

## ORDINANCE NUMBER 17.

An Ordinance to provide for the holding of elections within the City of Polson, and providing rules and regulations governing the same.

Be it ordained by the City Council of the City of Polson.

Section 1.- General Election; When to be Held.--The time of holding the general election for the City of Polson shall be on the first Monday in April in each year. *Jan 2*

Section 2.- Special Elections; When Held.--Special elections are such as are held when ordered by the City Council, when the approval of the electors or tax-payers electors is necessary for any matter that is required by law to be submitted to them. At an election by the tax-payers of the city, female tax-payers having the other necessary qualifications of an elector may vote when duly registered.

Section 3.- Notice of Election.--The City Clerk must, not less than ten days prior to any election post five copies of a notice of election in each ward in the city. Such notice shall contain a statement of the time of election, the offices to be filled and the questions and matters to be submitted to the electors at such election.

Section 4.- Plurality to Elect Exception.-- The person receiving at any election the highest number of votes for any office to be filled at such election, is elected thereto. On a question submitted to the electors, a majority of the votes cast carries the question, except when a greater proportion of votes cast is required by law in an election by the taxpayers; when such proportion of the votes cast must be in approval thereof to carry the question.

Section 5.- Compensation of Judges and Clerks.-- The compensation of the judges and clerks of election shall be three dollars per day of eight hours. All time over eight hours to be accounted as one day, and must be audited by the City Council and paid out of the city treasury.

Section 6.- Books and Blanks Furnished by City.-- The necessary printed blanks for poll lists, tally lists, lists of electors, tickets and returns, with envelopes to enclose the returns, pens, ink and pencils, must be furnished by the City

Clerk to the officers of election in each ward, before the opening of the polls, at the expense of the city. All elections shall be by ballot.

Section 7.- Election by Ballot.--

Section 8.- Qualifications of Electors.-- Every male person of the age of twenty-one years or over, possessing the following qualifications, if his name be registered as required by this Ordinance, is entitled to vote at all general and special elections, and for all officers that are now or hereafter may be elective, and upon all questions that may be submitted to the vote of the electors of the city.

First. He must be a citizen of the United States.

Second. He must have resided in the State of Montana one year.

Third. He must have resided in the City of Polson six months and in the ward thirty days immediately preceeding the election at which he offers to vote. No person convicted on a felony has the right to vote unless he has been pardoned. No idiot or insane person is entitled to vote. Upon all questions submitted to the taxpayers of the city, women who are taxpayers and possessed of the of the qualifications for the right of suffrage required of men, equally with men, have the right to vote. The payment of a tax upon property in the city, assessed therefor on a county or cityassessment roll next preceeding the election at which a question is to be submitted to the vote of the taxpayers of the city, constitutes such person a taxpayer at such election.

Section 9.- Council appoints judges and Clerks and Selects Polling Places of Election.-- At the regular meeting of the City Council prior to any city election the Council shall appoint three judges of election for each ward in the city, no more than two of whom shall be of the same political party, and if more than two organized political parties exist in the city, then the Council shall select one from each of the dominant political parties. They shall also select two clerks of election, one from each of the dominant political parties and endeavor to select such persons as are known to be quick and active in clerical work.

The City Clerk shall notify such persons of their appointment not less than ten days prior to the election. The judges and clerks continue to be judges and clerks of said ward until other judges and clerks are appointed. The Council shall, prior to any election, select polling places, one for each ward.

Section 10.- Judges and Clerks to Take Oath.-- Previous to votes being taken, the judges and clerks of election must take and subscribe the official oath. It is lawful for the judges of election, and they are hereby empowered to administer the oath of each other and to the clerks of election. Any judge or clerk of election may administer and certify oaths requiring to be administered during the progress of an election.

Section 11.- Ballot Boxes.-- There must be provided by the City Clerk a suitable ballot box with a lock and key for each ward in the city. There must be an opening in the lid of such box of no larger size than shall be sufficient to admit a single folded ballot. Before receiving the ballots the judges must, in the presence of any persons assembled at the polling place open and exhibit the ballot box and remove any contents therefrom and then close and lock the same, delivering the key to one of their number, and thereafter the ballot box 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 the polls are finally closed.

Section 12.- Instruction to Voters. -- The City Clerk must cause to be printed in large type on cards, in the English language, instructions for the guidance of electors in preparing their ballots. He must furnish six cards to the judges of election in each ward, and one additional card for each fifty registered electors, or fractional part thereof, in the ward, at the same time and in the same manner as the printed ballots. The judges of election must post not less than one of such cards in each place or compartment provided for the preparation of ballots, and not less than three of such cards elsewhere in and about polling places upon the day of election. Said cards must be printed in large, clear type, and must contain full instructions to the voters as to what should be done, viz.:-

1. To obtain ballots for voting.
2. To prepare the ballots for deposit in the ballot Boxes.

3. To obtain a new ballot in the place of the one spoiled by accident or mistake. Said card must also contain a copy of Sections 8130, 8134, 8135, 8136, 8137 and 8138 of the Penal Code. There must also be posted in each of the compartments, or booths, one of the official ballots, without the official stamp, and not less than three such ballots posted elsewhere in and about the polling places, upon the day of election.

