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A BILL

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TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE
OF OREGON FOR THEIR APPROVAL OR
REJECTION AT THE

REGULAR GENERAL ELECTION

TO BE HELD ON THE SIXTH DAY OF JUNE, 1904

TO PROPOSE A

DIRECT PRIMARY NOMINATING ELECTIONS LAW

By Initiative Petition filed in the office of the Secretary of State February 5, 1904, in accordance with the provisions of an Act "making effective the Initiative and Referendum Provisions of Section 1 of Article IV of the Constitution of the State of Oregon," approved February 24, 1903.

Printed in pursuance of Section 8 of the foregoing Act.
SECRETARY OF STATE.

THE FOLLOWING IS THE NUMBER AND FORM IN WHICH
THE QUESTION WILL BE PRINTED ON THE
OFFICIAL BALLOT:

PROPOSED BY INITIATIVE PETITION

FOR DIRECT PRIMARY NOMINATING ELECTIONS LAW. Vote Yes or No

302. Yes.

303. No.

A BILL

1 To propose by initiative petition a law declaring cer-
2 tain rights of political parties and voluntary political
3 organizations and of the members and candidates thereof ;
4 declaring the purposes of this law and prescribing rules
5 for the construction of its provisions ; defining a political
6 party subject to the provisions of this law ; providing for
7 holding primary nominating elections preceding any elec-
8 tion in this state (except special elections to fill vacancies,
9 presidential elections, municipal elections in towns or
10 cities having a population of less than two thousand in-
11 habitants, and school elections) for the purpose of nomi-
12 nating all the candidates by all political parties subject to
13 this law for all public offices to be filled at the ensuing
14 election, and for a Senator in Congress ; fixing the times
15 for holding and regulating the manner of conducting such
16 primary nominating elections ; prescribing the manner of
17 choosing candidates for nomination by the several political
18 parties subject to the provisions of this law, and for mak-
19 ing nominations at said primary nominating elections of
20 the candidates of said political parties for election to pub-
21 lic office at the ensuing election and forbidding the nomi-
22 nation of candidates for public office by such political
23 parties in any other manner ; providing for printing and
24 distributing ballots at such primary nominating election
25 by public officers at public expense ; prescribing the qual-
26 ifications of petitioners, electors, and of candidates for
27 nomination at such primary nominating elections ; pre-
28 scribing forms and procedure at such primary nominat-
29 ing elections ; and in proceedings relating thereto and

30 statements to be made by candidates for nomination
31 thereat ; prescribing the duties of public officers in rela-
32 tion to and at such primary nominating elections ; pro-
33 viding for the nomination by political parties subject
34 to this law, of their candidates for election as delegates
35 to any constitutional conventions that may be called in
36 this state ; providing for the election by the several polit-
37 ical parties subject to this law, of their central committee-
38 men and defining their duties and powers as such com-
39 mitteemen ; providing for the prevention and correction,
40 under certain conditions, of errors, wrongs, and violations
41 of the provisions of this law and remedies therefor ; pro-
42 viding for the prevention of frauds and the punishment
43 of crimes and misdemeanors committed at such primary
44 nominating elections or in the proceedings relating there-
45 to ; providing penalties and punishment for the violation
46 of any of the provisions of this law ; providing for con-
47 testing nominations made at such primary nominating
48 elections ; applying to said primary nominating elections
49 so far as the same are not in conflict with the provisions
50 of this law, and as the same may be modified by the pro-
51 visions of this law, the following sections of the general
52 laws of Oregon as the same are numbered in Bellinger
53 and Cotton's Annotated Codes and Statutes of Oregon,
54 to-wit : Sections 1900, 1901, 1902, 1903, 1904, 1905, 1906,
55 1907, 1908, 1909, 1910, 1911, 1912, 1975, 2764, 2766, 2767,
56 2768, 2769, 2771, 2772, 2773, 2774, 2775, 2776, 2777, 2778,
57 2779, 2780, 2781, 2782, 2783, 2784, 2785, 2786, 2787, 2788,
58 2789, 2790, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808,
59 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2819, 2820, 2821,
60 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831,
61 2837, 2841, 2843, 2861, 2862, 2863, 2864, 2866, 2867, 2868,
62 2869, 2870, 2871, 2873, 2874, 2875, 2876, 2877, 2878, and
63 2879 ; amending sections 2865 and 2872 of Bellinger and

64 Cotton's Annotated Codes and Statutes of Oregon; re-
 65 pealing the following sections of the general laws of Ore-
 66 gon as the same are numbered in Bellinger and Cotton's
 67 Annotated Codes and Statutes of Oregon, to-wit: Sections
 68 2880, 2881, 2882, 2883, 2884, 2885, 2886, 2887, 2888, 2889,
 69 2891, 2892, 2893, 2894, 2895, 2896, 2897, 2898, 2899, 2900,
 70 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2908, 2909, 2910,
 71 2913, 2914, 2915, 2916, 2917, 2918, 2919, 2920, and sec-
 72 tion 2890 of said Bellinger and Cotton's Annotated Codes
 73 and Statutes, as amended by an act entitled "An act to
 74 amend section 2890, title XXVIII, chapter X, of Bel-
 75 linger and Cotton's Annotated Codes and Statutes of the
 76 State of Oregon, relating to hours of election," approved
 77 February 24, 1903, and published on page 213 of the gen-
 78 eral laws of Oregon of the legislative assembly of 1903;
 79 repealing all other acts and parts of acts in conflict with
 80 this law, or any part thereof, so far as the same relate to
 81 primary elections, primary nominating elections, or the
 82 procedure for any such elections under this law.

PREAMBLE.

1 Under our form of government, political parties are use-
 2 ful and necessary at the present time. It is necessary for
 3 the public welfare and safety that every practical guaranty
 4 shall be provided by law to assure the people generally
 5 as well as the members of the several parties, that political
 6 parties shall be fairly, freely, and honestly conducted, in
 7 appearance as well as in fact. The method of naming
 8 candidates for elective public offices by political parties
 9 and voluntary political organizations is the best plan yet
 10 found for placing before the people the names of qualified
 11 and worthy citizens from whom the electors may choose
 12 the officers of our government. The government of our
 13 state by its electors and the government of a political party

14 by its members are rightfully based on the same general
15 principles. Every political party and every voluntary
16 political organization has the same right to be protected
17 from the interference of persons who are not identified
18 with it as its known and publicly avowed members, that
19 the government of the state has to protect itself from the
20 interference of persons who are not known and registered
21 as its electors. It is as great a wrong to the people, as
22 well as to the members of a political party, for one who
23 is not known to be one of its members to vote or take any
24 part at any election or other proceedings of such political
25 party, as it is for one who is not a qualified and registered
26 elector to vote at any state election or take any part in the
27 business of the state. Every political party and volun-
28 tary political organization is rightfully entitled to the sole
29 and exclusive use of every word of its official name. The
30 people of the state and the members of every political
31 party and voluntary political organization are rightfully
32 entitled to know that every person who offers to take any
33 part in the affairs or business of any political party or
34 voluntary political organization in the state is in good
35 faith a member of such party. The reason for the law
36 which requires a secret ballot when all the electors choose
37 their officers, equally requires a secret ballot when the
38 members of a party choose their candidates for public
39 office. It is as necessary for the preservation of the public
40 welfare and safety that there shall be a free and fair vote
41 and an honest count as well as a secret ballot at primary
42 elections, as it is that there shall be a free and fair vote
43 and an honest count in addition to the secret ballot at all
44 elections of public officers. All qualified electors who
45 wish to serve the people in an elective public office are
46 rightfully entitled to equal opportunities under the law.
47 The purpose of this law is better to secure and to pre-

48 serve the rights of political parties and voluntary political
 49 organizations, and of their members and candidates, and
 50 especially of the rights above stated.

Be it enacted by the People of the State of Oregon :

1 Section 1. The provisions of this law shall at all
 2 times be construed in such manner as shall make it oper-
 3 ate as nearly as possible in accordance with the foregoing
 4 statement of the theory on which it is based. Whenever
 5 the provisions of this law in operation prove to be of
 6 doubtful or uncertain meaning, or not sufficiently explicit
 7 in directions and details, the general laws of Oregon, and
 8 especially the election and registration laws, and the cus-
 9 toms, practice, usage, and forms thereunder, in the same
 10 circumstances or under like conditions, shall be followed
 11 in the construction and operation of this law, to the end
 12 that the protection of the spirit and intention of said laws
 13 shall be extended so far as possible to all primary elec-
 14 tions, and especially to all primary nominating elections
 15 provided for by this law. If this proposed law shall be
 16 approved and enacted by the people of Oregon, the title
 17 of this bill shall stand as the title of the law.

1 Section 2. On the forty-fifth day preceding any elec-
 2 tion (except special elections to fill vacancies, presiden-
 3 tial elections, municipal elections in towns or cities having
 4 a population of less than two thousand, and school elec-
 5 tions) at which public officers in this state and in any dis-
 6 trict or county, and in any city having a population of
 7 two thousand or more at which public officers are to be
 8 elected, except as provided in section 6 of this law as to
 9 time in certain cities and towns, a primary nominating
 10 election shall be held in accordance with this law in the
 11 several election precincts comprised within the territory
 12 for which such officers are to be elected at the ensuing

13 election, which shall be known as the primary nomina-
14 ting election, for the purpose of choosing candidates by the
15 political parties, subject to the provisions of this law, for
16 Senator in Congress and all other elective state, district,
17 county, precinct, city, ward and all other officers, and
18 delegates to any constitutional convention or conventions
19 that may hereafter be called, who are to be chosen at the
20 ensuing election wholly by electors within this state or
21 any subdivision of this state, and also for choosing and
22 electing the county central committeemen by the several
23 parties subject to the provisions of this law.

