PRIMARY BILL IS READY

Committee Completes Its Labors and Has Measure Ready for Printers.

GOES TO LEGISLATURE FIRST OF WEEK

Patrick, Fusion Member, Objects to Filing Fee for Candidates and May Fight the Provision on the Floor.

(Continued from First Page.)

there are candidates in the office division in which there are the most names. As nearly as possible an equal number of tickets shall be printed after each change.

In making the changes of position, the printer shall take the line of type at the head of each office division and place it at the bottom of that division, shoving up the column so that the name that was second before the change shall be the first after the change.

After the ballots are printed, before being cut, they shall be kept in separate piles, one pile for each change of position, and shall be piled by taking one from each pile and placing it upon the pile to be cut, the intention being that every other ballot in the pile of printed sheets shall have names in a different position.

After the pile is made in this manner, then they may be cut, and placed in blocks as provided by the general election law.

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.

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.

Expenses of Primary, How Paid.

All ballots, blanks and other supplies to be used at any primary, and all expenses necessarily incurred in the preparation 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, for the purpose of helping to defray the expenses of such primary election.

At the time of filing the petition for nomination the candidates for any office to be voted for by the electors of more than one county, shall pay to the state treasurer a filing fee, and if to be voted for in only one county, such sum shall be paid to the county treasurer thereof; and if to be voted for in any city, to be paid to the city treasurer, a receipt for which shall be given him by such treasurer which he shall file with his nomination papers; providing the said filing fee shall not be deemed a part of the expenses as defined in article 3 of chapter xxvi of the compiled statutes of Nebraska.

The filing fees shall be as follows:

1. For candidates for senator to congress, $100.
2. For candidates for state offices, $50.
3. For candidates for representatives in congress and judges of the district court, $25.
4. For candidates for the state legislature and all county offices, $10.

The secretary of state, the county clerk or the city clerk shall number each petition so filed with them in numerical order as received, provided, however, that no fee shall be required from any person who is a candidate for any office for which no compensation is authorized by law to be paid. In the case of fees paid to the secretary of state as aforesaid, he shall immediately after the last day of filing nomination petitions with him has expired, divide the amount of fees of the candidates according to the number voting in the counties within which such candidates are to run for office, and report same to the next session of the legislature for appropriation to pay the same to the respective counties.

Section 12—If at any primary election held as by this act provided any person shall falsely personate and vote under the name of any person, or shall intentionally vote with the right so to do, or shall willfully or wrongfully obstruct or prevent others from voting who have the right so to do at such primary election, or shall fraudulently or wrongfully deposit in the ballot box or take therefrom, or who shall commit any other fraud or wrong tending to defeat the result of a primary election, he shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be fined not less than $100 nor more than $500, or be imprisoned in the county jail not less than sixty days nor more than one year, or both, in the discretion of the court.

Section 14—If any person or persons shall offer to give or agree 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, or if any person entitled to vote at any primary held under the provisions of this act shall accept or receive any money or valuable thing as a consideration for his vote for any person to be voted for at said primary election, they and each of them shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $100 nor more than $500, or be imprisoned in the county jail not less than sixty days nor more than one year, or both, etc.

Section 15—If any person shall offer to accept and receive or shall accept and receive any money or valuable thing in consideration 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; or if any person shall offer to accept or receive any money, or shall accept or receive money or valuable thing in consideration of any such person withdrawing his name as a candidate for nomination at any such primary election, any such person shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than $100 nor more than $500, or be imprisoned in the county jail not less than sixty days nor more than one year, or both, in the discretion of the court.

At the primary elections held under this act for the November election in cities where registration is required the polls shall be opened at 12 o'clock noon 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 12 o'clock noon and remain open until 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 necessary 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.

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 be kept open reasonably long enough after the hour for closing to allow those present at that hour to register and vote. No one not present at the hour of closing shall be entitled to register and vote because the polls may not actually be closed when he arrives.

Section 16—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 precincts or districts within which the primary election is to be held.

Section 17—That sections 17, 18 and 19, chapter xxvi, of the compiled statutes of Nebraska for the year 1901 are hereby made applicable to primary elections held under this act.

All primaries shall be presided over by the same judges and clerks of election now provided by law to preside over general elections, during the time for which they were appointed, and said judges and clerks shall receive as compensation for their services at such primary the same fees as are prescribed by law for judges and clerks of November elections.

