

pool or billiard hall, or any bowling alley, or any temperance saloon, or place under any name whatever, where games of pool, billiards, bowling or cards are played, to obstruct a clear view into the same by means of curtains, screens or any other similar device, whereby the free and unobstructed view of the interior of said room cannot be had from the outside. Any person found guilty of violating this act shall be punished by a fine of not less than \$5.00 nor more than \$50.00 or imprisonment in the county jail not to exceed thirty days, or both such fine and imprisonment.

§ 2. EMERGENCY.]Whereas, there is now on statute book of our state no law in reference to the above subject, an emergency is hereby declared to exist and this bill shall take effect from and after its passage and approval.

Approved March 3, 1911.

PRIMARY ELECTIONS

CHAPTER 207.

[S. B. 278—Steele of Renville]

NOMINATIONS FOR UNITED STATES SENATOR.

AN ACT to Amend and Re-Enact Section 13 of Chapter 109 of the Session Laws for the Year 1907, of the State of North Dakota, Relating to Primary Election.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That section 13 of chapter 109 of the Session Laws for the year 1907 of the state of North Dakota be amended and re-enacted to read as follows:

§ 13. NOMINATIONS FOR UNITED STATES SENATOR.] Party candidates for the office of United States senator shall be nominated in the manner herein provided for nominations of candidates for state offices.

The candidate receiving the highest number of votes at such primary election shall be the nominee of his party for the office of United States senator, at the succeeding session of the legislative assembly which is to elect a United States senator. The votes for candidates for United States senator shall be canvassed and returned in the same manner as the votes cast for state officers.

It is hereby made the duty of the secretary of state to certify to the next session of the legislative assembly the name of the candidate of each party who receives the highest number of votes for the office of United States senator.

Approved March 3, 1911.

CHAPTER 208.

[S. B. No. 353—Committee on Elections and Privileges]

PRIMARY ELECTION OF NATIONAL DELEGATES.

AN ACT "To Provide for the Expression by the Qualified Voters of the Several Political Parties of Their Choice for Nomination by Their Party for President and Vice-President of the United States; to Provide for and Regulate Direct Primary Election for the Election of Said Political Party's Delegates to Their Respective National Conventions, Fixing a Time for Said Election and Harmonizing Therewith the Time of City Elections Every Presidential Year, and for the Payment of Delegates' Necessary Expenses, not Exceeding \$200.00 Each, for the Election of Party Candidates for the Office of Presidential Elector, and for the Election of National Committeemen."

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. In the presidential election years, the qualified electors of the political parties subject to this law shall have opportunity to vote for their preference, on ballots provided for that purpose, for their choice among those aspiring to be candidates of their respective parties for president and vice president of the United States, shall have their party delegates to their national conventions, their presidential electors, and shall nominate and recommend their choice for national committeemen. The names of the aspirants in each such party for election for the office of president, for office of vice president of the United States, for national committeemen, for delegates to their national conventions, and for presidential electors, shall be printed on the party nominating ballot, provided for that purpose, and the ballot shall be marked and the votes shall be counted; canvassed and returned under the same conditions as to names, petitions and other matters so far as the same are applicable, as the names and petitions of party aspirants for the party nominations for the office of governor and of the United States senator in congress are, or may be by law required to be marked, filed, counted, canvassed, and returned; provided, that aspirants for such presidential nominations need not file any personal petition nor signature; that certificates of the number of votes received by each such candidate shall be issued to the delegates who are elected for said party to the party national convention; that petitions to place on the nomination ballot the names and aspirants for such office or delegate to said national convention, presidential elector and national committeeman to be chosen and elected, as provided herein, shall be sufficient if they contain a number equal to one per cent of the party vote in the state at the next preceding election for representatives in congress, or not less than five

hundred signatures of party voters. Every qualified voter shall have the right to vote for as many candidates for national delegates for his party and for the election of as many candidates for presidential electors as there are delegates and electors to be elected respectively, and each elector shall have a right to vote for one candidate of his party for national committeeman. A number of such candidates equal to the number of delegates to be elected and the number of presidential electors to be elected and the candidate for national committeeman, receiving, respectively, each for himself, the highest number of votes for such office or nomination, shall be declared elected.

