be filed in the office where such candidate is required to file his statement of ex-  
42 penses, stating that such person has been employed by such candidate or his man-  
43 ager for compensation, and stating the nature of the services to be rendered by such  
44 person. Such notice shall be signed by the candidate or his campaign manager.  
45 All of such notices shall be kept by the officer with whom the same are filed and so  
46 classified and arranged that ready reference may be had thereto, and shall be open  
47 to the inspection of the public.

## Expenditures Prohibited.

1 54. No person shall pay, lend or contribute, or offer or agree to pay, lend or  
2 contribute, any money or other valuable consideration to or for any person, either  
3 for

4 (a) The doing or procuring to be done of any act forbidden to be done by  
5 the laws of this State relating to primary or general elections; or,

6 (b) The commission of any crime or offense against the elective franchise, or  
7 the encouragement or assistance of a person in the commission of a crime or of-  
8 fense 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  
17 to otherwise obstruct or hinder, or to prevent the forming of the line of voters  
18 awaiting their opportunity or time to enter the polling place or election booth of an  
19 election 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 of 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 of any pamphlet, statement, adver-  
28 tisement or other printed matter of any kind or character having reference to an elec-



tion or to any candidate at any election, unless such pamphlet, statement, advertisement or printed matter shall bear upon the face thereof the name and address of the candidate or campaign manager of the candidate causing the same to be published, and furnishing, or agreeing to furnish, payment for such printing and publication.

#### Expenditures Prohibited.

55. It shall be unlawful for any person, directly or indirectly, by himself or through any other person—

(a) To pay, lend or contribute, or offer or promise to pay, lend or contribute, any money or other valuable consideration to or for any voter, or to or for any other person, to induce such voter to vote or refrain from voting at any election, or to induce any voter to vote or refrain from voting at such election for any particular person or persons, or to induce such voter to come to the polls or remain away from the polls at such election, or on account of such voter having voted or refrained from voting or having voted or refrained from voting for any particular person, or having come to the polls or remained away from the polls at such election.

(b) To give, offer or promise any office, place or employment, or to promise to procure or endeavor to procure any office, place or employment to or for any voter, or to or for any other person, in order to induce such voter to vote or refrain from voting at any election, or to induce any voter to vote or refrain from voting at such election for any particular person or persons.

(c) To make any gift, loan, promise, offer, procurement or agreement, as aforesaid, to, for or with any person, in order to induce such person to procure, or endeavor to procure, the election of any person, or the vote of any voter at any election.

(d) To procure, or engage, promise or endeavor to procure, in consequence of any such gift, loan, offer, promise, procurement or agreement, the election of any person, or the vote of any voter at such election.

22 (e) To advance or pay, or cause to be paid, any money or other valuable thing,  
 23 to or for the use of any other person, with the intent that the same, or any part  
 24 thereof, shall be used in bribery at any election, or to knowingly pay, or cause to be  
 25 paid, any money or other valuable thing to any person in discharge or repayment  
 26 of any money, wholly or in part, expended in bribery at any election.

27 (f) To advance or pay, or cause to be paid, any money or other valuable thing,  
 28 to or for the use of any other person, with the intent that the same, or any part  
 29 thereof, shall be used to aid or assist any person to evade arrest who is charged  
 30 with the commission of a crime against the elective franchise.

31 (g) To advance or pay, or cause to be paid, any money or other valuable thing,  
 32 to or for the use of any other person, in consideration of being selected or endorsed  
 33 as the candidate of any convention, organized assemblage of delegates, or other  
 34 body representing, or claiming to represent, a political party or principle, or any  
 35 club, society or association, for a public office, or in consideration of the selection  
 36 or endorsement of any other person as a candidate for a public office, or in consid-  
 37 eration of any member of a convention, club, society or association, having voted  
 38 to select or endorse any person as a candidate for a public office.

39 (h) To advance or pay, or cause to be paid, any money or other valuable thing  
 40 to or for the use of any other person, in consideration of a person withdrawing as  
 41 a candidate for a public office.

#### Receipts Prohibited.

1 56. It shall be unlawful for any person, directly or indirectly, by himself or  
 2 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 vot-  
 7 ing or agreeing to vote, or refraining or agreeing to refrain from voting for any  
 8 particular 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  
 12 any other person having come to the polls or remained away from the polls at such  
 13 election, 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 elec-  
 17 tion, 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 con-  
 19 vention, organized assemblage of delegates or other body, representing, or claiming  
 20 to represent, a political party or principle, 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 57. No person shall make any payment of his own money, or of the money of  
 2 any other person, in connection with any nomination or election in any other name  
 3 than that of the person who really supplies such money, nor shall any person  
 4 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  
 6 person who really supplies the same.