Any person desiring to vote at any primary election held under the provisions of this act shall be entitled to participate in such primary election upon presenting himself at the polling place where he is entitled to vote; but he shall not be entitled to receive a primary ballot or be entitled to vote at such primary election until he shall have first stated to the judges of said primary election what political party he affiliates with.

In cities where registration is by law required no voter shall receive a primary ballot or be entitled to vote until he shall have first been duly registered as a voter, then and there in the manner provided by law.

Provided, that in cities where registration is by law required, no elector shall be permitted to vote the ballot of any party except that which he was registered at the last general registration as affiliating with, unless he be a first voter or shall have moved into the precinct since the last preceding day of registration. For the purpose of providing a system of registration by party affiliation, it shall be the duty of the mayor and city council of each city wherein registration is required, to provide in the registration books used for the purpose of registering persons who are qualified to vote at the next general election, space for the registration of all persons who may desire to participate in any primary election. Such space shall be provided in said registration books immediately following the last perpendicular ruled column in such books and shall be headed as follows: "Party Affiliation." It shall be the duty of the supervisors of such regular state registration to ask each person who applies to be registered the question: "What political party do you desire to affiliate with?" And the name of the political party given by such party so applying to be registered shall be recorded in the column provided in such registration books for that purpose. In case any party applying does not desire to state his party affiliation, he shall not be required to do so, nor shall his failure so to do 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 which he affiliates with, which said ballot shall be endorsed with the signature of two of the judges upon the back at the bottom edge.

If the right of such person to vote be challenged one of the judges of said election shall be propounded to such person the questions provided for in section 29 of chapter xxvi of the compiled statutes of Nebraska for the year 1901, required by said section to be propounded to a voter at a general election when challenged, and in addition thereto the judge shall propound the following questions:

First—What political party do you affiliate with?

Do you intend to support a majority of the candidates of such political party 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 the last forty days; and of this precinct for the last ten days; that you have attained the age of 21 years, to the best of your knowledge; that politically you affiliate with the —— party, and that you supported a majority of the candidates of such political party at the last election, and intend to support the candidates of such political party at the next election."

It shall be the duty of the clerks of said primary election to write at the end of such person's name, "sworn." Said voter shall then be allowed to vote the ticket of the party which he affiliates with.

A judge of such primary election shall instruct 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 signatures of the judges uppermost.

That upon any person entitled to vote at any primary election stating the name of the political party with which he affiliates the clerk 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.

Section 20—The city clerk of each city wherein a registration of voters is required by law, shall immediately after each registration day, compile an alphabetical list of the voters 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 also keep the same accessible to 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 lists for use at such election. The judges of said primary election shall use such lists for the purpose of determining whether or not any person who desires to vote at such primary was registered at the last registration as affiliating with the party the ballot of which he desires to vote at such primary.

When the elector has prepared his ballot he shall fold the same with the edges upon which are the signatures of the judges uppermost, and so folded, so 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 box.

Challenges.

Section 21. The party committee of each precinct may appoint in writing over their signatures, two party agents or representatives, 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 a primary may be challenged upon the same ground and his right to vote be determined in the same manner as at an election.

Canvass of Votes.

Section 22. Canvass of votes cast shall, except as herein otherwise provided, be made in the same manner and by the same officers as the canvass of an election. The party committeeman 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 and the manner provided in chapter ixvi, Compiled Statutes of 1906 for the canvass of the returns of November election.

State Board of Canvassers, How Constituted and Governed.

Section 23. The board of canvassers provided for by chapter xxvi, Compiled Statutes of 1903, to canvass returns of a November election, shall constitute the State Board of canvassers of September primaries, and all the provisions of sections 53, 54, 55, 56, 57 and 58, inclusive, of said statutes relating to the canvass of the return of a November election, shall, as far as applicable, apply to the canvass, return, and certification to the secretary of state of such primary. Such board shall meet at the office of the secretary of state at 10 o'clock a. m., on the seventh Tuesday preceding election.

Party Candidates.

Section 24. The person receiving the greatest number of votes at a primary as the candidate of 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.

As soon as the state canvass of a primary shall be certified to him, the secretary of state shall publish in two papers, etc., a certified statement of the result of such primary as a candidate for state officers and representatives in congress, and many other candidates whose district extends beyond the limits of a single county, and shall mail to the chairman of the state central committee of each party so much of such certificate as relates to his party.

