******* THE PRIMARY ELECTION LAW

House Roll No. 405

Passed by the Last Legislature

An Act entitled: "An Act to provide for (be primary elections and to regulate the same: provide for the nomination of certain elector candidates for certain offices at such primary elections; to provide for the election of state and county committees of the several political parties; to permit electors to express their choice for United States senator and upon proposed constitutional amendments: to provide penalties for violations of the provisions of this act, to amend section 5769 of Cobbey's Annotated Statutes of Nebraska for 1903, and to repeal said original section, and to repeal sections 5714, 5715, 5716, 5717, 5718, 5719, 5720, 5721, 5722, 5800, 5801, 5802, 5804. 5806, 5807, 5808. 5809. 5808. 5771. 5810. 5767. 5768, 5770, 5811. 5772, 5773, 5774, 5775, 5776, of Cobbey's Anmocated Statutes of Nebraska, 5811a1 to 5811h1 Cobbey's Supplement for the year 1905, as the same now exist, and all acts or parts of acts in conflict with the proviions of this act. Bo It- Enacted by the Legislature of the

Stale of Nebraska: Section 1. Definition and Construction.

The words and phrases in this act shall. unless the same be inconsistent with the -context, be construed as follows:

1. The word "primary," the primary election provided for by this act. 2. The word "election," a general or city

election as distinguished from a primary election.

3. The words "November election;" general election held in November. 4. The word "precincf," a district established by law within which all qualified

electors vote at one polling place. The word "district," a subdivision of the state or a county or city or village in which all the electors are entitled to par-ticipate in the election of any one of more candidates for office, to be elected by votes of electors in such subdivision exclusively. This statute shall be liberally construed so that the real will of the electors may not be defeated by an informality or failthre to comply with all provisions of law in respect to either the giving of any notice or the conducting of the primary or certifying the results thereof.

Section 2. Candidates, How Nominated. Hereafter all candidates for elective ofoces, except those expressly exempted from the provisions of this act, shall be nomibated

1. By a primary held in accordance with this act:

2. By nomination papers signed and filed as provided by statute.

This act shall not apply to special elections to fill vacancies, nor to municipal elections in cities having less than 25,000 population, village, township and school district officers, nor to members of school boards nor members of boards of education.

Section 2a. That section 5769 of Cobbey's Annotated Statutes of Nebraska for 1903 be amended to read as follows: "Section 5769. Candidates for public office may be nominated otherwise than by convention, ing each official position, provided, how-committee or primary meeting in the foltowing manner: A certificate of nomination elections held in counties having more than containing the name of the candidate for one hundred and twenty thousand inhabi-

nominated by each political par one candidate for presidential or in each of the congresty in each the sional districts within the state, and two candidates for presidential electors at large. Candidates for presidential electors shall file nomination rapers as required of candidates for nomination for state offices. Section 6. Nomination Papers. Where Filed. All nomination papers shall be filed as follows:

1. For officers elective in more than one county, in the office of the secretary of state.

For officers to be voted for wholly within one county, except city officers, in the office of the county clerk of such coun-

ty. 3. For city officers, in the office of the city clerk.

Section 7. Posting of Names of Candidates. At least twenty-five (25) days before any primary preceding a general election, secretary of state shall transmit to each county clerk a certified list containing the name and postoffice address of each person for whom nomination papers have been filed in his office, and entitled to be voted for at such primary, together with a designation of the office for which he is a candidate, and the party or principle he represents. Such clerk shall forwith, upon receipt thereof, make public under the proper party designation, the title of each office, the names and addresses of all persons for whom nomination papers have been filed, the date of the primary, the hours during which the polls will be opened, and that the primary will be held at the regular polling place in each precinct. Such clerk shall cause copies of the same to be posted in at least one public place in each precinct in his county, designating therein the location of the polling booth in each

election precinct. Section 8. Primary Election Ballots. The method of voting at such primary election shall be by ballot, and all ballots voted shall be printed as herein provided. On the fourteenth day before the primary election the county clerk, or city clerk in the case of city election, shall group the candidates for each party by themselves, including those candidates certified to him by the secretary of state, and shall prepare at once, in writing, a separate ballot for each party for public inspection, which he shall post in a conspicuous place in his office. these ballots to be prepared in the follow-ing manner: The official primary ballot shall be printed and provided for substantially as is required by law for official ballots used at November elections, pro-vided, however, that a separate ballot shall be prepared for each political party entitled to participate in said primary, and provided further that said ballots shall all be uniform in size, color and quality of paper, and in arrangement and style of printing Section 9. The names of the candidates for each office shall be arranged upon the ballot alphabetically according to surnames and under appropriate headings designat-

with? And the names of the political par- | party ticket after the holding of any pri- the respective counties; and, provided fur- | matter by a county court, or by a judge of ty given by such elector so applying to be registered, shall be recorded in the column mary shall be filled by a majority vote of provided in such registration books for tion, he shall not be required to do so nor tes, 1903. shall his failure to do so act as a bar to his registration for the purpose of voting at any election other than a primary election, but shall debar him from voting at any primary election. If the right of such person to vote be not challenged, one of the

judges of said primary election shall then hand him a ballot of the political party with which he affiliates, which said ballot shall be endorsed with the signature of two of the judges upon the back at the bottom edge.

