

REGISTRATION
AND
ELECTION LAWS
— OF —
ARIZONA



REGISTRATION AND ELECTION LAWS

OF

ARIZONA

PRIMARY ELECTION LAW

AN ACT

To provide for primary elections in the State of Arizona, and to provide penalties for violations thereof.

Be it Enacted by the Legislature of the State of Arizona:

Sec. 1. On the eighth Tuesday prior to any general or special election, at which candidates for public office are to be elected, there shall be a primary election at which each and every political party entitled, and intending, to make nominations for the said ensuing general or special election shall, if such party desires to have the names of its candidates printed on the official ballot at said election, nominate their candidates for all elective, or advisarily elective, senatorial, congressional, state, county and precinct offices to be filled at such election; provided, that nominations entitling candidates to have their names printed on the official ballot for any special election held for the purpose of filling a vacancy in any office or offices, caused by death, resignation, or removal, may be made by delegate convention, if, in the judgment of the Secretary of State and the Attorney General, the time is too short in which to hold a primary election, or the cost of holding the same would be excessive or unnecessarily burdensome; and provided further, that such primary election for the nomination of candidates entitling such nominated candidates to have their names printed on the official ballots at municipal elections in incorporated cities and towns shall be held not less than thirty (30) days prior to said election.

Sec. 2. At least sixty (60) days before the date of any regular primary election, the Secretary of State shall prepare and transmit to the Board of Supervisors of the several counties of the State a notice in writing designating the offices for which candidates are to be nominated at such primary election. Upon receipt of such notice each clerk of the Board of Supervisors shall forthwith publish so much thereof as may be applicable to his county, one each week for three consecutive weeks in not more than one newspaper of general circulation in the county; provided, such printed notice shall contain only a reference to the law under which the primary is to be held, the date of the primary and the offices to be filled and shall be substantially in the following form:

"A primary election is hereby called in the several precincts of..... County, under the provisions of the law relating to primary election, on the..... day of..... for the purpose of voting for candidates for the several parties to be nominated for the following offices:

.....
.....

The sheriff of each county shall, immediately after the publication of such notice, cause a notice of such primary to be posted in three public places in each precinct in

THIS DOCUMENT IS THE PROPERTY OF THE DEPARTMENT OF LIBRARY AND ARCHIVES ARIZONA	NUMBER 18280 RECEIVED APR 21 1967
---	-----------------------------------

REGISTRATION AND ELECTION LAWS

his county; such notice so posted shall state the time when and the place where the primary will be held in each precinct therein, together with the office for which candidates are to be nominated and the names of persons constituting the primary boards. All official notices calling State or county primary elections shall specify that the same shall be held for the nomination of candidates by all political parties and for the nomination of non-partisan candidates, if any. Provided, that in the case of city or town primary elections, the duties herein prescribed as devolving upon the Secretary of State shall devolve upon the Mayor, or similar governing officer or governing board or commission, and the duties herein prescribed as devolving upon the clerk of the Board of Supervisors shall devolve upon the city or town clerk; and whenever the word "county" is used the word "city" or "town" as the case may be, shall be understood to be meant in the case of such city or town primary.

Sec. 3. Any person desiring to become a candidate at a primary election, as herein provided, for a political party nomination or a non-partisan nomination, shall, if he desires to have his name printed on the official ballot at such primary elections, not less than twenty (20) days nor more than sixty (60) days before said primary election, file a nomination petition as hereinafter provided. Such petition shall be signed by the candidate, shall give his place of residence and his postoffice address, shall name the party of which he desires to become a candidate, and shall give the date of the primary election and the election at which he desires to become a candidate; provided, that if he desires to become a non-partisan candidate this fact shall be stated in his petition. All such nomination petitions of candidates for the office of Presidential Elector, United States Senator, Representative in Congress, or for a State office, excepting members of the Legislature and Superior Judges, and for all other offices for which the electors of the entire State, or a subdivision thereof greater than a county, are entitled to vote, shall be filed with the Secretary of State. All such nomination petitions of candidates for members of the Legislature, Superior Judges and for county and precinct officers for which the electors of a county or a subdivision of a county, other than an incorporated city or town, are entitled to vote, shall be filed with the clerk of the Board of Supervisors. All such nomination petitions of candidates for city or town offices shall be filed with the city or town clerk.

Sec. 4. In addition to the nomination petition as provided in the foregoing section, every candidate desiring to have his name printed upon the official ballot to be used at any primary election shall, not more than sixty (60) days nor less than twenty (20) days prior to such primary election, file a nomination paper, if he be a candidate for Presidential Elector, United States Senator, Representative in Congress, or for any State office, with the Secretary of State; if for a county office, including members of the Legislature and Superior Judge, with the clerk of the Board of Supervisors; and if for a city or town office with the clerk of the city or town. Said nomination papers shall follow substantially the following form:

"I, the undersigned, a qualified elector of the.....precinct of the county of....., State of Arizona, and a member of the.....party, hereby nominate..... who resides at....., in the county of..... for the party nomination for the office of..... to be voted for at the primary election to be held..... as representing the principles of said party, and I further declare that I have not signed and will not sign any nomination paper for any other person for said office (or in case said candidate is a candidate for a position for which more than one candidate is to be elected; for more than the number of candidates necessary to fill all of said offices at the next ensuing election).

Names of Signers. (Heading in case of Cities) Name of City. Street No. Date of Signing.

Name of Signers. (Heading in case of Precincts) Postoffice. Date of Signing.

All nomination papers shall have substantially the foregoing form, written or printed, at the top thereof. No signature shall be counted unless it is upon a sheet having such written or printed form at the top thereof.

Each signer of a nomination paper shall sign but one such paper for the same office unless more than one candidate is to be elected to such office, and, in that case, no more than a number of nomination papers equal to the number of candidates to be

elected to such office, and shall add to his signature his postoffice address, and, if in an incorporated city, his street and number. To each such nomination paper shall be appended a certification by a qualified elector entitled to vote for the candidate whose nomination paper he certifies, stating that to the best of his knowledge and belief all the signers thereof are qualified electors of the precinct which they give as their residence, and that each signer is a member of the party the nomination of which the candidate whose name appears on such nomination paper is seeking.

Sec. 5. Such nomination papers shall be filed not more than sixty (60) days nor less than twenty (20) days before the date fixed by law for said primary election; provided that in a special primary election called by a proclamation according to law nomination petitions may be filed not less than ten (10) days before the date fixed by such proclamation for such primary election.

Sec. 6. Such nomination papers shall be signed:

(a) If for a candidate for the office of Presidential Elector, United States Senator, Representative in Congress, or for any State office, excepting members of the Legislature and Superior Court Judges, by a number of qualified electors equal to at least one per cent (1 per cent) of the votes of the party of such candidate in at least three counties in the State, but not less than one per cent (1 per cent) nor more than ten per cent (10 per cent) of the total vote of his party in the State;

(b) If for a candidate for a county office, member of the Legislature or Superior Judge, by at least three per cent (3 per cent) of the party vote in such county but not more than ten per cent (10 per cent) of the total vote of the party designated in such county;

(c) If for a candidate for county precinct committeeman by at least five per cent (5 per cent) of the party vote of such candidate in such precinct.

(d) If for a candidate for a city or town office by at least five per cent (5 per cent) of the designated party vote in at least one-sixth of the election precincts of the city or town, but not less than five per cent (5 per cent) or more than ten per cent (10 per cent) of the vote of the party designated in the city or town.

The basis of percentage in each case shall be the vote of the party for Governor at the last preceding general election.

Sec. 7. Any political organization, which, at the last preceding general election shall have cast five per cent (5 per cent) of the total vote in the State for its candidates, (or in a subdivision thereof, in which a candidate seeks nomination of such political organization for a local or county office) shall be entitled to representation on the official ballot as a political party, and, whenever a petition signed by a number of qualified electors equal to at least two per cent (2 per cent) of the votes cast for Governor at the last preceding general election in at least each of five (5) counties of the State, shall be filed with the Secretary of State and certified to by an affidavit of ten (10) well known reputable qualified electors of the State, asking that the signers thereof be recognized as a new political party, they shall be so recognized and such party shall be represented by an official ballot at the ensuing primary election and the succeeding general election. The same privilege shall inure to petitioners within a county, or a city or town, as to county, city, or town primary elections, provided, that said petition shall be filed with the clerk of the Board of Supervisors or the city or town clerk as the case may be, and signed by a number of petitioners equal to at least three per cent (3 per cent) of the total vote of such county, city, or town, as the case may be, at the preceding regular general election for the several candidates for County Attorney or Mayor, as the case may be, distributed throughout at least one-fourth of the election precincts of such county, city, or town, as the case may be. Provided, that such petitions as are provided for in this section shall be filed not more than sixty (60) days and not less than thirty (30) days preceding the primary election.

Sec. 8. (1) At least twelve days before the primary of the year 1912, and of each alternate year thereafter, each clerk of the Boards of Supervisors, and at least ten days before the primary in each year, each city clerk shall prepare sample official tickets, placing thereon alphabetically under the appropriate title of each office and party name the names of all candidates to be voted for in each precinct of his county or of his city, as the case may be, for whom nomination papers have been filed. Such sample ballots shall be printed upon tinted or colored paper and shall contain no blank endorsement or certificate.

REGISTRATION AND ELECTION LAWS

(2) The clerk of the Board of Supervisors shall forthwith submit the ticket of each party to the county chairman thereof and in the case of city primaries, the city clerk a ticket of each party to the city chairman thereof, and the respective clerks shall also mail a copy to each candidate for whom nomination papers have been filed with him as required by this Act to his postoffice address as given in such nomination paper and each of said clerks shall post a copy of each sample ballot of his respective county or city, as the case may be, in a conspicuous place in his office.

(3) The chairman of each party shall on or before the tenth day preceding such primary suggest to the clerk of the Board of Supervisors or the city clerk, as the case may be, any changes that he may consider shall be made in his party ticket, and if, upon examination the clerk shall find any error or omission in said ticket, he shall correct the ticket and cause the same to be printed and distributed as required by law in the case of ballots for general election, except that the number of tickets of each party to be furnished to each precinct shall be twice the number of votes cast thereat for the candidates receiving the highest number of votes by the respective parties in the last preceding general election, and provided, that in case nomination petitions are filed by a new party, the number of ballots provided shall be twice the number of votes the clerk of the Board of Supervisors estimates such party will cast.

To be torn off by Inspector. No.....

OFFICIAL PRIMARY TICKET

FOR PRESIDENTIAL ELECTOR

Vote for Three

John Doe	<input type="checkbox"/>
John Doe	<input type="checkbox"/>
John Doe	<input type="checkbox"/>
.....	<input type="checkbox"/>
.....	<input type="checkbox"/>
.....	<input type="checkbox"/>

CONGRESSIONAL

FOR UNITED STATES SENATOR

(Advisory)

Vote for One

John Doe	<input type="checkbox"/>
----------------	--------------------------

STATE OF ARIZONA

(Official Primary Ticket—Continued.)

John Doe	<input type="checkbox"/>
John Doe	<input type="checkbox"/>
.....	<input type="checkbox"/>

FOR REPRESENTATIVE IN
CONGRESS

Vote for One

John Doe	<input type="checkbox"/>
John Doe	<input type="checkbox"/>
John Doe	<input type="checkbox"/>
.....	<input type="checkbox"/>

STATE
JUDICIAL

FOR JUDGE OF THE SUPREME COURT

Vote for Three

John Doe	<input type="checkbox"/>
.....	<input type="checkbox"/>
.....	<input type="checkbox"/>

REGISTRATION AND ELECTION LAWS

(Official Primary Ticket—Continued.)

FOR GOVERNOR

Vote for One

John Doe

John Doe

John Doe

LEGISLATIVE

FOR STATE SENATOR

Vote for Two

John Doe

John Doe

John Doe

COUNTY

FOR SHERIFF

Vote for One

John Doe

John Doe

(Official Primary Ticket--Continued.)

PARTY

FOR PRECINCT COMMITTEEMAN

Vote for One

John Doe	<input type="checkbox"/>
John Doe	<input type="checkbox"/>
.....	<input type="checkbox"/>
.....	<input type="checkbox"/>

(Indorsement)

(Official Primary Ticket)

.....Party

Precinct.....Ward, city or county.....

