

PERRY DIRECT PRIMARY BILL

(Continued from Page 11.)

At the preceding general election, was represented on the official ballot by regular party candidates may, upon complying with the provisions of this act, have a separate primary election ballot as a political party if any of its candidates for state officers received at least three per centum of the total vote cast for the office at the last preceding general election, or if such organization has, in the manner hereinbefore provided, voted to conform to the provisions of this act.

Sec. 6. Nomination Papers. Where filed. All nomination papers shall be filed as follows: For members of the United States senate, and representative in congress, in the office of the secretary of the state. For sheriff and state senator, in the office of the clerk of their county. For representatives in the general assembly, in the office of the clerk of the town to be represented. For judge of probate, in the office of the clerk of the town in which the probate records of the district are then kept. For city and borough officers, in the office of the city or borough clerk.

Sec. 7. Publication of Names of Candidates. At least eighteen days before any October primary, the secretary of the state shall mail to the clerk of each county a list containing the name and post office address of each person for whom the requisite nomination papers have been filed in the secretary's office and who is to be voted for within that county, together with a designation of the office for which he is a candidate, and the party he represents. Such clerk shall, upon receipt thereof, add thereunder the proper party and office designations, the names and addresses of all persons for whom the requisite nomination papers have been filed with him and mail, forthwith, copies of such entire list to each town clerk in his county, so far as it is applicable to that town, and such town clerk shall immediately post copies of the same in at least three public places in each precinct in his town, after adding to it the names of all candidates for whom the requisite nomination papers have been filed with him and the names of all candidates for judge of probate in his district. The clerk of each city or borough shall prepare a list arranged under the names of the parties and offices of all persons for whom the requisite nomination papers for a city or borough primary have been so filed, and shall post a copy thereof, at least five days before the city or borough primary, in at least three public places in each precinct in his city or borough.

Sec. 8. Publication of Notice. Every publication required by this act shall be made in not less than two, and not more than four newspapers having a general circulation in the territory served by the officer making the publication. One of such newspapers shall represent the political party which cast the largest vote in such territory at the preceding general election. In any case where the publication of a notice cannot be made as hereinbefore required, it may be made in any newspaper having a general circulation in the locality which the notice affects.

Sec. 9. Official Ballots. Official ballots for October primaries shall be printed and provided by the secretary of the state, and shall be printed in each precinct in the form prescribed herein, and illustrated at the end of this section, upon the order of and upon information furnished by the clerk of the respective towns, and said town clerks or assistant town clerks shall give such information and orders at least fourteen days before the primary election. The ballots for each party shall be printed on paper of a different color or tint from that of any other party, but every ballot shall be printed on white paper. One hundred and twenty-five ballots shall be provided for each one hundred registered party electors. At the top of the ballot shall be printed the name of the party without the word "party" and under the same the words "Official Primary Ballot." Underneath said words shall be printed the name of the political subdivision in which it is used, and next below that shall appear these instructions: "To vote, make a cross mark in the square to the left of as many names for each office as is indicated opposite the title of that office. To vote for a person not on the ticket, write or paste his name in the blank space below the names of the candidates for that office." Below this the ticket shall be printed in parallel columns, if more than one column is believed by the secretary of the state to be desirable. In these columns, under the proper headings shall be printed for the respective offices the names of all candidates of the party for whom nomination papers have been filed. The title of the office shall be immediately above the names of the candidates but in different type and to the right of the title shall be printed the words "vote for one," "vote for two," or "vote for three," and so forth, as the case may be. The names of the candidates for each office shall be separated by a light-faced rule with a square at the left of the name and a blank space below the names for written or pasted votes, and the spaces devoted to the several offices shall be clearly separated by a black-faced rule. The columns shall be separated by a black line about one-sixth of an inch wide. The names under the office designations, where there are more than one candidate, shall be alternated in the printing, so that in the entire number printed each shall appear nearly by as many as a possible number of times at top, at the bottom, and in each intermediate place, if any, and the ballots, when sent to the town clerks, shall be in sealed packages containing not more than one hundred each and shall be so assorted in the packages that two ballots pointed with a similar order of names will not come together. When the packages have been made up for sealing one ballot shall be taken out, stamped in large letters with the words "primary" and securely fastened around the package after it is sealed. This ballot shall be used by the town clerk to ascertain whether the ballots in the package are in proper form. These packages shall be delivered by the town clerk or by his direction, to the ballot booth tenders, and shall not be unsealed or opened until five minutes before the polls are opened. At least two ballot booth tenders of different parties shall have charge of the ballots in each booth, and they shall not deliver any ballots to any person until the polls are opened, and then only to a duly qualified elector who calls for a party ballot in the manner hereinafter prescribed. The secretary of

