

## CAUCUSES.

### CHAPTER 47.

[S. B. 71.]

#### CAUCUSES.

AN ACT to Amend Section 497b of the Revised Codes of 1899, Relating to the Time of Holding Caucuses and the Issuance of Certificates of Election of Delegates.

*Be it Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. AMENDMENT.] Section 497b of the Revised Codes 1899, is hereby amended so as to read as follows:

WHEN CAUCUS HELD. CERTIFICATES.] All caucuses held under the provisions of this article shall be held between the hours of two o'clock p. m., and nine o'clock p. m., and the polls shall be kept open at least one hour. The electors present at such caucus shall at the opening of the polls elect by viva voce vote a chairman and clerk of such caucus, whose powers and duties shall be the same as the powers and duties of judge and clerk of elections, respectively, in so far as the same shall be applicable. The chairman and clerk of such caucus shall, at the close of the polls, immediately canvass the ballots cast for delegate or delegates, and shall issue certificates of election to each delegate who shall receive a plurality of all the votes cast at such caucus. Such certificate shall be signed by said chairman and clerk.

Approved March 11, 1901.

### CHAPTER 48.

[H. B. 173.]

#### REGULATING CAUCUSES AND CONVENTIONS.

AN ACT to Amend Section 502 of the Revised Codes of 1899, Relating to Certificates of Nomination and Prescribing the Qualifications of Persons Participating in Nomination at Caucuses or in Conventions, or by Petition, and Prescribing the Duties of the Secretary of State and County Auditor in Reference to the Placing of Nominees on the Official Ballot.

*Be it Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. AMENDMENT.] That section 502 of the Revised Codes of the state of North Dakota of 1899, the same being also section 502 of the Revised Codes of the state of North Dakota of 1895 be, and the same is hereby amended so as to read as follows:

§ 502. CERTIFICATE TO CONTAIN BUT ONE NAME.] No certificate of nomination shall contain the name of more than one candidate for each office to be filled. No person shall participate directly or indirectly in the nomination at caucus, in convention or by petition of more than one person for each office to be filled, and no person shall accept a nomination for more than one office. That no political party shall be entitled to have placed upon the official ballot more than one set or list of nominees for any state, county, city or other municipal office to be voted for in said state, county, city or municipality. And in case two or more organizations claiming or purporting to represent the same political party, shall file certificates of nominations under the same party designation, or such certificates indicate that the nominations therein mentioned were made by any person or any organization representing the same political party, the secretary of state, in cases where such certificates are filed in his office, shall within the time prescribed by law for certifying state nominations to the county auditor, determine from the best available sources of information which organization filing such certificates has been longest in existence as a political organization representing such party; and only the nominees named by such organization, longest in existence, shall be certified to the county auditor, and such nominations only shall be printed on the official ballot. And in case two or more organizations claiming or purporting to represent the same political party shall file certificates of nomination with the county auditor, city auditor, or clerk of any municipality, or such certificates indicate that the nominations therein mentioned were made by persons or organizations representing the same political party, the county auditor shall determine from the best available sources of information which organization, filing such certificates, has been longest in existence as a political organization representing such party; and only the nominations made by such organization longest in existence shall be printed on the official ballot. Provided, however, that the decision of the officer determining which organization has been the longest in existence in representing such party, shall be subject to review by the court in a proper action instituted for such purpose. And provided further, that this act shall not be construed to prohibit any new organization from nominating any person or persons for an office and having such nomination placed on the official ballot, but such organization shall not adopt the name or designation of the political party represented by the older organization, if still in existence, and the certificate of nomination filed by it shall, by clear and distinct language, indicate and show that the organization filing it represents a separate and distinct political party.

Approved March 8, 1901.