September....., 19.....

.....

.....

Clerks.

We certify the within ticket was marked by us for an elector incapable under the law of marking his own ticket as directed by him.

Judges.

We certify the within ticket was market by us for a blind elector at his request as directed by him.

Judges.

OFFICIAL PRIMARY TICKET

City Election

.....Party

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

To vote for a person whose name is not printed on the ticket, write his name in the blank space provided for that purpose and mark a cross (x) in the square to the right.

City ballot:

FOR MAYOR

Vote for One

John Doe	<input type="checkbox"/>
----------------	--------------------------

REGISTRATION AND ELECTION LAWS

(Official Primary Ticket—Continued.)

FOR CLERK

Vote for One

John Doe

PRECINCT COMMITTEEMAN

Vote for.....

John Doe

(Indorsement)

(Official Primary Ticket)

..... Party

..... Precinct

..... Ward

..... City

.....
Clerks.

We certify the within ticket was marked by us for an elector incapable, under the law, of marking his own ticket, and as directed by him.

.....
Judges.

Sec. 8A. (1) The primary board shall consist of one inspector and two judges, who, together with two clerks, shall be appointed and paid in like manner as provided for boards of election.

(2) The provisions of existing statutes concerning elections and any amendment now or hereafter made thereto, so far as they are not inconsistent with the provisions of this Act, shall apply to the primaries provided for in this Act, the intent of this Act being to place the primary under the regulations and protection of the laws in force as to elections, provided, that all the powers and duties conferred or imposed by the laws of this State upon boards of election, registration officers, judges and clerks of election, canvassing boards and all other public officials in connection with general elections, are in every detail and particular conferred and imposed upon each and all such officers, in connection with the primary elections conducted under the provisions of this Act.

(3) At all primaries there shall be provided a separate ticket for each party entitled to participate in the primary, and also a blank ticket on which shall be printed

only the titles of the offices to be voted for by the electors at the polling place for which the ticket is printed. Each party ticket shall be designated by the name of the party. The names of all party candidates shall be arranged as hereinafter provided, under the appropriate title of the respective offices, and under the proper party name upon the party ticket. If any elector write upon his ticket the name of any person who is a candidate for any office upon some other ticket than that upon which his name is so written, such elector shall thereby invalidate his ticket and it shall not be counted, but shall be entirely rejected. In case a person is nominated on more than one ticket, he shall forthwith file with the proper officer or officers in charge of the preparation of election ballots, a written declaration indicating the party name under which his name is to be printed on the official election ballot. The ticket with the endorsements shall be in substantially the form contained in Subdivision 3 of Section 8 of this Act; provided, that tickets for any city primary may be varied as to the title of the officers to be printed thereon so as to conform to the law under which each such primary is to be held.

(4) Any person desiring to vote shall give his name and residence to the judges of the primary, one of whom shall thereupon announce the same in a loud and distinct tone of voice, and if such name be found upon the great register by the officers having charge thereof, he shall likewise repeat said name, and the voter shall be allowed to enter the space enclosed by the guard-rail. The clerk shall thereupon place his name and number upon the poll list. Whereupon the voter shall announce the name of the political party for which he desires to vote, and one of the judges designated by the primary board shall give the voter one and only one, ticket of such party to be cast at such primary, in the upper right hand corner of the stub of which he shall have inscribed, with pen and ink, the number corresponding with the voter's number upon the poll list, and the voter's name shall be immediately checked on the great register. If any person desiring to vote at any primary shall be challenged, he shall not receive a ticket until he shall have established his right to vote in the manner provided by law, but during the pendency of such challenge other voters shall be given tickets and permitted to vote.

Sec. 8B. The precinct committee of each precinct may appoint, in writing over his signature, one party agent or representative with an alternate who shall act as challenger for his respective party and have the powers prescribed by Section 8A of this Act. The right of any person to vote at a primary may be challenged by any elector upon the same ground and his right to vote be determined in the same manner as at an election, except as otherwise provided herein; provided, that if the person offering his vote be challenged as unqualified on the ground that he is not a member of the party announced by himself, he shall make and subscribe an affidavit in the following form; which shall be presented to and retained by the primary judges and clerks, and returned by them with the registry poll books:
State of Arizona, County of....., ss:

"I,, do solemnly swear (or affirm) that I will be more than twenty-one years of age at the next general election, and qualified to vote under and by virtue of the laws of the State of Arizona, that I now reside at (insert street and number, if any), in this precinct, and am a member of and am affiliated with the party; that I have not signed the petition of a member of any other party who is seeking a nomination at the primary election; and that I have not signed the nomination petition of any independent candidate for any office for which candidates are to be voted for at this primary election.

"Subscribed and sworn to before me this..... day of..... A. D. 19.....

.....
Judge of Election."

A precinct committeeman of each party may represent such party at the polling booth during the canvass and return of a vote at a primary election, or he may appoint, in writing, an agent who shall be a member of his party and a resident elector of his precinct for that purpose.

Sec. 9. Whenever there shall be two or more candidates for any nomination, the names of all candidates for such nomination shall be so alternated that upon the bal-

REGISTRATION AND ELECTION LAWS

lots used in each election precinct the name of each candidate shall appear substantially an equal number of times at the top, at the bottom, and in each intermediate place, if any, of the list or group in which they belong. In printing the ballots, first the forms shall be set up with the names of candidates in each group in alphabetical order. Then the positions of the names under each office shall be changed as many times as there are candidates in the group upon the ballot in which there are the most names. As nearly as possible an equal number of ballots shall be printed after each change. In making the changes of position the printer shall take the line of type at the head of each group and place it at the bottom of that group, shoving up the column so that the name that was second in the group before the change shall be the first after the change. After the ballots are printed they shall be kept in separate piles, one pile for each change of position, and shall be then piled by taking one from each pile and placing it upon a final pile, the effect being, that every ballot in the pile of printed sheets shall have names in a different position from the last preceding ballot. After the final pile is made in this manner the ballots shall be taken therefrom in the order in which they rest in the pile and placed in blocks.

Sec. 10. All official ballots shall be bound together in blocks of not less than twenty-five nor more than fifty, after the manner provided for in the foregoing section. All officers charged with the preparation and distribution of ballots shall cause the blocks of ballots to be made up as required in this section and the foregoing.

Sec. 11. At least five sample ballots printed on muslin or cloth shall be provided by the officers whose duty it is to print and distribute the official ballots for each precinct, and such officers shall cause the same to be posted in conspicuous places in each precinct before the opening of the polls at such primary election, one of which sample ballots shall be posted within the place where the said primary election is held, and one in some convenient place immediately outside.

Sec. 12. The officers charged with the duty of printing and distributing the official ballots shall also cause to be printed and distributed for the information of voters at each precinct, such number of sample ballots as they may deem necessary, not to exceed five per centum (5 per centum) of the number of the regular ballots printed for the political parties at the precinct. Such sample ballots shall be printed only on colored paper.

Sec. 13. Said primary election shall be held, the voters shall vote therein, the method of voting shall be followed, the votes counted and canvassed, and returns made, in the same manner as is now or may hereafter be by law provided for general elections, except as herein provided. And such primary elections shall in all respects conform to the laws governing general elections, except as herein otherwise provided, and all provisions of the laws governing elections not in conflict with this Act are hereby made applicable and put in force governing such primary election.

Sec. 14. The boards of election shall be chosen for said primary elections as in general elections, and shall perform the duties imposed on said boards for the general elections; they shall make and sign a statement giving the names of persons voted for, the offices for which each sought the nomination, and the number of votes received by each as in this Act provided, fully certifying the results of such election. Such statements shall become a part of the official returns of such primary election at the close of any precinct count. The board of election for such precinct, in such primary election, shall give a certificate of the vote cast in the precinct as in this Act, provided, for all candidates of each political party to some person authorized, in writing, by the chairman of the county central committee, or the city or town committee as the case may be, of such political party to receive such certificate or in case such person is not present, to any person who is known to be a member of such party. The returns shall be made as in general elections. When the Board of Supervisors, or city or town council, as the case may be, has completed its tabulation of precinct returns, the persons having the largest number of votes, as in this Act provided, for the nomination for any office in the political party of which he was set forth on said ballot as a candidate for the nomination shall be declared the nominee of such party for such office, and be given a certificate of nomination for the same which shall entitle him to have his name placed upon the official ballot at the ensuing election as the nominee of such party for such office. A candidate for a non-partisan nomination for any office who has received the largest number of votes of the candidates for the nomination for that

office upon the non-partisan ticket shall be declared a non-partisan nominee for such office, or in case more than one candidate shall be necessary to fill the offices sought, those candidates to the required number, who shall have received the largest number of votes, as herein provided, shall be declared the non-partisan nominees for said office, which shall entitle him or them to have his or their names placed upon the official ballot at the ensuing election as a non-partisan nominee, or non-partisan nominees.

Sec. 15. If any qualified voter who is physically disabled asks for assistance in marking his ballot, two of the judges or clerks, who shall not belong to the same political party shall go into the booth with him and shall mark his ballot as he directs, and any judge or clerk who shall attempt to electioneer with such voter to try to influence his vote, or shall mark the same contrary to directions of such voter, shall be guilty of a misdemeanor.

Sec. 16. Every act declared to be an offense by the general election law, shall be such under this Act and any person found guilty of such offense shall be subject to the penalties prescribed by such election law.

Sec. 17. No person shall be allowed to have his name printed on the official ballot as a candidate in any general election unless he shall have complied fully and completely with the provisions of this Act.

Sec. 18. Candidates before any primary election shall file, together with the nomination petition herein provided for, with the officer with whom such nomination petition is filed, the name of each and every individual, with his postoffice address, by, or through whom, such candidates have expended, or proposed to expend money in defraying the expenses of their campaigns. Should any candidate determine not to authorize or appoint any such person or persons to expend money or other things of value for him, in or during his campaign, he shall, instead of filing such name or names, notify such officer that he has not authorized, and will not authorize, any person so to act for him, but that he will in person account for all the money or other things of value expended in the interest of his candidacy. Should any candidate fail to file such names or information his name shall not be printed upon the official ballot in such primary election.

Sec. 19. Within ten (10) days after any primary election, all candidates therein shall prepare a carefully itemized statement setting forth each item in detail, with the cost thereof, showing the full and complete record of his expenditures of money or other things of value, including promises to pay money or other things of value, as well as all treats, presents, or favors which cost money, or other things of value, either present or future, which were intended for the purpose of aiding or that would have a tendency to aid the success of such candidate in such primary election. Together with such report each candidate shall file a like report in detail for each of the persons named by him as authorized to expend money or other things of value in his interest. He shall also, at the same time, file a like report for any person who may have expended money or other things of value for such candidate, although the name of such other person was not among those filed by such candidate as the names of authorized agents. Such report shall be filed with the officer with whom the candidate's nomination petition has been filed. Such report shall be prepared upon blank forms, and a reasonable number of such forms shall be mailed to each candidate by the Secretary of State, clerk of the Board of Supervisors, or the city or town clerk, as the case may be. The Secretary of State shall forward a sufficient supply of such blanks to the clerks of the Boards of Supervisors in the several counties of the State. Such blank reports shall be printed by the order of the Secretary of State and shall be in form as follows:

State of Arizona,

County of.....

I,, who was a candidate for the nomination as the.....party's candidate for.....in the primary election held on August....., 19....., do solemnly swear that the itemized statement hereto attached, contains each and every item of money, or other thing of value, which I paid, or expended, or which I promised to pay, or expend, inclusive of all treats, presents, favors, or other things which cost money or for which I have obligated myself to pay, for the purpose of aiding or advancing my candidacy, directly or indirectly;

REGISTRATION AND ELECTION LAWS

it includes all such money or other things of value as above enumerated whose itemized report is not attached hereto; I know of absolutely no expenditures, within the contemplation, spirit, or meaning of this Act, which were made for the purpose of directly or indirectly influencing or aiding or advancing my interests as a candidate, which is not included either in this report or that of those accompanying it, and, I believe no such expenditures have been made except as herein reported.

This.....day of....., 19.....