Section 19. Challenging Voters.

1. If the right of such person to vote be challenged, one of the judges of said offices. election shall then propound to such person the questions provided for in section ----8 of Cobbey's Annotated Statutes of Nebraska for the year 1903, required by said section to be propounded to a voter at a general election when challenged, and in iddition thereto the judge shall propound the following questions:

What political party do you affiliate with? 2. Do you intend to support the candy

dates of such political party, or majorizy of them, at the next election? If the challenge be not then determined in favor of such person by the

judges of said primary election and be not withdrawn, he shall not be allowed to vote until he shall have taken the following oath:

"You do solemnly swear (or affirm) that you are a citizen of the United States (or have declared your intention to become such), that you have been an inhabitant of the state of Nebraska for the last six months, and of the county of for me last forty days, and of this precinct for the last ten days; that you have attainthe age of twenty-one years, to the best of your knowledge; that politically you affilliate with the -fillate with the _____ party, and that you intend to support the candidates of

said party at the coming election. It shall be the duty of the clerks of 3. said primary election to write at the end of such person's name, "sworn." Said yoter shall then be allowed to vote the Said licket of the party which he affiliates with. A judge of such primary election shall nstruct the voter that he is to vote for his choice for each office, using only the ballot of the party with which he affiliates. and that he must return the ballot with the edges folded upon which are the sig-

nature of the judges uppermost. Section 20. Upon any person entitled to vote at any primary election stating the name of the political party with which he filiates, the clerks of said primary election shall thereupon, after the name of the person voting, write the name of such political party in the column of the poll book prepared for that purpose.

Sec. 21. The city clerk of each city wheren a registration of voters is required by aw, shall immediately after each registraion day, compile an alphabetical list of the oters of each of the political parties in each precinct in such city, and within five days after each day of registration he shall furnish to the chairman or secretary of each political committee of his city and county, a certified copy of such lists, and ilso keep the same accessable to the public inspection. He shall also, on the day of the primary, furnish to the officers of the primary election in each precinct, a certified copy of such list for the purpose of determining whether or not any person who desires to vote at such primary was

the city, county, district or state, as the case may be, and a certificate of such nomthat purpose. In case any party applying ination shall be filed as required by Sec-does not desire to state his party affilia- tion 5776 of Cobbey's Annotated Statu-Section 28. Party Committees. At two o'clock p. m. on the second Saturday succeeding the general primary in 1907, and annually thereafter at such hour and day, the nominees of the respective parties for county officers in each county, shall meet at the office of the secretary of the

county committee of their respective parties, and shall elect a county central committee, composed of not less than one member for each election precinct in the coun-ty. Such committee shall serve until their successors are chosen in like manner preceeding the next general election for such

Section 29. Congressional and Judicial Committees.

The candidates of the respective parties for the office of Judge of the District Court and Member of Congress, shall have the right to appoint a chairman, secretary and treasurer and campaign committee for such adicial and congressional district respectively, of not less than one member for each county in the district. If there shall be more than one judge to be elected in any district, all the candidates of each respective party shall be entitled to participate in the election of the officers and committee of the party of which they are nominees, and for that purpose it shall be the duty of the chairman of the judicial committee of each party to fix the time and place of meeting of the candidates of his party to select such committee and to notify the candidates thereof, in ample time to attend such meeting to be held not earlier than the second Saturday next succeeding the primary election at which they were chosen.

Such committee shall serve until their successors are chosen in like manner preceeding -e next general election .or such office.

Section 30. Each committee sha'l have the power to elect a chairman, vice-chairman, secretary and treasurer, and each such committee and its officers shall have the power usually exercised by such committees, and by the officers thereof, in so far as is consistent with this act. The various officers and committees now in existence shall exercise the power and per-form the duties herein prescribed until their successors are chosen in accordance with this act. At all meetings of such city and county committees, each member thereof shall have one vote only. The duties of the secretary or chairman of any committee may be performed by members of such committee selected by them. Any vacancy in any committee office shall be

filled in the same manner as that in which such officer was originally chosen. Section 31. The first Saturday after the primary election the nominees for county offices shall meet at the county seat of the respective counties in this state, and by a majority vote thereof select one committeeman from each township or precinct in said count and within one week thereafter said committeemen so selected shall meet and elect a chairman of the County Central Committee of his respective party and at said time shall elect one delegate who shall meet with like delegates chosen in the same way from each county in the state at the capitol at 12 o'clock m. on the fourth Tuesday in September, 1907, and annually thereafter on the fourth Tuesday sald of September; and said del-egates shall for with formulate the State

platform of their party and select a state

ther, that each county shall be entitled to the district court, or by a justice of the at least one delegate in such convention or supreme court at chambers, on or before conventions.