1 Section 3. The election precincts provided by section
2 2762, and the judges and clerks and the polling places
3 provided by section 2763, Bellinger and Cotton's Anno-
4 tated Codes and Statutes of Oregon, shall be the same for
5 the primary nominating elections provided for in this law,
6 and it shall be the duty of the judges and clerks so pro-
7 vided for to act as such at all primary nominating elec-
8 tions herein provided for, except as otherwise provided
9 by section 6 of this law.

10 In all election precincts in which second boards of
11 judges and clerks have been or may be appointed as re-
12 quired by section 2764, of Bellinger and Cotton's Anno-
13 tated Codes and Statutes of Oregon, and in which an
14 aggregate of more than one hundred members of all or
15 any of the political parties subject to the provisions of
16 this law are registered as such before the day of the pri-
17 mary nominating election, the said second board of judges
18 and clerks shall meet at 7 o'clock P. M., at their respective
19 polling places, and thereafter the boards of judges and
20 clerks shall proceed at the primary nominating election
21 as required by said section 2764 at a general election.

1 Section 4. It shall be the duty of the county clerk
2 thirty days before any primary nominating election, to

3 prepare printed notices of such election and mail two of
 4 said notices to each judge and clerk of election in each
 5 precinct; and it shall be the duty of the several judges
 6 and clerks immediately to post said notices in public places
 7 in their respective precincts. Said notices shall be sub-
 8 stantially in the following form :

9 PRIMARY NOMINATING ELECTION NOTICE.

10 Notice is hereby given that on-----, the----
 11 day of-----, 19---, at the-----, in
 12 the precinct of-----, in the County of-----
 13 Oregon, a primary nominating election will be held at
 14 which the (insert names of political parties subject to this
 15 law) will choose their candidates for state, district, county,
 16 precinct, and other officers, namely (here name the offices
 17 to be filled, including a Senator in Congress when the
 18 next legislative assembly is to elect a Senator, delegates
 19 to any constitutional convention then called, and can-
 20 didates for county central committeemen to be elected);
 21 which election will be held at 12 o'clock noon and will
 22 continue until 7 o'clock in the afternoon of said day.

23 Dated this-----day of-----, 19-----

24 -----
 25 ----- County Clerk.

1 Section 5. The provisions of sections 2764, 2766,
 2 2767, 2768, 2769, 2771, 2772, 2773, 2774, 2775, 2776, 2777,
 3 2778, 2779, 2780, 2781, 2782, 3783, 2784, 2785, 2786, 2787,
 4 2788, 2789, 2790, Bellinger and Cotton's Annotated Codes
 5 and Statutes of Oregon, except as to the time of opening
 6 the polls of said primary nominating election, which shall
 7 be at 12 o'clock noon, shall apply to and are hereby made
 8 applicable to primary nominating elections under the
 9 provisions of this law, except in so far as they may be
 10 modified herein or be in conflict herewith, and each poll

11 book at the primary nominating election shall have a
12 column headed with the name of each party so making its
13 nominations, for writing in the voter's party number as
14 he receives his ballot, in addition to his general number,
15 and provided, that for the purposes of the primary nom-
16 inating elections, there shall be added to the form of oath
17 prescribed by said section 2774, the words: "and that
18 you are in good faith a member of the political party with
19 which you are registered."

1 Section 6. The nomination of candidates for municipi-
2 pal offices by the political parties subject to the provis-
3 ions of this law, shall be governed by this law in all in-
4 corporated towns and cities of this state having a popu-
5 lation of two thousand and upward, as shown by the last
6 preceding national or state census. All petitions by the
7 members of such political parties for placing the names
8 of candidates for nomination for such municipal offices
9 on the primary nominating ballots of the several political
10 parties, shall be filed with the city clerk, recorder or
11 auditor, as the case may be, of said several towns and
12 cities, and it shall be the duty of such officers to prepare
13 and issue notices of election for such primary nominating
14 elections in like manner as the several county clerks per-
15 form similar duties for nominations by such political
16 parties for county offices at primary nominating elections ;
17 and in such towns or cities holding their municipal elec-
18 tions at the same time as any general election, it shall be
19 the duty of said city clerk, recorder or auditor, as the
20 case may be, on the fifteenth day before the time of hold-
21 ing such primary nominating election, to prepare and
22 certify and deliver to the county clerk of the county in
23 which said city or town is situated, a list of the candi-
24 dates for nomination who have filed valid petitions for
25 nomination at such primary nominating election, and all

26 the information in such petitions concerning the said
27 candidates for nomination for municipal offices ; where-
28 upon it shall be the duty of said county clerk to arrange
29 in the manner provided by this law the names and infor-
30 mation concerning all the candidates for such nomination
31 for city offices contained in the certificate of said city
32 clerk, recorder or auditor ; to certify and post the same
33 in his office, and to cause the same to be printed upon
34 the sample ballots and upon the official ballots of the sev-
35 eral political parties to be used at the several polling
36 places within the limits of every such city or town, together
37 with the names of the candidates for state, county and
38 district offices at such primary nominating election as re-
39 quired by this law, and conform to the general provisions
40 of this law as nearly as may be ; and in cities and towns
41 containing a population of two thousand and upward not
42 holding their municipal elections at the same time the
43 general elections are held, the duties imposed by this law
44 on the county clerk at primary nominating elections, are
45 hereby, as to all said last described towns and cities, des-
46 ignated to be the duties of the city clerk, recorder or
47 auditor, as the case may be, of said towns and cities as to
48 primary nominating elections of the political parties sub-
49 ject to the provisions of this law ; *provided*, that in such
50 last named cities and towns the primary nominating elec-
51 tion shall be held on the thirtieth day preceding their
52 municipal elections.

53 Under the provisions of this law the lawfully consti-
54 tuted legislative and executive authorities of cities and
55 towns within the provisions of this section not holding
56 their municipal elections at the same time the general
57 elections are held, shall have such power and authority
58 over the establishment of municipal voting precincts and
59 wards, municipal boards of judges and clerks of election,

60 and other officers of their said municipal elections, and
61 other matters pertaining to municipal primary nomina-
62 ting elections required for such cities and towns by this
63 law, that such legislative and executive authorities have
64 over the same matters at their municipal elections for
65 choosing the public officers of said cities and towns.

66 And provided further that nothing in this act contained
67 shall be construed as altering or repealing any provision
68 of the charter of any such last described city or town pro-
69 viding for the appointment of judges and clerks of elec-
70 tion by the council or other lawfully constituted authority
71 of such city or town, or as altering or repealing any of
72 the provisions of title XXVII of Bellinger and Cotton's
73 Annotated Codes and Statutes of Oregon providing for
74 the appointment of judges and clerks of election in towns
75 and cities organized under the provisions of said title
76 XXVII.

1 Section 7. Immediately after the closing of the polls
2 at a primary nominating election the names of the electors
3 of each political party who voted at said primary nomi-
4 nating election shall be counted and the number so voting
5 for each political party written and certified in each of
6 the poll books at the end of the list, and the same shall
7 be immediately signed by the chairman and each of the
8 judges and clerks in the manner provided by section 2782
9 of Bellinger and Cotton's Annotated Codes and Statutes
10 of Oregon for a general election, and immediately there-
11 after the clerks and judges of election shall open the bal-
12 lot boxes at each polling place and proceed to take there-
13 from the ballots. Said officers shall count the number of
14 ballots cast by each political party, at the same time
15 bunching the tickets cast for each political party together
16 in separate piles, and shall then fasten each pile sepa-
17 rately by means of a brass clip, or may use any means

18 which shall effectually fasten each pile together at the top
19 of each ticket. As soon as the clerks and judges have
20 sorted and fastened together the ballots separately for
21 each political party, then they shall take the tally sheets
22 provided by the county clerk and shall count all the bal-
23 lots for each political party separately until the count is
24 completed, and shall certify to the number of votes for
25 each candidate for nomination for each office upon the
26 ticket of each party. They shall then place the counted
27 ballots in the box. After all have been counted and cer-
28 tified to by the clerks and judges they shall seal the re-
29 turns for each of said political parties in separate enve-
30 lopes, to be returned to the county clerk.

1 Section 8 In construing the provisions of this law,
2 and of all sections of Bellinger and Cotton's Annotated
3 Codes and Statutes of Oregon hereby made applicable to
4 primary nominating elections they shall, as to the duties
5 of officers, forms, blanks, ballots, elections, and all other
6 matters so far as may be, be understood and interpreted
7 as though said primary nominating election is a separate
8 election for each political party making its nominations
9 hereunder, and to be conducted as to that party as nearly
10 as practicable the same as the regular biennial general
11 elections in June are conducted for all the electors, except
12 in so far as the manner of proceeding at said June elec-
13 tion may be modified or changed by this law for the pur-
14 pose of said primary nominating election. The provi-
15 sions of this law do not modify or in any manner control
16 the proceedings at the regular biennial general elections,
17 except in so far as they may be herein expressly and
18 directly amended.

