

AUSTRALIAN BALLOT.

Full Text of Nevada's Election Law.

Voters Should Read and Study It's Provisions.

AN ACT RELATING TO ELECTIONS AND TO MORE FULLY SECURE THE SECRETY OF THE BALLOT.

[Approved March 13, 1891.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. All ballots cast in elections for public offices within this State shall be printed and distributed at expense, as hereinafter provided. The printing of general tickets and cards of instruction for the electors of each county, and the delivery of the same to the election officers, as provided for in this Act, shall be a county charge, the payment of which shall be provided for in the same manner as the payment of other county expenses, and in case of separate elections for city town or district officers, the printing and delivery of tickets and cards of instruction shall be charged upon the city, town or district in which said tickets and cards are to be used, the payment of which shall be provided for in the same manner as the payment of other city, county or district expenses.

Sec. 2. Any convention as hereinafter defined, held for the purpose of making nominations for public office, and also electors to the number hereinafter specified, may nominate candidates for public offices, to be filled by election within the State. A convention within the meaning of this Act is an organized assemblage of delegates representing a political party, which, at the last election, before the holding of such convention, polled at least 3 per cent of the entire vote cast in the State, county, district or other political division, for which the nomination is made.

Sec. 3. All nominations made by such convention shall be certified as follows: The certificate of nomination, which must be in writing, shall contain the name of each person nominated, his residence and office for which he is nominated, and shall designate the party or principle which such convention represents. It shall be signed by the Chairman and Secretary of such convention, who shall add to their signatures their respective places of residence, and make oath before an officer authorized to administer the oath, that the matters stated in such certificate are true to the best of their knowledge and belief, and a certificate of the said oath shall be annexed to said certificate of nomination.

Sec. 4. A candidate for public office may be nominated otherwise than by a convention in the manner following: A certificate of nomination containing the name of the candidate to be nominated, with the other information required to be given in the certificate provided for in section 3 of this Act, shall be signed by electors residing within the district or political division for which candidates are to be presented, equal in number to at least 3 per cent of the entire vote cast at the last preceding election in the State, district or political division for which the nomination is to be made; provided, that such certificate shall not be valid unless signed by 3 voters. Said signatures need not all be appended to one paper, but each signer shall add to his signature his place of residence. One of the signers of each such certificate shall swear that the statements therein made are true to the best of his knowledge and belief, and a certificate of such oath shall be annexed. Such certificate of nomination shall have the same effect as a certificate of nomination made by a party convention.

Sec. 5. Certificates of nomination of candidates for offices to be voted for by the electors of the entire State, shall be filed with the Secretary of State. Certificates of nomination of candidates for all other public offices shall be filed with the Clerks of the respective counties wherein the offices are to be voted for, and where a district contains more than one county, such certificates shall be filed with the Clerk of each of said counties.

Sec. 6. No certificate of nomination shall contain the name of more than one candidate for each office to be filled. No person shall join in nominating, under provision of sec. 4 of this Act, more than one nominee for each office to be filled, and no person who has voted in a convention, either in person or by proxy, for or against a candidate for any office, shall join in nominating, in any manner, any other nominee for said office, and no person shall accept a nomination to more than one office.

Sec. 7. Certificates of nomination required to be filed with the Secretary of State shall be filed not more than sixty days nor less than forty days before the day of election when the nomination is made by a convention, and not more than sixty days nor less than thirty days before the day of election when the nomination is made under the provisions of section four of this Act. Certificates of nomination required to be filed with the County Clerks shall be filed not more than fifty days and not less than thirty days before the day of election, when the nomination is made by a convention, and not more than thirty days before the day of election, when the nomination is made under the provisions of section four of this Act. Should a vacancy occur from any cause in the list of nominees for any office, such vacancy may be filled at any time before the day of election by the convention, or by a committee to which the convention has delegated the power to fill vacancies, or by petitions, as provided in section four of this Act. The Chairman and Secretary of the convention, or of such committee, or such petitioners, shall make and file with the proper officer a certificate, setting forth the name of the person nominated to fill such vacancy, the office for which he is nominated, the name of the person for whom the new nominee is to be substituted, and such further information as is required to be given in an original certificate of nomination. When such certificate is filed, the officer

with whom it is filed shall substitute the name of the person therein for the original nominee, by printing, if practicable, or by writing the name of the person thus substituted.