Subscribed and sworn to before me this the.....day of....., 19.....

Said report must be authorized and sworn to by the candidates before some one authorized to administer oaths.

Sec. 20. Should any candidate who received the nomination of any political party fail or refuse to file a full and complete detailed report as above specified the Secretary of State or Board of Supervisors or city or town clerk whose duty it is to issue to such nominee his certificate of nomination, shall withhold such certificate and refuse to issue same until such reports are filed. Any candidate who failed to receive the nomination, and who refuses, or fails, to file such report, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than Twenty-five Dollars (\$25.00), nor more than Five Hundred Dollars (\$500.00).

Sec. 21. Any vacancy or vacancies appearing, after the holding of any primary election, in the list of candidates necessary to fill all the offices provided for by law in the ensuing election, shall be filled by a party committee of the State, county, city or town, as the case may be, and the name of any candidate so filed with the officer with whom nomination petitions are filed, as provided in this Act, shall be placed upon the official ballot in the ensuing election.

Sec. 22. All reports required hereunder shall remain in the hands of the officer with whom, as provided in this Act, they are filed, and shall be subject to inspection or publication at any time.

Sec. 23. Each campaign committee which manages a candidate's campaign, before a primary election, or manages such campaign for a political party, shall, within ten (10 days) after such primary election, file with the officer with whom the nomination petitions of the candidates are filed a full and complete report of all money, or other things of value, which came into such committee's hands or which was expended by it. The form of said report shall be prepared by the Secretary of State and the Attorney General and shall be in form the same as required for candidates, except that it shall be altered to conform to the needs of the committee, instead of an individual. Such report shall be signed by a chairman and secretary of each committee, and also by the treasurer thereof, if there be a treasurer, and such report shall state whether there is a treasurer or not, and shall state, if there was not any other person who expended money or other things of value for it, it shall give the name and postoffice address of such other person, and it shall attach in addition to the itemized statement which said committee is hereby required to file, a like statement from such other person. Any chairman, secretary, treasurer, or other person, who fails and refuses to sign and swear to such report, as provided herein, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than Twenty-five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00), or confined in the county jail not less than three (3) months nor more than twelve (12) months.

Sec. 24. By an "itemized statement" shall be meant that when a candidate has a class of like expenditures, he shall not list them under one item, but shall state each item separately. Each item of printing shall be set out by itself, and each advertisement in a newspaper shall be specifically set forth, with the cost thereof, and in like manner all candidates' reports shall show in detail every transaction.

Sec. 25. Candidates before a primary election held under the provisions of this Act shall be limited in amount of expenditures for the said primary election to the following respective amounts:

Candidates for United States Senator, amount not exceeding.....	\$1,500.00
Candidates for nomination for any office in which electors of the entire State shall vote, an amount not exceeding.....	1,000.00

Candidates for nomination for Supreme Judge, an amount not exceeding.....	750.00
Candidates for nomination for Congress, an amount not exceeding.....	1,000.00
Candidates for nomination for Superior Judge, an amount not exceeding.....	200.00
Candidates for nomination for State Senator, an amount not exceeding.....	200.00
Candidates for nomination for Representative to the Legislature, an amount not exceeding	200.00
Candidates for nomination of any office in which electors of a single county vote, an amount not exceeding.....	200.00
Candidates for nomination for any office in which electors of a single district, or a subdivision of the county vote, an amount not exceeding.....	50.00
Candidates for nomination for Mayor in cities of 5,000 or more population, an amount not exceeding	200.00
Candidates for nomination for other offices of cities of like population, an amount not exceeding	150.00
Candidates for the nomination for Mayor in cities or towns of less than 5,000 population, an amount not exceeding.....	100.00
Candidates for nomination for other offices in such cities or towns, an amount not exceeding	50.00

Sec. 26. Any candidate who expends any more money or other thing of value, than as set forth in the foregoing section, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than One Hundred Dollars (\$100.00) nor more than Two Thousand Dollars (\$2,000.00), and shall be confined in the county jail, in the county in which he was convicted, for not less than six (6) months nor more than two (2) years. When any other thing of value than money is expended, or used, in behalf of any candidate, it shall be specified by such candidate, and it shall be considered as money, it being reckoned at its fair cash value.

Sec. 27. Any person upon whom the duty is imposed by this Act, or who is required to file a report, shall faithfully perform such duty, and file such report, stating accurately the information required. Any one who misstates the amount of money, or fails to fully disclose the facts as to any gift, promise, treat, reward, favors, or any valuable thing given, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than Fifty Dollars (\$50.00), nor more than One Thousand Dollars (\$1,000.00), and confined in the county jail not less than three (3) months, nor more than twelve (12) months, and should he be a nominee he shall not be allowed to have his name appear upon the ballot, and should it be printed before such conviction, he shall not be allowed to have his name appear upon the ballot, at the ensuing election. And should it be printed before such conviction, he shall be denied the right to hold office, if elected. If it be a person elected to an office in the general election, he shall not be entitled to hold such office. Any candidate who expends more money, either in person or through agents, committees, or friends, than the limit prescribed herein, shall, in addition to the punishment hereinbefore prescribed, be thereafter barred from holding office in this State.

Sec. 28. The provisions of this Act relative to the expenditures of money, or other things of value, shall apply with as much force and effect to candidates whose names are placed upon the official ballot by petition, at any general election, as they do to the nominees of political parties, or as to candidates before primary elections, and all non-partisan candidates shall make and subscribe to the same kind of a report, and shall be liable to all the penalties prescribed herein for other candidates.

Sec. 29. All contests arising out of such primary election shall be settled and decided in the same manner as is now or may hereafter be by law provided for general elections.

Sec. 30. No person shall be entitled to vote at any primary election unless he is a qualified elector of the precinct, and duly registered therein, and has been a resident of the said precinct thirty (30) days next preceding said primary election, provided that any voter whose name does not appear on the great register, or who may not have a certificate of registration signed by the proper registering officers, may make affidavit that he has registered since the close of the former registration.

(2) The provisions as to registration required by existing statutes, and by any amendment now or hereafter made thereto, shall apply to all primary elections held under the provisions of this Act.

Sec. 31. All tickets, blanks, and other supplies, to be used at any primary election, and all expenses necessarily incurred in the preparation for or conducting such primary election, shall be paid out of the treasury of the city, county, or state, as the case may be, in the same manner and with like effect, and by the same officers, as in the case of general elections. It shall be the duty of the Secretary of State and Attorney General immediately to prepare all forms necessary to carry out the provisions of this Act, which forms shall be substantially followed in all primary elections held in pursuance hereof. Such forms shall be printed, with copies of this Act, for public use and distribution.

Sec. 32. Party organization and government:

The party organization and government of each of the several political parties shall be as follows: (1) At the primaries hereinbefore provided, the members of a party residing in each precinct in each of the several counties of the State, shall choose one of their number as "county precinct committeeman;" provided,

That each party shall be allowed in addition thereto, one precinct committeeman for each fifty votes or major fraction thereof, when more than fifty votes were cast in any precinct, for a nominee of such party for Governor in the last preceding general election.

(2) The whole number of county precinct committeemen of each of the several political parties shall constitute the county committee of such party. Such county committee shall be organized by electing from its own membership a chairman, secretary and treasurer, of which offices the last two may be filled by the same person, within ten (10) days after the canvass of the vote in such primary election.

(3) The chairman of the county committee shall be ex-officio a member of the State committee.

(4) The State committee of each political party shall consist in addition of one member from each such county committee in the State and in addition thereto one member of said county committee for each two hundred, or major fraction thereof, votes cast for its nominee for Governor, at the last preceding general election; such committee shall be elected by the various county committees, from their own membership and not otherwise, at the first meeting of each county committee throughout the State. No person shall be eligible for election as a member of the State committee unless he shall be a duly elected county precinct committeeman. The State committee shall meet on the last Monday in the same month in which any primary election has been held in which nominees for state and county offices are nominated, at 12:00 o'clock noon at the State Capitol and organize by electing from its own membership a chairman, secretary and treasurer. The executive committee of such State committee shall consist of one member of said State committee from each county, who shall be a resident of said county, to be elected by the members of the State committee from that county, and one member for each one thousand votes or major fraction thereof cast for the party's candidate for Governor in the last preceding general election in each county, similarly elected. The chairman of the State committee shall be ex-officio chairman of the executive committee.

(5) The city party committee shall be composed of the city precinct committeemen, chosen at the regular primary election, and shall organize by electing from its own membership a chairman, secretary and treasurer.

(6) The official returns made by the primary election board shall show the name and address and the name of the party represented of each precinct committeeman chosen.

(7) Each committee provided for in this section, and its officers, shall have the powers usually exercised by such committee and by the officers thereof, insofar as is consistent with this Act. The various officers and committees now in existence shall exercise the powers and perform the duties herein prescribed until their successors are chosen in accordance with this Act. The duties of the chairman or secretary of any committee when the committee is not in session, may be performed by members of such committee selected by such chairman or secretary. Provided that if a vacancy shall occur in any said office or committee through death, resignation, or change of residence, the vacancy shall be filled by election by the body empowered under this Act to elect incumbents of said office or members of said committee.

(8) Candidates for United States Senator, for Representatives in Congress, for a State office, for State Senator and for State Representative, nominated by each political party at each primary, the national committeeman, the chairman and executive committee of the State committee, and the chairman of the county committees of the several counties of the State, shall constitute the party council of each party and shall meet at the Capitol at twelve o'clock noon on the Tuesday following the last Monday in the month in which any primary election is held preliminary to any general election. The membership of such party council shall be determined by the list of party nominees and party candidates duly certified by the Secretary of State as are on file in his office. Such party council shall be called to order by the Secretary of State, or by one of his assistants who shall read the roll of members, and thereupon the party council shall organize by electing from its own membership a chairman and secretary. They shall thereupon forthwith formulate the State platform of their party and shall perform such other business as may properly be brought before such meeting. The platform of each party shall be framed and made public at a time not later than six o'clock in the afternoon of the day following their adjournment. The State party council so constituted shall be the party council for two years and shall have power to call special meetings and perform such other business as may be consistent with the provisions of this Act.

Sec. 33. Any act declared an offense by the general laws of this State, concerning elections, shall also in like case be an offense in all primary elections, and shall be punished in the same form and in the same manner as therein provided, and all penalties and provisions of the law as to such elections, except as herein otherwise provided, shall apply in such case with equal force and to the same extent as though fully set forth in this Act.

No spirituous, malt, vinous, or intoxicating liquor, shall be sold or given away on the date of holding a primary election. Whoever violates the provisions hereof shall be guilty of a misdemeanor, and upon conviction thereof be fined not less than Fifty Dollars (\$50.00), nor more than One Hundred Dollars (\$100.00). It shall be the duty of the sheriff, constable, and other peace officers of the county and city to see that the provisions of this section are strictly enforced.

If any person whose vote is challenged, or any witness sworn under the provisions of this Act, shall knowingly, wilfully and corruptly swear falsely, he shall be deemed guilty of perjury, and on conviction thereof shall be punished accordingly.

Whoever votes more than once at any primary election, or offers to vote after having once voted at such primary election, shall be guilty of a misdemeanor and, upon conviction thereof shall be fined in a sum not exceeding One Hundred Dollars (\$100.00), or imprisoned in the county jail not exceeding one (1) year, or both, in the discretion of the court.

Any person who shall solicit, request, demand, or receive, directly or indirectly, any money, intoxicating liquor, or other thing of value, either to influence his vote or to be used, or under the pretense of being used, to procure the vote of any person or persons, or to be used at any polls, or other place prior to or on the day of a primary election, shall be deemed guilty of bribery, and upon conviction in any court of record shall be subject to a fine of not more than One Hundred Dollars (\$100.00) and imprisonment in the county jail not less than three (3) months nor more than one (1) year, and to pay the costs of prosecution.

Any candidate or other person paying, furnishing, or promising to pay or furnish, or bribing, any person with money, intoxicating liquor, or anything of value, or the promise thereof, shall be deemed guilty of the crime of bribery, and upon conviction thereof in any court of competent jurisdiction shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), and imprisoned in the county jail not less than three (3) months nor more than one (1) year, and pay the costs of prosecution. Prosecution may be had under this section by indictment in the Superior Court, or by information therein.