1 Section 9. Tally sheets for each political party hav-
2 ing candidates to be voted for at said primary nominating

3 election shall be furnished for each voting precinct by the
 4 county clerk, at the same time and in the same manner
 5 that the ballots are furnished, and shall be substantially
 6 as follows :

7 "Tally sheet of the primary nominating election for
 8 ----- (name of political party) held at -----
 9 precinct, in the county of ----- on the ---- day
 10 of -----, 19----."

11 The names of the candidates shall be placed on the
 12 tally sheets and numbered in the order in which they
 13 appear on the official and sample ballots, and in each
 14 case shall have the proper political party designated at
 15 the head thereof.

16 The following shall be the form of the tally sheets
 17 kept by the judges and clerks of the primary nominating
 18 election under this law, containing the number and name
 19 of each person voted for, the particular office for nomina-
 20 tion to which each person was voted for, the total number
 21 of votes cast for each candidate for nomination. The
 22 tally or count as it is kept by each of the clerks, shall be
 23 audibly announced as it proceeds, and shall be kept in
 24 the manner and form as follows :

No.	Name of Candidate.	Office.	Total vote received	No.	Tally 5	No.	Tally 10	No.	Tally 15
12	-----	-----	-----	12	-----	12	-----	12	-----
13	-----	-----	-----	13	-----	13	-----	13	-----
14	-----	-----	-----	14	-----	14	-----	14	-----

26 The columns for the numbers 12, 13, 14, etc., shall
 27 not be over three eighths of an inch wide. The columns
 28 for the tallies shall be three eighths of an inch wide, the
 29 lines shall be three eighths of an inch apart; every ten
 30 lines the captions of the columns shall be reprinted be-

31 tween double ruled lines in bold-faced small pica, and all
 32 the figures shall be printed in bold-faced small pica. The
 33 tally sheets shall conclude with the following form of cer-
 34 tificate :

35 We hereby certify that at the above primary nomi-
 36 nating election and polling place each of the foregoing
 37 named persons received the number of votes set opposite
 38 his name as above set forth for the nomination for the
 39 office specified.

-----, Clerk.

(Who kept this sheet.)

-----, Chairman.

-----, Judge.

-----, Judge.

-----, Clerk.

-----, Clerk.

(Who kept the other sheet.)

40 During the counting of the ballots each clerk shall,
 41 with pen and ink, keep tally upon one of the above tally
 42 sheets, of each political party, and shall total the number
 43 of tallies and write the total in ink immediately to the
 44 right of the last tallies for each candidate, and also in the
 45 columns headed "total vote," and shall prepare the cer-
 46 tificate thereto above indicated ; and immediately upon
 47 the completion of the count all the clerks shall sign the
 48 tally sheets, and each of them shall certify which sheets
 49 were kept by him ; and the chairman and the judges,
 50 being satisfied of the correctness of the same, shall then
 51 sign all of said tally sheets. The clerks shall then prepare
 52 a statement of that portion of the tally sheets showing
 53 the number and name and political party of each candi-
 54 date for nomination and the office and total votes received
 55 by each in the precinct, and shall prepare the certificate
 56 thereto, which statement shall be signed by the judges
 57 and clerks to complete the count, and shall be immedi-

58 ately posted in a conspicuous place on the outside of said
59 polls, there to remain for ten days. When two boards of
60 judges and clerks participate in the counting of the bal-
61 lots, each board shall keep and certify its own separate
62 tally sheets. When one board is relieved by the other
63 board, the retiring board shall, before adjourning, total
64 up the tallies representing the ballots so far counted for
65 each candidate for nomination, and a memorandum of
66 the total vote received by each candidate shall be noted
67 on the tally sheet in ink, immediately above the last tal-
68 lies for each candidate, all done in ink, but in such man-
69 ner as not to render the tally sheet unfit for continuing
70 the count upon the reconvening of the board. During
71 the recess the chairman and second judge of the board
72 shall each have the custody of one set of the tally sheets,
73 and the third set of sheets shall be deposited in the ballot
74 box, all the third set of sheets being kept sealed under
75 the official seal of the board until the board reconvenes.
76 When it is seen which board will have to complete the
77 count, the outgoing board shall complete the additions
78 and certification upon its tally sheets, and deliver two
79 sets of its tally sheets to the chairman of the board which
80 is to complete the count of the ballot. The third set of
81 tally sheets shall be sealed under the official seal of the
82 board, indorsed on the outside to identify it, and retained
83 by the chairman of the board which made and certified
84 it, to be kept by him safely, subject to the control of the
85 proper court.

1 Section 10. Immediately after canvassing the votes
2 in the manner aforesaid, the judges and clerks to com-
3 plete the count, before they separate or adjourn shall in-
4 close the poll books in separate covers and securely seal
5 the same. They shall also inclose the tally sheets in sepa-
6 rate envelopes and seal the same securely. They shall

7 also envelope all the ballots fastened together, as afore-
8 said, and seal the same securely ; and they shall, in writ-
9 ing, with pen and ink, specify the contents, and address
10 each of said packages upon the outside thereof to the
11 county clerk of the county in which the election precinct
12 is situated. When two boards participate in counting
13 the ballots each board, before taking its recess, shall
14 plainly mark and identify the last ballot which it has
15 counted and seal the same under the official seal of the
16 board upon the back of the said uppermost ballot. They
17 shall then string the loose ends of the counted ballots and
18 tie the same tightly and seal the knot and string over the
19 loose end of the ballots with their official seal in such
20 manner that it will show if broken, and leave the same
21 with the ballot boxes until the count is completed. These
22 sealed packages of counted ballots shall be marked on the
23 outside, showing what numbers are contained therein,
24 but, once sealed, they are not to be opened by any one
25 until so ordered by the proper court. When the count is
26 completed, the ballots, counted and sealed, and enveloped
27 and marked for identification as aforesaid, shall be packed
28 in the two ballot boxes, and nothing else shall be put into
29 the boxes. The boxes shall then be locked, and the offi-
30 cial seal of the board which finally completed the count
31 shall be pasted over the keyhole and over the rim of the
32 lid of the box, so that the box can not be opened without
33 breaking the seal. Thereafter neither the county clerk
34 nor the canvassers making abstracts of the votes shall
35 break the said seals upon the ballot boxes nor shall any
36 one break the seals on the boxes or the ballots, except
37 upon the order of the proper court in case of contest, or
38 upon the order of the county court when the boxes are
39 needed for the ensuing election.

1 Section 11. A political party within the meaning of

2 this act is an affiliation of electors representing a political
3 party or organization, which, at the next general election
4 preceding polled for its candidate for Representative in
5 Congress at least twenty-five per cent of the entire vote
6 cast for that office in the state. Every such political party
7 shall nominate all its candidates for public office, under
8 the provisions of this law and not in any other manner,
9 and it shall not be allowed to nominate any candidate in
10 the manner provided by section 2791 of Bellinger and
11 Cotton's Annotated Codes and Statutes of Oregon. Every
12 political party and its regularly nominated candidates,
13 members and officers, shall have the sole and exclusive
14 right to the use of the party name and the whole thereof,
15 and no candidate for office shall be permitted to use any
16 word of the name of any other political party or organiza-
17 tion than of that by which he is nominated. No inde-
18 pendent or nonpartisan candidate shall be permitted to
19 use any word of the name of any existing political party
20 or organization in his candidacy.

21 The names of candidates for public office nominated
22 under the provisions of this law shall be printed on the
23 official ballots for the ensuing election as the only candi-
24 dates of the respective political parties for such public
25 office in like manner as the names of the candidates nom-
26 inated by other methods are required to be printed on
27 such official ballots, and the provisions of sections 2805
28 and 2806 of Bellinger and Cotton's Annotated Codes and
29 Statutes of Oregon shall apply to and are hereby made
30 applicable to nominations for public office made under
31 this law, so far as the same are not in conflict with the
32 provisions of this law.

1 Section 12. Before or at the time of beginning to cir-
2 culate any petition for nomination to any office under this
3 law, the person who is to be a candidate for such a nom-

4 ination shall send by registered mail or otherwise to the
 5 Secretary of State or the county clerk, or city clerk, re-
 6 corder or auditor, as the case may be, a copy of his peti-
 7 tion for nomination, signed by himself, and such copy
 8 shall be filed and shall be conclusive evidence for the pur-
 9 poses of this law that said elector has been a candidate
 10 for nomination by his party. All nominating petitions
 11 and notices pertaining to state or district offices to be
 12 voted for in more than one county and for judges of the
 13 circuit court and district attorneys, shall be filed in the
 14 office of the Secretary of State; for county offices and
 15 district offices to be voted for in one county only shall be
 16 filed with the county clerk; and for all city offices in the
 17 office of the city clerk, recorder or auditor, as the case
 18 may be.

1 Section 13. Any qualified elector who has filed his
 2 petition and is registered as herein required as a member
 3 of a political party subject to the provisions of this act,
 4 shall have his name printed on the official nominating
 5 ballot of his party as a candidate for nomination for any
 6 office at any primary nominating election held under the
 7 provisions of this act, if there shall be filed in his behalf
 8 a petition signed as herein required, and substantially in
 9 the following form: To (address of the officer with whom
 10 the petition is to be filed), and to the members of the
 11 -----party and the electors of the (state)
 12 (counties of -----, comprising the
 13 ----- district) (county) (city) (as
 14 the case may be), in the State of Oregon.