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.

City Board of Canvassers, Quorum, Meetings Held.

Section 25. The canvass of the returns of a city primary shall be made by the mayor, the city clerk, and the treasurer of such city, any two of whom shall constitute a quorum. Such board of canvassers shall meet at 11 o'clock in the forenoon of the second day following the city primary and canvass the vote substantially as provided by sections 21, 22 and 23 of this act. They shall make and certify duplicate returns as to the votes cast for the candidates and forthwith certify and file one complete return with the city clerk and deliver so much of the other as relates to each party to the respective city chairman.

Congressional and Judicial Committees.

The candidates of the respective parties for the offices 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 judicial 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 for a 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 preceding the next general election for such offices.—

4. Each committee shall 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, insofar as is consistent with this act. The various officers and committees now in existence shall exercise the powers and perform 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 for each fifty votes, or major fraction thereof, cast by his party in his precinct at the last general election, to be determined as provided in section 5 of this act. The duties of the chairman or secretary 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 in that in which such officer was originally chosen.

Miscellaneous Provisions.

1. In case of a tie vote the tie shall forthwith 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 officers. When a petition to contest a primary election shall be filed in the office of the clerk of the county court, said petition shall forthwith be presented to the judge thereof, who shall note thereon the day of presentation, and shall assign a hearing 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.

Summons shall forthwith issue to each defendant named in the petition and shall be served in the same manner as is provided in cases in chancery. The case may be heard and determined by the county court in term time, or by the judge thereof 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 returns, recount the ballots, and make such orders and enter such judgments as justice may require. The court shall hear and determine the case before the date fixed by law for the preparation and posting of the primary election ballots as provided for in section 9 of this act. Immediately upon rendering judgment in any such contest, it shall be the duty of the county judge to at once certify the judgment to the county clerk, who shall cause to be printed on the official primary ballots the name or names of those whom such county court shall have so decided to have been nominated at such primary, and any appeal taken from such judgment of the county court shall not act as a supersedeas to prevent the county clerk from so doing.

It shall be the duty of the secretary of state and attorney general, on or before July 1, 1907, to prepare all forms necessary to carry out the provisions of this act, which forms shall be substantially followed in all primaries held in pursuance hereof. Such forms shall be printed with copies of this act for public use and distribution.

5. Any person entitled to vote at a primary election shall, on the day of such election, be entitled to absent himself from any service or employment in which he is then engaged or employed for a period of two hours between the time of opening and closing the polls, and such voter shall not, because of such absence, 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 which the employe may absent himself.

6. At the general primary election next preceding any general election 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 ballots of all political parties the question of such constitutional amendments in the same manner and forms as they are required to be printed on the official general election ballots, and each elector may declare himself in favor of or against any such amendments the same as at such general election. The election boards in the various precincts shall make returns of the number of votes in favor of and against any such amendment, to the county clerk at the same time and in the same manner as upon candidates for nomination, and such returns shall be canvassed by the county canvassing boards with other returns, and the county clerks shall make returns to the secretary of state of the votes upon such amendments with the other returns of this act. Such returns shall be canvassed by the state canvassing board, and if a majority of the electors of any party voting upon such amendment shall declare in favor of or against any such amendment such declaration shall be considered as a portion of the ticket of such party and shall be so certified by him to the various county clerks.

7. Delegates to national conventions of the various political parties shall be selected at a state or state and congressional conventions composed of delegates chosen in such manner as may be determined by the state committees of each respective party; provided, that the delegates shall be apportioned to such committees by the several counties upon the vote cast at the last election for president in the respective counties.

Penal Provisions.

1. Any person who shall offer, or with knowledge of the same, permit any person to offer for his benefit any bribe to a voter to induce him to sign any election 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 bribe or promise of gain in the nature of a bribe be offered or accepted before or after such signing, shall be guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not less than twenty-five dollars ($25.00) nor more than five hundred dollars ($500.00), or by imprisonment in the county jail not less than ten days nor more than six months, or by both fine and imprisonment.

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 primaries, and shall be punished in the same form and manner therein 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 name of a signer or witness to a nomination paper shall be deemed guilty of forgery, and on conviction punished accordingly. Any person who, being in possession of nomination papers entitled to be filed under this act, or any act of the legislature, 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 by both such fine and imprisonment in the discretion of the court.

General Election Laws to Apply.