Any person who shall engage in disorderly conduct at any primary election shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than Ten Dollars (\$10.00) nor more than Twenty-five Dollars (\$25.00) and the costs of the prosecution.

If any clerk of a primary election shall wilfully neglect to perform any duty re-

quired of him as clerk of such primary election, or shall be guilty of fraud, corruption, or misbehavior, as such clerk, he shall be deemed guilty of misdemeanor, and upon conviction thereof, be fined in a sum not less than Twenty-five Dollars (\$25.00) nor more than Fifty Dollars (\$50.00) or imprisonment in the county jail not less than thirty (30) days nor more than six (6) months.

Sec. 34. If any judge, clerk, or inspector of a primary shall wilfully neglect to perform any duty required of him under the provisions of this Act, as such judge, clerk, or inspector, or shall be guilty of fraud or corruption or misbehavior while acting in the capacity of such official, he shall be deemed guilty of a misdemeanor and upon conviction thereof, be fined a sum of not less than Twenty-five Dollars (\$25.00) or more than Fifty Dollars (\$50.00), or by imprisonment in the county jail not less than thirty (30) days or more than six (6) months.

Sec. 35. Any person who shall violate any of the provisions of this Act, shall, upon conviction thereof, be punished by imprisonment in the county jail for a period of not less than six (6) months nor more than twelve (12) months.

Sec. 36. All laws, or parts of laws, in conflict with the provisions hereof, are hereby repealed, and particularly Chapter 24 of the Acts of the Twenty-fifth Legislative Assembly of the Territory of Arizona, entitled, "An Act Relating to Primary Election, Providing for the Organization and Government of Political Parties, and Prescribing and Fixing Penalties for the Violation hereof," approved March 10, 1909; also Chapter 68 of the Acts of the Twenty-third Legislative Assembly of the Territory of Arizona, entitled "An Act to Provide for Primary Political Elections and the Manner of Holding the Same," approved March 16, 1905.

Sec. 37. Whereas, an early operation of this Act is necessary because the State Constitution requires that the Legislature shall pass a direct primary law, and,

Whereas, the direct primary law passed by the Twenty-fifth Legislative Assembly of the Territory of Arizona is in conflict with the Constitution, and because it is therefore necessary that the primary law should become operative before this Act could become operative, except as an emergency measure,

Therefore, an emergency is hereby declared to exist and for the preservation of the public safety, this law shall be in full force and effect from and after its passage and approval by the Governor and is hereby exempt from the operation of the referendum provision of the State Constitution.

Approved June 24, 1912.

REGISTRATION LAW

An Act providing for a general registration law; prescribing the rules and regulations governing general registration for elections within the State of Arizona; and providing and fixing penalties for a violation of the provisions of this Act.
Be it Enacted by the Legislature of the State of Arizona:

Sec. 1. Every male citizen of the United States, and every male citizen of Mexico who shall have elected to become a citizen of the United States under the treaty of peace exchanged and ratified at Queretero on the 30th day of May, 1848, and the Gadsden treaty of 1854, of the age of twenty-one years, who shall have become a resident of the State one year next preceding the election, and of the county and precinct in which he claims the right to vote, thirty (30) days, and who, not being prevented by physical disability from so doing, is able to read the Constitution of the United States in the English language in such manner as to show he is neither prompted nor reciting from memory, and to write his name, shall be deemed to be an elector of the State of Arizona and shall be entitled to register for the purpose of voting at all elections which are now or may hereafter be authorized by law, but idiots, insane persons, and persons non compos mentis or under guardianship, shall not be qualified to register for any election, nor shall any person convicted of treason or felony be qualified to register for any election unless restored to civil rights.

Sec. 3. No general county or precinct register shall be printed at the expense of the county.

Sec. 5. It shall be the duty of every elector in the State of Arizona, between the first Monday in May, 1912, and the 15th day of October, 1912, and between the same dates biennially thereafter, to register with some notary public or justice of the peace, or with the county recorder of the county in which the elector resides, in accordance with this Act.

Sec. 6. It shall be the duty of the county recorder in each county, between the first Monday in May, 1912, and the 15th day of October, 1912, and between the same dates biennially thereafter, to enter upon the proper register every person who complies with the requirements of this Act and claims to be an elector residing in the county. If the recorder refuses to enter the name of any qualified elector, such elector may proceed by mandamus to compel him to do so; provided, that the county recorder shall not register any elector during the period beginning ten (10) days before and ending six (6) days after the general biennial primary election; and, provided further, that this law shall not operate to prevent any additional registration of voters required by the charters or ordinances of any city or town within the provisions of this Act.

Sec. 7. Every elector may be registered without charge by personally appearing in the office of said recorder and, after being duly sworn, stating the following facts, which the recorder or his deputy shall appropriately enter in black ink, at first in the general county register. The electors shall be numbered consecutively 1, 2, 3, etc., in each precinct as they are registered in the general county register. The recorder shall test the ability of the applicant for registration to read the English language as in this Act provided, and shall inquire of the said applicant and enter the following information in the general county register in the division set off for the precinct in which said applicant resides, to-wit: (1) The registration number of the elector; (2) the date of registering the elector; (3) the full name of the elector; (4) leave a blank space in which the judges of election shall enter in the precinct register the poll book number of each elector when he has voted; (5) the business or occupation of the elector; (6) the age of the elector in years; (7) the country of nativity; (8) if naturalized, the time, the place and court of naturalization or declaration, as evidenced by the legal proof thereof, exhibited by the elector; (9) the actual and precise place of residence of the elector at the time of his registering, stating the precinct; and in cities and towns having streets, specifying the name of the town or city, the street or other location or dwelling place of the elector, with the number of such dwelling, if the same has a number; if not, then with such description of the place that it can readily be ascertained and identified; (10) the fact whether the applicant for registration has shown in the test given him by the recorder his ability to read the Constitution of the United States, in the English language, as in this Act provided; (11) the fact whether or not the elector desiring to be registered is able to write his name and mark his ballot; (12) the elector shall then next following the afore-administered oath, sign his name in the presence of the recorder, or the deputy acting, in the general register upon the same line where the preceding information is written, and the registering officer shall then sign his own name upon the said line, and add in the last column headed "remarks" such physical description of the elector, giving his height, approximate weight, nationality, color, and any peculiarity that will tend to establish his identity, for the information of the judges of election. If the elector is registered by the recorder in person, the recorder shall so sign his own name in attestation thereof, and if the elector is registered by a deputy, then, in addition to the name of the recorder, the particular deputy actually registering the elector shall sign his name, at length, in attestation thereof. If the elector declares he is unable to mark his ballot or sign his name, he shall state why, and the recorder or his deputy, as the case may be, shall enter upon the register the reasons. If the elector's inability to sign is apparent, in consequence of some physical infirmity, such as blindness or loss of limb, incapacitating the elector from writing, he shall so state the fact.

Sec. 8. The recorder shall then enter in the separate precinct register of the particular precinct in which the elector resides everything entered by him in the general register. He shall arrange the names alphabetically, according to surname, in the separate precinct register, by the same number given the elector in the general register. The recorder or deputy shall then require the elector to sign his name, and, as in the general register he shall attest the registration. The separate election precinct registers shall contain all the information concerning the elector contained in the general or county register, including the actual signatures of the elector, if able to sign, and the recorder's, or his deputy's, signature attesting such registration.

Sec. 9. Every elector may be registered by personally appearing at the recorder's office and complying with the provisions of this Act, but if said elector is unable for any reason conveniently to register as aforesaid, he may register, without charge, before a notary public or a justice of the peace or recorder, or deputy recorder in the county in which he resides by using one of the blanks designated as blank "A," signing it three times, and meeting a similar test given him by said registering officer, as to his ability to read the Constitution of the United States in the English language as in this Act provided, to that prescribed in Sec. 7 hereof as prescribed to be given by the county recorder, and filling out a blank in such a way as to afford all the information which he ought otherwise to give to the recorder under Section 7, and in addition thereto making oath as specified in said blank "A," which shall be duly certified by the notary public or justice of the peace, recorder, or deputy recorder, and forthwith filed in the office of the county recorder of the county in which the elector resides. Such registering officer shall give the elector a duplicate of the certificate which said registering officer files with the county recorder. The county recorder shall supply such registration officers; upon request, with a sufficient number of said blanks A and B free of charge. But each notary public shall be entitled to receive from the county the sum of twenty (20) cents for each elector so registered by him, whose affidavit has been duly filed with the county recorder. After each general election the Board of Supervisors shall audit such bills and order payment to be made in accordance herewith. Provided, that notaries public empowered under this Act to register electors shall be appointed by the county recorder in each county.

Sec. 10. Upon receipt of said written application of affidavit of an elector for registration, if it is in due form and duly certified, the recorder shall forthwith register the elector in the proper precinct in the general register; and also in the separate precinct register, in the same manner as if the elector had personally appeared in the recorder's office. The recorder shall cut out two of the signatures of the elector in said written application and paste them in the registers where the elector would have signed if he had applied in person, and file and preserve the written application in a paged file, noting upon the proper line in each registration book the page in said file where said written application is filed. The recorder or deputy acting shall attest each such registration entered by him.

Sec. 11. Every elector, upon changing his residence after registering, may within the time for registering cause his former registration to be cancelled, by a request in writing to the recorder where he is registered, imparting the information called for in blank "B," signing his name to it and by the said elector swearing to the truthfulness of the statement before some one authorized to administer oaths, and by filing the same, duly certified, with the recorder where he is registered. The recorder shall compare the signature of the elector with his signatures upon the registers, and if satisfied of the genuineness of the same, he shall file his communication and page the same, and then in each of the registers in red ink draw a line through the elector's name and write "cancelled" and the number of the page where the blank is filed, and attest the cancellation by signing his own name.

Sec. 13. No person shall register who is not a qualified elector of the precinct in which he registers and who is not a resident thereof, or register in a name other than his true name, and no elector shall register a second time in the same precinct, or register in any other precinct until his first registration has been cancelled, as provided in Sec. 11 of this Act.

Sec. 14. The county recorder shall close all books of registration for the period of seventeen (17) days at five o'clock p. m. on the tenth day before the regular general primary election in 1912, and biennially thereafter, by writing the words "Closed for seventeen days," in red ink on the line next below the last elector registered in each precinct of the general register. He shall then immediately in the indexed pages in the general register, opposite the name of each precinct, in writing certify the number of electors registered in each precinct subject to the provisions of the primary election law, and sign his name and title and affix the seal of the county thereto; and he shall immediately send to the Secretary of State by telegraph, if necessary, a certified copy of the numbers and total of the electors registered for his county; he shall likewise close the books of the precinct registers, and certify in each of the precinct registers the total number of electors registered in each precinct, subject to the primary election law, and not cancelled, and sign the same with his official title and affix the

seal of the county thereto. All of said registers shall be reopened by the recorder on the sixth day following the said general primary election and biennially thereafter, and remain open until the 15th day of October, 1912, and biennially thereafter, when they shall be finally closed for the ensuing election in the manner above provided.

Sec. 15. The said registers shall all be public records. The general register of the county shall be kept in the office of the county recorder, as other public records are kept. Every citizen shall be allowed to examine the general county register, and each of the precinct registers while they are in the custody of the county recorder, and to make copies of extracts therefrom without charge to him. The several precinct registers shall be sent to their respective precincts, together with a suitable supply of the said registration blanks "A," all sealed, the same as other stationery and supplies are now forwarded to the judges of each precinct.

Sec. 16. Upon the day of election the judges of election, as soon as an elector applying to vote has given his name and residence to the election clerks, shall ask the elector if he is registered, and also examine the register. Notwithstanding the elector is registered, his right to vote may be challenged and tried at any time before his ballot is actually deposited in the ballot box. If he appears to be registered and is challenged, he shall be required to take and subscribe to the oath prescribed in blank "A," and in trying the challenge, the judges shall compare his signatures with that in the register and consider the same in deciding the challenge, and after noting thereon their decision, shall file the same, no matter how the challenge may be determined.

Sec. 17. The judges in their discretion may require such elector to produce before them as many qualified electors of the county as they may deem necessary, not exceeding four qualified electors, and have them take and subscribe to the second oaths specified in said blank, using the same blank signed by the elector.