15 I, -----, reside at-----
 16 and my post office address is----- I am a
 17 duly registered member of the-----party. If I
 18 am nominated for the office of-----, at the
 19 primary nominating election to be held in the (State of

20 Oregon) (district) (county) (city), the ----- day of
 21 -----, 19----, I will accept the nomination and
 22 will not withdraw, and if I am elected I will qualify as
 23 such officer.

24 If I am nominated and elected I will during my term
 25 of office (here the candidate, in not exceeding one hundred
 26 words, may state any measures or principles he especially
 27 advocates, and the form in which he wishes it printed
 28 after his name on the nominating ballot, in not exceeding
 29 twelve words).

30 In case of an elector seeking nomination for the office
 31 of senator or representative in the legislative assembly,
 32 he may include one of the following two statements in his
 33 petition; but if he does not do so, the Secretary of State
 34 or county clerk, as the case may be, shall not on that
 35 account refuse to file his petition.

36 STATEMENT NO. 1.

37 "I further state to the people of Oregon as well as to
 38 the people of my legislative district, that during my term
 39 of office, I will always vote for that candidate for United
 40 States Senator in Congress who has received the highest
 41 number of the people's votes for that position at the gen-
 42 eral election next preceding the election of a Senator in
 43 Congress, without regard to my individual preference."

44 (Signature of the candidate for nomination.)
 45 If the candidate shall be unwilling to sign the above
 46 statement, then he may sign the following statement as a
 47 part of his petition :

48 STATEMENT NO. 2.

49 " During my term of office I shall consider the vote of
 50 the people for United States Senator in Congress as noth-
 51 ing more than a recommendation, which I shall be at

52 liberty to wholly disregard, if the reason for doing so
53 seems to me to be sufficient.''

54 (Signature of the candidate for nomination.)

55 Every such petition shall be signed as above by the
56 elector seeking such nomination. There shall be a sepa-
57 rate leaf or sheet signed as above on every such petition
58 for each precinct in which it is circulated. After the
59 above and on a separate sheet or sheets, shall be the fol-
60 lowing petition :

61 To ----- (Secretary of State for
62 Oregon), or (to -----, the county
63 clerk for the county of -----, Oregon), or (to
64 -----city clerk of the city of -----,
65 as the case may be): We, the undersigned registered mem-
66 bers of the ----- party and qualified electors and
67 residents of ----- precinct in the county of
68 -----, State of Oregon, respectfully re-
69 quest that you will cause to be printed on the official nom-
70 inating ballot for the ----- party at the
71 aforesaid primary nominating election, the name of the
72 above signed ----- (name of applicant)
73 as a candidate for nomination to the office of (title of office)
74 by said ----- party.

75 Name. | P. O. Address. | Street and No., if any. | Precinct.

76 Each and every leaf or sheet of said petition contain-
77 ing signatures shall be verified in substantially the fol-
78 lowing form by one or more of the signers of said petition :

79 STATE OF OREGON, }
80 County of ----- } ss.

81 I, -----, being first duly sworn, say :
82 I am personally acquainted with all the persons who have
83 signed this sheet of the foregoing petition, and I personally

84 know that their signatures thereon are genuine ; and I
85 believe that their postoffice address and residence are cor-
86 rectly stated, and that they are qualified electors and reg-
87 istered members of the ----- party.

88 _____ (Signature of affiant.)

89 Subscribed and sworn to before me this -----
90 day of -----, 190---

91 (Signature and title of officer before whom oath is made.)

1 Section 14. The vote cast by a political party in each
2 voting precinct for Representative in Congress at the last
3 preceding general election shall be the basis on which the
4 percentage for petitions shall be counted ; *provided*, that
5 if any political party cast twenty-five per cent of the total
6 votes in the state for Representative in Congress, although
7 less than the required percentage in any one or more elec-
8 toral districts, county, municipality or precinct, it shall
9 nevertheless be subject to the provisions of this law in
10 making nominations in such electoral districts, county,
11 municipality and precinct. If the nomination is for a
12 municipal office or an office to be voted for in only one
13 county, the necessary number of signers shall include
14 electors residing in at least one fifth of the voting pre-
15 cincts of the county, municipality or district ; if it be a
16 state or district office and the district comprises more than
17 one county, the necessary number of signers shall include
18 electors residing in each of at least one eighth of the pre-
19 cincts in each of at least two counties in the district ; if
20 it be an office to be voted for in the state at large, the nec-
21 essary number of signers shall include electors residing in
22 each of at least one tenth of the precincts in each of at
23 least seven counties of the state ; if it be an office to be
24 voted for in a congressional district, the necessary num-
25 ber of signers shall include electors residing in at least
26 one tenth of the precincts in each of at least one fourth of

27 the counties in such district. The number of signers re-
28 quired on every such petition shall be at least two per
29 cent of the party vote in the electoral district as above
30 stated, provided that the whole number of signers required
31 on a nominating petition under the provisions of this law
32 for any office to be voted for in the state at large, or in a
33 congressional district, shall not exceed one thousand, nor
34 in any other case shall the whole number required exceed
35 five hundred signers. All the leaves or sheets making
36 one petition shall be fastened together before they are for-
37 warded to the proper officers for filing. There shall not
38 be in any petition the name of more than one candidate
39 for nomination. Any elector may sign more than one
40 nominating petition required by this law for the same
41 office. It shall be unlawful for any person to sign an-
42 other person's name to any petition required by this law.
43 It shall be unlawful for any person to sign any nomina-
44 ting petition required by this law unless he is a qualified
45 elector and at the time of signing has registered for the
46 ensuing election as a member of the political party rep-
47 resented by the petition. Any names or signatures placed
48 on any petition in violation of the provisions of this law
49 shall not be counted in computing the number of signers
50 necessary to make the same a valid and effective petition.

1 Section 15. No person who is not a qualified elector
2 and a registered member of a party making its nomina-
3 tions under the provisions of this law shall be qualified to
4 join in signing any petition for nomination or to vote at said
5 primary nominating election, and no person shall be quali-
6 fied to sign any nominating petition of any other polit-
7 ical party for the primary nominating election than that
8 with which he is registered as a member. But this shall
9 not be construed to prevent any registered member of any
10 party from signing a petition for the nomination of any

11 independent or non-partisan candidate after the primary
12 nominating election, nor shall it be construed to prevent
13 any qualified elector from signing petitions for more than
14 one candidate for the same office on one party ticket.

1 Section 16. All petitions for nomination under this
2 act for offices to be filled by the state at large, or by any
3 district consisting of more than one county, and nomina-
4 ting petitions for judges of circuit courts and for district
5 attorneys in districts consisting of a single county shall be
6 filed in the office of the Secretary of State not less than
7 twenty days before the date of the primary nominating
8 election, and for other offices to be voted for in only one
9 county or district or city every such petition shall be filed
10 with the county clerk or city clerk, recorder or auditor,
11 as the case may be, not less than fifteen days before the
12 date of the primary nominating election.

1 Section 17. The county clerk, Secretary of State, and
2 the city clerk, recorder or auditor of towns and cities hav-
3 ing two thousand inhabitants or more, shall keep a book
4 entitled "Register of Candidates for Nomination at the
5 Primary Nominating Election," and he shall enter therein
6 on different pages of the book for the different political
7 parties subject to the provisions of this law, the title of
8 the office sought and the name and residence of each can-
9 didate for nomination at the primary nominating election,
10 the name of his political party, the date of receiving the
11 first copy of his petition signed by the candidate, the
12 words he wishes printed after his name on the nominating
13 ballot, if any, the date of receiving his petition, the num-
14 ber of signatures thereon, and the number of signatures
15 required to make a valid and sufficient petition for nom-
16 ination to said office by his political party, and such other
17 information as may aid him in arranging his official bal-
18 lot for said primary nominating election.

19 Immediately after the canvass of votes at a primary
 20 nominating election is completed, the county clerk, Sec-
 21 retary of State, or city clerk, recorder or auditor, as the
 22 case may be, shall enter in his book marked "Register
 23 of Nominations," provided for by section 2799 of Bel-
 24 linger and Cotton's Annotated Codes and Statutes of Ore-
 25 gon, the date of such entry, the name of each candidate
 26 nominated, the office for which he is nominated, and the
 27 name of the party making the nomination.

1 Section 18. Such registers of candidates for nomina-
 2 tion and of nominations, and petitions, letters and notices
 3 and other writings required by this law, as soon as filed,
 4 shall be public records, and shall be open to public inspec-
 5 tion under proper regulations, and when a copy of any
 6 such writing is presented at the time the original is filed,
 7 or at any time thereafter, and a request is made to have
 8 such copy compared and certified, the officers with whom
 9 such writing was filed, shall forthwith compare such copy
 10 with the original on file, and, if necessary, correct the
 11 copy and certify and deliver the copy to the person who
 12 presented it on payment of his lawful fees therefor. All
 13 such writings, poll books, tally sheets, ballots, and ballot
 14 stubs pertaining to primary nominating elections under
 15 the provisions of this act, shall be preserved as other
 16 records are, for two years after the election to which they
 17 pertain, at which time, unless otherwise ordered or re-
 18 strained by some court, the county court shall destroy the
 19 ballots and ballot stubs by fire, without any one inspect-
 20 ing the same.

1 Section 19. The provisions of section 2801 and 2802
 2 of Bellinger and Cotton's Annotated Codes and Statutes
 3 of Oregon shall apply to nominations or petitions for
 4 nominations made under the provisions of this law, in

5 case of the death of the candidate or his removal from
6 the state or his county or electoral district before the date
7 of the ensuing election, but in no other case. In case of
8 any such vacancy by death or removal from the state or
9 of the county or electoral district, such vacancy may be
10 filled by the committee which has been given power by
11 the political party or this law to fill such vacancies sub-
12 stantially in the manner provided by sections 2803 and
13 2804 of Bellinger and Cotton's Annotated Codes and Stat-
14 utes of Oregon.