The provisions of the statutes now in force in relation to the holding of elections, the solicitation 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 as they are consistent with this act, the intent of the act being to place the primary under the regulation and protection of the laws now in force as to elections.

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 o fthis 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 of such convention or committee, who shall add to their signatures their respective places of business and take oath before a qualified officer to administer the same, that the affiants were such officers at such convention or committee, and that said certificate, and the statements therein contained, are true to the best of their knowledge and belief. Such certificate of nomination 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 the entire state, or any division greater than a county, including candidates for congress or any party action taken relative to any proposed 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 legislature, shall be filed with the county clerk o fthe 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 one county then and 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 of nomination for municipal officers shall be filed with the clerk of such municipal corporation wherein the officers are to be elected.

It is the intention 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.

When nominations are made by a convention or committee, as provided for in section 31 of this act, the certificates of nomination to be filed with the secretary of state shall be filed not less than twenty-five (25) 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 (20) days before election, and the certificates of nomination herein directed to be filed with the municipal clerk shall be filed not less than ten (10) days before election. Certificates of nomination for a new party, may be filed with the secretary o fstate, or the county or municipal clerk twenty (20) or fifteen (15) or twelve (12) days before the election as the case may require.

The secretary of state shall, immediately upon the expiration of the time within which certificates of nomination may be filed as provided for by sections 31 and 32 of this act, certify to the county clerks of each county, within which any of the voters may by law vote for the candidate or candidates named in the certificate, the name and description of each of such candidates with the other detail mentioned in the certificate of nomination so filed with the secretary of state, also any proposed constitutional amendment or party action relative thereto to be submitted to the people of the state for popular vote.

All certificates or nomination statements, which are in apparent conformity with the provisions of this act, shall be deemed to be valid, unless objection thereto shall be made in writing within three (3) days after the filing thereof, in case such objection is made, notice thereof shall forthwith be mailed to all candidates who may be affected thereby, addressed to them at their respective places of residence as given in the certificate of nomination or in the nomination affidavits of such persons, and file in that office. Objections to the use of party name may also be made and passed upon in the same manner as objections to certificates and nomination statements.

The officer with whom the original certificate was filed, or who made an affidavit to the original nominated statement, shall in the first instance pass upon the validity of such objection, and his decision shall be final, unless an order shall be made in the matter by a county court, or by a judge of the district court, or by a justice of the supreme court at chambers, on or before the Wednesday preceding the election. 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 decision, shall be binding on all other county, municipal or other officers with whom certificates of nomination are filed.

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 by the all 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 a name or title and place the same on the ballot before the list of candidates of said faction. The action of the same 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 of such convention or committee, who shall add to their signatures their respective places of business and take oath before a qualified officer to administer the same, that the affiants were such officers at such convention or committee, and that said certificate, and the statements therein contained, are true to the best of their knowledge and belief. Such certificate of nomination 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 the entire state, or any division greater than a county, including candidates for congress or any party action taken relative to any proposed 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 legislature, shall be filed with the county clerk o fthe 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 one county then and 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 of nomination for municipal officers shall be filed with the clerk of such municipal corporation wherein the officers are to be elected.

It is the intention 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.

When nominations are made by a convention or committee, as provided for in section 31 of this act, the certificates of nomination to be filed with the secretary of state shall be filed not less than twenty-five (25) 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 (20) days before election, and the certificates of nomination herein directed to be filed with the municipal clerk shall be filed not less than ten (10) days before election. Certificates of nomination for a new party, may be filed with the secretary o fstate, or the county or municipal clerk twenty (20) or fifteen (15) or twelve (12) days before the election as the case may require.

The secretary of state shall, immediately upon the expiration of the time within which certificates of nomination may be filed as provided for by sections 31 and 32 of this act, certify to the county clerks of each county, within which any of the voters may by law vote for the candidate or candidates named in the certificate, the name and description of each of such candidates with the other detail mentioned in the certificate of nomination so filed with the secretary of state, also any proposed constitutional amendment or party action relative thereto to be submitted to the people of the state for popular vote.

All certificates or nomination statements, which are in apparent conformity with the provisions of this act, shall be deemed to be valid, unless objection thereto shall be made in writing within three (3) days after the filing thereof, in case such objection is made, notice thereof shall forthwith be mailed to all candidates who may be affected thereby, addressed to them at their respective places of residence as given in the certificate of nomination or in the nomination affidavits of such persons, and file in that office. Objections to the use of party name may also be made and passed upon in the same manner as objections to certificates and nomination statements.