If it appears the elector is not registered in the precinct in which he applies to vote, the elector in every case, as of course, shall be considered challenged, and shall be required to subscribe and swear or affirm to the blank "A," prescribed by Sec 4, filled out according to the facts, and in addition thereto he shall be required to procure three qualified electors of the county to take and subscribe to a similar oath as specified in said blank "A," and the same shall be considered by the judges and forthwith decided; and after noting thereon with ink whether the elector is allowed to vote or not, and if allowed to vote, the poll-number of the elector, they shall file the same. Unless the elector in every such case so establishes his right to vote in the precinct and to the satisfaction of the judges, his vote shall not be received. In carrying out the provisions of this Act, the judges of election, or either of them, are hereby authorized to administer and certify oaths, and to issue subpoenas to require the attendance of witnesses before them; provided, that in carrying out the provisions of this section in cities having a population of 5,000 or more, as shown by the last preceding federal census, the elector offering to vote, and all the qualified electors subscribing to the affidavits herein required, shall take such oath before, and the same shall be administered only by the judges of election, or either of them, in the precinct and at the time the elector offers to vote, and such affidavits shall not be received if taken or made at any place or before any other officer than one of said judges.

The precinct registers, and all affidavits filed, shall be returned along with the other election returns, sealed and marked on the cover with the contents and the name of the precinct, to the county recorder of the county.

Sec. 18. Any county recorder of any county, or any deputy, or any judge or clerk of election, or any justice of the peace or notary public, who shall wilfully disregard any of the provisions of this Act, or who shall wilfully fail to perform or enforce any of the provisions of this Act, or any person who shall wilfully or fraudulently register more than once, or register under any but his true name, or attempt to vote by personating another who is registered, contrary to the provisions of this Act, or knowingly register in any precinct where he is not a resident at the time of registering, upon conviction, shall be punished by imprisonment in the State prison not less than one year nor more than three years, or by fine not less than One Hundred Dollars (\$100.00), nor more than Two Thousand Dollars (\$2,000.00), or by both such fine and imprisonment. Any person who shall falsely swear to any affidavit required by this Act shall be deemed guilty of perjury, and upon conviction thereof shall be punished accordingly.

Sec. 20. It shall be the duty of each recorder or elector present to challenge any person offering to register whom he shall know or suspect not to be qualified as an elector. Upon challenge being made, the one so challenged may, if he so elect, be at once sworn to answer fully and truly all such questions as may be put to him by the registering officer touching his qualifications as an elector. And if such challenge be upon the ground that the party challenged cannot read the Constitution of the United States in the English language, he shall be required to read a section from the Constitution of the United States selected by lot in such manner as to show that he is not being prompted or reciting from memory; provided that the Secretary of State shall supply to the Boards of Supervisors in the several counties enough copies of the Constitution of the United States printed by sections in the English language in plain type on cards (one section to each card) to provide one copy of said Constitution for each precinct, one set of which said cards the Boards of Supervisors shall send to the precincts, together with the election supplies; and provided further, that in case of challenge said cards shall be placed loose in some container and shaken, and the person challenged shall be required to draw one of the cards therefrom at random without being given an opportunity to see what card he is drawing, and required to read the section of the Constitution of the United States printed thereon. If he cannot so read, or if he shall refuse to answer fully any questions touching his qualifications as an elector which is put to him by the registering officer, the registering officer shall refuse to register him. The qualifications of the applicant as an elector shall be determined in the first instance by the registering officer from the evidence produced before him, and if he find the applicant disqualified to vote at the next election, he shall reject the application; but if he finds him qualified, he shall register him. If rejected, the name and place of alleged residence of each applicant for registration, and the date when rejected, shall be entered in a separate list for each precinct, kept by the registering officer.

Sec. 21. Any elector of the State of Arizona who is out of the State at the time when voters are required to register may register before a notary public in the State in which he may be at the time by using one of the blanks designated as blank "A," and filling out the blank in such a way as to afford such information as he ought otherwise to give the recorder, and in addition thereto, signing his name three times and by making oath thereto, as specified in said blank, which shall be duly certified by the notary public and filed with the county recorder of the county in which the elector resides.

Upon the filing of such blank, filled out and certified as aforesaid, the county recorder shall enter the name of the elector upon the general county register of the county and proceed in the same manner as if the elector had registered before a notary public or justice of the peace in the county.

GENERAL ELECTION LAW PROVISIONS

CHAPTER II.

General Provisions.

2276. (Sec. 5) The person receiving at any election the highest number of votes for any office to be filled at such election is elected thereto.

2277. (Sec. 6.) Electors are privileged from arrest, except for an indictable offense, during their attendance on the election, and in going to and returning from the same.

2278. (Sec. 7.) No elector is obliged to perform militia duty on the day of election, except in time of war or public danger.

2279. (Sec. 8.) No fees must be charged an elector for registration or certificates thereof.

2280. (Sec. 9.) The compensation of members of boards of election and clerks must be fixed and audited by the Board of Supervisors, and paid out of the county treasurer.

CHAPTER IV.

Election Precincts.

2304.....(Sec. 33.) The Board of Supervisors of each county must establish a convenient number of election precincts therein, and define the boundaries thereof where possible.

2305.....(Sec. 34.) The board must, at least fifteen days prior to an election, issue its order designating the house or place within each precinct where the election must be held.

2306. (Sec. 35.) If the board fails to designate the house or place for holding the election, or if it cannot be held at the house or place designated, the justice of the peace in the precinct must, two days before the election, and by an order under his hand (copies of which he must at once post in three public places in the precinct) designate the house or place, or if there be no justice of the peace there, the election board by similar notices posted as in this section provided, may designate the place.

CHAPTER V.

Board of Election.

2307. (Sec. 36.) When an election is ordered, the Board of Supervisors must appoint from each precinct, from the electors thereof, one inspector and two judges, who constitute a board of election for each precinct.

2308. (Sec. 37) The county Board of Supervisors shall at their June meeting next preceding a general election, appoint one inspector and two judges of election, who shall be qualified voters of such precinct for which appointed, and who are members of different political parties and of the parties which cast the highest number of votes in the State at the last preceding general election; Provided, that if at least one week or more prior to such election the chairman of the county central committee of either of the two parties that cast the largest number of votes in the State at the last general election shall designate a member of such party as judge, having the same qualifications as above described, he shall be appointed, and such judges, together with the inspector, shall constitute a Board of Election; Provided, further, that no United States, State, County nor precinct officer, nor any candidate for office at said election, shall be qualified to act as judge, inspector, or clerk at any election held in this State. It shall be the duty of the Board of Supervisors of each county in the State to take charge of all election paraphernalia and care for the same.

2309. (Sec. 38.) If the Board of Supervisors fail to appoint the board of election, or the members appointed do not attend at 8 o'clock on the morning of the election, the electors of the precinct present at that hour may appoint the board or supply the place of an absent member thereof.

2310. (Sec. 39.) The inspector is chairman of the election board, and may:

1. Administer all oaths required in the progress of an election.
2. Appoint judges and clerks if, during the progress of the election, any judge or clerk ceases to act.

2311. (Sec. 40.) Any member of the board or clerk thereof may administer and certify oaths required to be administered during the progress of an election.

2312. (Sec. 41.) The board of electors for each precinct must, before opening the polls, appoint two electors to act as clerks of election.

2313. (Sec. 42.) Before opening the polls, each member of the board and each clerk must take an oath to faithfully perform the duties imposed upon him by law. Any elector of the township may administer and certify such oath.

CHAPTER VII.

Conduct of Elections.

2335. (Sec. 64.) On the opening of the polls at each polling place, the presiding

officer shall produce the sealed package of official ballots and publicly open them and deliver one book or block of ballots therein contained to the ballot clerks hereinafter provided for. The other blocks or books of ballots, if any, shall be retained by the presiding officer until they are called for by the ballot clerks and needed for the purpose of voting.

2336. (Sec. 65.) At least ten days before any election to be held in this State, the Board of Supervisors shall determine the number and situation of the polling places in each district, precinct, town, city or village, and shall appoint not less than two or more than four persons to act and be known as ballot clerks for each polling place within their jurisdiction. An equal number of such clerks shall be appointed from the two opposing political parties casting the highest number of votes at the last preceding election. The clerks so appointed shall have charge of the ballots at such election and furnish them to voters as hereinafter provided.

2337. (Sec. 66.) The Board of Supervisors shall cause the polling places to be suitably provided with a sufficient number of voting booths or compartments furnished with convenient shelves on which voters may conveniently mark their ballots, and in the marking thereof be screened from the observation of others, and such booth shall be supplied with proper conveniences, including pens, penholders, ink, blotting paper and pencils, as will enable the voter to prepare his ballot for voting. A guardrail shall be so constructed and placed that only such persons as are inside of said rail can approach within six feet of the ballot boxes of such voting booths or compartments. The arrangement shall be such that neither the ballot boxes nor the voting booths or compartments shall be hidden from view of those just outside of the guardrail. Each booth or compartment shall be at least three feet square and contain a shelf at least one foot wide extending across one side of such booth or compartment at a convenient height for writing. No person other than the election officers and voters admitted as hereinafter provided shall be permitted within said guardrail, except by authority of the election officers for the purpose of keeping order and enforcing the law. The officers charged with providing booths or compartments shall also furnish for each polling place the required ballot boxes, with locks, which shall be large enough to properly receive and hold the ballots cast for candidates for office in conformity with the provisions of this title.

2338. (Sec. 67.) The ballot clerks shall at all times be under the supervision of the presiding officer aforesaid, shall keep the ballots within the polling place and in plain view of the public, and deliver them only to qualified voters. Every qualified voter, before receiving his ballot shall announce his name and place of residence in a clear, audible tone of voice to the ballot clerk, or present his name and residence, in writing, and if such name is found upon the great register by the ballot clerk having charge thereof, he shall repeat the name, and the voter shall be allowed to enter the space enclosed by the guardrail; his name shall be noted by the poll clerks, and each voter's name shall be numbered consecutively by the poll clerks, with the number upon the stub of the ballots delivered to him, and in the order of the respective applications for ballots to the ballot clerks; the ballot clerk shall also write his name upon said stub and the voting number of each voter as it appears upon the great register, and the ballot clerk shall give him one, and only one, ballot, and his name shall be immediately checked on the great register.

2339.....(Sec. 68.) On receiving his ballot the voter shall forthwith and without leaving the polling place or going outside of said guardrail, retire alone to one of the booths or compartments not occupied by any other person, and prepare his ballot by marking in the appropriate margin or place a cross (X) opposite the name of the candidate of his choice for each office to be filled, or by filling in the name of the candidate of his choice in the blank space provided therefor and marking a cross opposite thereto; and in case of a question submitted to the vote of the people, by marking in the appropriate margin or space a cross (X) against the answer which he desires to give. Before leaving the booth or compartment, the voter shall fold his ballot lengthwise and crosswise, but in such a way that the contents of the ballot shall be concealed and the stub can be removed without exposing any of the contents of the ballot, and keep the same folded until he has delivered the same to the election officers as in this section provided; then he shall forthwith proceed outside the guardrail by the exit thereof, and shall not again enter such enclosed space during such poll unless he is an election

officer. No voter shall be allowed to occupy a voting booth or compartment for more than five minutes when other voters are waiting to occupy the same. No inspector shall receive any ballot from any voter unless the stub remains attached to the ballot.

2340. (Sec. 69.) No person shall take or remove any ballot from the polling place before the close of the polls. If any voter spoil a ballot he may successfully obtain others, one at a time, not exceeding five in all, upon returning each spoiled one. The ballots thus returned shall be immediately cancelled, and, together with those not distributed to the voters, shall be reserved and shall be secured in sealed packages and returned to the Board of Supervisors, town, city or village recorder or clerks from whom originally received. Should any elector be unable on account of his physical disability to mark his ballot he may request the board of election to mark his ballot in accordance with his wishes.

