

[illegible]

rejected by the judges and not counted for an reason shall be strung separately and plainly marked "Rejected Ballots," and be deposited with the ballots counted, as above provided.

SEC. 33. If a ballot be found to contain more than one vote for any one office than the number of persons received for that office, the said ballot shall be considered void as to all the names designated to fill such office; but no further; but no ballot shall be void for containing a less number of names than authorized to be inserted. No ballot properly marked, counted, and deposited in the box designated by its indorsement shall be rejected, but shall be counted in the same manner as found in the box designated by such indorsement.

lot or ballots shall not produce an excess of votes above the number of voters designated on the poll-lists. The boxes used at such election shall be opened and the votes counted thereat in the manner above provided, but as nearly as may be in the following order:

First.—The box containing the ballots endorsed "Electors."

Second.—The box containing the ballots endorsed "State."

Third.—The box containing the ballots endorsed "Congress."

Fourth.—The box containing the ballots endorsed "Legislature."

Fifth.—The box containing the ballots en-

And if any other boxes shall be used at an election in pursuance of law, such other boxes shall be opened and the votes therein canvassed immediately after those hereinbefore specified in such order as the judges of election at each poll may specify.

§ 32. The auditor or county auditor shall receive the returns of the judges, to be chosen by lot, if not otherwise agreed upon, and delivered to the said county auditor: his office; provided, that the returns of election in unorganized counties, shall be made to auditor of the county to which they are attached for election purposes, and the votes shall be counted and the results of election issued to the persons elected, in the manner provided in this chapter for canvassing votes and issuing certificates of election in organized counties.

§ 33. A true copy of the returns made by the judges shall also be made and certified by them and forthwith filed by them in the office of the clerk of the court.

§ 34. There shall be paid out of the

persons carrying the returns of the election to the auditor of the county, the sum of ten cents for every mile traveled in going to and returning from the office of the county auditor, this money to be extended to unmunicipalized counties, and to be paid to the persons carrying the returns, which they are attached. All fees for carrying election returns shall be admitted and allowed and the board of county commissioners of the proper county in the same manner as other claims are allowed, and may be paid upon the warrant as the county auditor.

SEC. 39. The county auditor, the chairman of the board of county commissioners and two

Opposition political parties if possible, be
represented by the auditor and the canvassing
board, and the auditor and the canvassing
board, on or before the tenth day after the election,
said board shall proceed, after taking the usual
oath of office, to openly and publicly canvass the
returns made to the auditor's office. They shall
make a separate statement containing the whole
of the returns made to the auditor's office by the
office of governor, or lieutenant governor,
or associate justices of the supreme court, sec-
retary of state, auditor of state, treasurer of
state, clerk of the supreme court, judges of the
district court, and all other officers of the state,
the names of the persons for whom such votes
were given, and the number of votes given for
each name.

Another statement of the votes given for senators and members of the house of representatives, and the names of the persons for whom such votes were given. Another statement of the votes for president and vice president, and the names of the persons for whom such votes were given. Another statement of the votes given for representatives in congress in each district, or any or either of them, and the names of the persons for whom such votes were given: another statement of the votes given upon any proposition, change of county lines, or any other proposition, and the names of the persons for whom such votes were given: and against unratified amendments to the constitution.

ified by the county canvassing board, and deposited in the said auditor's office, and two copies thereof shall be certified under the official seal of the auditor, one of which shall be enclosed in the original of said certificate, and the other copy shall be forwarded to the secretary of state and the other copy shall be enclosed in the original of said certificate, and the other copy shall be forwarded to the secretary of state in like manner as the first copy, but by different mail, and within five days after such first copy shall have been so transmitted. In the event that neither of such copies so transmitted shall be received by the secretary of state within the time specified above, after the election, the county auditor shall transmit, by a messenger to be deputed by him, upon notification from the secretary of state, a

days after such election, no such copy shall have been received by the secretary of state from each county in the state, it shall be his duty to inform the medical officers of the board of each county of the fact from which such returns have not been received, and of such fact. The county auditor shall endorse the envelope inclosing each of such statements or returns, the name of the auditor and his official residence and the words "Election returns".

SEC. 40. Any three of said county canvassers shall constitute a quorum and are authorized to make the canvass provided for in the last section.

SEC. 41. The secretary of state shall call for his assistance two or more judges of the superior

the district court of this state, who shall receive the State Canvassing Board. The second meeting of said state shall be held at the office of the State Canvassing Board, to be held in his or her office, the third Tuesday of December after each general election, and within thirty days after the day of the special election. If a majority of said board shall be unable, or shall fail to attend on the day appointed for the meeting, the board shall select from among the disinterested judges, one or more competent persons to attend, as many as may be necessary to constitute the required number. Upon being thus notified said judges shall attend without delay, and, with the officers attending, shall form the board.

SEC. 42. The board, when formed, shall, on the

a statement of the whole number of votes given at such election for the various state officers, which statement shall contain the names of the persons to whom such votes have been given for any state office, and the whole number of votes given for each office, and the names of the candidates in which they were given. Said board shall certify such statement to be correct, and subscribe the same with their proper names.

SEC. 43. At the same time said canvassing board shall open the returns made to the secretary of state for members of congress, and for the electors of president and vice president of the United States, and shall make a statement and make a statement of the number of votes given for the different persons voted for

have the highest number of votes for if the
shall be considered duly elected; but if the
more than the number of persons to be
elected shall be elected, the person or persons
president have the highest and an equal number
of votes, the secretary of state, in the presence
of the officers present, shall decide by lot which
of the persons shall be elected as such electors
and to each person duly elected, the government
shall give a certificate of election, signed by him
or her, and by the secretary of state, and by the
secretary of state, and shall transmit the
said certificate to each person so elected, and
shall cause the election of electors to be pub
lished in the newspapers printed at the seat
of government immediately after the said ca

of votes received by candidates for representa