The officer with whom the original certificate was filed, or who made an affidavit to the original nominated statement, shall in the first instance pass upon the validity of such objection, and his decision shall be final, unless an order shall be made in the matter by a county court, or by a judge of the district court, or by a justice of the supreme court at chambers, on or before the Wednesday preceding the election. 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 decision, shall be binding on all other county, municipal or other officers with whom certificates of nomination are filed.

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 by the all 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 a name or title and place the same on the ballot before the list of candidates of said faction. The action of the same of the preceding national convention of such party, regularly called, 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 or mandamus proceedings, to perform his duty in this regard.

Any convention, within the meaning of this act, is an organized assemblage of voters, representing a political party at the last election before the holding of such elections, polled at least 1 per cent of the entire vote in this state, county or other subdivision or district for whom the nomination is made. A state committee of any political party may take action upon any constitutional amendment which is to be voted upon at the following election and said committee may declare for or against such amendment, and such declaration shall be considered as a portion of their ticket to be filed with the secretary of state and by him certified to the various county clerks.

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 his affidavit he affiliates with, polled at the last election before the primary election to be held, at least 1 per cent of the entire vote in the state, county or other subdivision or district for which he seeks the nomination for office in.

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 500 in a state convention, 100 in a congressional district or county convention, or twenty-five in any precinct, city, village or ward convention, except in cities or counties having a population of 50,000 or more, at least 200 shall be required to participate.

Such convention shall adopt a party name and electors at least to the number respectively above mentioned, and electors to at least the number above specified, shall sign an agreement to form such new party and support its nominees at the next election, and upon filing such written agreement wit hthe 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 all its candidates for nomination shall be required to file nomination papers signed by at least 50 per cent of those who subscribed the agreement to form such new party.

In no case shall the candidates of any political party be entitled to be designated upon the official election ballot as the candidate of more than one political party, and shall be designated upon the official ballot as the nominee of the party in whose nominated statement his name appears, or in whose certificate of nomination his name appears as the political party with which he affiliates.

The secretary of state shall cause to be preserved in his office for the period of one (1) year a copy o fall nominated statements and certificates of nomination 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 nominated statements and certificates of nomination filed therein under the provisions of this act. All such nominated statements and certificates shall, at all reasonable hours, be open to public inspection.

Whenever any person nominated for public office, as in this act provided, shall at least twelve (12) 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 ballots are printed. The officer to whom such notification is given shall forthwith inform, by mail or otherwise, one or more persons whose names are attached to the original certificate of nomination (provided he was nominated by a convention or committee), or if nominated at a primary election, as provided for in this act, the chairman or secretary of the campaign or party committee of his political party, if there be one, and if not, at least three (3) of the prominent members of his political party in the state, that he has declined such nomination, by mailing or delivering to them, personally, notice of such fact.

That sections 5714, 5715, 5716, 5717, 5718, 5719, 5720, 5721, 5722, 5800, 5801, 5802, 5803, 5804, 5805, 5806, 5807, 5808, 5809, 5810, 5811, 5767, 5768, 5769, 5770, 5772, 5773, 5774, 5775, 5771 of Cobbey's Annotated Statutes of Nebraska, as the same do wexist, and all acts or parts of acts in conflict with the provisions of this act, be and the same are hereby repealed.

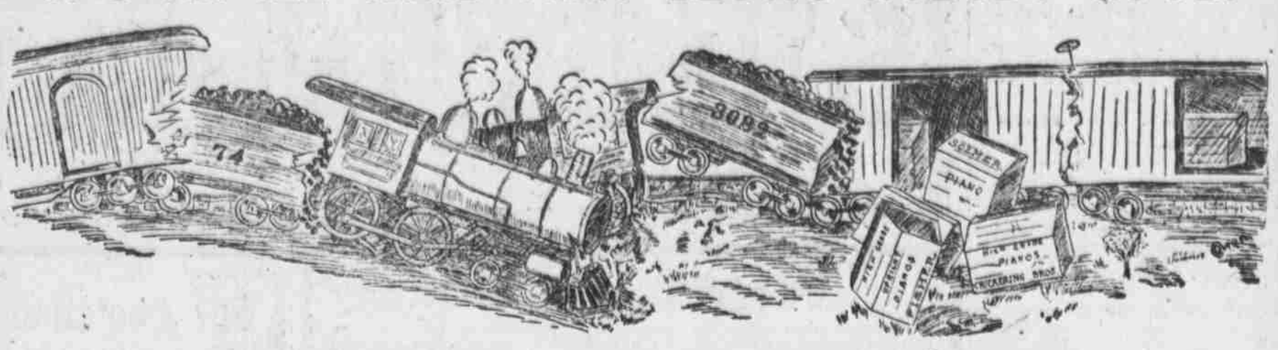
"Quality will loom up."