Section 37. Penal Provisions. 1. It shall be unlawful for any person

to faisly personate and vote under the name of any other person or intentionally vote without the right to do so; to wilfully or wrongfully obstruct or prevent others from voting who have the right to do so, at such primary election; fraudulently or wrongfully deposit in the ballot box. or take therefrom, any official primary ballot. or commit any other fraud or wrong tending to defeat the result of a primary election; give or arree to give to any qualified voter at any primary election held under the provisions of this act. any money or valuable thing as a consideration for his vote for any person to be voted for at said primary election; accept or receive any valuable thing as a consideration for

his vote for any person to be voted for at said primary election; offer to accept and receive, or accept and receive, any money or valuable thing in considration of his filing or agreeing to file, or not filing or agreeing not to file, nomination papers for himself as a candidate for nomination at any primary election; offer to accept or receive any money or accept or receive money or any valuable thing in consideration of his withdrawing his name as a candidate or nomination at such prielection. marv person Any who shall offer, or with knowledge of the same, permit any person to offer for his beneit any bribe to a voter to induce him to sign any election or nomination paper, or any person who shall accept any such bribe or promise of gain of any kind in the nature of a bribe as a consideration for signing the same, whether such brise or promse of gain in the nature of a bribe be offered or accepted before or after such signing, or any person who shall sign more nomination petitions than there are posi-tions to fill in any kind of offices shall

be guilty of a misdemeanor. Any person ommitting any of the acts herein declared mlawful shall be deemed guilty of a misemeanor and upon conviction therefore be ounished by imprisonment in the county ail not less than one nor more than six months.

2. Any act declared an offense by the general laws of this state concerning caucuses and elections shall also in like case. be an offense in all primarles, and shall be punished in the same form and manner as herein provided, and all the penalties and provisions of the law as to such caucuses and elections, except as otherwise provided, shall apply in such case with equal force, and to the same extent as though fully set forth in this act.

3. Any person who shall forge any nomnation paper shall be deemed guilty of forgery, and on conviction punished accordingly. Any person who, being in possession of nomination papers entitled to be iled under this act, or any act of the legslature, shall wrongfully either suppress, neglect, or willfully fail to cause to be filed at the proper time in the proper office. shall, on conviction, be punished by imprisonment in the county jail not to exceed six months, or by a fine not to exceed five hundred dollars (\$500.00) or both such fine and imprisonment in the discretion of the court.

Section 38. General Election Laws to Apply. The provisions of the statutes now n force in relation to the holding of elecions, the solocitation of voters at the polls, the challenging of voters, the manner of conducting elections, of counting the ballots and making returns thereof. and all other kindred subjects, except contests, shall apply to all primaries insofar consistent with this act, the intent of this act being to place the primary under the regulation and protection of the laws now in force as to elections. Section 39. All nominations for candidates of any political party for office to be filled at a special election or any other office to be filled by the electors, excepted from the provisions of this act, shall be nominated by a convention or committee of their political party which nomination shall be in writing, shall contain the name of the office for which each person was nominated, the name and residence of each person, and if in a city, the street number of residence, and place of business, if any, and shall designate in not more than five words, the party which said convention or committee represents. It shall be signed by a presiding officer and the secretary f such convention or committee, who shall add to their signatures their respective places of business and take an oath before qualified officer to administer the same, hat the affiants were such officers at such convention or committee, and that said cerificate, and the statements therein contained, are true to the best of their knowl edge and belief. Such certificate of nomi nation of candidates for office to be filled by the voters of the entire state, or any division or district greater than a county, including candidates for congress or any party action taken relative to any propose constitutional amendment, shall be filed with the secretary of state, except as in this act otherwise provided. Such certificate of nomination for all county, district, township, or precinct offices, including members of both branches of the legisla ture, shall be filed with the county clerk of the respective counties wherein the officers are to be elected, and in case the legislative districts from which the candidate is to be elected embraces more than come county, then in that case, the certificate shall be filed with the county clerk of each county included in such district; certificates for nomination of the judge of the district court shall be filed with the secretary of state; certificates for nomination of municipal officers shall be filed with the clerk of such municipal corporation wherein the officers are to be elected. It is the inention that the manner provided in this section for the nomination of officers named herein, by a convention or committee, shall apply only where such officers are to be chosen at a special election, township or precinct officers to be elected at a general election or village officers or members of school boards not members of boards of education. Section 40. When nominations are made by a convention or committee, as provided for in section 39 of this act, the certificates of nomination to be filed with the secretary of state, shall be filed not less than twenty-five days before the day fixed by law for the election of the persons in nomination, and the certificates of nomination herein directed to be filed with the county clerk shall be filed not less than twenty days before election, and the certificates of nomination herein directed to be filed with the municipal clerk shall be filed not less than fifteen days before election. Certificates of nomination for a new party may be filed with the secretary of state or the county or municipal clerk, twenty-five or twenty or fifteen days before the election, as the case may require. Section 41. Whenever any person nominated for public office, as in this act pro-vided, shall at least fifteen days before election, notify the officers with whom the original certificate of nomination was filed, or if nominated at a primary election, as in this act provided, and the office for which he was nominated was an office to be voted for in more than one county, the secretary of state, and if to be voted for in one county alone, the county clerk of the county where such office is to be voted, or if a municipal office, the clerk of the city or village, by a statement in writing by him and duly acknowledged, that he declines such nomination, the same shall be void, and his name shall not be printed upon the ballots but no such declination shall be received after the time above specified. The office to whom such notification is given shall forthwith inform by mail or otherwise, one or more persons whose names are attached according to the laws of the country