§ 2. On the eighth day after the election provided for herein, the county canvassing board shall meet as provided in section 582 of the revised codes of 1905, and shall canvass the returns in the manner now provided by law. The powers and duties of the board shall be the same in so far as applicable, as now are prescribed by law for canvassing the returns of other elections.

§ 3. For the purpose of ascertaining the results of the election provided for in this act, the state canvassing board shall meet at the office of the secretary of state on the first Tuesday in May after such election and the secretary of state shall notify the other members of the board of canvassers of such meeting.

§ 4. All persons desiring to be candidates for delegates to the national convention of their party and all persons desiring to be candidates for presidential electors and for national committeemen of their party shall, not later than the first day in March of each year, when a presidential election will take place, file with the secretary of state their petitions, as provided herein.

§ 5. It shall be the duty of the secretary of state immediately after the first day in March of each year in which a presidential election will take place, to prepare and print ballots, at the expense of the state, with the names of all candidates of each party for the offices named in this act. In printing such ballots the secretary of state shall be guided by the provisions of law now in force relating to the preparation and printing of ballots for general elections. The provisions of the general election law applicable relating to the distribution of ballots, posting of sample ballots and of notices of the election shall apply to the distribution of ballots, posting of sample ballots and of notices of the election herein provided for, except as otherwise required herein. The secretary of state shall distribute the ballots among the county auditors, who in turn must deliver the same to the inspectors of election in the voting precincts of their respective counties. Notices of the election provided for herein shall be given in the manner prescribed by law for giving notices of city, village and township elections in such cities, villages and

townships and in any other precincts, notice of the election shall be given as now provided by law for general elections.

§ 6. On the third Tuesday of March every fourth year, when a presidential election is to be held, the members of the respective political parties shall express their choice for the election of the persons and officers named in this act, and whose names appear upon the ballot according to the provisions herein. Each elector shall be handed the ballot of the party with which he declares himself affiliated, or with which he may have registered at the last preceding registration or election, and such elector shall mark and vote the same in the manner provided herein. The polls shall be open during the same hours as at general elections. For the purposes of the election herein provided for, in all cities, villages and civil townships the regular election officers thereof shall also act without further compensation as the election officers, and in unorganized townships and voting precincts outside of cities, villages and civil townships, the inspector and two judges of election, who acted as such at the last general election, or those who have been or may be appointed to fill such vacancies occurring in their offices, pursuant to law, shall act therein as the inspector and judges of election. In all matters not herein expressly otherwise provided for the provisions of any election law of this state, applicable to the case, shall govern. In every fourth year, when a presidential election is held, the time of all city elections shall take place on the third Tuesday in March so as to conform to the provisions of this act, and in such event the city officers elected to office shall have until the second Tuesday of April in which to qualify for such office.

§ 7. Every delegate to a national convention of a political party recognized as such organization by the laws of North Dakota, shall receive from the state treasurer the amount of his actual necessary traveling expenses, as his account may be audited and allowed by the secretary of state or state auditor, for actual attendance upon said convention, but not in any case to exceed \$200.00 for one delegate. The election of such national delegates for political parties are not subject to the direct primary law shall be certified in like manner as nominations of candidates of such parties for election to public office. Every such delegate to a national convention which nominated candidates for president and vice-president shall subscribe an oath of office that he will uphold the constitution and the laws of the United States and North Dakota, and that he will, as such officer and delegate, to the best of his judgment and ability, faithfully carry out the wishes of his political party as expressed by the voters at said election.

§ 8. REPEAL.] All acts or parts of acts in conflict with any of the provisions of this act are hereby repealed.

Approved March 6, 1911.

CHAPTER 209.

[S. B. No. 338—Committee on Elections]

PUBLICATION OF CANDIDATES' NAMES BEFORE PRIMARY
ELECTION.AN ACT Providing for the Publication of the Names of the Candidates
Before the Primary:*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. CERTIFIED LISTS OF NOMINEES.] At least twenty-five days before any primary preceding a general election, the secretary of state shall transmit to each county auditor a certified list containing the names and post office addresses of each person for whom nomination papers have been filed in his office and entitled to be voted for at such primary, together with a designation of the office for which he is a candidate, and the party or principle he represents.