Sec. 8. Not less than twenty-five days before an election to fill any public office, the Secretary of State shall certify to the County Clerk of each county within this State the name of each person, and the name of the office for which he is nominated, as specified in the certificate of nomination filed with him.

Sec. 9. Not less than ten days before an election to fill any public office or offices, the County Clerk shall cause to be published all the nominations certified to or filed with him. Said nominations shall be published in a newspaper printed within the county. When no newspaper is printed within the county, the publication shall be made by posting a copy of the ballot in a public place in each election precinct within the county, one of which copies shall be posted at the court-house door. When publication is made by printing in newspapers, at least two publications by such newspaper shall be required, one of which shall appear in the last regular issue of such paper before election day.

Sec. 10. When a proposed Constitution, constitutional amendment or other question is to be submitted for popular vote, the Secretary of State shall certify to the several County Clerks, and said County Clerks shall publish the same as provided in section nine of this Act.

Sec. 11. It shall be the duty of the County Clerk to provide printed ballots for every election for public offices in which any voters within the county participate, and to cause to be printed in the ballot prescribed herein, the name of each and every candidate whose name has been certified to, or filed with him, as provided in this Act. Ballots other than those printed, as provided in this Act, shall not be cast, or counted in any election. All ballots shall be printed on tinted paper, furnished by the Secretary of State. It shall be the duty of the Secretary of State to obtain, and keep on hand, a sufficient supply of such paper for ballots, and to furnish the same in quantities ordered, to any County Clerk. Said paper shall be water marked with a design furnished by the Secretary of State, in such manner that the said water-mark shall be plainly discernible on the outside of such ballot when properly folded. Such design shall be changed for each general election, and the same design shall not be used again at any general election within the space of eight years, but at any special or separate local election paper marked with the design used at any previous election may be used.

Sec. 12. On each ballot a perforated line shall extend from top to bottom, one-half inch from the right hand side of such ballot, and upon the half-inch strip thus formed there shall be no writing or printing, except the number of the ballot, which shall be upon the back of the strip in such position that it shall appear on the outside when the ballot is folded. The number on each ballot shall be the same as that on the corresponding stub, and the ballots and stubs shall be numbered consecutively in each county. Where the names of candidates are printed in separate columns, the columns shall be separated by heavy lines, and on all ballots the names of candidates shall be separated by a rule extending to the extreme right of the column. All ballots shall contain the name of each and every candidate whose nomination for any office specified in the ballot has been certified to and filed according to the provisions of this Act, and no other names. The names of the candidates for each office shall be arranged under the designation of the office in alphabetical order, according to surname, except that the name of candidates for Presidential Electors shall be arranged in groups as presented in the several certificates of nomination, and the names of the candidates for President and Vice President shall precede the proper groups of Presidential Electors; the political designation of each candidate shall be printed opposite his name. There shall be left at the end of the list of candidates for each office one blank space to be used when substituting names to fill vacancies. There shall be a margin at the right hand side of the names at least one-half inch wide, so that the voter may clearly indicate in the way hereinafter described the candidate or candidates for whom he wishes to vote. Whenever any question is to be submitted to the vote of the people, it shall be printed upon the ballot in such a manner as to enable the electors to vote upon the question in the manner hereinafter provided. There shall be printed on the ballots opposite the designation of each office such words as will aid the voter to indicate his choice of candidates such as "vote for one" "vote for three" and the like.

Sec. 13. All ballots, when printed, shall be bound in stub books of fifty and one hundred ballots each. A record of the number of ballots printed for them shall be kept by the respective County Clerks.