1 Section 20. Not more than twenty days and not less
2 than seventeen days before the day fixed by law for the
3 primary nominating election the Secretary of State shall
4 arrange, in the manner provided by this law for the ar-
5 rangement of the names and other information upon the
6 ballots, all the names of and information concerning all
7 the candidates for nomination contained in the valid peti-
8 tions for nomination which have been filed with him in
9 accordance with the provisions of this law, and he shall
10 forthwith certify the same under the seal of the state and
11 file the same in his office and make and transmit a dupli-
12 cate thereof by registered letter to the county clerk of each
13 county in the state, and he shall also post a duplicate
14 thereof in a conspicuous place in his office, and keep the
15 same posted until after said primary nominating election
16 has taken place. In case of emergency the Secretary of
17 State may transmit such duplicate by telegraph.

1 Section 21. Not more than fifteen days and not less
2 than twelve days before the day fixed by law for the pri-
3 mary nominating election, the county clerk of each county,
4 or the city clerk, recorder or auditor of each city, as the
5 case may be, subject to the provisions of this law, shall
6 arrange in the manner provided by this law for the ar-

7 rangement of the names and other information concern-
8 ing all the candidates and parties named in the valid peti-
9 tions for nomination which have been filed with him, and
10 those which have been certified to him by the Secretary
11 of State, in accordance with the provisions of this law,
12 and he shall forthwith certify the same under the seal of
13 the county court, or the official seal of his office, as the
14 case may be, and file the same in his office, and make and
15 post a duplicate thereof in a conspicuous place in his office
16 and keep the same posted until after the primary nomi-
17 nating election has taken place; and he shall forthwith
18 proceed and cause to be printed, according to law, the
19 colored sample ballots and the official voting ballots for
20 each political party required by this law.

1 Section 22. The provisions of section 2807 of Bel-
2 linger and Cotton's Annotated Codes and Statutes of Ore-
3 gon shall apply to and are hereby made applicable to pri-
4 mary nominating elections under this law.

5 All the official ballots designed to be voted at primary
6 nominating elections shall be printed for the republican
7 party in black ink upon a good quality of white paper;
8 for the democratic party in black ink upon a good quality
9 of blue paper, and for any third party in black ink upon
10 a good quality of yellow paper; otherwise, except for the
11 party name, the ballots shall be alike for each political
12 party and of the same size in the same county at the same
13 election. Duplicate impressions of the same shall be
14 printed upon cheaper colored paper, but not of any of the
15 colors above named, so as to be readily distinguished from
16 official ballots designed to be voted; these colored ballots
17 shall be used solely as sample ballots for the information
18 and convenience of voters, and, if voted, shall not be
19 counted.

1 Section 23. The ballot shall be styled "Official pri-
2 mary nominating election ballot of-----party";
3 shall state the number or name of the precinct and county
4 they are intended for, and date when election is to be held ;
5 shall contain the names of all candidates for nomination
6 for offices to be filled at that election whose petitions have
7 been duly made and filed as herein provided, and who
8 have not died or removed from their electoral districts,
9 and the names of candidates of the several parties in the
10 several precincts for the members of their county central
11 committees, and of delegates to be chosen to any consti-
12 tutional convention that may be called, and shall contain
13 no other names of persons ; the name of each person for
14 whom as a candidate for nomination a valid petition has
15 been duly filed shall be printed on the ballot in but one
16 place, but there shall be added opposite thereto the meas-
17 ures he especially advocates, expressed in not more than
18 twelve words as specified in the petition for nomination
19 naming him for the office. The names of the candidates
20 for nomination to each office shall be arranged under the
21 designation of the office, in alphabetical order, according
22 to surnames ; there shall be left at the end of the list
23 of candidates for nomination to each different office, a
24 blank space in which the elector may write the name of
25 any person not printed on the ballot for whom he desires
26 to vote as a nominee for such office. On the left margin
27 of the ballots for each political party the name of the up-
28 permost candidate for nomination as printed shall be
29 numbered 12, and the next candidate 13, and the next 14,
30 and so on consecutively to the end of the ballot. The
31 blank lines shall not be numbered. Each ballot shall
32 have along the top thereof a stub one and one half inches
33 wide, perforated along the lower edge thereof ; on the left
34 half of the stub shall be printed the words, "Stub to be

35 torn off by the chairman," on the right half, "Stub to be
 36 torn off by the first clerk," and colored sample ballots
 37 shall not be perforated. Immediately below the perfo-
 38 rated line shall be printed, in capitals, these words, "Offi-
 39 cial primary nominating ballot for the -----
 40 -----party for-----precinct,
 41 -----county, at the primary nominating elec-
 42 tion to be held on-----the-----day of-----
 43 -----, 19----" Under this caption shall be
 44 printed, in bold-faced type the words, "mark a cross (X)
 45 between the number and the name of each candidate
 46 voted for." Below this shall be printed in the manner
 47 aforesaid (1) the candidates for nomination for Senator
 48 and Representative in Congress and for state offices ;
 49 (2) for district and county offices ; (3) for precinct offices ;
 50 (4) for other offices. The ballot shall be printed so as to
 51 give each elector a clear opportunity to designate his
 52 choice for candidates for nomination by making with in-
 53 delible pencil a cross (X) to the left of the name of the
 54 candidate he wishes to vote for nomination to each office ;
 55 and on the ballot may be printed such words as will aid
 56 the elector to do this, "vote for one," "vote for three,"
 57 and the like. The ballot shall be of sufficient length and
 58 width to permit this to be properly done. The official
 59 ballot for each party shall be arranged and printed in sub-
 60 stantially the following form, but it may be printed in
 61 two or more columns, and shall be ruled, lined and spaced
 62 in the manner provided by section 2809 of Bellinger and
 63 Cotton's Annotated Codes and Statutes of Oregon for the
 64 official ballots at the regular general election :

Stub.

Stub.

To be torn off by the chairman.

To be torn off by the first clerk.

OFFICIAL PRIMARY NOMINATING ELECTION BAL-
 LOT FOR THE ----- PARTY, FOR SOUTH
 PORTLAND PRECINCT, MULTNOMAH COUNTY, AT
 THE PRIMARY NOMINATING ELECTION TO BE
 HELD ON -----, THE ----- DAY OF
 APRIL, 19--.

Mark a cross (X) between the number and the name of
 each candidate voted for.

THE REPUBLICAN CANDIDATES FOR NOMINATION
 FOR SENATORS AND REPRESENTATIVES IN CON-
 GRESS, AND FOR STATE OFFICES.

FOR UNITED STATES SENATOR IN CONGRESS.

Vote for One.

12. Thurlow B. Merton of Multnomah County.

13 Walter B. Wilter of Umatilla County.

FOR REPRESENTATIVE IN CONGRESS. Vote for One.

14 Joseph Jennings of Wasco County.

15 Jonathan Samms of Gilliam County.

FOR GOVERNOR.

Vote for One.

16 Samuel Johnson of Marion County, favors franchise tax
 corporations.

17 John Samson of Malheur County.

FOR SECRETARY OF STATE.

Vote for One.

18 W. B. Curran of Clatsop County.

19 George Wilson of Baker County.

FOR STATE TREASURER. Vote for One.

20 C. H. Chilton of Grant County.

21 John P. Walker of Columbia County.

FOR SUPREME JUDGE. Vote for One.

22 Arthur C. Simms of Crook County.

23 Orville Wilkins of Wallowa County.

FOR SUPERINTENDENT OF PUBLIC INSTRUCTION. Vote for One.

24 George M. Josephson of Wasco County.

25 Henry J. Summer of Wheeler County.

FOR STATE PRINTER. Vote for One.

26 Ord C. Colunder of Douglas County.

27 Samuel P. Kollen of Washington County.

REPUBLICAN CANDIDATES FOR NOMINATION FOR
DISTRICT AND COUNTY OFFICES.

FOR PROSECUTING ATTORNEY. Vote for One.

28 William S. Stokes of Multnomah County.

29 Charles P. Swing of Multnomah County.

FOR JUDGE OF CIRCUIT COURT. Vote for One.

30 Amos Strong of Multnomah County.

31 Christian Thompson of Multnomah County.

FOR JOINT SENATOR, CLACKAMAS AND MULTNOMAH COUNTIES. Vote for One.

32 George J. McCall of Clackamas County.

33 William T. Merry of Multnomah County.

FOR JOINT REPRESENTATIVES, MULTNOMAH AND
CLACKAMAS COUNTIES. Vote for One.

34 Francis A. Terrel of Clackamas County.

35 Frank Wilson of Multnomah County.

FOR STATE SENATOR FROM MULTNOMAH COUNTY. Vote for One.

36 Albert Wheatley.

37 Samuel Wilton.

FOR REPRESENTATIVES FROM MULTNOMAH
COUNTY. Vote for Twelve.

38 Wilbur Able, promises to vote for people's choice for
United States Senator.

39 William A. Adams.

40 Orton Anderson.

41 Frank Alger, will not promise to vote for people's choice
for United States Senator.

42 Elton Ankeny.

43 Samson Ashley, favors state monopoly sale of liquor on
South Carolina dispensary plan.

44 Wilson Atterbury.

45 Angus Bailey.

46 Washington Baird.

47 Fred K. Ball.

48 James Barrow.

49 Chris Barton.

50 John P. Bascom.

51 Franklin B. Bell.

FOR COUNTY JUDGE OF MULTNOMAH COUNTY.