§ 2. PUBLICATION OF NOTICES.] The auditor to whom such list is delivered shall forthwith upon the receipt thereof publish under the proper party designation the title of each office, the names and addresses of all persons for whom nomination papers have been filed, both in his office and the office of the secretary of state, giving the names and addresses of each, the date of the primary, the hours during which the polls will be opened, and that the primary will be held in the regular polling place in each precinct. It shall be the duty of such auditor to publish said notice once each week for at least two consecutive weeks prior to said primary in each official newspaper in the county.

§ 3. POSTING OF NOTICES.] Such Auditor shall also forthwith mail copies of such notice to each township and village clerk and inspector of elections in unorganized townships, and to each city auditor of his county who shall immediately post copies of the same in at least three public places in each precinct in his town, city or village, designating therein the location of the polling place in each election precinct.

Approved March 6, 1911.

CHAPTER 210.

[S. B. No. 339—Committee on Elections and Election Privileges.]

RATES FOR POLITICAL ANNOUNCEMENTS.

AN ACT To Prescribe Legal Rates for the Publication of Political Announcements.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. RATES FOR POLITICAL ANNOUNCEMENTS.] No newspaper in this state shall charge for the publication of political announcements of candidates before any primary or election any more than the legal rates for the publication of legal notices.

All paid political matter and political announcements shall be labeled "Political Advertisement."

Any person violating any provision of this act shall be deemed guilty of a misdemeanor.

Approved March 3, 1911.

CHAPTER 211.

[S. B. No. 223—Steele of Renville]

ELECTION OF PRECINCT COMMITTEEMEN.

AN ACT To Amend and Re-enact Section 39 and Section 40 of Chapter 109 of the Session Laws for the Year 1907 of the State of North Dakota, Relating to Election of Precinct Committeemen and Relating to the County and State Committee under the Primary Election Law.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. That section 39 and section 40 of chapter 109 of the Session Laws of the year 1907, of the state of North Dakota, be amended and re-enacted to read as follows:

§ 39. PRECINCT COMMITTEEMEN. HOW ELECTED.] At the primary each voter may write in the space left on his ticket for that purpose the name of one qualified elector who is a member of his own party and a resident of his precinct, and the one receiving the highest number of votes shall be the precinct committeeman. The official returns made by the election board from each precinct shall show the name and address of such precinct committeeman thus chosen by each party. Upon the canvass of the returns the county auditor shall immediately notify in writing each precinct committeeman so selected, together with those provided for in section 40 of this act, of their selection and the date of the meeting of the county central committee.

§ 40. COUNTY AND STATE COMMITTEE. HOW SELECTED. TIME AND PLACE OF MEETING.] The county committee of each party shall be composed of all the precinct committeemen of each party in addition to committeemen chosen at large by the following named county nominees of each party, selected in the following manner, to-wit: The nominees for the following county offices; namely: clerk of court, county treasurer, county auditor, register of deeds, sheriff, state's attorney, superintendent of schools and county judge, and the legislative nominees residing in such county shall each be entitled to select and appoint in writing one committeeman at large, which appointment shall be immediately filed with the county auditor. The committeeman thus appointed, together with the precinct committeemen elected as prescribed in section 39 hereof, shall constitute the county committee of each county, and they shall meet in the courthouse at the county seat of each county at two o'clock p. m. on the third Wednesday after each primary election and organize by selecting a chairman, a secretary and a treasurer, by adopting rules and modes of procedure, and by selecting an executive committee consisting of from five to nine persons chosen from the county committee, of which executive committee the chairman and secretary shall be members. Such county committee shall at the same time select one person who shall be a legal voter to act upon and be a member of the state central committee of such party in all counties consisting of one legislative district, and in counties having more than one legislative district the precinct committeeman from each legislative district shall select one person from their respective legislative district; and when two or more counties are embraced in one legislative district the county committee of each county shall meet at the court house of the county seat of the senior county of such district at two o'clock p. m. on the fourth Wednesday after each primary election and select one person, who shall be a legal voter, to act upon and be a member of the state central committee of such party. The members so selected as state central committeemen shall meet at the state capitol on the first Wednesday of September and organize by selecting a chairman, a secretary and treasurer, and shall adopt rules and modes of procedure and promulgate and publish a platform or principle upon which its candidates shall stand. Each member of any committee shall retain such position until his successor is chosen. Every member so selected shall be a legal voter. Vacancies shall be filled by a majority of the committee by appointment from the district in which such vacancy exists.