#### Office Holders' Restrictions.

1 58. No holder of any public office or position not filled by election by voters  
 2 shall contribute to the nomination or the election of any person to public office or  
 3 party position; *provided*, that this prohibition shall not apply to any person hold-  
 4 ing 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 59. No person shall demand, solicit, ask or invite any payment or contribution  
2 for any religious, charitable or other cause or organization supposed to be prima-  
3 rily for the public good, from any candidate for nomination or election.

#### Solicitation of Candidates Prohibited.

1 60. No person shall demand, solicit, ask or invite any candidate for nomina-  
2 tion for election to public office or party position to subscribe for the support of  
3 any club or organization, or to buy tickets to any entertainment or ball, or to pay  
4 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  
6 was a regular advertiser prior to his candidacy, nor to ordinary business advertis-  
7 ing, nor to the regular payments to any organizations, religious, charitable or  
8 otherwise, of which he was a member, or to which he was a contributor for more  
9 than six months before his candidacy, nor to any ordinary contributions at church  
10 services

#### Contributions by Corporations Prohibited.

1 61. No corporation carrying on the business of a bank, savings bank, co-op-  
2 erative bank, trust, trustee, savings indemnity, safe deposit, insurance, railroad,  
3 street railway, telephone, telegraph, gas, electric light, heat and power, canal or  
4 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, per-  
6 son, trustee or trustees, owning or holding the majority of stock in any such  
7 corporation, shall pay or contribute any money or thing of value in order to aid or  
8 promote the nomination or election of any person, or in order to aid or promote the  
9 interests, success or defeat of any political party.

#### MISCELLANEOUS CRIMES AND PENALTIES.

##### Disfranchisement as Extra Penalty.

1 62. In addition to the penalties provided for violations of any of the provisions  
2 of this act, the court imposing such penalties may add thereto that such offender be

3 thenceforth disfranchised as a voter and disqualified to hold any office of trust or  
 4 profit within this State for such length of time as such court may deem proper;  
 5 (a) *provided, nevertheless*, that nothing in this act contained shall be held or con-  
 6 strued to in anywise absolve or relieve any person or persons from any liability,  
 7 penalty, prosecution, indictment or punishment, for or on account of any violation  
 8 of any law in force at the time of the passage of this act.

#### Second Offense.

1 63. Any person who, having once been convicted of a violation of any of the  
 2 provisions of this act, shall again be convicted of a violation of any of the pro-  
 3 visions of this act, whether such conviction be for the same offense or not, shall, on  
 4 such second conviction, be sentenced to disfranchisement and to pay a fine not ex-  
 5 ceeding 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 64. Every person charged with the performance of any duty under the pro-  
 2 visions of any law of this State relating to elections, who willfully neglects or re-  
 3 fuses to perform it, or who, in his official capacity, knowingly and fraudulently acts  
 4 in contravention or violation of any of the provisions of such laws, shall be guilty of  
 5 a misdemeanor.

#### Influencing Others to Disobey Act.

1 65. Any candidate who procures, aids, assists, counsels, advises or knowingly  
 2 permits any person to violate this act shall be guilty of a misdemeanor.

#### Acting After Election is Void.

1 66. Any person chosen as member of the State committee, county committee,  
 2 or any city or municipal committee of any political party who shall sit or perform  
 3 any duty, or exercise any functions as a member of such committee after his elec-  
 4 tion thereto shall have been declared null and void, shall be guilty of a misdemeanor,  
 5 and each member of any such committee who shall vote to recognize any such mem-  
 6 ber after such election shall have been declared null and void, shall likewise be  
 7 guilty of a misdemeanor.



**Failure of Delegate to Surrender Certificate.**

1 67. Any delegate at large or district delegate to any national convention who  
 2 shall fail to surrender such certificate of election forthwith, after the same has been  
 3 declared null and void, as aforesaid, or who shall use such certificate of election, or  
 4 who shall present such certificate of election as a credential at any such convention,  
 5 or to any committee on credentials at such convention, or who shall leave the limits  
 6 of this State with such certificate in his possession, with intent to use the same as a  
 7 credential for admission to any political convention, shall be guilty of a misdemeanor.