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the state shall determine the type to be used and any other detail with reference to the ballots, not prescribed by this act. He shall print, for each party, at least twenty-five duplicate, but not more than fifty, copies of the official ballot on white paper for inspection, and send the same to each town clerk with the official ballots, and the town clerk shall post one of each kind forthwith in his office and four of each kind in prominent positions about the polling place on the date of the primary election and deliver the remainder to the local chairman of the party whose ballots they are. Ballots for use at city or borough primaries shall be similarly printed, arranged, and delivered by the city or borough clerk, and shall be given to and used by electors only as is provided in the case of other primaries. A sample ballot in the form above described will be found elsewhere in this issue.

Sec. 10. Who May Vote. Only those persons shall be entitled to vote at any primary who are qualified electors residing in the precinct and duly registered therein at the last general election, or at the date of the primary. Every registered elector who desires to vote at a primary shall, in person or by writing signed by him, request that his name be entered on the list of the party with which he proposes to affiliate. This request shall be made, at least six days before the primary at which he is to vote, to one or more of the registrars of the precinct in which he has jurisdiction in the precinct in which he is registered. If he has been made an elector within less than sixty days before the primary, his name shall be put upon the party list of his choice as stated by him when he is so made an elector. When an elector's name has been placed, as aforesaid, upon a party list, it may be removed therefrom and placed upon some other party list at his request, which request shall be made in person or by writing as before; but when his name has been so removed or transferred he shall not vote at any primary held within ninety days thereafter. Party lists of the electors who have declared their political affiliation as aforesaid shall be prepared by the registrars and furnished to the ballot booth tenders of the precinct in which they are registered for use at every primary election. When an elector removes from one precinct to another and is registered in the latter, his name shall also be placed upon the same party list as in the precinct from which he removed, if requested by him, and may be put there without his request.

Sec. 11. Method of Voting. When an elector desires to vote at a primary he shall demand from the ballot booth tenders a primary ballot of the party with which he wishes to affiliate, and when his name has been found thereon and checked, he shall receive one ballot of such party, but otherwise he shall not receive or vote a primary ballot. When an elector has received a primary ballot as aforesaid he shall proceed with it directly to a voting booth, mark it, fold it so as to conceal the markings and deliver it to the tender of a box to be provided for primary ballots, which shall be used for that purpose alone and marked "primary." The tender of the box shall, without looking at the markings on the ballot, deposit it in the box after the name is checked. No elector shall receive more than one primary ballot, but if he so defaces or injures it as to render it unfit for use he may deliver it to the moderator to be destroyed, and after satisfying the ballot booth tenders of that fact receive another. If he does not wish to vote in regular course the ballot which he receives he shall likewise return it to the moderator to be destroyed. An elector may write or paste a name in any of the blanks left

for that purpose, instead of marking opposite one of the printed names, and the name so written or pasted shall then be counted, but shall only be counted toward a nomination for the official ballot at the ensuing election of the party on whose primary ballot it appears even if it be a name printed on the primary ballot of some other party for the same office. If too many names are voted for for any office, none of them shall be counted.