Sec. 14. The County Clerks shall provide for each election precinct in the county wherein less than twenty-five voters are registered fifty ballots, and in all other precincts such number of ballots for each fifty or fraction of fifty voters registered in the precinct.

Sec. 15. Whenever it shall appear, by affidavit, that an error or omission has occurred in the publication of the name or description of any of the candidates nominated, or in the printing of the ballots, any member of the Board of County Commissioners, upon application by any voter, shall issue an order requiring the County Clerk to correct such error.

Sec. 16. Before the opening of the polls at any election, the County Clerk shall cause to be delivered to the Board of election of each election precinct in his county the proper number of tickets of the kind to be used in the election precinct. In case of prevention of an election in any precinct by reason of the loss or destruction of the ballots intended for that precinct, or for any other cause, the Inspector or other election officer for the precinct shall make an affidavit setting forth the fact and transmit it to the Governor of the State. Upon receipt of such affidavit, and upon the application of any candidate for any office to be voted for by the voters of such precinct, the Governor shall order a new election in such precinct.

Sec. 17. At the same time and in the same manner as Inspectors and Judges of Election are now appointed in the State, there shall be appointed two Clerks of Election, who shall have

charge of the ballots on election day, and shall furnish them to the voters in the manner hereinafter provided for. Said Clerks of Election shall possess the same qualifications and receive the same compensation as Inspectors of Election. Said Clerks shall be selected from the political parties which polled the largest and the next largest votes in the precinct at the last preceding general election.

Sec. 18. The Board of County Commissioners shall provide at each polling place within the county, a sufficient number of places, booths or compartments, in which voters may conveniently mark their ballots, so that in the marking thereof they may be screened from the observation of others, and a guard rail shall be so placed that only such persons as are inside the rail can approach within six feet of the ballot box, and of such booths or compartments. The arrangements shall be such that neither the Inspectors nor the Clerks of Election shall be hidden from the view of those just outside the guard rail. The number of such booths or compartments shall be not less than one for each fifty or fraction of fifty voters registered in the precinct. Each of said booths or compartments shall be kept provided with proper supplies and conveniences for marking ballots. No person, other than voters engaged in receiving, preparing or depositing their ballots, shall be permitted inside said guard rail during the time the polls are open, except by authority of the Board of Election, and in that case only for the purpose of keeping order and enforcing the law.

Sec. 19. Any person desiring to vote shall give his address to one of the Clerks of Election, who shall announce the same, and if the other Clerk shall find the name upon the registry list he shall repeat the name and address. One ballot shall then be given to the voter, and the number of the said ballot shall be written by one of the Clerks of Election upon the registry list opposite the name of the voter receiving it.

Sec. 20. On receiving his ballot the voter shall immediately retire alone to one of the places, booths or compartments. He shall prepare his ballot by marking a cross or X after the name of the person for whom he intends to vote for each office. In case of a constitutional amendment or other questions submitted to the voters, the cross or X shall be placed after the answer which he desires to give. Such marking shall be done only with a black lead pencil. Before leaving the booth or compartment the voter shall fold his ballot in such a manner that the water-mark and the number of the ballot shall appear on the outside, without exposing the marks upon the ballot and shall keep it so folded until he has voted. Having folded his ballot the voter shall deliver it to the Inspector, who shall announce the name of the voter and the number of his ballot. The Clerk having the registry list in his charge, if he finds the number to agree with the number of the ballot delivered to the voter, shall repeat the name and number, and shall mark opposite the name the word "voted." The Inspector shall then separate the strip bearing the number from the ballot, and shall deposit the ballot in ballot box. Said strip and number shall be immediately destroyed.

Sec. 21. But one person shall occupy any one booth or compartment at one time, and no person shall remain in or occupy a booth or compartment longer than may be necessary to prepare his ballot, and in no case longer than five minutes.