Section 13.- Time of Opening and Closing of Polls.--

The polls must be opened at eight o'clock on the morning of election day and must be kept open continuously until six o'clock in the afternoon of said day, when the same must be closed.

Section 14. - Proclamation at Opening and Thirty

Minutes Before Closing of Polls.-- Before the judges receive any ballots, they must cause it to be proclaimed aloud at the place of election that the polls are open, and thirty minutes before the closing of the polls proclamation must be made that the polls will close in one half hour.

Section 15.- Proclamation at Closing Polls.--

When the polls are closed that fact must be proclaimed aloud at the place of election; and after such proclamation no ballots must be received.

Section 16.- City Clerk to Furnish Poll Books.--

The City Clerk must furnish to the several wards poll books substantially after the forms herein after prescribed prior to the opening of the polls.

Section 17.- Form of Poll Book.--

The following is the form of poll books to be kept in duplicate by the judges and clerks of election:-

Poll Book of Ward No.....

Number and names of electors voting.

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NO.	:	NAME	:	NO.	:	NAME	:	NO.	:	NAME	:
:	:	:	:	:	:	:	:	:	:	:	:
6	:	:	:	:	:	:	:	:	:	:	:

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The Total number of votes cast at Ward No.....

We, the undersigned, judges and clerks of an election held at Ward No....., in the City of Polson, in the State of Montana, on the .....day of ....., 19...., having first been severally



primary meeting represents, and it must be signed by the presiding officer and secretary of such convention or primary meeting, who must add to their signatures their respective places of residence, their business and business addresses. Such certificates must be delivered by the secretary or the president of such convention or primary meeting to the City Clerk, not more than thirty days or less than three days previous to the day of election.

Section 21.- Certificates of Nomination Otherwise Made.-- Candidates for public office may be nominated otherwise than by convention or primary meeting in the following manner: A certificate of nomination, containing the name of a candidate for the office to be filled, with such information as is required to be given in certificates provided for in Section \_\_\_\_\_ of this Ordinance, must be signed by electors residing within the City or ward in and for which the officer or officers are to be elected, in the following required numbers:-

The number of signatures must not be less in number than five per cent of the number of votes cast for the successful candidate for the same office at next preceding election; but the signatures need not all be appended to one-paper. Each elector signing a certificate shall add to his signature his place of residence, his business and his business address. Any such certificate may be filed as provided for in the preceding section of this Ordinance, in the manner and with the same effect as a certificate on nomination made by a party convention or primary meeting.

Section 22.- Prohibitions for Certificate.-- No certificate of nomination must contain the name of more than one candidate for each office to be filled. No person must join in nominating more than one person for each office to be filled, and no person must accept a nomination to more than one office.

Section 23.- Certificates to be Preserved.-- The City Clerk must cause to be preserved in his office for one year all certificates of nomination filed under the provisions of this Ordinance. All such certificates must be open to public inspection under proper regulations to be made by the officers with whom the same are filed.

Section 24.- Nominations to be Published.-- At least three days before an election to fill any public office the City Clerk must cause to be published in one or more newspapers within

the city the nominations to office, certified to him under the provisions of this Ordinance.

Section 25.- Nominations <sup>a</sup>My be Declined; When and How.-- Whenever any person nominated to public office, as in this Ordinance provided, shall at least two days before election, in writing, signed by him, notify the City Clerk that he declines such nomination, such nomination shall be void.

Section 26.- Vacancies; How filled.-- If any person so nominated dies before the printing of the ballot, or declines the nomination as in this Ordinance provided, or if any certificate of nomination is or becomes insufficient or inoperative from any cause, the vacancy or vacancies thus occasioned may be filled in the manner required for original nomination. If the original nomination was made by a party convention which had delegated to a committee the power to fill vacancies, such committee may, upon the occurring of such vacancies, proceed to fill the same. The chairman and secretary of such committee must thereupon make and file with the City Clerk a certificate setting forth the cause of the vacancy, the name of the person nominated, the office for which he was nominated, the name of the person for whom the new nominee is to be substituted, the fact that the committee was authorized to fill vacancies, and such further information as is required to be given in an original certificate of nomination. The certificate so made must be executed in the manner prescribed for the original certificate of nomination, and has the same force and effect as an original certificate of nomination.

Section 27.- Errors may be Corrected.-- Whenever it appears by affidavit that an error or omission has occurred in the publication of the name or description of a candidate nominated for office, or in the printing of the ballots, the district court of the county may, upon application of any elector, by order require the City Clerk to correct such error, or to show cause why such error ~~should not be corrected.~~  
~~should not be corrected.~~

Section 28.- <sup>of your</sup>Qualification of Voter at Primary Election.-- No person shall be entitled to vote at any caucus, primary meeting or election, held by any political party, except he be an elector of the city or ward within which such caucus, primary meeting or election is held, and legal resident of the city