**Endorsement of Candidate Before Primary.**

1 68. It shall be unlawful for any State, county or city committee or organization  
 2 of any political party prior to any primary election to endorse the candidacy of any  
 3 candidate for a party nomination or position.

**Failure to Supply Information.**

1 69. Any person who neglects or refuses to furnish any information required or  
 2 authorized by this act, or to exhibit the records, papers or documents herein author-  
 3 ized to be inspected, or which are required to be exhibited, shall be guilty of a misde-  
 4 meanor.

**Failure to Obey Subpoena.**

1 70. Any person who shall omit, neglect or refuse to obey a subpoena attested  
 2 in the name of the prosecutor of the pleas and made returnable by him, or who  
 3 shall refuse to testify under oath before him, shall be guilty of a misdemeanor, and  
 4 punished accordingly.

**Making a False Statement.**

1 71. Any person who shall make any false statement under oath before the  
 2 prosecutor of the pleas, as herein provided, shall be guilty of a misdemeanor, and  
 3 punished accordingly.

**Misdemeanor of Landlord.**

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

## ENFORCEMENT OF LAWS.

## Subpoenas to be Obeyed.

1 73. It shall be the duty of every person upon whom a subpoena, issued under  
2 and by virtue of this act, shall have been served, and to whom the lawful fees shall  
3 have been paid or tendered, to obey the command of such subpoena, under the  
4 penalty of fifty dollars, to be sued for and recovered, with costs, in an action of  
5 debt, before any court of competent jurisdiction, by the person on whose applica-  
6 tion such subpoena shall have been issued; *provided*, that no person shall in any  
7 case be required to attend any such examination as a witness out of the county in  
8 which he resides; and if any person duly subpoenaed as aforesaid shall neglect or  
9 refuse to obey the command of such subpoena, it shall be lawful for any justice of  
10 the Supreme Court or judge of the Court of Common Pleas, on due proof by  
11 affidavit of the service of a subpoena on such witness, and of the payment of his  
12 legal fees, and of his refusal or neglect to obey the command of said subpoena as  
13 aforesaid, to issue an attachment against such person to bring him before said jus-  
14 tice or judge; and the said justice or judge shall have power to proceed against  
15 said witness as for a contempt of said court.

## Duty of Peace Officers Regarding Liquor on Election Day.

1 74. It shall be the duty of all sheriffs, under-sheriffs, police officers and con-  
2 stables, on any election day, during the hours of election, to arrest without war-  
3 rant all persons who shall be found by them in the actual violation of any law pro-  
4 hibiting the sale, or offer to sell or exposure for sale, of any spirituous, vinous,  
5 malt or intoxicating liquors on any election day, and take such person when  
6 arrested before some recorder, police justice or justice of the peace, of the county  
7 in which such arrest shall be made, to be dealt with by him according to law; and  
8 it shall be the further duty of such sheriffs, under-sheriffs, police officers and con-  
9 stables, to effectually close up all places where they shall have good reason to be-  
10 lieve any spirituous, vinous or malt liquors, ale, beer or cider, are being sold or  
11 offered or exposed for sale or given away, and keep the same effectually closed up  
12 till after such election.

#### Duty of Officers to Issue Subpoenas.

1 75. If proof be made before any justice of the peace, recorder or police justice  
 2 of facts constituting probable cause for believing that this act has been violated,  
 3 and that any person or persons have knowledge of the circumstances connected  
 4 therewith, it shall be the duty of said justice or recorder to issue process of sub-  
 5 poena for the appearance of such person or persons other than the accused before  
 6 him, to be examined touching the same; *provided*, that the lawful expenses of such  
 7 subpoena 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 subpoena shall be issued or served  
 10 nor any such examination held on the day of election.

#### Witnesses Obligated to Answer Questions.

1 76. On the trial of any indictment against any person or persons for viola-  
 2 tion of any of the provisions of this act, all witnesses sworn on any such trial  
 3 shall truly answer all questions put to them which the court shall decide to be proper  
 4 and pertinent to the issue involved; and no witness shall be excused from answer-  
 5 ing any such question on the ground that to answer the same might or would in-  
 6 criminate him, or might or would tend to incriminate him; but no answer or an-  
 7 swers 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 proceed-  
 9 ing for perjury in respect to his answers to such questions.