Sec. 22. Any voter who shall accidentally spoil a ballot may return such spoiled ballot to the Clerk of Election, and receive another in his place. All the ballots thus returned shall be immediately canceled, by writing the word canceled across the face of the ballot, and, with those not distributed to the voters shall be returned with the election returns. A voter who does not vote the ballot delivered to him shall, before leaving the space inside the guard rail, return such ballot to the Clerks, who shall immediately cancel the same and return it in the same manner as a spoiled ballot. The Clerks of Election shall account for the ballots delivered to them, by returning a sufficient number of unused and spoiled ballots to make up, when added to the number of official ballot cast, the number of ballots delivered to them.

Sec. 23. A voter who declares under oath, that by reason of physical disability, he is unable to mark his ballot, shall at his request be permitted to receive the assistance, in such marking, of an elector, other than an election officer, but no person shall be permitted to go inside the guard rail as an assistant to more than one voter.

Sec. 24. No ballot shall be deposited in the ballot box unless the water-mark, as hereinafter provided, appears thereon, and unless the slip containing the number of the ballot has been removed therefrom by the Inspector.

Sec. 25. The County Clerk shall cause to be printed, on plain white paper, without water-mark or endorsements, except the words "sample ballot," at least three times as many copies of the form of ballot provided for in use in each precinct as there shall be registered voters in such precinct. Such copies shall be furnished to registered voters at the office of said County Clerk during office hours for five days preceding the day of election; provided that not more than two of such sample ballots shall be furnished to any one voter, except upon the written order of a voter, and not more than two of said sample ballots shall be delivered on such order. At least as many sample ballots shall be furnished by the County Clerk to each Board of Election as there shall be registered voters in the precinct, and on election day the Board of Election shall furnish each registered voter, on application, one such sample ballot. Said County Clerk shall also cause to be printed, in plain type on cards, instructions for the guidance of voters for obtaining and marking their ballots. He shall furnish twelve such cards to the Board of Election of each election precinct in the county, at the same time and in the same manner as the ballots and sample ballots are furnished. The Board of Election shall post at least one of such cards in each booth or compartment provided for the preparation of ballots, and not less than three of such cards at other places in and about the polling places on the day of election. There shall be printed on said cards sections 27, 28, 29 and 30 of this Act.

Sec. 26. In counting the votes any ballot not bearing the water-mark, as

OFFICIAL VOTE OF LINCOLN COUNTY, NEV., 1894.