Approved March 6, 1911.

CHAPTER 212.

[S. B. No. 280—Steele of Renville]

PRIMARY ELECTION.

AN ACT To Amend and Re-enact Section 9, of Chapter 109, of the Session Laws for the Year 1907, of the State of North Dakota, Relating to Primary Election.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That section 9 of chapter 109, of the Session Laws for the year 1907 of the state of North Dakota be amended and re-enacted to read as follows:

§ 9. BALLOTS, FORM OF. DUTIES OF JUDGES AND INSPECTORS.] The primary election and primary election ballot shall be provided for, arranged and conducted and all expenses paid as now provided by law for general elections except as otherwise provided for in this act.

There shall be separate ballots for each party or principle and they shall all be of the same size, texture and color, except sample ballots, which shall be printed on tinted paper. The ballot shall be entitled "Primary Election Ballot."

The names of all aspirants for nomination of each political party or principle for the different offices shall be arranged in separate groups in their order, on separate ballots under a proper political designation, leaving one or more blank lines or spaces below each group of names on which may be written or placed a name or a printed sticker attached for the nomination of the candidate. No squares shall be left at the head of the ballot.

At the head of each ballot shall be placed the title of the political party or principle that it represents.

Above the names of the candidates to be voted for shall be printed the following:

"To vote for a person whose name is printed on the ballot mark a cross (X) in the square at the right of the name of the person for whom you desire to vote."

On the next line shall be printed the words:

"To vote for a person for first choice, mark a cross (X) in the first square at the right of the name of the person for whom you desire to vote. To vote for a person for second choice, mark a cross (X) in the second choice square at the right of the name of the person for whom you desire to vote."

At the left of each group shall be placed the title of the office, followed by a bracket, indicating the number of names in such group. Above each group there shall be a square in which shall be printed the number of names in that group to be voted for, as follows:

“Vote for.....name (or names) only.”

When there are three or more candidates for the same office for United States senator or any congressional or state office, there shall be printed upon the ballot at the right of the name of each candidate for such office a square in a column marked “First Choice” and at the right of the “First Choice” column a square in a column marked “Second Choice.” There shall be printed above the names of the candidates for such office the following:.

“Vote for both first and second choice for this office.”

No voter shall vote for the same candidate for both first and second choice. To vote for a person whose name is not printed on the ballot, write or paste his name in the blank space provided for that purpose.

Each ballot shall contain two columns, and each column is to have as nearly as possible the same number of names of candidates thereon, except that no groups or spaces beneath any group shall be divided, and the candidates for the various offices shall appear upon the ballot in the following order, commencing at the column to the left, and the form of said ballot shall be substantially as follows:

PRIMARY ELECTION BALLOT

.....Party.

DESIGNATION OF PARTY

.....County.

To vote for a person, mark a cross (X) in the square at the right of the name of the person for whom you desire to vote.

	Vote for both first and second choice	First Choice Vote for one	Second Choice Vote for one
United States Senator	John Doe		
	John Doe		
	John Doe		
	Congressional Vote for both first and second choice for this office	First Choice Vote for one.	Second Choice Vote for one.
Representatives in Congress ----- District	John Doe		
	John Doe		
	John Doe		

	State	First Choice	Second Choice
Governor	Vote for both first and second choice for this office	Vote for one	Vote for one
	John Doe		
	John Doe		
	John Doe		
Lieutenant Governor	State	First Choice	Second Choice
	Vote for both first and second choice for this office	Vote for one	Vote for one
	John Doe		
	John Doe		
Secretary of State	Vote for both first and second choice for this office	First Choice	Second Choice
		Vote for one	Vote for one
	John Doe		
	John Doe		
State Auditor	Vote for both first and second choice for this office	First Choice	Second Choice
		Vote for one	Vote for one
	John Doe		
	John Doe		
State Treasurer	Vote for both first and second choice for this office	First Choice	Second Choice
		Vote for one	Vote for one
	John Doe		
	John Doe		
Attorney General	Vote for both first and second choice for this office	First Choice	Second Choice
		Vote for one	Vote for one
	John Doe		
	John Doe		