THE BEST HAT

McKibbin

$3— AT ALL DEALERS —$3

"IT'S AN ILL WIND THAT BLOWS NOBODY GOOD."



PRICES SHATTERED

In the great sale of high grade pianos which commences at 8 a. m. Saturday, February 16th, at—

HAYDEN BROS.

The prices have been marked so low that they are actually shattered. Not one of the many competitors can compete with us during this, the GREATEST PIANO SALE ever started in the west.

We purchased the 5 carloads from a local railroad, and while the wreck was a disastrous one, yet of the 5 carloads of Pianos, the only injury they sustained was to slightly mar the cases, and when you visit the salesroom Saturday, even these marks will have disappeared. We have taken each and every one to our repair department and have given them a thorough overhauling.

Fill the home with melody, and at prices one-half less than our competitors. Special sale prices for the same piano:

Pianos in other sales at $500, we sell for.....$250	Pianos in other sales at $300, we sell for.....$150
Pianos in other sales at $450, we sell for.....$225	Pianos in other sales at $250, we sell for.....$125
Pianos in other sales at $400, we sell for.....$200	Pianos in other sales at $200, we sell for.....$100
Pianos in other sales at $375, we sell for.....$185.50	Pianos in other sales at $180, we sell for.....$90
Pianos in other sales at $350, we sell for.....$175	Pianos in other sales at $150, we sell for.....$75

Pianos in other sales at $115, we sell for.....$57.50

These pianos include such well known makes as:—

Chickering Bros., Chickering & Sons, Sohmer, Fisher, Estey, Franklin, Bailey, Wegman, Mellville Clark, Price & Teeple, Schaeffer, Wellington, Behr Bros., Vose, Krell, Kingsbury, Lester and many other well known makes. : : : : :

Omaha's Biggest Piano Opportunity

HAYDEN BROS. TELEPHONE DOUGLAS 2600

FURIOUS ITCHING HUMOR ON CHILD

Bleeding Sores Covered Her Whole Body After an Attack of Measles —Nursed Every Night for Three Weeks—Nothing Helped Her.

THEN CUTICURA MAKES COMPLETE CURE IN 5 DAYS

"It is in my opinion my duty to join those who praise the Cuticura Remedies. After my granddaughter of about seven years had been cured of the measles, she was attacked about a fortnight later by a furious, itching and painful eruption all over her body, especially the upper part of it, forming watery and bleeding sores, especially under the arms, of considerable size. She suffered a great deal and for three weeks we nursed her every night, using all the remedies we could think of. Nothing would help. We then remembered having heard so much about Cuticura Remedies. We sent for them and after twenty-four hours we noted considerable improvement, and, after using only one complete set of the Cuticura Remedies, in five consecutive days the little one, much to our joy, had been entirely cured, and has been well for a long time. Mrs. F. Ruefenacht, R. F. D. 3, Bakersfield, Cal., June 25 and July 20, 1906."

HUMOR ON FACE

Cured by Cuticura Remedies No Return in 20 Years.

"My son, when a lad of sixteen, was troubled with humor on his face and after using Cuticura Remedies he was freed from every humor and has continued so to the present time after twenty years have passed. Your Cuticura Soap has been used in my family for several years and I have faith in the Cuticura Remedies. A. H. Smith, Marion, Me., Dec. 1, 1905."

Complete External and Internal Treatment for Every Humor of Infants, Children, and Adults, consists of Cuticura Soap (25c.) to Cleanse the Skin, Cuticura Ointment (50c.) to Heal the Skin, and Cuticura Resolvent (50c.), in the form of Chocolate Coated Pills, the new vial of 100 to Purify the Blood. Sold throughout the world. Potter Drug & Chem. Corp., Sole Props., Boston, Mass.

Mailed Free, Cuticura Book on Skin Humors.