the second Wednesday preceding the elec-tion. Such order may be made summarily

upon application of any party interested, and upon such notice as the court or judge may require. The decision of the secretary of state, or the order of the judge or supreme court justice revising such deci-sion, shall be binding on all other county, municipal or other officers with whom certificates of nomination are filed.

Section 43. In case of a division of any party, the secretary of state shall give the preference of party name to the convention held at the time and place designated in the call of the regularly constituted party authorities, and if the other faction or factions shall present no other party name, the secretary of state shall select name or title and place the same on the ballots before the list of candidates of said faction. The action of the preceding national convention of such party, regularly colled, shall determine the action of the secretary of state or the court in its decision. The secretary of state may be compelled by peremptory order of mandamus proceedings. to perform his duty in this regard.

Section 44. No person shall be entitled to or allowed to file a nomination certificate as provided for in this act, or to have his name placed upon a primary election ballot for any primary election to be held. unless the political party which he states in said affidavit he affiliates with, polled at the last election before the primary election to be held, at least one per cent of the entire vote in the state, county or subdivision or district for which he seeks the nomination for office in.

Section 45. 1. Electors may form a new party. They shall not adopt the name of any old political party or any word forming a part of such name. In order to form a new party there shall be present at a mass convention electors to the number of at least five hundred (500) in a state convention, one hundred (100) in a congres-sional district or county convention, or twenty-five (25) in any precinct, city, village or ward convention, except in cities or counties having a population of fifty thousand (50,000) or more, at least two hundred (200) shall be required to participate.

2. Such convention shall adopt a party name and electors at least to the number respectively above mentioned, and electors to at least the number specified shall sign an agreement to form such new party and support its nominees at the next election. and upon filing such written agreement with the secretary of state, county, city or village clerk, as the case may be, together with an affidavit of some qualified elector that he saw all of the persons whose names are signed to such agreement subscribe the same and he verily believes them all to be qualified electors. Such new party shall be entitled to have a separate party ballot at the next primary election held thereafter. provided that its candidates for nomination shall be required to file nomination papers signed by at least fifty percent of those who subscribed the agreement to form such new party. When the name of the candi-date appears on a petition presented by a political party or members thereof with the required number of signers and it is expressly stated in said petition that the can-

didate is a candidate of two or more par-ties, each of which shall be entitled to nominate a candidate, then it shall be the duty of the officer making up the ballot to place the name of such candidate or candidates upon the bailot in the same manner as now provided for in the general election law for bailots at the general election.

Section 46. The secretary of state shall

the office to be filled stating the name, residence, business and postoffice address of the candidate, shall be signed by electors residing in the district or political division in which the officers are to be elected and filed with the clerk of the village, city or county or with the secretary of state as the case may be. The number of signatures suall not be less than one thousand when the nomination is for an office to be filled by the electors of an entire state, and not less than two hundred when the nomination is for an office to be filled by the electors of the city, county, or other division less than the state and not less than fifty when

the nomination is for an office to be filled by the electors of a township, precinct or ward, provided that the number of signatures need not in any instance exceed onefourth of the total number of voters, when the nomination is for an office to be filled by the electors of a county, city, township, precinct, village or ward, and that the signatures need not all be appended to one paper, provided further than candidates pominated under the provisions of this section, shall be termed "Candidates by Petition" and upon the ballot upon which their names are printed, shall be printed after such names the words "By Petition." Each elector signing a certificate shall add to his signature his place of business, his Certificates of residence, and addres" pomination for all county, district or precinct offices including members of both branches of the legislature, shall be filed with the county clerk of the respective counties wherein the officers are to be elected, and in case the legislative districts from which such candidate is to be elected embraces more than one county, then in that case the certificate shall be filed with the county clerk of each county included in auch district. Certificates for nomination of the judge of the district court shall be field with the county clerk of each county embraced in such judicial district. Certificates of nomination for municipal offices chall be filed with the municipal clerk of such corporation wherein the officers are to be elected." That section 5769 of Cobbey's Annotated Statutes of Nebraska as heretofore existing be and the same is hereby re-

pealed. Section 3. Pritaries, When and Where Held.