Sec. 12. Voting Machines. In municipalities which use voting machines such machines may be used for primary purposes instead of the method of balloting prescribed by this act, provided the municipality has expressed a desire to so use them at a meeting duly warned for the purpose and provided further that the board of voting machine commissioners has certified to the secretary of the state that the method of voting to be used on said machines will prevent the electors of one party from voting for the nominees of another as effectively as the method prescribed by this act in the case of balloting.

Sec. 13. Expenses of Primary, How Paid. The cost of all ballots and blanks to be used at any October primary, together with the cost of delivering them to the towns, shall be paid by the state, and in the case of city or borough primaries by the city or borough. All expenses of the county clerk made necessary by this act shall be paid by the county. All other expenses lawfully incurred, except expenses incident to obtaining nomination papers, shall be paid from the same treasury as the expenses of the ensuing election.

Sec. 14. Polls Open, How Long. The polls at primaries shall be open during the same hours as for any town and municipal election which is being held on the same day, or, if no town or municipal election is being held on that day, then the polls shall be open from six-thirty o'clock in the morning until five o'clock in the afternoon.

Sec. 15. The Local Canvass. The local canvass of votes cast at any primary shall, except as herein otherwise provided, be made in the same manner and by officers appointed in the same way as the canvass of an election. Any returns required to be made to the secretary of the state shall be made on the day following the primary.

Sec. 16. The State Canvass. The state board of canvassers provided to canvass the return of a general election shall constitute the corresponding board of canvassers for October primaries, and all the provisions of law relating to the canvass of the returns of a general election shall, so far as applicable and unless modified by this act, apply mutatis mutandis to the canvass, return, and certification to the secretary of the state of such primary. The canvassers shall meet for this purpose at ten o'clock in the forenoon on the Friday following the October primary.

Sec. 17. The City or Borough Canvass. The canvass of the returns of a city or borough primary shall be made by the mayor, the clerk, and the treasurer of such city or the warden, clerk, and treasurer of such borough, any two of whom shall constitute a quorum. Such board of canvassers shall meet at eleven o'clock in the forenoon of the day following the primary and canvass the vote. They shall make and certify duplicate returns as to the votes cast for each candidate and forthwith file one of them with the municipal clerk.

after the decision is rendered and such an appeal is determined within one week after it is taken.

Sec. 19. Decisions by Pluralities. The person, or, if more than one person is to be elected to the office, the number of persons for whom one elector may vote at the ensuing election, receiving the greatest number of votes at a primary as the candidate or candidates of a party for an office shall be the candidate or candidates of that party for such office, and his or their name or names and no other as such candidate or candidates shall be printed on the official ballots of that party at the following election for such office, provided such person received at least thirty per centum of all the primary votes cast for the office in question on the party ticket on which he ran. If no person received the percentage of votes aforesaid or if a person nominated for any office dies before the election, or if no candidates or not enough candidates filed the requisite nomination papers for any office, the vacancy so created may be filled by any method prescribed by the state central committee of the party on the ticket on which the vacancy occurs.

Sec. 20. In case of a failure to nominate by reason of two or more persons having the same number of votes the canvassers shall decide between them by lot. It shall be the duty of the secretary of the state and the attorney-general before January 1, 1914, to prepare all forms necessary to carry out the provisions of this act, which forms shall be submitted to the secretary of the state and held in pursuance hereof. Such forms shall be printed, with copies of this act, for public use and distribution.

Sec. 21. General Election Laws to Apply. The provisions of the general statutes in relation to the officers at the polls, the soliciting of votes, the challenging of voters, the manner of conducting elections, the counting of the ballots and making returns thereof, and all other kindred subjects, including all statutes relating to corrupt practices at elections, shall, mutatis mutandis, apply to all primaries in so far as they are or shall be consistent with this act, the intent of this section being to place primaries to that extent always under the regulation and protection of the laws relating to elections.