PRIMARY ELECTIONS

	Vote for both first and second choice for this office	First Choice Vote for one	Second Choice Vote for one
Superintendent of Public Instruction	John Doe		
	John Doe		
	John Doe		
Commissioner of Insurance	John Doe		
	John Doe		
	John Doe		
Commissioner of Agriculture and Labor	John Doe		
	John Doe		
	John Doe		
Commissioner of Railroads	John Doe	Vote for three	Second Choice Vote for three
	John Doe		
State Senator District	John Doe	Vote for	
	John Doe		
	John Doe		
Member of House of Representatives District	John Doe	Vote for	
	John Doe		
	John Doe		

PRIMARY ELECTIONS

325

County		Vote for one	
County Auditor	John Doe		
	John Doe		
	John Doe		
Treasurer	John Doe		
	John Doe		
	John Doe		
Sheriff	John Doe		
	John Doe		
	John Doe		
Clerk of District Court	John Doe		
	John Doe		
	John Doe		
Coroner	John Doe		
	John Doe		
	John Doe		
State's Attorney	John Doe		
	John Doe		
	John Doe		
Register of Deeds	John Doe		
	John Doe		
	John Doe		

Surveyor	John Doe	Vote for one	
	John Doe		
	John Doe		
Public Administrator	John Doe	Vote for one	
	John Doe		
	John Doe		
Superintendent of Schools	John Doe	Vote for one	
	John Doe		
	John Doe		
County Commissioner District	John Doe	Vote for one	
	John Doe		
	John Doe		
Justice of the Peace	John Doe	Vote for four	
	John Doe		
	John Doe		
	John Doe		
Constable	John Doe	Vote for four	
	John Doe		
	John Doe		
	John Doe		

Where there are three or more candidates for the same office for United States senator, representative in congress or any state office, the candidate receiving fifty per cent, or more, of the votes cast as first choice for such office shall be nominated as the party candidate of his party for such office. If no candidate shall receive fifty per cent, or more, of the votes of his party so cast for such office then the second choice votes of each of

And also have each voter sign and swear to before the assessor or notary as the case may be a registration blank "A" which shall be in the following form:

State of North Dakota, }
 County of } ss:

I, the undesigned elector, do solemnly swear (or affirm) that my name and signature as signed below is my true name and signature. If I have not personally signed it, it is because..... and it was signed at my request by the attesting officer. My age is.....years and occupation.....; nativity.....; naturalized or declared by intention in.....court, in.....county,state, on.....19....., as appears by the naturalization papers exhibited herewith. Present residence is in section..... township....., range....., County, North Dakota; of (if city or town) at No..... street, in the city of..... post office address..... I belong to the..... party; that I have resided in this state for one year immediately preceding this election. In testimony whereof I sign my name two times.

(1).....(1).....
 (2).....(2).....

Elector.

Note. "Verification to be in usual form." If unable to sign, let the officer write his name and so state.

§ 2. REGISTRATION AND ENROLLMENT BOOKS. HOW FURNISHED.] These party enrollment books and blanks shall be prepared and furnished by the secretary of state and by him sent to each county auditor in the state and by each county auditor distributed to each assessor. The assessors shall complete this work of taking the party registration in the months of April and May of each even numbered year and shall return the blanks and enrollment books to the county auditor of the respective counties on or before thirty days before each primary election day and shall receive as compensation the sum of ten cents (10c) for entry of the name of each party voter in addition to the compensation now allowed by law for his work as such assessor. He shall cause the names to be entered in the party enrollment book alphabetically and according to the respective precincts of the voters within that district.

Any voter who is unavoidably absent from the assessor's district during the time of taking the party registration may go before any notary public and sign and verify a registration blank as shown by form "A" and mail the same in to the county auditor of his county.