2341. (Sec. 70.) If the voter marks more names than there are persons to be elected to an office, or if for any reason it is impossible to determine the voter's choice for any office to be filled, his ballot shall not be counted for such office. No ballot without the official endorsement shall, except as herein otherwise provided, be allowed to be deposited in the ballot box, and none but ballots provided in accordance with the provisions of this title shall be counted. Ballots not counted shall be marked defective on the back thereof, and be preserved and returned to the Board of Supervisors or recorder or clerk from whom received as hereinbefore provided.

2342. (Sec. 71.) In case the ballots to be furnished for any voting place, in accordance with the provisions of this title, shall fail for any reason to be delivered, or in case, after delivery, they shall be destroyed or stolen, it shall be the duty of the presiding officer aforesaid to cause other ballots to be prepared substantially in the form of the ballots so wanting and to be furnished; and upon such delivery of such ballots at the polling place by him, accompanied by his statements, under oath, which the city, town or village recorder shall record that the same had been so prepared and furnished by him, and that the original ballots have so failed to be received, or have been destroyed or stolen, the ballot clerk shall cause the ballots so substituted to be used in lieu of the ballots wanting as above.

2344. (Sec. 73.) A voter who shall, except as herein otherwise provided, allow his ballot to be seen by any person with intention of letting it be known how he is about to vote, or who shall make a false statement as to his inability to mark his ballot or any person who shall interfere with any voter inside of said enclosed space, or who shall endeavor to induce any voter to vote for any particular candidate within the building in which the voting is proceeding shall be punished by a fine of fifty dollars, or fifty days in the county jail, and it shall be the duty of the election officers to see that the offender is duly brought before the proper court for the recovery of such penalty.

2345. (Sec. 74.) Any person who shall, prior to an election, wilfully deface or destroy any list of candidates posted in accordance with the provisions of this title, or who during an election, shall wilfully deface, tear down, remove or destroy any card of instruction posted for the instruction of voters, or who shall, during election, wilfully remove or destroy any of the supplies or conveniences furnished to enable a voter to prepare his ballot, or shall wilfully hinder the voting of others, shall be punished by a fine of fifty dollars, or fifty days in the county jail.

2346. (Sec. 75.) Any person who shall falsely mark or wilfully deface or destroy any certificate of nomination or nomination paper, or any part thereof, or any letter of withdrawal; or file any certificate of nomination or nomination paper, or letter of withdrawal, knowing the same or any part thereof to be falsely made; or suppress any certificate of nomination or nomination paper, or any part thereof, which has been filed; or forge or falsely make the official endorsement of any ballot, or wilfully destroy or deface any ballot, or wilfully delay the delivery of any ballots, shall be punished by a fine of one hundred dollars or one hundred days in the county jail.

2347. (Sec. 76.) Any public officer upon whom a duty is imposed by this title, who wilfully neglects to perform such duty, or who shall wilfully perform it in such a way as to hinder the objects of this title, shall be punished by a fine of two hundred dollars or two hundred days in the county jail.

REGISTRATION AND ELECTION LAWS

2348. (Sec. 77.) No person shall do any electioneering on election day within any polling place, or in any public street or room, in a public manner, within one hundred and fifty feet of any polling place. No person shall remove any official ballot from any polling place before the closing of the polls. No person shall show his ballot, after it is prepared for voting, to any person in such a way as to reveal the contents, nor shall any person solicit the voter to show the same; nor shall any person (except an inspector of election) receive from a voter a ballot prepared for voting. No voter shall receive an official ballot from any other person than one of the ballot clerks having charge of the ballots, nor shall any other person other than such ballot clerk deliver an official ballot to such voter. No voter shall place any mark upon his ballot by means of which it can be identified as the one voted by him. Every voter who does not vote or deliver, in the manner hereinbefore by this title provided, the ballot received by him from the clerk, shall, before leaving the polling place or going outside the guardrail, return each such ballot to the ballot clerks. Whoever shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be confined in the county jail not less than one month or more than six months.

2349. (Sec. 78.) Any person entitled to vote at a general election held within this State shall, on the day of such election, be entitled to absent himself from any service or employment at which he is then engaged or employed for a period of two hours between the time of opening and the time of closing the polls; and such voter shall not, because of so absenting himself, be liable to any penalty, nor shall any deduction be made on account of such absence from his usual salary or wages; Provided, however, that application be made for such leave of absence prior to the day of election. The employer may specify the hours during which such employe may absent himself as aforesaid. Any person or corporation who shall refuse to an employe the privilege hereby conferred, or who shall subject an employe to a penalty or reduction of wages because of the exercise of such privilege, or who shall, directly or indirectly, violate the provisions of this title, shall be guilty of a misdemeanor and punished as provided in Section 77.

2350. (Sec. 79.) It shall hereafter be the duty of the State committee of any political party or organization in this State, before each general election, and at the time of filing the certificate of nomination hereinbefore required to prepare and adopt, by engraving or otherwise, a vignette to be printed at the top of the column of such ballot assigned to such party, as a distinctive and characteristic heading thereto; such vignette shall not be more than an inch and a half square, and, in addition to the device adopted, shall set forth legibly the name of such party.

3251. (Sec. 80.) In addition to the officers and clerks specified in this title, the Board of Supervisors shall appoint an election marshal. The election marshal shall be a qualified voter, and his name must be upon the great register to be eligible for office. He shall preserve order at the polls during the hours which they are open; shall permit no violation of the election laws of the State, in so far as such violation may come to his notice. For the purpose of this title the election marshal shall be clothed with the powers and authority of a constable, and his term of office shall begin with the opening of the polls and expire when the count of the ballots has been completed. And it is made the duty of the inspector to see that the election marshal strictly enforces the provisions of the election laws, and especially that part relating to trespassers within the fifty foot limit. Said marshal shall be allowed the sum of \$3.00 by the Board of Supervisors for his whole service, and for his duty the board may, at its discretion, appoint any sheriff, deputy sheriff or constable as an election marshal, who shall be paid the \$3.00 hereinbefore mentioned for such service.

2352. (Sec. 81.) Any person or persons introducing in any way upon election day into the building or room where an election is being held, or within the fifty-foot limit, any spirituous or malt liquors, and any inspector, judge or clerk of election or election marshal drinking such liquors in such place, or being intoxicated therein on election day, or during the canvassing of the vote, shall be deemed guilty of a misdemeanor.

2353. (Sec. 82.) Before opening the polls, the election marshal shall post three notices about fifty feet from the entrance of the building, in different directions, in which the election is being held, which notice shall read:

Fifty-Foot Limit.

And except for the purpose of voting, no person shall be allowed to remain inside these limits while the polls are open but the beforementioned election officials, and not more than one representative of each political organization represented on the ballot, such representative to be one of three appointed by the chairman of the local committee of such political organization. Any voters having cast their ballots shall at once retire without the fifty-foot limit. And any and all persons violating any of the provisions of this title shall be guilty of a misdemeanor. And the Board of Supervisors shall furnish with the ballots for each precinct and polling place five notices as required by this section, which shall be printed on muslin in letters not less than two inches high.

2354.....(Sec. 83.) The polls shall be open in every precinct not earlier than six nor later than eight o'clock a. m. on the day of the election and shall be closed at five o'clock p. m. The inspector shall cause the election marshal to make proclamation of the opening of the poll, also one hour, and thirty minutes, and fifteen minutes before its close, and also at the moment of its closing, and the inspector and two judges shall determine between them when the hour for closing has arrived; provided, that any and all persons who may at the moment of closing be inside of any booth making out a ballot preparatory to voting it shall be allowed five minutes to fill out and deposit such ballot, the same as if the polls were still open.

2355.....(Sec. 84.) Before receiving any ballots the board must, in the presence of any persons assembled at the polling place, open and exhibit and close the ballot box; and thereafter it must not be removed from the polling place or presence of the bystanders until all the ballots are counted, nor must it be opened until after the polls are finally closed.

2356. (Sec. 85.) Before the board receive any ballots, they must cause it to be proclaimed aloud at the place of election that the polls are open.

CHAPTER VIII.

Poll Lists.

2537. (Sec. 86.) The following is the form of poll lists and tally lists to be kept by board and clerks of election:

Poll Lists.

Of the election held in the precinct of....., in the county of....., on the.....day of..... in the year, A. D., one thousand nine hundred and.....A. B., C. D., and E. F., judges, and G. H. and J. K., clerks of said election, were respectively sworn (or affirmed), as the law directs, previous to their entering on the duties of their respective offices.

Number and Name of Electors Voting.

No.	Name	No.	Name
2	A. B.	3	E. F.
1	C. D.	4	G. H.

We hereby certify that the number of electors voting at this election amounts to.....

Attest:
G. H.
J. K.
Clerks.

A. B.
C. D.
E. F.
Board of Election.

We hereby certify that.....had twenty-five votes for.....to congress, etc., etc.

A. B.
C. D.
Clerks.

G. H.
I. K.
E. F.
Board of Election.

2359. (Sec. 88.) No lists, tally, paper or certificate returned from any election must be set aside or rejected for want of form, nor on account of its not being strictly in accordance with the directions of this chapter or title, if it can be clearly understood.

2360 (Sec. 89.) If the names of more persons are designated on any ballot found in the ballot box for the same office than are to be chosen for such office, then, except in the cases provided for in the next section, all the names designated for such office must be rejected, and the fact of such rejection, and the reason therefor, must, at the time of such rejection, be noted on the ballot and signed by a majority of the election board.

2361. (Sec. 90.) When upon a ballot found in any ballot box a printed name and a name written with ink or with pencil appears, and there are not so many persons to be chosen for the office, the printed name must be rejected and the written one counted, and the fact must at the time be noted on the back of the ballot, and such note must be signed by a majority of the election board.

2362. (Sec. 91.) If a ballot is found in the ballot box containing the name of the person and the office for which he is designated, or either, two or more times, it must not for that reason be rejected; it must be counted as one ballot.

2363. (Sec. 92.) When a ballot found in any ballot box bears upon it any impression, devise or color, or thing, or is folded in a manner intended to designate or impart knowledge of the person who voted such ballot, it must, with all its contents, be rejected.

2364. (Sec. 93.) Whenever the board of election rejects a ballot, it must, at the time of such rejection, cause to be made thereon and signed by a majority of the board an endorsement of such rejection and of the causes thereof.

2365. (Sec. 94.) All rejected ballots must be preserved and returned in the same manner as other ballots.

2366. (Sec. 95.) Whenever a question arises in the board as to the legality of a ballot, or any part thereof, and the board decide in favor of the legality, such action, together with a concise statement of the facts that gave rise to the objection, must be endorsed upon the ballot and signed by a majority of the board.

2367. (Sec. 96.) The board must refuse to receive or allow to be deposited in the ballot box any ballot offered if it is apparent that it is not in compliance with the provisions of this chapter.

CHAPTER IX.

Voting and Challenging.

2368. (Sec. 97.) Voting may commence as soon as the polls are opened, and may be continued all the time the polls remain open.

2369. (Sec. 98.) The person offering to vote must hand his ballot to the inspector, or to one of the judges acting as inspector, and announce the name and the number affixed to it on the printed copy of the register.

2370. (Sec. 99.) The inspector, or judge acting as such, must receive the ballot, and before depositing it in the ballot box must, in an audible tone of voice, announce the name and register number of the person voting.

2371. (Sec. 100.) If the name is found on the copy of the great register, and he is a resident of the precinct, and the vote is not rejected upon a challenge taken, the inspector, or judge acting as such, must, in the presence of the board of election, place the ballot without being opened or examined, in the ballot box.

2372. (Sec. 101.) When the ballot has been placed in the box, one of the judges must write the word "voted" opposite the number of the person on the printed copy of the register.

2373. (Sec. 102.) Each clerk must keep a list of persons voting, and the name of each person who votes must be entered thereon and numbered in the order of voting.

2374. (Sec. 103.) A person offering to vote may be orally challenged by any elector of the county upon either or all of the following grounds:

1. That he is not the person whose name appears on the register.
2. That he has not resided within the State for one year next preceding the election.
3. That he has not resided within the county or precinct for thirty days next preceding the election.
4. That he has before voted that day.
5. That he has been convicted of a felony.
6. That he has made a bet on the result of the election.
7. That not being prevented by physical disability from so doing he is able to read the Constitution of the United States in the English language in such manner as to show that he is neither prompted nor reciting from memory or is unable to write his name.