1. There shall be a primary election held at the regular polling place in each prenct on the first Tuesday in September. 1907, and annually thereafter on the first Tuesday in September, for the nomination of all candidates, except those extempted from the provisions of this act, to be voted for at the November election, and United States senator, and said day shall be the first day for the registration of voters in all cities where registration is required.

2. Any primary other than that provided for above shall be held on Tuesday, four weeks before the elections, except in cities of the metropolitan class and cities of the first class having over twenty-five thousand nhabitants wherein it shall be held on Tuesday, five weeks before the day of elec-

Section 4. Notice of Primaries, How Giv-At least sixty (60) days before the bolding of any September primary the govornor shall issue his proclamation designating all the offices to be filled by the vote of all electors of the state or by those of any congressional, legislative, or judicial district, and transmit a copy thereof by mail to the county clerk of each county.

Upon receipt of such proclamation said county clerk shall, within ten (10) days thereafter, make and publish a notice of such primary in manner and form substantally as now provided by law for notices of November election, and all persons to whom said notices ma" be by said county clerk delivered, shall post and publish the same in the same manner as the notices for general election.

In case of city elections the city clerk shall post such notice at the regular polling place in each precinct, such postbe not more than twenty (-0) and not less than ten (1.) days before such primary election. Section 5. Nomination Papers-How pre-

pared and signed. 1. The name of no candidate shall be

tants. There shall be no printing on the back of the ballots, or any mark to distinguish them but the signature of the judge or clerk.

Section 10. Notice and Place of Primary Elections. The primary election shall be held in each election district at the place where the last election was held, or such other place as may be lawfully designated for the polling place for the election district, and shall be held at the place where registration of voters occurs for the election next ensuing in cities where registration is required

Section 11, Expenses of Primary, How Paid. All ballots, blanks and other supplies to be used at any primary, and all expenses necessarily incurred in the prepara tion for or conducting such primary, shall be paid out of the treasury of the city or county, as the case may be, in the same manner, with like effect, and by the same officers as in the case of elections.

Section 12. Prior to the filing of such petition, and for the purpose of helping to defray the expenses of such primary there shall be paid to the county treasurer for the use of the general fund, of the county of the candidate's residence. v or on behalf of each candidate, a filing fee as follows:

For the office of United States sena-

for state officers, members of congress and judges of the district

For county, legislative and city of-

5.00 ficers No nominating paper shall be filed until the proper county treasurer's receipt showing the payment of such filing fee shall be presented to the officer with whom such nominating paper is to be filed.

No filing fee shall be required from canlidates for regents of the state university or presidential electors

Section 13. Polls, When Open.

At the primary elections held under his act for the November election in cities where registration is required, the polls shall be opened at eight (8) o'clock a. m., and closed at (9) o'clock in the evening. In all other places and at primary elections at all other times when a primary election is held, polls shall be opened at twelve (12) o'clock m., and remain open until nine (9) o'clock in the evening. But if the judges and clerks shall not attend at the hour of opening, or if it shall be necesstry for the electors present to appoint judges or clerks, or any of them, the polls may then be opened at any time before the time for closing them shall arrive, as the case may require

2 If at the hour of closing there are any electors in the polling place or in line at the door, desiring to vote, and who are qualified to register and participate therein. and have not been able to do so since appearing at the polling place, said polls shall e kept open reasonably long enough after the hour for closing to allow those present No one a that hour to register and vote. arriving after the hour of nine (9) p. m. shall be entitled to register and vote be cause the polls may not actually be closed

when he arrives. Section 14. The county board shall provide a sufficient number of ballot boxes with a sufficient number of locks and keys, at the expense of the county, for the several precidets or districts within which the primary election is to be held.

Section 15. That section 5616, 5617, and 5618 of Cobbey's Annotated Statutes of Nebraska, for the year 1903, are hereby made applicable to primary elections held under this act.

All primaries shall be presided over by the same judges and clerks of elections now provided by law to preside over general elections during the time for which were so appointed, and said judges they and clerks shall receive for their services at such primary, the same compensation as is prescribed by law for judges and clerks of November elections. Section 16. The ballots cast at any pri-

mary election shall be counted and the results returned to the county clerk in manner and form provided by law relating to general elections.

Section 17. Any qualified elector desiring printed upon an official primary ballot un- to vote at any primary election held under

ating with the party the ballot of which he desires to vote at such primary.

When the elector has prepared his balot he shall fold the same with the edges upon which are the signatures, judges uppermost, and so fold as to conceal the face thereof and all marks thereon, and hand the same to the judge of the primary election who is in charge of the ballot)OX.

Section 22. Challenges. The party committee of each party may appoint in writng, one party agent or representative, with an alternate for each, who shall act as challengers for their respective parties or elements therein. The right of any person to vote at any primary may be challenged upon the same ground, and his right to ote be determined in the same manner, as at an election.

Section 23. Canvass of Votes.