§ 3. WHEN PERSON MAY CAUSE NAME TO BE ENROLLED ON PRIMARY DAY.] Any person who was a qualified voter in any elec-

tion precinct in this state on the day of enrollment and registration provided for in this act, and who failed to have his name enrolled on that day by reason of sickness or unavoidable absence from the election precinct, and who is a qualified voter in said district at the time of the primaries thereafter held therein, or who may have become twenty-one years of age after the day of enrollment may have his name enrolled by the election board on any primary day upon making oath as provided in the general election law in relation to registration of electors on election days. Any person who was a qualified voter in any election precinct in this state on the day of enrollment provided for in this act, and who was duly enrolled as provided herein, who has had occasion to transfer his place of residence to an election precinct other than that in which he was enrolled, may be entitled to a new enrollment on primary day in such election precinct and be entitled to a vote therein, provided that he has resided in the election precinct to which he has lately removed for a period to comply with general laws governing residence of electors. He may obtain from the assessor of the precinct in which he formerly resided, a certificate stating that he was duly enrolled in such precinct and that he has changed his residence therefrom to such other precinct and that he is entitled to enrollment therein.

The county auditor shall cause duplicates to be made of all the party enrollment books on file in his office and cause a copy of the party enrollment book for each precinct to be delivered to the inspector of elections of such precinct at the same time that the other election supplies and ballot boxes are delivered to such inspector as now provided by law.

The inspector and judges at such primary elections shall require each voter to vote the party ballot under which he has registered.

§ 4. AMENDMENT.] That section 4 of chapter 109 of the Laws of North Dakota for 1907 relating to county and legislative candidates, petitions, filing fee, and pledges under the primary election law is hereby amended to read as follows:

§ 4. COUNTY AND LEGISLATIVE CANDIDATES. PETITION, FILING FEE AND PLEDGE.] Every candidate for a county or district office shall not more than forty days nor less than thirty days, and before 4 o'clock P. M. of the thirtieth day prior to any primary election, present to the county auditor a petition giving his name, post office address, the title of the office to which he aspires and the party which he represents, containing the names of five per cent of the total vote cast for the candidate of the party which he represents, for the same position at the last general election; such names to be procured from at least one-fifth of the precincts of his district; provided, however, that in no case shall there be more than two hundred names; and, provided further, that the

petitions of all candidates for members of the legislative assembly may, in addition to the requirements hereinbefore provided, contain the following pledge namely: "I, the undersigned, a candidate for the office of member of the legislative assembly of the state of North Dakota, do obligate myself to the people of the state of North Dakota and to the people of my legislative district that during my term of office I will support and vote for that candidate for United States senator in congress of the party of which I am a member, who has received a majority of such party votes or who by law received the party nomination for that position at the primary election next preceding the election of United States senator in congress. In case such legislative candidate signs the foregoing pledge, he shall be entitled to have printed below his name upon the primary and general election ballot the following words, wit: "pledged to the people's choice for U. S. senator." In case such legislative candidate does not sign the foregoing pledge there shall be printed below his name upon the primary election and general election ballot the following words; to-wit: "not pledged to the people's choice for U. S. senator."

Each name on the petition shall be that of a qualified voter and be subscribed under a party heading. Each signer of a nomination paper shall sign but one such paper for the same office; he shall add his residence with the street number, if any, and the date of signing. Upon the receipt of such petition by the county auditor and the payment to him of the filing fee of three dollars (\$3.00), excepting, candidates for county commissioners, district assessors, surveyor, coroner, county constables and county justices of the peace, who shall pay no filing fee and when accompanied by an affidavit as provided in section 3 of chapter 109 of the 1907 Session Laws relating to petitions required, fees and filing affidavit of candidate, such county auditor shall place the name of such applicant upon the primary election ballot in the columns of his party as hereinbefore provided.

When a legislative district is composed of more than one county, the petition herein provided for shall be filed with the county auditor of the county where the candidate resides, and such county auditor shall certify to the county auditors of the other counties comprising such legislative districts the names of the candidates filing such petitions. The filing fees received as above by the county auditor shall be turned over by him to the county treasurer to be covered into the general fund.

Approved March 6, 1911.