2375. (Sec. 104.) Upon challenge being made, the one so challenged may, if he so elect, be at once sworn to answer fully and truly all such questions as may be put to him by the inspector; provided, such questions are pertinent and material to the challenge made; and that, after such examination, a majority of the board shall be satisfied that the challenge is not true, the one challenged shall be permitted to vote, else not, and if such challenge be upon the seventh ground specified in Paragraph 2374, the party challenged shall be required to read any section of the Constitution of the United States that may be designated by the inspector and may be required to write his name, and if thereupon a majority of the board shall be satisfied that the challenge is not true the one challenged shall be permitted to vote, else not.

2376. (Sec. 105.) If the challenge is determined against the person offering to vote, the ballot must, without examination, at once be destroyed in his presence by the inspector; if determined in his favor, the ballot must be deposited in the ballot box.

2377. (Sec. 106.) If any person challenged refuses to take the oath tendered, or refuses to be sworn and to answer the questions touching the matter of residence, he must not be allowed to vote.

2378. (Sec. 107.) The election board, in determining the place of residence of any person, must be governed by the following rules, so far as they are applicable:

1. The place must be considered and held to be the residence of a person in which his habitation is fixed, and to which, whenever he is absent, he has the intention of returning.
2. A person must not be held to have gained or lost his residence by reason of his presence or absence from a place while employed in the service of the United States or of this State, nor while engaged in navigation, nor while a student at an institution of learning, nor while kept in an almshouse, asylum or prison.
3. A person must not be considered to have lost his residence who leaves his home to go into another state or territory or county of this State for temporary purposes merely, with the intention of returning.
4. A person must not be considered to have gained a residence in any county into which he comes for temporary purposes merely, without the intention of making such county-his home.
5. If a person removed to another state or territory with the intention of making it his residence, he loses his residence in this State.
6. If a person removed to another state or territory with the intention of remaining there for an indefinite time, and as a place of present residence, he loses his residence in this State, notwithstanding he entertains an intention of returning at some future period.

7. The place where a man's family resides must be held to be his residence; but if it be a place of temporary establishment for his family, or for transient objects, it is otherwise.

8. If a man have a family fixed in one place and he does business in another, the former must be considered his place of residence; but any man having a family and who has taken up his abode with the intention of remaining, and whose family does not so reside with him, must be regarded as a resident where he has so taken up his abode.

9. The mere intention to acquire a new residence without the fact of removal avails nothing; neither does the fact of removal without the intention.

2379. (Sec. 108.) The term of residence must be computed by including the day on which the person's residence commenced, and by excluding the day of election.

2380. (Sec. 109.) Before administering an oath to a person touching his place of residence, the inspector must, if requested by any person, read to the person challenged the rules prescribed herein.

2381. (Sec. 110.) The board must cause one of the clerks to keep a list, showing:

1. The names of all persons challenged.
2. The grounds of such challenges.
3. The determination of the board upon the challenge.

CHAPTER X.

Canvassing and Returning the Vote.

2382. (Sec. 111.) As soon as the polls are finally closed the judges must immediately proceed to canvass the votes given at such election. The canvass must be public, in the presence of bystanders, and must be continued without adjournment until completed and the result thereof is declared.

2383. (Sec. 112.) The canvass must be commenced by taking out of the box ballots unopened (except so far as to ascertain whether each ballot is single), and counting the same to ascertain whether the number of ballots corresponds with the number of names on the list of voters kept by the clerk.

2384. (Sec. 113.) If two or more separate ballots are found so folded together as to present the appearance of a single ballot they must be laid aside until the count is completed, then, if upon comparison of the count with the number of names of electors on the lists which have been kept by the clerks, it appears that the two ballots thus folded together were cast by one elector, they must be destroyed.

2385. (Sec. 114.) If the ballots in the box are still found to exceed in number the names on the lists, they must be replaced in the box and one of the judges must publicly, and without looking in the box, draw out therefrom, singly, and destroy, unopened, a number of ballots equal to such excess, and the board of election must record on the poll list the number of ballots destroyed.

2386. (Sec. 115.) The number of ballots agreeing or being thus made to agree with the number of names on the list, the lists must be signed by the members of the board and attested by the clerks, and the number of names thereon must be set down in words and figures at the foot of each list; and over the signatures of the judges and the attestation of the clerks, substantially in the form prescribed in Chapter Nine of this title.

2387. (Sec. 116.) After the lists are thus signed, the board must proceed to count and ascertain the number of votes cast for each person voted for. The ballots must be taken out and opened by one of the members of the board, and the ticket must be distinctly read.

2388. (Sec. 117.) Each clerk must write down each office to be filled, and the name of each person voted to fill such office, and to keep the number of votes by tallies as they are read aloud.

2389. (Sec. 118.) The tickets, as soon as read, or rejected for illegality, must be

strung on a string by one of the judges, and must not thereafter be examined by any person, but must, as soon as all are counted, be carefully sealed in a strong envelope, each member of the board writing his name across the seal.

2390. (Sec. 119.) As soon as all the votes are counted and the tickets sealed up, lists must be attached to the tally lists containing the names of each candidate, the number being written at full length, and such lists must be signed by the members of the board and attested by the clerks, substantially in the form given in Chapter Eight of this title.

2391. (Sec. 120.) The board must, before it adjourns, inclose in a cover, and seal upon and direct to the clerk of the Board of Supervisors, the copy of the register upon which one of the judges marked the word "voted" as the ballots were received, one of the lists of the persons challenged, one copy of the list of voters, and one of the tally lists and list attached thereto.

2392. (Sec. 121.) The inspector must retain, open to the inspection of all electors, for at least six months, the other list of voters, tally list and list attached thereto.

2393. (Sec. 122.) The sealed packages containing the register, lists, papers and ballots must, before the board adjourns, be delivered to one of its number, to be determined by lot, unless otherwise agreed upon.

2394. (Sec. 123.) The member to whom such packages are delivered must, without delay deliver such packages, without their having been opened, to the clerk of the Board of Supervisors at his office, nearest postmaster or sworn express agent, who shall endorse on such package the name of the party delivering them, and date of such delivery. If delivered to a postmaster or express agent, such postmaster or express agent shall forward the package by the first mail or express to the county seat.

CHAPTER XIV.

Contesting Elections.

2415. (Sec. 144.) Any elector of a county, city, or any political subdivision of either may contest the right of any person declared elected to an office to be exercised therein for any of the following reasons:

1. For malconduct on the part of the board of judges or of any members thereof, or on the part of the board of canvassers, or any member thereof.
2. When the person whose right to the office is contested was not, at the time of the election, eligible to such office.
3. When the person whose right is contested has given to any elector or inspector, judge or clerk of the election any bribe or reward, or has offered any such bribe or reward, for the purpose of procuring his election, or has committed any other offense against the elective franchise defined in Title Four, Part I, of the penal code.
4. On account of illegal votes.

2416. (Sec. 145.) No irregularity or improper conduct in the proceedings of the judges, or any of them, is such malconduct as avoids an election, unless the irregularity or improper conduct is such as to procure the person whose right to the office is contested to be declared elected when he has not received the highest number of legal votes.

2417. (Sec. 146.) When any election held for an office exercised in and for a county is contested on account of any malconduct on the part of the board of judges of any election, or any member thereof, the election cannot be annulled and set aside upon any proof thereof, unless the rejection of the vote of such precinct would change the result as to such office in the remaining vote of the county.

2418. (Sec. 147.) Nothing in the fourth ground of contest specified in Section 144 of this chapter is to be so construed as to authorize an election to be set aside on account of illegal votes, unless it shall appear that a number of illegal votes have been given to the person whose right to the office is contested, which, if taken from him, would reduce the number of his legal votes below the number of votes given to some other person for the same office after deducting therefrom the illegal votes which may be shown to have been given to such other person.

REGISTRATION AND ELECTION LAWS

2419. (Sec. 148.) When an elector contests the right of any person declared elected to such office, he must, within forty days after the return day of the election, file with the clerk of the district court a written statement, setting forth specifically:

1. The name of the party contesting such election, and that he is an elector of the district, county or precinct, as the case may be, in which such election was held.
2. The name of the person whose right to the office is contested.
3. The office.
4. The particular ground of such contest.

Which statement must be verified by the affidavit of the contesting party, that the matter and things therein contained are true as he verily believes.

2420. (Sec. 149.) When the reception of illegal votes is alleged as a cause of contest, it is sufficient to state, generally, that in one or more specified precincts, illegal votes were given to the person whose election is contested, which, if taken from him, will reduce the number of his legal votes below the number of legal votes given to some other person for the same office; but no testimony can be received of any illegal votes unless the party contesting such election shall deliver to the opposite party, at least three days before such trial, a written list of the number of illegal votes, and by whom given, which he intends to prove on such trial; and no testimony shall be received of any illegal votes except such as are specified in such list.

2421. (Sec. 150.) No statement of the grounds of the contest will be rejected, nor the proceedings dismissed, by any court for want of form, if the grounds of contest are alleged with such certainty as will advise the defendant of the particular proceedings or cause for which such election is contested.

2422. (Sec. 151.) Upon the statement being filed the clerk of the district court must inform the judge of the district court, who must give notice and order a special term of court, to be held at the court house of the proper county, on some day to be named by him, not less than ten nor more than twenty days, from the date of such notice, to hear and determine such contested election.

2423. (Sec. 152.) Said clerk must also, at the same time, issue a citation for the person whose right to the office is contested to appear at the time and place specified in said notice, which citation must be delivered to the sheriff, and be served upon the party in person, or, if he cannot be found, by leaving a copy thereof at the house where he last resided, or, if the sheriff is a party to the proceedings, a coroner may serve the citation.

2424. (Sec. 153.) The clerk must issue subpoenas for witnesses at the request of either party, which must be served as other subpoenas, and the district court has full power to issue attachments to compel the attendance of witnesses who have been subpoenaed to attend.

2425. (Sec. 154.) The court must meet at the time and place designated to determine such contested election, and shall have all the powers necessary to the determination thereof. It may adjourn from day to day until such trial is ended, and may also continue the trial, before its commencement, for any time not exceeding twenty days, for good cause shown by either party upon affidavit, at the cost of the party applying for such continuance.

2426. (Sec. 155.) The court must be governed, in the trial and determination of such contested election, by the rules of law and evidence governing the determination of questions of law and fact, so far as the same may be applicable, and may dismiss the proceedings if the statement of the cause or causes of contest is insufficient, or for want of prosecution; after hearing the proofs and allegations of the parties the court must pronounce judgment in the premises, either confirming or annulling and setting aside such election.

2427. (Sec. 156.) If in any such case it appears that another person than the one returned has the highest number of votes, the court must declare such person elected.

2428. (Sec. 157.) The clerk, sheriff and witnesses shall receive respectively the same fees from the party against whom judgment is given as are allowed for similar services in the district court.

2429. (Sec. 158.) If the proceedings are dismissed for insufficiency or want of prosecution, or the election is by the court confirmed, judgment must be rendered against the party contesting such election, for costs, in favor of the party whose election was contested, but if the election is annulled and set aside, judgment for costs must be rendered against the party whose election was contested, in favor of the party contesting the same. Primarily each party is liable for the costs created by himself, to the officers and witnesses entitled thereto, which may be collected in the same manner as similar costs are collected in the district court.

2430. (Sec. 159.) Except as otherwise provided in this chapter, the code of civil procedure and laws relating to the practice in civil actions are applicable to and constitute the rules of practice in the proceedings mentioned in this chapter.

2431. (Sec. 160.) Either party may move for a new trial and appeal to the supreme court of this State in the same manner as is provided for new trials and appeals in civil actions, except as is in this chapter provided, but no motion for new trial or appeal shall operate as, nor shall the court grant a stay of proceedings upon the judgment, unless such court at the same time grants a new trial.

2432. (Sec. 161.) Whenever an election is annulled or set aside by a judgment of the district court and ten days have elapsed and no motion for a new trial, or no appeal has been taken, the certificate of election or commission, if any has issued, is void and the office is vacant.