1. Canvass of votes cast shall, except is herein otherwise provided, be made in the same manner and by the same officers as the canvass of an election. The party ommitteeman of the precinct in a precinct canvass, the chairman or secretary of the county committee in a county canvass, and of the state committee in a state canvass, or some duly appointed agent to represent each party, shall be allowed to be present and observe the proceedings.

The county canvass of the returns of autumn primary shall be made by the same officers in the same manner provided by law for the canvass of the returns of general election. The canvassers shall meet at ten o'clock on the Friday following the September primary and canvass such returns. Their returns shall con-tain the whole number of votes for each candidate of each political party, and a iuplicate as to each political party shall be delivered to the county chairman of such party.

3. The canvassers shall also make an dditional duplicate return in the same form as provided in subdivision 2, showng the votes cast for each candidate and voted for wholly within the limits of the county. The county clerk shall send to the secretary of state by registered mail, one complete copy of all returns as to such candidates, and he shall likewise send to the chairman of the State Central Committee of each party, a duplicate copy of the returns last described re'ating to such candidates of each such party.

Section 24. State Board of Canvassers, How Constituted and Governed. The board of canvassers provided for by law, o canvass returns of a general election, shall constitute the state board of canvassers of September primaries, and all the provisions of law relating to the canvass of the return of a general election, shall, as far as applicable, apply to the canvass. eturn and certification to the Secretary of State of such primary. Such board shall meet at the office of the Secretary of State

at ten o'clock a. m., on the second Tuesuay succeeding the September primary. Section 25. Party Candidates.

1. The person receiving the greatest number of votes at a primary as the candidate f a party for an office, shall be the candidate of that party for such office, and his name as such candidate, shall be placed on the official ballot at the following election.

2. As soon as the state canvass of a primary shall be certified to him, the Secretary of State shall make a certified statement of the result of such primary as to andidates for state officers and members of congress, and any other candidates whose district extends beyond the limits of a single county, and shall mail to the Chairman of the State Central Committee each party so much of such certifiate as relates to his party.

3. Not less than fourteen days before any November election the Secretary of State shall certify to the county clerk of each county within which any of the electors may vote for the candidates for such offices, the name and description of each person nominated for any such office as specified in the nomination papers. Section 26. City Board of Canvassers;

Quorum; Meetings, When Held. The canvass of the returns of the city

primary shall be made by the mayor, the amendments in the same manner and form or city clerk and the transmort of any the the amendments in the same manner and form to

Central Committee composed of one member for each senator elected from senatorial district, and said committee so elected, shall select its chairman and secetary. The platform of each party shall be framed at such time and shall be made public not later than 6 o'clock in the afternoon on the following day. Section 32. Miscellaneous Provisions.

1. In case of a tie vote, the tie shall forewith be determined by lot of the canvassers. Authority and jurisdiction are hereby vested in the county court and in the judges thereof in vacation, to hear and determine primary election contests, as to county, city or precinct offices. When any petition to contest a primary election shall be filed in the office of the clerk of the county court within twenty-four hours after the board of canvassers has made its return, said petition shall forwith be pre-sented to the judge thereof, who shall note thereon the day of presentation, and shall note thereon the day when he will hear the same, which shall not be more than five days thereafter, and shall order issuance of summons to each defendant named in the petition.

2. Summons shall forwith issue to each defendant named in the petition and chail be served in the same manner as is pro vided in cases in chancery. The case may be heard and determined by the county court in term time, or by the judge .hereof in vacation, at any time not less than two days after service of process, and shall have preference in the order of hearing to all other cases. The petitioner shall give security for all costs.

If in the opinion of the court in which the petition is filed, the grounds for contest alleged are insufficient in law, the petition shall be dismissed. If the grounds alleged in the petition are sufficient, the court shall proceed in a summary manner, and may hear evidence, examine the retuins, recount the ballots, and make such orders and enter such judgments as justice may require. The court shall hear and determine the case within two weeks of the filing of the petition. Immediately upon rendering judgment in any such con test, it shall be the duty of the county judge to at once certify the judgment to the county cierk, who shall cause to be printed on the official ballots the name or names of those whom such county court shall have so decided to have been nominated at such primary, an _ any appeal taken from such judgment o. the county court shall not act -s a supersedas to prevent

the county clerk from so doing. Election 33. It shall be the duty of the Secretary of State and Attorney General. on or before July 1st, 1907, to prepare all forms necessary to carry out the provis ons of this act, which forms shall be substantially followed in all primaries held n pursuance hereof. Such forms shall be printed with copies of this act for pub-

lic use and distribution. Section 34. Any person entitled to vote at a primary election shall, on the day of election, be entitled to absent himself from any service or employment in which he then engaged or employed, for period of two hours between the time of opening and closing the polls, and such voter shall not, because of so absenting himself, be liable to any penalty nor shall any deduction be made, on account of such absence. from his usual salary or wages; provided, however, that application for such leave of absence shall be made prior to the day of the primary.