CANDIDATES.	CONSTITUTIONAL AMENDMENTS.									
	1	2	3	4	5	6	7	8	9	10
Member of Congress—	25	29	30	4	4	5	1	2	8	15
Horace F. Bartine	25	29	30	4	4	5	1	2	8	15
John E. Jones	25	29	30	4	4	5	1	2	8	15
James O. Doughty	25	29	30	4	4	5	1	2	8	15
Francis G. Newlands	25	29	30	4	4	5	1	2	8	15
B. F. Riley	25	29	30	4	4	5	1	2	8	15
Governor—	45	55	8	33	19	9	1	6	6	12
A. C. Cleveland	45	55	8	33	19	9	1	6	6	12
George E. Packham	45	55	8	33	19	9	1	6	6	12
Theodore Winters	45	55	8	33	19	9	1	6	6	12
Lieutenant Governor—	53	56	4	32	8	7	9	11	6	16
J. F. Emmitt	53	56	4	32	8	7	9	11	6	16
H. S. Miller	53	56	4	32	8	7	9	11	6	16
Judge Supreme Court—	43	100	5	25	17	11	6	7	4	20
N. S. Bradfield	43	100	5	25	17	11	6	7	4	20
M. A. Murphy	43	100	5	25	17	11	6	7	4	20
Attorney General—	10	51	7	2	8	4	2	4	6	5
R. M. Bostly	10	51	7	2	8	4	2	4	6	5
W. C. Grimes	10	51	7	2	8	4	2	4	6	5
J. S. Sawyer	10	51	7	2	8	4	2	4	6	5
J. D. Torreyson	10	51	7	2	8	4	2	4	6	5
Secretary of State—	4	8	1	2	1	4	1	1	1	2
L. S. Bridges	4	8	1	2	1	4	1	1	1	2
Eugene Howell	4	8	1	2	1	4	1	1	1	2
E. D. Vanderlith	4	8	1	2	1	4	1	1	1	2
State Controller—	36	37	4	28	8	5	3	1	2	4
O. H. Gray	36	37	4	28	8	5	3	1	2	4
D. H. Hall	36	37	4	28	8	5	3	1	2	4
C. A. Lawrence	36	37	4	28	8	5	3	1	2	4
G. H. Steele	36	37	4	28	8	5	3	1	2	4
State Treasurer—	42	44	6	26	9	5	1	1	4	17
G. W. Richard	42	44	6	26	9	5	1	1	4	17
W. G. Thompson	42	44	6	26	9	5	1	1	4	17
W. Westerbald	42	44	6	26	9	5	1	1	4	17
Surveyor General—	47	38	7	29	10	6	4	1	7	5
G. N. Folsom	47	38	7	29	10	6	4	1	7	5
A. C. Frost	47	38	7	29	10	6	4	1	7	5
Superintendent State Printing—	89	116	8	54	38	10	5	13	6	19
N. P. Dooley	89	116	8	54	38	10	5	13	6	19
J. E. Eckley	89	116	8	54	38	10	5	13	6	19
J. G. McCarthy	89	116	8	54	38	10	5	13	6	19
James Morris	89	116	8	54	38	10	5	13	6	19
Superintendent Public Instruction—	29	67	4	11	14	7	4	3	1	6
H. C. Cutting	29	67	4	11	14	7	4	3	1	6
Orville King	29	67	4	11	14	7	4	3	1	6
S. S. Sears	29	67	4	11	14	7	4	3	1	6
Depends State University—[Long term.]	19	66	2	33	8	5	3	3	3	11
W. F. Deal	19	66	2	33	8	5	3	3	3	11
J. W. Raines	19	66	2	33	8	5	3	3	3	11
J. W. Westrop	19	66	2	33	8	5	3	3	3	11
Wm. Webster	19	66	2	33	8	5	3	3	3	11
Depends State University—[Short term.]	41	59	9	17	1	1	8	2	3	1
W. H. Patterson	41	59	9	17	1	1	8	2	3	1
H. H. Stewart	41	59	9	17	1	1	8	2	3	1
A. H. Wiseman	41	59	9	17	1	1	8	2	3	1
District Judge—	36	26	7	22	11	6	5	4	1	9
J. Ponjalo	36	26	7	22	11	6	5	4	1	9
G. F. Talbot	36	26	7	22	11	6	5	4	1	9
Assemblyman—	73	79	2	44	5	16	1	12	6	21
J. A. Denton	73	79	2	44	5	16	1	12	6	21
J. J. Manning	73	79	2	44	5	16	1	12	6	21
Sheriff and Assessor—	55	92	3	34	22	11	8	7	8	19
H. E. Froelich	55	92	3	34	22	11	8	7	8	19
John Roeder	55	92	3	34	22	11	8	7	8	19
County Clerk—	34	27	8	22	7	4	1	4	2	9
J. A. Clark	34	27	8	22	7	4	1	4	2	9
H. J. Goodrich	34	27	8	22	7	4	1	4	2	9
County Treasurer—	70	112	9	32	21	9	2	6	11	36
W. J. Dooley	70	112	9	32	21	9	2	6	11	36
Alex. Welch	70	112	9	32	21	9	2	6	11	36
County Recorder—	38	88	6	19	11	10	8	2	11	30
John Shaw	38	88	6	19	11	10	8	2	11	30
H. W. Turner	38	88	6	19	11	10	8	2	11	30
District Attorney—	70	69	4	21	11	6	5	1	3	5
Wm. Culverwell	70	69	4	21	11	6	5	1	3	5
T. J. Osborne	70	69	4	21	11	6	5	1	3	5
Public Administrator—										