Vote for One.

52 Simeon A. Bennet.

53 Edward S. Bohanan.

FOR SHERIFF FROM MULTNOMAH COUNTY.

Vote for One.

54 Peter Booth.

55 Ben F. Boutwell.

FOR CLERK OF CIRCUIT COURT OF MULTNOMAH COUNTY.

Vote for One.

56 Orin Buckner.

57 Warren Burleigh.

FOR CLERK OF COUNTY COURT OF MULTNOMAH COUNTY.

Vote for One.

58 Henry Butcher.

59 Phil Bryne.

FOR RECORDER OF CONVEYANCES FROM MULTNOMAH COUNTY.

Vote for One.

60 Francis P. Calhoun.

61 Hiram Cannot.

FOR COUNTY TREASURER OF MULTNOMAH COUNTY.

Vote for One.

62 William E. Carroll.

63 Frank C. Carter.

FOR ASSESSOR OF MULTNOMAH COUNTY.

Vote for One.

64 Oliver O. Chadwick.

65 Walter S. Simpson.

FOR SCHOOL SUPERINTENDENT OF MULTNOMAH
COUNTY. Vote for One.

66 Julius C. Coburn.

67 Darron C. Comstock.

FOR COUNTY SURVEYOR OF MULTNOMAH COUNTY.
Vote for One.

68 Jerry O. Cook.

69 Lucius P. Copeman.

FOR CORONER OF MULTNOMAH COUNTY.
Vote for One.

70 Ellerton C. Corfman.

71 Amos E. Cox.

FOR COUNTY COMMISSIONER OF MULTNOMAH
COUNTY. Vote for One.

72 Silas Crafter.

73 John Q. Croker.

REPUBLICAN CANDIDATES FOR NOMINATION FOR
CITY AND PRECINCT OFFICES.

FOR MAYOR OF PORTLAND. Vote for One.

74 John Daley of Tenth Ward.

75 Roderick Davis of Sixth Ward.

FOR MUNICIPAL JUDGE OF PORTLAND.
Vote for One.

76 Abraham Kinto of Fourth Ward.

77 Harrison Knight of Third Ward.

FOR CITY ATTORNEY OF PORTLAND. Vote for One.

78 Edward H. Kohler of First Ward.

79 Sydney Phillips of Eighth Ward.

FOR CITY AUDITOR OF PORTLAND. Vote for One.

80 Anton Kuhn of Fifth Ward.

81 Chas. A. Layne of Eleventh Ward.

FOR CITY TREASURER OF PORTLAND. Vote for One.

82 Wade O. Latimer of Ninth Ward.

83 Wilson F. Learned of Seventh Ward.

FOR CITY ENGINEER OF PORTLAND. Vote for One.

84 Worden Q. Lockwood of Fourth Ward.

85 Otto R. Shields of First Ward.

FOR COUNCILMAN, SEVENTH WARD. Vote for One.

86 Alderson Mason of Seventh Ward.

87 James Mayer of Seventh Ward.

FOR JUSTICE OF THE PEACE. Vote for One.

88 Albert O. Marsh of Multnomah County.

89 Wills McLean of Multnomah County.

FOR CONSTABLE. Vote for One.

90 Horace Mercher of Multnomah County.

91 Frederich H. Miller of Multnomah County.

REPUBLICAN CANDIDATES, FOR ELECTION, FOR
 COUNTY CENTRAL COMMITTEEMAN FROM SOUTH
 PORTLAND PRECINCT. Vote for One.

92 Franklin P. Smith of Multnomah County.

93 Wash C. Squires of Multnomah County.

94 Marion O. Swingerton of Multnomah County.

1 Section 24. There shall be provided and furnished at
 2 each primary nominating election for each election pre-
 3 cinct for each voter duly registered therein as a member
 4 of a party subject to the provisions of this law, when the
 5 registration books are first closed as required by section
 6 39 of this act, at least two official ballots intended to be
 7 voted, and a like number of the colored sample ballots.
 8 The sample ballots shall be duplicate impressions of the
 9 official ballots to be voted, but in no case shall they be
 10 white or colored any shade of blue or yellow, nor shall
 11 the sample ballots have perforated stubs, nor shall they
 12 have the same margin, either at the top or sides or bot-
 13 tom, as the official voting ballots have, or nearer thereto,
 14 than twelve points. These colored sample ballots shall
 15 be furnished as soon as printed, at any time before the
 16 primary nominating election, by the respective county or
 17 city clerks, in reasonable quantities to all electors apply-
 18 ing for the same, and on the day of said election, under
 19 the direction and control of the judges at each polling
 20 place, said colored sample ballots shall be given in proper
 21 quantities to all electors applying for them.

1 Section 25. The provisions of section 2811, 2812, 2813,
 2 2814, 2815, 2816, and 2817 of Bellinger and Cotton's Anno-
 3 tated Codes and Statutes of Oregon shall apply to and are
 4 hereby made applicable to primary nominating elections
 5 under this law, as far as the same are not in conflict with
 6 this law.

1 Section 26. Any person desiring to vote shall give
 2 his name and his residence and political party to the first
 3 of the election clerks, which clerk shall not be of the
 4 same political party as the chairman, who shall there-
 5 upon announce the name and residence and party dis-
 6 tinctly, and write in the poll book kept by him the name

7 and residence and party of the elector and the word
 8 "state," or "state and district," if he is qualified to vote
 9 for such officers only, and also write the name and res-
 10 idence of the elector, and, if proper, the word "state,"
 11 or "state and district," with pen and ink, upon the back
 12 of one of the stubs upon one of the voter's political party
 13 official ballots provided under this act; the clerk shall
 14 then with pen and ink write the number of the elector
 15 upon the back of each of the two stubs upon said ballot;
 16 he shall so number the stubs upon each ballot to corres-
 17 pond with the numbers of the electors in the poll book,
 18 beginning with number 1 for the first elector applying to
 19 vote, number 2 for the second elector, and so on, and he
 20 shall then tear off the stub upon which he wrote the
 21 elector's name. The clerk shall then deliver the ballot,
 22 with the remaining stub still attached thereto, to the
 23 elector. The said clerk shall give the elector one of said
 24 voter's political party official ballots, and one only. The
 25 clerk shall then, at once, and before issuing another bal-
 26 lot, deliver the stub containing the name and number of
 27 the elector to the judges, who shall pass it to the second
 28 clerk, who shall immediately enter the numbers in the
 29 poll book, and the name and residence and party of the
 30 elector opposite thereto, and shall retain the stub in his
 31 possession.

1 Section 27. The provisions of sections 2819, 1820,
 2 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830,
 3 2831, and 2837 of Bellinger and Cotton's Annotated Codes
 4 and Statutes of Oregon, so far as the same are not in conflict
 5 with and are not modified by this law, shall apply to and
 6 are hereby made applicable to primary nominating elec-
 7 tions under the provisions of this law, provided that the
 8 words "white ballots" in every section adopted from said
 9 codes and statute, shall, when applied to said primary

10 nominating election, be understood to mean, as to each
 11 political party nominating its candidates at such election,
 12 the official voting ballot of the respective political parties
 13 for that primary nominating election, whether such ballot
 14 be white, blue or yellow, as provided in section 22 of this
 15 act; *and provided further*, that the Secretary of State in
 16 furnishing the supplies for the primary nominating elec-
 17 tion as required by section 2828 of said Bellinger and
 18 Cotton's Annotated Codes and Statutes of Oregon, shall
 19 also furnish a sufficient number of the brass clips or other
 20 appropriate fastenings to fasten together the ballots of
 21 each political party in each precinct as required by sec-
 22 tion 7 of this act.

1 Section 28. At all general primary nominating elec-
 2 tions next preceding the election of a Senator in Congress
 3 by the legislature of Oregon there shall be placed upon the
 4 official primary nominating election ballots by each of the
 5 county clerks and clerks of the county court the names
 6 of all candidates for the office of Senator in Congress for
 7 whose nominations petitions have been duly made and
 8 filed under the provisions of this law, the votes for which
 9 candidates shall be counted and certified to by the elec-
 10 tion judges and clerks in the same manner as the votes
 11 for other candidates; and records of the vote for such can-
 12 didates shall be made out and sworn to by the board of
 13 canvassers of each county of the state and returned to the
 14 Secretary of State, at the same time and in like manner
 15 as they shall transmit other records and returns required
 16 by this law.