The employer may specify the hours during the day when the employee may absent himself Section 35. At the general primary election next preceeding any general elec tion at which any constitutional amendment shall by law be required to be submitted to the electors of the state, it shall be the duty of the Secretary of State at the same time that he shall certify the names of candidates for state officers to the county clerks likewise to certify to such county clerks any such amendment

or amendments to be submitted at the general election, and it shall be the duty of the county clerks to cause to be printed in the primary election ballot - of all policical parties the question of such constitutional

cause to be preserved in his office for the period of one (1) year a copy of all nominating statements and certificates of nom-Ination filed therein under the provisions of this act, and each county and municipal clerk shall cause to be preserved in his office for the period of two (2) years, all nominating statements and certificates of nomination filed therein under the provisions of this act. All such nominating statements and certificates shall, at all rea sonable hours, be open to public inspec tion

Section 47. That sections 5714, 5715, 5716, 5717, 5718, 5719, 5720, 5721, 5722, 5800, 5801, 5802, 5803, 5804, 5806, 5807, 5808, 5800, 5810, 5811, 5767, 5768, 5770, 5771, 5772, 5773, 5774, 5775, 5776, of Cobbey's Annotated Statutes of Nebraska, of the year 1903, 5811a1 to 5811h1 Cobbey's Supplement for the year 1905, as the same now exists, and all acts or parts of acts in conflict with the provisions of this act, be and the same aree hereby repealed.

WEDDING OF INDIAN COUPLE.

Member of Wichita Tribe Takes Maiden of Tonkawas for Bride. Friday afternoon at 3 o'clock, at the Tonkawa agency, the Rev. Dr. Snook of the Presbyterian Church said the magic words that made the pretty little Indian maiden, Anna, the squaw of Blackbird, says the Tonkawa (I. T.) News. The ceremony was performed in the presence of Agent Brewer and family, a few invited guests and a number of the members of the Tonkawa tribe, some of whom had their faces painted in yellow and red in honor of the occa-

sion.

The ceremony was extremely short, consisting of the usual interrogative, followed by a short prayer. When Blackbird was asked: "Do you take this woman to be your lawfully wedded wife?" he hung his head, smiled a sickly grin and gave a guttural assent. When the question, with the proper change, was put to the bride she stood on one foot and scratched her shin with the other, but made no reply. Peter Dupree translated the question into the language of the tribe, and she said something which sounded very much like "Uhhuh." He then turned to the minister and indicated that she assented, and the two were made one without further ceremony.

After congratulations several gospel hymns were sung by the palefaces. The bride and bridegroom were then told that they could go if they wished, and the red-skinned benedict grabbed his hat and started down the road, leaving his squaw to follow if she chose.

Mrs. Blackbird is quite an heiress. having two good quarters of Kay County land. Mr. Blackbird is a Wichita and came here a few weeks ago with several members of his tribe to pay a visit to the Tonkawas. He became infatuated with little Anna, who is about 17 years old, and sought her hand in marriage. Agent Brewer requires all the Indians under his charge to marry