Sec. 22. Nomination by Petition. Nominations of candidates to be voted for by all the electors of the state may be made by nomination papers, stating as to each his name, his residence, the office for which he is nominated, and, if desired, the political principles which he represents expressed in not more than twelve words, which papers shall be signed, and shall be printed on one piece of paper, of whom at least fifty shall reside in each county. Nominations of all other candidates for offices to be filled at a general or a city or borough election may be made by like nomination papers signed in the aggregate for each candidate by one elector for every fifty voters in each county, or by the governor at the preceding state election to which the office pertains, but in no case by less than fifty electors, except that in the case of candidates for city or borough offices the governing vote shall be the entire vote last cast for mayor or warden. Every elector who signs a nomination paper as aforesaid shall sign it in person with his surname and Christian name and the initial of every other name which he has, and shall add his residence as to the voter, and the residence to which the office in question pertains. Every elector may sign as many nomination papers for each

office to be filled as there are persons to be elected thereto for whom one elector may vote, and no more. One of the signers of each nomination paper, or some other elector residing in the district, shall make oath to the genuineness of the signatures thereon, and to the fact that the names of the signers appear on the last registry list of the precinct of their residence, a certificate of which oath shall be indorsed on said paper or attached to it. Nomination papers, after being perfected as aforesaid, shall be filed, if for any candidate to be voted for by all the electors of the state or for representative in congress, with the secretary of the state, at least ten days before the election; if for a state senator or sheriff, with the county clerk of the county, at least ten days before the election; if for a judge of probate, with the clerk of the town in which the records of the district are kept, at least seven days before the election; if for a representative in congress, with the city or borough clerk, at least seven days before the election. The names of candidates for whom nomination papers have been filed as aforesaid may be printed on an official ballot for the ensuing election under the appropriate office title and under the principal caption of "Nominated by Petition," but with no words or words on the ballot indicating a

political party. No person whose name has been printed with his knowledge and consent on an official primary ballot may be nominated by petition, to be voted for at the ensuing election for the same office, but the name of any person who has been nominated at the preceding primary for an office for which no nomination has been made by petition shall be printed under the appropriate office title on the "Nominated by Petition" official ballot as aforesaid, at the written request of a majority of the candidates nominated by petition thereon, which request shall be filed with the secretary of the state before the election. If petitions are filed for the nomination of more than one person for the same office when only one person is to be elected to such office, only the name of that person on whose nomination papers the greatest number of properly authenticated signatures appears shall be printed on the official ballot, which fact shall be determined by the official with whom the petitions are filed.

Sec. 23. Cities and Boroughs May Withdraw. After this act has taken effect any city or borough may, by the affirmative vote of a majority of the electors voting at a meeting duly warned for the purpose, exempt itself from the provisions hereof relative to the nomination of city and borough officers and may thereafter in the same way subject itself to them again, but no city or borough shall so exempt itself more than one time.

Sec. 24. Any person who shall offer or, with knowledge of the same, permit any person to offer for his benefit any bribe or promise of gain to an elector to induce him to sign any nomination paper whether for a primary or an election, shall be fined not less than twenty-five nor more than five hundred dollars, or imprisoned not less than ten days nor more than six months, or both. Any act declared an offense by the general statutes concerning caucuses and elections shall also, in like cases, be an offense in connection with all primaries, and shall be punished in the same manner, and all provisions of the law declaring such offense shall, except as herein provided, apply in the case of primaries to the same extent as though fully set forth in this act. Any person who shall write any name except his own as a signer to a nomination paper, whether for a primary or election, shall be deemed guilty of forgery and punished accordingly. Any person who, being in possession of nomination papers, entitled to be filed, shall willfully suppress the same or neglect or fail to cause the same to be filed at the proper time in the proper office, and any town clerk, registrar, or other person who shall willfully perform wrongly any duty or act imposed upon him by this act or shall do anything forbidden by it shall be fined not more than five hundred dollars, or imprisoned (Continued on Page 14.)

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