WATER STILL OVER TRACKS

(Continued from Third Page.)

room a big supper was served at the Peterson hotel. About seventy-five guests were present.

FILGER—Many business changes have taken place this winter. The Filger Herald was sold to W. C. Montgomery; J. G. Tinney & Brother sold their hardware to H. H. Antles, who closed the stock out; C. A. Tinney put in a large stock of harness; the Matheson Implement company sold to Doty & Sharp; Cunningham Bros. dissolved partnership, O. H. Cunningham continuing the business.

STROMSBURG—The first carload of freight came in from the west yesterday over the new Union Pacific extension, Mr. H. S. Nelson receiving a car of Hanna coal from the west. No regular freight service has been established, but it is supposed that the freight that runs from Valparaiso here will continue on to Grand Island. That seems to be the plan the road will adopt for the present at least.

GRAND ISLAND—One of the concrete block machinery exhibitors received his machinery only on Monday of this week, as a result of delayed freights, and was, naturally, at quite a loss. A merchant in Grand Island last week received a shipment of lamps and other similar ware ordered for the holidays. The latter goods came from New York. Other shippers are beginning to complain of slow freight traffic.

BEATRICE—A special meeting of the city council was held last evening, and the time for closing the opera house was extended to February 22. An effort will be made by the proprietors to have the entrance in controversy opened by that time. E. W. Johnson was granted a license to operate a billiard hall on North Fifth street, and exemption papers were given to the following firemen: Hose Co. No. 1, L. M. Hadley, Samuel Carnahan, C. J. Weingart, F. D. Laymon; Hook and Ladder company, C. J. McClellan.

HUMBOLDT—The members of the Alpha woman's club held their annual banquet at the Park hotel Thursday evening in honor of St. Valentine, and about sixty plates were laid. The management of the hotel served a fine three-course dinner, and the company then repaired to the club rooms where, after listening to a reading from Mrs. Grace MacMurray, they witnessed a mock trial, participated in by a dozen or more of those present.

SUPERIOR—The very fine weather of the past week has set the movers going. Already this week William Alleson left with household effects and implements for Prowers county, Colorado, where he has purchased land and intends to live. William Saw left for Kowa county, Oklahoma, where he joins a colony to make a home. Oliver Cameron left also for Mitchell county, Kansas, where he will farm. More than twenty families here from Kansas, Nebraska, Oklahoma, Iowa and Illinois are waiting for houses to be finished to get a place to live, both in town and country here.

HUMBOLDT—News comes of the recent death of Mrs. Sarah Beals, wife of Captain Seth W. Beals, a former resident of this state, her demise occurring at their present home in Whittier, Cal. Deceased was well known among the early settlers of this state, being a sister of Mrs. S. M. Philpot of this city. Her husband was quite prominent in political and business circles, having served one term in the legislature from this county, and having later been appointed custodian of the government building at Lincoln, which place he filled for eight years.

STROMSBURG—William H. Meyers of this city died Wednesday night at midnight from apoplexy. He had the first stroke about 8:30 in the evening. Dr. Anderson was called, and he rallied so that he could speak, and seemed to be gaining when he took suddenly worse and died shortly before midnight. Mr. Meyers would have been 62 years old today, and has resided in this county for many years. His children are all grown and married except one daughter, who lives with her parents and attends the schools here. The funeral services will likely be held next Sunday from the Methodist Episcopal church and will be conducted by Rev. Poston, pastor of that church.

NOVEL SUIT AT ST. LOUIS

Athletic Manager of University Expelled for Cause Brings Action for Diploma.

ST. LOUIS, Feb. 15.—A question of the jurisdiction of the circuit court to mandamus the faculty of Washington university to issue a degree to a former student is being considered by Judge Reynolds in division No. 4. The case was taken under advisement today at the conclusion of the plaintiff's evidence in the case of William R. Gilbert, a former student, who is asking that the faculty be compelled to confer the degree of bachelor of arts on him.

Gilbert was the manager of the university base ball team last spring. He was dismissed from the university on the ground that he permitted a student who was behind in his studies to play in an intercollegiate game with the University of Arkansas team at Fayetteville, Ark., May 18. He was dismissed by the faculty and his request for reinstatement was denied.

Dr. Price, the famous food expert, has produced a product called

DR. PRICE'S WHEAT FLAKE CELERY FOOD

which is considered to represent the highest food production. Its healthful qualities