#### Compulsory Testimony.

1 77. No person shall be excused from attending and testifying, or producing  
 2 any books, papers or other documents before any court on any indictment for viola-  
 3 tion of any of the provisions of this act, upon the ground or for the reason that  
 4 the testimony or evidence, documentary or otherwise, required of him may tend to  
 5 convict him of a crime or to subject him to a penalty or forfeiture, but no person  
 6 shall be prosecuted or subjected to any penalty or forfeiture for or on account of  
 7 any transaction, matter or thing concerning which he may so testify or produce evi-

8 dence, documentary or otherwise, and no testimony so given or produced shall be  
9 received against him upon any criminal proceeding or action.

**Incriminating Testimony Not Used Against Witness.**

1 78. No person called to testify in any proceedings under this act shall be liable  
2 to a criminal prosecution, either under this act or otherwise, for any matters or  
3 causes in respect to which he shall be examined, or to which his testimony shall re-  
4 late, except to a prosecution for bribery committed in such testimony; nor shall  
5 any person, when called to testify in any trial for a violation of this act, be privileged  
6 to refuse to answer any questions which may be asked him, upon the ground that the  
7 same will tend to degrade or incriminate him.

**Testimony of Offender.**

1 79. A person offending against any provision of this act shall be a competent  
2 witness against another person so offending, and may be compelled to attend and  
3 testify upon any trial, hearing, proceeding or lawful investigation or judicial proceed-  
4 ing, in the same manner as any other person. But the testimony so given shall not  
5 be used in any prosecution or proceeding, civil or criminal, against the person so  
6 testifying. A person so testifying shall not thereafter be liable for indictment or pre-  
7 sentment by information, nor to prosecution or punishment for the offense with  
8 reference to which his testimony was given, and may plead or prove the giving of  
9 testimony accordingly in bar of such indictment, information or prosecution.

**District Boards of Registry and Election to Answer Summons.**

1 80. Any person so summoned failing to appear and discharge any duties now  
2 or hereafter imposed by law on a member of the district board of registry and  
3 election of the district for which such person was appointed, at any time within the  
4 term of two years from the first day of September next succeeding the service of  
5 the summons, shall be liable to a penalty of one hundred dollars, to be sued for  
6 and recovered in the name of the county, by the prosecutor of the pleas of such  
7 county in any court of competent jurisdiction.

**Duty of Prosecutor of Pleas to Present Matter to Grand Jury.**

1 81. If the prosecutor of the pleas of the county shall be notified by any officer  
2 or other person of any violation of any of the provisions of this act, it shall be his

3 duty forthwith to diligently inquire into the facts of such violation, and if there is  
 4 reasonable ground for instituting a prosecution, it shall be the duty of such prose-  
 5 cutor of the pleas to present the said charge, with all the evidence which he can pro-  
 6 cure, to the grand jury of such county.

Employment of Assistant for Prosecutor.

1 82. Any citizen may employ an attorney to assist the prosecutor of the pleas to  
 2 perform his duties under this act, and such attorney shall be recognized by the prose-  
 3 cutor of the pleas and the court as associate counsel in the proceeding; and no  
 4 prosecution, action or proceeding shall be dismissed without notice to, or against  
 5 the objection of, such associate counsel until the reasons of the prosecutor of the  
 6 pleas for such dismissal, together with the objections thereto, of said associate coun-  
 7 sel, shall have been filed in writing, argued by counsel, and fully considered by the  
 8 court with such limitation as to the time of filing such reasons and objections as the  
 9 court may impose.

Enactment Clause.

1 83. The act entitled "An act to regulate elections" (Revision of 1898), ap-  
 2 proved April fourth, one thousand eight hundred and ninety-eight, and all acts  
 3 amendatory thereof and supplemental thereto, and all acts and parts of acts,  
 4 general and special, inconsistent with this act, are hereby repealed, but this repealer  
 5 shall not revive any act heretofore repealed, and this act shall take effect imme-  
 6 diately.

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STATEMENT.

This analytical revision of the New Jersey Election Laws, prepared by the Bureau of State Research, aims to eliminate the numerous repetitions, conflicts, ambiguities and uncertainties which twenty-two years of amendment, supplement and new legislation have fastened on the 1898 Election Law Revision. It does not change any of the underlying principles of the election procedure, but endeavors to perfect the machinery for the expression of these principles.

The revision is based entirely upon present election theory; it legalizes sound and accepted practice and preserves the obvious intent of the law.

This bill revises and codifies the Election Law.



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