1 Section 29. On the third day after the close of any
 2 primary nominating election, or sooner if all the returns
 3 be received, the county clerk, taking to his assistance two
 4 justices of the peace of the county, of different political

5 parties, if practicable, shall proceed to open said returns
6 and make abstracts of the votes. Such abstracts of votes
7 for nominations for Governor and for Senator in Congress
8 shall be on one separate sheet for each political party and
9 shall be immediately transmitted to the Secretary of State
10 in like manner as other election returns are transmitted
11 to him. Such abstract of votes for nominations of each
12 party for Secretary of State, State Printer, State Treas-
13 urer, Justice of the Supreme Court, Members of Congress,
14 Judges of the Circuit Court, District Attorneys and Mem-
15 bers of the Legislative Assembly who are to be nominated
16 from a district composed of more than one county shall
17 be on one sheet separately for each political party, and
18 shall be forthwith transmitted to the Secretary of State as
19 required by section 30 of this act. The abstract of votes
20 for county and precinct offices shall be on another sheet
21 separately for each political party ; and it shall be the duty
22 of the said clerk immediately to certify the nomination
23 for each party and enter upon his register of nominations
24 the name of each of the persons having the highest number
25 of votes for nomination as candidates for members of the
26 legislative assembly, county and precinct offices respect-
27 ively, and to notify by mail each person who is so nomi-
28 nated ; *provided* that when a tie shall exist between two
29 or more persons for the same nomination by reason of
30 said two or more persons having an equal and the highest
31 number of votes for nomination by one party to one and
32 the same office, the clerk, whose duty it is to compare the
33 polls, shall give notice to the several persons so having
34 the highest and equal number of votes to attend at the
35 office of the county clerk at a time to be appointed by said
36 clerk, who shall then and there proceed publicly to decide
37 by lot which of the persons so having an equal number of
38 votes shall be declared nominated by his party ; and said

39 clerk shall forthwith enter upon his register of nomina-
40 tions the name of the person thus duly nominated in like
41 manner as though he had received the highest number of
42 the votes of his party for that nomination. And it shall
43 be the duty of the county clerk of every county, on the
44 receipt of the returns of any general primary nominating
45 election, to make out his certificate, stating therein the
46 compensation to which the judges and clerks of election
47 may be entitled for their services, and lay the same before
48 the county court at its next term, and the said court shall
49 order the compensation aforesaid to be paid out of the
50 county treasury.

51 In all primary nominating elections in this state under
52 the provisions of this law the person having the highest
53 number of votes for nomination to any office shall be
54 deemed to have been nominated by his political party for
55 that office.

1 Section 30. The county clerk immediately after mak-
2 ing the abstracts of votes given in his county, shall make
3 a copy of each of said abstracts and transmit it by mail
4 to the Secretary of State at the seat of government; and
5 it shall be the duty of the Secretary of State, in the pres-
6 ence of the Governor and State Treasurer, to proceed
7 within fifteen days after the primary nominating election,
8 and sooner if all returns be received, to canvass the votes
9 given for nomination for Governor, Senator in Congress,
10 Secretary of State, State Treasurer, State Printer, Jus-
11 tices of the Supreme Court, Members of Congress, Judges
12 of the Circuit Court, District Attorneys, Joint Senators and
13 Joint Representatives, and all other officers to be voted for
14 by the people of the state, or of any district comprising
15 more than one county; and the Governor shall grant a
16 certificate of nomination to the person having the highest
17 number of votes for each office, and shall issue a procla-

18 mation declaring the nomination of each person by his
 19 party. In case there shall be no choice for nomination
 20 for any office by reason of any two or more persons hav-
 21 ing an equal and the highest number of votes of his party
 22 for nomination for either of said offices, the Secretary of
 23 State shall immediately give notice to the several persons
 24 so having the highest and equal number of votes to attend
 25 at the office, either in person or by attorney, of the Secre-
 26 tary of State, at a time to be appointed by said secretary,
 27 who shall then and there proceed to publicly decide by lot
 28 which of the persons so having an equal number of votes
 29 shall be declared duly nominated by his party ; and the
 30 Governor shall issue his proclamation declaring the nom-
 31 ination of such person or persons as above provided.

1 Section 31. Whenever it shall appear by affidavit to
 2 the county court or judge thereof, or to the circuit court
 3 or judge thereof, that an error or omission has occurred
 4 or is about to occur in the printing of the name of any
 5 candidate or other matter on official primary nominating
 6 election ballots, or that any error has been or is about to
 7 be committed in the printing of the ballots, or that the
 8 name of any person or any other matter has been or is
 9 about to be wrongfully placed upon such ballots, or that
 10 any wrongful act has been performed or is about to be
 11 performed by any judge or clerk of the primary election,
 12 county clerk, canvassing board, or member thereof, or by
 13 any person charged with a duty under this act, or that
 14 any neglect of duty by any of the persons aforesaid has
 15 occurred or is about to occur, such court or judge shall by
 16 order require the officer or person or persons charged with
 17 the error, wrongful act or neglect, to forthwith correct the
 18 error, desist from the wrongful act, or perform the duty,
 19 and do as the court shall order, or show cause forthwith
 20 why such error should not be corrected, wrongful act

21 desisted from, or such duty or order performed. Failure
 22 to obey the order of any such court or judge shall be con-
 23 tempt. Any person in interest or aggrieved by the refusal
 24 or failure of any person to perform any duty or act re-
 25 quired by this law shall without derogation to any other
 26 right or remedy be entitled to pray for a mandamus in
 27 the circuit court of appropriate jurisdiction, and any pro-
 28 ceeding under the provisions of this law shall be immedi-
 29 ately heard and decided.

1 Section 32. If the returns and abstracts of the pri-
 2 mary nominating election of any county in this state shall
 3 not be received at the office of the Secretary of State
 4 within twelve days after said election, the Secretary of
 5 State shall forthwith send a messenger to the county court
 6 of such county, whose duty it shall be to furnish said
 7 messenger with a copy of said returns, and the said mes-
 8 senger shall be paid out of the county treasury of such
 9 county the sum of twenty cents for each mile he shall nec-
 10 essarily travel in going to and returning from said county.
 11 The county clerk whenever it shall be necessary for him
 12 to do so in order to send said returns and abstracts within
 13 the time above limited may send the same by telegraph,
 14 the message to be repeated, and the county shall pay the
 15 expense of such telegram.

1 Section 33. If any judge or clerk of a primary nom-
 2 inating election, or other officers or persons on whom any
 3 duty is enjoined by this law, shall be guilty of any wilful
 4 neglect of such duty, or of any corrupt conduct in the
 5 discharge of the same, such judge, clerk, officer or other
 6 person, upon conviction thereof, shall be punished by
 7 imprisonment in the penitentiary not less than one year
 8 nor more than five years, or by imprisonment in the
 9 county jail not less than three months nor more than one

10 year, or by fine not less than one hundred nor more than
11 five hundred dollars.

1 Section 34. Any person wishing to contest the nom-
2 ination of any other person to any state, county, district,
3 township, precinct, or municipal office, may give notice
4 in writing to the person whose nomination he intends to
5 contest that his nomination will be contested, stating the
6 cause of such contest briefly, within five days from the
7 time said person shall claim to have been nominated.

1 Section 35. Said notice shall be served in the same
2 manner as a summons issued out of the circuit court,
3 three days before any hearing upon such contest as herein
4 provided shall take place, and shall state the time and
5 place that such hearing shall be had. Upon the return
6 of said notice served to the clerk of the county, he shall
7 thereupon enter the same upon his issue docket as an
8 appeal case, and the same shall be heard forthwith by
9 the circuit court; *provided*, that if the case can not be
10 determined by the circuit court in term time, within fif-
11 teen days after the termination of such primary nomina-
12 ting election, the judge of the circuit court may hear and
13 determine the same at chambers forthwith, and shall
14 make all necessary orders for the trial of the case and
15 carrying his judgment into effect; *provided*, that the cir-
16 cuit court provision of this section shall not apply to
17 township or precinct officers. In case of contest between
18 any persons claiming to be nominated to any township or
19 precinct office, said notice shall be served in the manner
20 aforesaid, and shall be returned to the county court of
21 the county.

1 Section 36. The provision of sections 2841 and 2843,
2 Bellinger and Cotton's Annotated Codes and Statutes of
3 Oregon, so far as the same do not conflict with this law,

4 shall apply to and are hereby made applicable to primary
5 nominating elections held under the provisions of this
6 law.

1 Section 37. Each party to such contest shall be en-
2 titled to subpoenas and subpoenas *duces tecum*, as in or-
3 dinary cases of law ; and the court shall hear and deter-
4 mine the same without the intervention of a jury, in
5 such manner as shall carry into effect the expressed will
6 of a majority of the legal voters of the political party, as
7 indicated by their votes for such nominations, not regard-
8 ing technicalities or errors in spelling the name of any
9 candidate for such nomination ; and the county clerk
10 shall issue a certificate to the person declared to be duly
11 nominated by said court, which shall be conclusive evi-
12 dence of the right of said person to hold said nomina-
13 tion ; *provided*, that the judgment or decision of the cir-
14 cuit court in term time, or a decision of a judge thereof
15 in vacation, as the case may be, may be removed to the
16 supreme court, in such manner as may be provided for
17 removing such causes from the circuit court to the su-
18 preme court ; *and provided further*, that appeals may be
19 taken from the decision of the county court to the circuit
20 court, in all of which cases the party removing any such
21 judgment or decision by appeal, shall file in the proper
22 court a bond to the opposite party, in such sum and with
23 such sureties as shall be prescribed by a judge thereof,
24 conditioned for the payment of all costs that may be
25 properly taxed against them ; *and provided further*, that
26 on any such appeal, it shall be advanced on the docket,
27 and heard and decided on appeal soon enough to place
28 the name of the successful contestant on the official white
29 ballot as such nominee at the ensuing election, and said
30 court shall make the necessary rules to accomplish this
31 result.