	Tess at least thirty (30, days prior to such the provisions of this act shall be entitled	the treasurer of such city.	as they are required to be printed on the	to the original certificate of nomination	according to the laws of the country,
	primary, either he or twenty-five qualified to participate in such primary election upon	and two of whom shall constitute a onor	official general election ballets and each	I IDFOVIDED he was nominated by a	but further than that he does not inter-
	electors of the party with which said can-presenting himself at the polling place	The state that of the series shall mont	i algoror may doclara himsolf in faron of on	[tion or committee), or if nominated at a pri-	
	didate affiliates, shall have filed a written where he is entitled to vote; but he shall	The second of the the threndon of the	lagainer any ench ommondmonte us come	I HIGH V PIPETION 98 DECENDED FOR IN ALL	fere with their matchmaking.
	application with the proper authority in not be entitled to receive a primary ballot,	i second day tonowing the city heimory and	las at such general plaction The placetor	The chairman or secretary of the many	
	substantially the following form: I (or we) or be entitled to vote at such primary	I THE THE THE SUDALATINATE OF MEANING	I hoards in the regions procincts shall make	10° DULLY COMPANIEDO OF DIS DOLLESS	
	the undersigned, qualified elector (or quali- elections, until he shall have first stated	The off thomas and an off this got thom	Poturne of the number of votes in famor	if there be one, and if not, at least three	The Dispassionate View.
	fied electors) of precinct (or ward) to the judges of said primary election				
	of county, (or city) in the state what political party he affiliates with.	as to the votes cast for the candidates and	the county clerk and at the same time	ical party in this state, that he has de-	"Isn't it appalling," said the new
	of Nebraska affiliating with the Section 18. In cities where registration	forwith certify and file one complete re-	Land in the same manner of user all	clined such nomination by mail ne has de-	boarder, "to read the daily list of awful
	or Neoraska andularing with the books and book			clined such nomination, by mailing or deliv-	
	party and residing at hereby re- is by law required, no voter shall receive	didate for any office under the primary law	dates for nomination, and such returns	ering to them personally, notice of such	crimes that are committed in this town?"
	quest that my (or the name of) a primary ballot or be entitled to vote, un-	desires a re count of the motor havy law	shall be canvassed y the county canvass-	fact, and three days shall be given such	"On the contrary," answered the philo-
	name be placed upon the official primary til he shall have first been duly registered			party committee or convention to nominate	
	ballot of the said party for the primary as a voter in the manner provided by law,			a person to nil such vacaney	sophical boarder, "I find it singularly fas-
	election to be reld on the day of provided that in cities where registration is	The second for the country find with the	THEFT OF MISTO OF THE TOTOS WHEN CHAR	SPECIFOR 42 All continuetors of mention	cinating. I have a theory that crimes
	in-as a caudidate for the office of- by law required, no elector shall be per-	and and and and a requesting	13 menoments with the other returns of	HOB OF ROMINSTION statements which	come in waves. One week there will be
	and I pledge myself to abide by the results mitted to vote unless he be a first voter.			in apparent conformity with the provisions	Codie in waves. One week there will be
	of said primary election and qualify if or shall have moved into the precinct since	i so the same, the shall also state in cold	by the state conversing heard and if a me	101 This set shall be deemed to 1.	nothing but holdups. The next week, per-
	elected. In case a nomination shall be the last preceding day of registration. For	i internet the names of the other oandi	LIOPHTY OF THE OLDOTOPS OF SHY DORTH ROTING	1 Uniess objectione thorate shall be the	haps, you will read of a series of embez-
	made by electors other than the candidate, the purpase of providing a system of regis-	The second states and the stress to anni ad	lunon enen amandmante chall doelene in	i made in writing within thre (3) days after	glomonte Then comes a second of come
	scid nominee shall within five days after tration of party affiliation, it shall be the	Presente such andavit tille panvaceine	LISVOF OF OF 99911ST SHE SHED SHED SHED	I UP HINDY OF THE SAMA IN ORCO ANAL I	zlements. Then comes a season of confi-
	the date, said certificate shall be filed with duty of the mayor and city council of each	in the shart, within one day thereafter	Such declaration shall be considered as a	Jection is made, notice thereof shall forth	dence games and pocket picking. Just
	the officers, a statement in writing duly city wherein registration is required, to				non of courses there is a soundar many
	verified under oath stating that he affilites provide in the registration books used for		shall be so certified by him to the various	be affected thereby, addressed to thom at	I and a latter a la l
	with the party named in said certificate, the purpose of registering persons who are			I then respective places of residence as giron	I won a donar and a nam not long ago
	that he will abide by the results of said pri- qualified to vote at the next general elec-	Provided that no candicate shall be en-	Lection 36. Delegates to national con-	ID the cortinento of nomination to	by making a bet that there would be three
	mary and if elected will qualify and serve as thon, space for the registration of all per-	I HAVE IN A LOUGHLE UL LIP VOIDS DE GRAD	TRUTIONS OF THE TREPLOUR DOLLTION DONTION	(POBUDATION amagnity of such same	horrible murders in succession, inside of
	such officer. In case said statement shall sons who may desire to participate in any				the second secon
	not be filled within five days the name of primary election. Such space shall be pro-	i here is appears to such canvassing board	CODPTESSIONAL CONVENTIONS COMPOREd of dol	I Darty name may also be made and present	ten days. And so it goes. If you watch
2. 1	the candidate in the petition shall not be vided in said registration books immediate-	that the vote for such candidate is suffi-	legates chosen in such manner as mor be	10000 in the same mannor or objections to	these things from a calm, methodical point
	placed upon the primary ballot. It following the last perpendicular ruled	recount of the same	de ermined by the state committees of	Certificates and nomination statements mt	
	2. A political party within the meaning column in such books and shall be headed	the normanity of the nomination of	leach respective party: Provided that the	oucers with whom the original cortificate	and the second s
	of this act, shall be such an assemblage or as follows: "Party Affiliation." It shall	cae amant.	DE OWOTOR TO CHOR CTOTO ON STATE ON	1 Was block or whom made an - M3 to	accurately you can theorize, and even fore-
	oragnization of electors as is by the law be the duty of the supervisors of such reg-	Provided further that this provision			and the second
	designated as such. usar registrations to ask each person who		by such committees to the several counties	the first instance, pass upon the validity of such objection and his decision the validity	the state in the trans of the state
	3. At the September primary in 1908, applies to be registered the question: What	in seeking a recount in Court.	upon the vote cast at the last election for	such objection, and his decision shall be	crime, each in its turn."-Chicago Trib-
	and every four years thereafter, there shall political party do you desire to amiliate	Section 27. Vacancies occuring upon any	electors for presuer" ica president in	final, unless an order shall be made in the	
			I	I made in their search of made in the	