2433. (Sec. 162.) Where by a judgment of a court in a proceeding for contesting an election, it is adjudged or decreed that one of the parties to such proceedings is entitled to an office, and the opposing party moves for a new trial or appeals, the successful party, before he shall be entitled to receive any salary or compensation from the county for his services, shall execute to the county a bond, joint and several in form, in the amount of salary attached to such office during the term thereof, with two or more sufficient sureties, to be approved by the chairman of the Board of Supervisors, to the effect, that if on appeal or any new trial he be adjudged or decreed to be not entitled to such office, he will refund to the treasurer of the county any money he may have received from the county as compensation or salary for his services, rendered as such officer during the term of office contested, together with the costs of any suit which may be brought on such bond.

2434. (Sec. 163.) When the proceeding has been finally determined upon appeal or otherwise and there is no further new trial or appeal, if the party executing the bond provided for in the last preceding section shall have been finally adjudged not to be entitled to the office, he shall repay and refund to the treasurer of the county the amount of compensation or salary which he may have received during the contested term of office as such officer, or if within ten days of such final determination he fails so to do, then the Board of Supervisors shall cause an action to be commenced by the district attorney in the name of the county against the principal and sureties on the bond provided for in Section 162 of this chapter, to recover the compensation and salary paid to such officer during office the salary and compensation repaid or refunded to the county treasurer by the officer who was finally adjudged not entitled to the office, or which may be collected upon the bond executed by such officer as provided in the last preceding section, shall be paid to the person thus finally adjudged to be entitled to the office.

2435. (Sec. 164.) The last three sections shall apply to city and village officers as well as to county officers; and in the case of cities or villages the bonds given shall run to the city or village and the suit, if one is brought, shall be brought by the obligee in the bond. The provision in this chapter relating to contesting elections shall apply to contests of school elections so far as applicable.

REGISTRATION AND ELECTION LAWS

FORMS TO BE USED UNDER THE LAWS OF THE STATE OF ARIZONA
REGULATING PRIMARY ELECTIONS.

I.

Notice of the Secretary of State to Boards of Supervisors of Offices for Which Candidates Are to Be Nominated at Primary Elections.

To the Board of Supervisors ofCounty:

You will please take notice that at the Primary Election to be held on theday ofA. D. 19.....
Candidates for the following offices are to be nominated:

.....
.....
.....

Dated at Phoenix, Arizona, thisday ofA. D. 19.....
(Sec 2, Ch. 84 Laws 1912, S. S., H. B. 68, S. S. 1912.)

.....
Secretary of State.

III.

Sheriff's Publication of Notice of Primary Election.
Notice of Primary Election.

Notice is hereby given that a Primary Election will be held on theday ofA. D. 19.....atwithin this precinct.

At said Primary Election to be held on the date aforesaid Candidates for the following offices will be nominated:

.....
.....
.....

Notice is further given that the following persons constitute the Primary Boards:

.....
.....
.....

Dated atArizona, thisday ofA. D. 1912.

.....
Sheriff ofCounty.

(Sec. 2, Ch. 84, Laws 1912, S. S. H. B. 68, S. S. 1912.)

IV.

Candidate's Nomination Petition.

To the Honorable (State name of Officer):

You are hereby notified that I, the undersigned, am a Candidate for the office of
.....subject to the action of the
.....
Party, at the Primary Election to be held on theday of
A. D. 19....., and the election to be held on the.....day of
A. D. 19....., should I be nominated.

I am a resident of.....and my postoffice is.....

Dated atthis.....day of.....A. D. 19.....

(Sec. 3, Ch. 84, Laws of 1912; S. S., H. B. 68, S. S., 1912.)

V.

Candidate's Nomination Paper.

I, the undersigned, a qualified elector of the.....
precinct, of the County of..... State of Arizona, and
a member of the party, hereby nominate.....
who resides at.....in the County of.....for
the party nomination for the office of.....to
be voted for at the Primary Election to be held on the.....day of.....

.....A. D. 19.....and representing the
principles of said party, and I further declare that I have not signed and will not sign
any nomination paper for any other person for said office (or in case said Candidate is
a Candidate for a position for which more than one Candidate is to be elected, for more
than the number of Candidates necessary to fill all of said offices at the next ensuing
election.)

(Heading in case of Cities.)

Name of Signers. Date of Signing. Name of City. Street Number.

(Heading in case of Precincts.)

Name of Signers. Postoffice. Date of Signing.

.....
.....
.....
.....
.....

STATE OF ARIZONA, }
County of..... } ss

.....upon his oath, first being duly
sworn deposes and says that he is a qualified elector of.....
County and.....precinct of the State of Arizona; that to

REGISTRATION AND ELECTION LAWS

the best of my knowledge and belief all the signers of this nomination paper are qualified electors of the precinct which they gave as their residence, and that each signer is a member of the party the nomination of which the Candidate whose name appears on such paper is seeking.

Subscribed and sworn to before me this.....day of.....A. D. 19.....

Notary Public in and for.....County.

My Commission expires.....19.....
(Sec. 4, Ch. 84 Laws 1912, S. S., H. B. 68 S. S. 1912.)

VI.

Petition for Recognition of New Party Upon Official Ballots.

To the (state name of officer):

We, the undersigned, constituting two per centum of the vote cast for Governor at the last preceding General Election in at least each of five counties of the State, (or three per centum of vote of County Attorney, or Mayor, as the case may be, distributed throughout at least one-fourth of the election precincts of such county, city or town), the certification of which is hereafter made by the affidavit of ten well known reputable and qualified electors of the State (or county, city or town, as the case may

be), petition you to place the name of the.....party upon the ballots at the ensuing Primary Election and succeeding General Election.

Name of Signers.	County Residence.	Date of Signing.
.....
.....
.....
.....
.....

STATE OF ARIZONA, }
County of..... } ss.

We, the undersigned, qualified electors of the State of Arizona, first upon our oaths being duly sworn, do hereby certify that this petition is signed by at least two per centum of the votes cast for Governor of the State at the last General Election in at least five counties of the State (if for county, city or town state percentage as designated above).

- (1).....
- (2).....
- (3).....
- (4).....
- (5).....
- (6).....
- (7).....
- (8).....
- (9).....
- (10).....

Subscribed and sworn to before me this.....day of.....A. D. 19.....

Notary Public in and for.....County.

My Commission expires.....19.....

(Sec. 7, Ch. 84, Laws 1912, S. S., H. B. 68 S. S. 1912.)

VIII.

Appointment of Party Agent or Representative and Alternate to Act as Challenger by Precinct Committeeman of Respective Parties.

To the Clerk of the.....:

Notice is hereby given that the undersigned precinct committeeman for.....precinct appoint..... and....., as alternate, to act as challenger at the next ensuing election.

Dated this.....day of.....A. D. 19.....

(Sec. 8-B, Ch. 84, Laws 1912, S. S., H. B. 68 S. S., 1912.)

X.

Appointment by Precinct Committeeman of Agent to Represent Him at Polling Booth During Canvass and Return of Vote at Primary Election.

To the Clerk of.....:

Notice is hereby given that I, the undersigned, a precinct committeeman of.....precinct, hereby nominate and appoint....., a resident elector of my precinct and member of my party, to act as my agent and in my stead at the canvass and return of the vote at the Primary Election to be held on the.....date of.....A. D. 19.....

Dated this.....day of.....A. D. 19.....

(Sec. 8 B, Ch. 84 Laws 1912, S. S., H. B. 68 S. S. 1912.)

XI.

Election Board's Certification of Returns of Primary Election.

We, the undersigned, constituting the election board of.....(precinct or ward), hereby certify that the following persons were voted for at the Primary Election held on the.....day of.....A. D. 19....., for the offices set after their names, and received the number of votes set after their names.

Name of Candidate.	Office Ran for	Votes Received.
.....
.....
.....

REGISTRATION AND ELECTION LAWS

.....

.....

..... Inspector.

..... Judge.

..... Judge.

..... Clerk.

..... Clerk.

(Sec. 14 Ch. 84, Laws 1912, S. S., H. B. 68 S. S. 1912.)

XII.

Certificate of Nomination.

This is to certify that..... a Candidate for
 on the ticket received
 the largest number of votes at the Primary Election held on the..... day
 of..... A. D. 19....., which thereby entitles him to have his
 name placed upon the ticket of said party as its nominee at the next ensuing election.
 Dated at..... this..... day of..... A. D. 19.....

.....
 Clerk of.....
 (Sec. 14 Cr. 84, Laws 1912, S. S., H. B. 68 S. S. 1912.)

XIII.

Candidate's Statement of Person or Persons by, or Through Whom He Has Expended or Propose to Expend Moneys Defraying Primary Campaign Expenses.

To the (designate proper officer):

You are hereby notified that the following named persons have or will expend moneys in defraying the expenses of my campaign for..... at the Primary Election to be held on the..... day of..... A. D. 19.....

Name.	Postoffice Address.
.....
.....
.....
.....

Dated this..... day of..... A. D. 19.....

(Secs. 18 and 19, Ch. 84, Laws 1912, S. S. H. B. 68 S. S. 1912.)

XIV.

Candidate's Statement That He Has Not Authorized to Expend Any Money or Other Things of Value in Primary Campaign.

To the (designate proper officer):

You are hereby notified that I shall not authorize any person or persons to expend any money or other things of value for me in my campaign for..... at the Primary Election to be held on the.....day of..... A. D. 19.....

Dated this.....day of.....A. D. 19.....

(Secs. 18 and 19 Ch. 84 Laws 1912, S. S., H. B. 68 S. S. 1912.)

XV.

Form to Be Used by Candidate Certifying His Expenses, Etc., in Primary Campaign.

STATE OF ARIZONA,

County of..... } ss

I,.....who was a candidate for the nomination as the.....party's candidate for.....

.....in the primary election held on the.....day

of.....A. D. 19....., first being duly sworn, deposes and say that the itemized statement hereto attached, contains each and every item of money, or other thing of value, which I paid, or expended, or which I promised to pay, or expend, inclusive of all treats, presents, favors, or other things which cost money or for which I have obligated myself to pay, for the purpose of aiding or advancing my candidacy, directly or indirectly; it includes all such money or other things of value as above enumerated whose itemized report is not attached hereto; I know of absolutely no expenditures, within the contemplation, spirit, or meaning of this Act, which was made for the purpose of directly or indirectly influencing or aiding or advancing my interests as a candidate, which is not included either in this report or that of those accompanying it, and, I believe no such expenditures have been made except as herein reported.

Itemization of Expenditures.

.....
.....
.....
.....

Dated this.....day of.....A. D. 19.....

Subscribed and sworn to before me this.....day of.....

A. D. 19.....

Notary Public in and for.....County.

My Commission expires.....19.....

(Sec. 19, Ch. 84, Laws 1912, S. S. H. B. 68 S. S. 1912.)

REGISTRATION AND ELECTION LAWS

XVI.

Form of Report of Campaign Committee.

STATE OF ARIZONA, }
County of..... } ss.

To (designate proper officer):

We, the undersigned campaign committee, who managed the Primary campaign held on the.....day of.....A. D. 19....., for (state whether for particular candidate or candidates or for political party), first being duly sworn, depose and say that the itemized statement hereunto attached, contains each and every item of money, or other things of value, which the campaign committee paid, expended, or which we promised to pay, or expend, inclusive of all treats, presents, favors or other things which cost money or for which it obligated itself to pay for the purpose of aiding or advancing (state whether individual candidate or candidates or political party).

Such statement includes all money or other things of value as above enumerated, whose itemized report is not attached hereto.

We know of absolutely no expenditure within the contemplation, spirit or meaning of this Act, which was made for the purpose of directly or indirectly influencing or aiding or advancing the interests of any candidate or the party represented by this committee, which is not included in this report, or that of those accompanying it, and, we believe that no such expenditures have been made except as herein reported.

Itemization of Expenditures.

.....
.....
.....
.....
.....
.....

Dated this.....day of.....A. D. 19.....

..... Chairman.
..... Secretary.
..... Secretary.

Subscribed and sworn to before me this.....day of.....
A. D. 19.....

..... Notary Public in and for..... County.

My Commission expires.....19.....

(NOTE.—If there be no treasurer of such campaign committee the above affidavit should so state. If no other person than those who signed the affidavit expended money for the committee, the affidavit should also state that fact.)