1 Section 38. In addition to the facts to be stated by
2 the elector and registered by the provisions of sections
3 2861, 2862, and 2866 of Bellinger and Cotton's Annotated
4 Codes and Statutes of Oregon, every elector shall be asked
5 by the clerk or other registering officer, of what political
6 party or voluntary political organization he is a member,
7 and it shall be the elector's duty to answer said question
8 if he wishes to take part in making the nominations of
9 any political party, and his answer shall then and there
10 be entered in the register in the column headed "Re-
11 marks," and such answer shall also be a part of the affi-
12 davit entitled "Oregon Registration Blank A," when
13 such blank is used in the registration. If the elector
14 shall answer that he is not a member of any political
15 party or voluntary political organization, the clerk or
16 registering officer shall enter the fact in said column
17 headed "Remarks," and in said affidavit when the same
18 is used, and if he shall decline to answer, the officer shall
19 enter such refusal. In entering the answer in the regis-
20 ter as to the political party or affiliation of the elector,
21 it shall be sufficient to designate the political party by
22 the first syllable of the first word of its name, as Rep. for
23 republican, Dem. for democrat, Soc. for socialist, Pro.
24 for prohibition, Ind. for independent and Non. for non-
25 partisan or no party. No elector shall be qualified to
26 vote, nor permitted to vote at any such primary nomina-
27 ting election required by this law, and it shall be unlaw-
28 ful for him to offer to do so, unless he shall be registered
29 as above required as a member of one of the political
30 parties choosing and nominating its candidates for public
31 office under the provisions of this law at such primary
32 nominating election. Every qualified elector offering to
33 vote at any such primary nominating election shall be
34 given a ballot of the political party with which he is

35 registered as a member as above required, and he shall
 36 not be given a ballot of any other political party at that
 37 primary nominating election; *provided*, that nothing in
 38 this law shall be construed to deprive any elector of the
 39 right to register and vote at any primary nominating
 40 election required by this law, on his complying with the
 41 special provisions of this law, in the same manner that
 42 he is permitted by the general laws to register and vote
 43 at a general election.

1 Section 39. Section 2865 of Bellinger and Cotton's
 2 Annotated Codes and Statutes of Oregon shall be and the
 3 same is hereby amended to read as follows:

4 Sec. 2865. It shall be the duty of the county clerk in
 5 each county, between the first Monday in January, 1906,
 6 and 5 o'clock P. M., of the fifteenth day of May, 1906, and
 7 between the same dates and hours biennially thereafter,
 8 and between the twentieth day of September, 1904, and
 9 5 o'clock P. M. of the twentieth day of October, 1904, and
 10 between the same dates in each and every year thereafter
 11 in which there shall be an election of presidential electors,
 12 to enter upon the proper registers every person who com-
 13 plies with the requirements of this chapter and claims to
 14 be an elector residing in the county. If the clerk refuses
 15 to enter the name of any qualified elector, such elector
 16 may proceed by mandamus to compel him to do so; *pro-*
 17 *vided*, that the county clerk shall not register any elector
 18 during the period beginning on the fifty-fourth day and
 19 ending on the forty-first day immediately preceding the
 20 general biennial June election; *and provided further*, that
 21 this law shall not operate to prevent any additional regis-
 22 tration of voters required by the charters or ordinances
 23 of any city or town within the provisions of section 6 of
 24 this law.

1 Section 40. The provisions of sections 2863, 2864,
 2 2866, 2867, 2868, 2869, 2870, 2871, and 2873 of Bellinger
 3 and Cotton's Annotated Codes and Statutes of Oregon
 4 shall apply to and are hereby made applicable to primary
 5 nominating elections held under the provisions of this
 6 law, so far as they are not in conflict herewith.

1 Section 41. Section 2872 of Bellinger and Cotton's
 2 Annotated Codes and Statutes of Oregon shall be and the
 3 same is hereby amended to read as follows :

4 Sec. 2872. The county clerk shall close all books of
 5 registration for the period of fourteen days at 5 o'clock
 6 P. M. on the fifty-fifth day before the regular general elec-
 7 tion in 1906, and biennially thereafter, by writing the
 8 words "Closed for fourteen days." in red ink on the line
 9 next below the last elector registered in each precinct of
 10 the general register. He shall then immediately in the
 11 indexed pages in the general register opposite the name
 12 of each precinct, in writing, certify the number of elec-
 13 tors registered in that precinct for each party subject to
 14 the provisions of the primary nominating elections law,
 15 and sign his name and title and affix the seal of the county
 16 thereto ; and he shall immediately send to the Secretary
 17 of State, by telegraph if necessary, a certified copy of the
 18 numbers and totals for each party for his county ; he shall
 19 likewise close the books of the precinct registers, and
 20 certify in each of the precinct registers the total number
 21 of electors registered in each precinct for each of the par-
 22 ties subject to the primary nominating elections law, and
 23 not cancelled, and sign the same with his official title and
 24 affix the seal of the county thereto. All of said registers
 25 shall be reopened by the clerk on the fortieth day before
 26 the ensuing general election in June, 1906, and biennially
 27 thereafter, and remain open until the fifteenth day of May,

28 1906, and biennially thereafter, when they shall be finally
 29 closed for the ensuing election in the manner above pro-
 30 vided.

1 Section 42. The provisions of sections 2874, 2875,
 2 2876, 2877, 2878, and 2879 of Bellinger and Cotton's Au-
 3 notated Codes and Statutes of Oregon shall apply to and
 4 are hereby made applicable to primary nominating elec-
 5 tions held under this law, so far as they are not in con-
 6 flict herewith.

1 Section 43. There shall be elected by each political
 2 party subject to this law at said primary nominating
 3 election a committeeman for each election precinct, who
 4 shall be a resident of such precinct. The committeeman
 5 thus elected shall be the representative of his political
 6 party in and for such precinct in all ward or subdivision
 7 committees that may be formed. The committeemen
 8 elected in each precinct in each county shall constitute
 9 the county central committee of each said respective
 10 political parties. Those committeemen who reside within
 11 the limits of any incorporated city or town shall constitute
 12 *ex-officio* the city central committee of each of said respec-
 13 tive political parties, and shall have the same powers and
 14 jurisdiction as to the business of their several parties in
 15 such city matters that the county committee has in county
 16 matters, save only the power to fill vacancies in said com-
 17 mittee, which power is vested in the county central com-
 18 mittee. Each committeeman shall hold such position for
 19 the term of two years from the date of the first meeting
 20 of said committee immediately following their election.
 21 In case of a vacancy happening on account of death, resig-
 22 nation, removal from the precinct, or otherwise, the
 23 remaining members of said county committee may select
 24 a committeeman to fill the vacancy, and he shall be a

25 resident of the precinct in which the vacancy occurred.
26 Said county and city central committees shall have the
27 power to make rules and regulations for the government
28 of their respective political parties in each county and
29 city, not inconsistent with any of the provisions of this
30 law and to elect the county members of the state central
31 committee and of the congressional committee, and said
32 committees shall have the same power to fill all vacancies
33 and make rules in their jurisdiction that the county com-
34 mittee has to fill county vacancies and make rules. Said
35 county and city central committees shall have the power
36 to make nominations to fill vacancies occurring among
37 the candidates of their respective parties nominated for
38 city or county offices by the primary nominating election,
39 where such vacancy is caused by death or removal from
40 the electoral district, but not otherwise. Said committees
41 shall meet and organize by electing a chairman and secre-
42 tary within five days after the candidates of their respec-
43 tive political parties shall have been nominated. They
44 may select managing or executive committees and author-
45 ize such subcommittees to exercise any and all powers
46 conferred upon the county, city, state, and congressional
47 central committees respectively by this law.

1 Section 44. If any candidate for nomination shall be
2 guilty of any wrongful or unlawful act or acts at a pri-
3 mary nominating election which would be sufficient, if
4 such wrongful or unlawful act or acts had been done by
5 such candidate at the regular general election, to cause
6 his removal from office, he shall, upon conviction thereof,
7 be removed from office in like manner as though such
8 wrongful or unlawful act or acts had been committed by
9 him at a regular general election, notwithstanding that he
10 may have been regularly elected and shall not have been

11 guilty of any wrongful or unlawful act at the election at
12 which he shall have been elected to his office.

1 Section 45. The provisions of sections 1900, 1901,
2 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911,
3 1912, and 1975, of Bellinger and Cotton's Annotated Codes
4 and Statutes of Oregon, shall apply to and are hereby
5 made applicable to primary nominating elections held
6 under the provisions of this law.

1 Section 46. Sections 2880, 2881, 2882, 2883, 2884,
2 2885, 2886, 2887, 2888, 2889, 2890, 2891, 2892, 2893, 2894,
3 2895, 2896, 2897, 2898, 2899, 2900, 2901, 2902, 2903, 2904,
4 2906, 2907, 2908, 2909, 2910, 2913, 2914, 2915, 2916, 2917,
5 2918, 2919, 2920, and section 2890 of Bellinger and Cot-
6 ton's Annotated Codes and Statutes of Oregon, as amended
7 by an act entitled "An act to amend section 2890, title
8 XXVIII, chapter X, of Bellinger and Cotton's Annotated
9 Codes and Statutes of the State of Oregon, relating to
10 hours of election," approved February 24, 1903, and pub-
11 lished on page 213 of the general laws of Oregon of the
12 legislative assembly of 1903, shall be and the same are
13 hereby repealed, and all other acts and parts of acts in
14 conflict with this law, or any part thereof, so far as the
15 same relate to primary elections, primary nominating
16 elections, or the procedure for any such elections under
17 this law, shall be and the same are hereby repealed so far
18 as the same relate to primary nominating elections.

