

MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

SENATE

NO. 75

In Senate Feb. 8, 1911.

Read and on motion by Mr. Staples laid on table for printing.

W. C. HANSON, Secretary.

STATE OF MAINE

OFFICE OF SECRETARY OF STATE.

AUGUSTA, FEBRUARY 6, 1911.

To the President of the Senate and Speaker of the House:

I have the honor to herewith transmit the petitions filed in the office of the Secretary of State, February 3, 1911, signed by not less than twelve thousand electors, as provided by Section 18, Part Third of Article Four of the Constitution, proposing to the Legislature for its consideration a bill entitled: "An Act to provide for nomination of candidates of political parties by primary elections."

Very respectfully,

Your obedient servant,

CYRUS W. DAVIS,

Secretary of State.

By A.

PETITION.

To the Legislature of the State of Maine:

We, the undersigned, electors qualified to vote for Governor, hereby propose to the Legislature for its consideration the following bill:

AN ACT to provide for nomination of candidates of political parties by primary elections.

Be it enacted by the People of the State of Maine, as follows:

Section 1. All nominations of candidates for any state or 2 county office, including United States Senator, member of 3 Congress and member of the state legislature, shall hereafter 4 be made at and by primary elections to be held in accord- 5 ance with the provisions of this act. The term "political 6 parties", as used in this act, is hereby declared to mean such 7 political parties as at the gubernatorial election next preced- 8 ing any such primary election polled at least one percent of 9 the entire vote cast in the state for Governor. Nothing in 10 this act shall be construed as preventing the nominations of 11 candidates under section four of chapter six of the Revised 12 Statutes.

Sect. 2. Not less than sixty nor more than ninety days be- 2 fore the third Monday in June of each year in which a state 3 election is held biennially, the political parties aforesaid shall 4 each hold a state convention with such basis of representa- 5 tion and at such time and place and with such requisites as

6 to call thereof and notice therefor as the state committee
7 of each such political party may determine. All such state
8 conventions first to be held under this act shall be so called by
9 the appropriate state committee in office when this act shall
10 take effect. At any such state convention the political party
11 so represented shall formulate and adopt its declaration of
12 principles, or platform, for the state election then next en-
13 suing, elect a state committee, a district committee for each
14 congressional district, and a county committee for each coun-
15 ty, severally of such number and to be elected in such man-
16 ner as the convention may determine. The chairman and
17 secretary shall thereupon forthwith certify to the Secretary
18 of State the platform so adopted and the names of the mem-
19 bers of the committees so elected. Such committees shall
20 thereafterwards, as soon as reasonably practicable organize
21 by the choice of a chairman and secretary and certify such
22 organization to the Secretary of State; they may elect all
23 other officers deemed needful, hold office until their next
24 state convention hereunder, and perform such duties as may
25 be imposed upon them by their respective state conventions.
26 All vacancies for unexpired terms shall be filled by the coun-
27 ty committee of the county wherein such vacancy occurs and
28 due certificate thereof made to the Secretary of State. All
29 such state conventions may transact such other business as
30 shall not be inconsistent with the provisions of this act. All
31 State, congressional, district and county committees in office

32 when this act takes effect shall so continue in office until their
33 successors are elected hereunder.

Sect. 3. All the city, ward, town, plantation and represen-
2 tative class committees of the political parties aforesaid in
3 office when this act takes effect shall be recognized as the
4 lawful and regular committees of such political parties for
5 such cities, wards, towns, plantations and representative
6 classes. They shall continue to hold office until their suc-
7 cessors are elected. Their successors shall be elected in
8 such manner and with such tenure of office and duties, as the
9 appropriate political party within such city, ward, town,
10 plantation or representative class may from time to time de-
11 termine. Each such committee shall fill all vacancies in its
12 membership.

Sect. 4. All committees created, elected or recognized un-
2 der sections two and three of this act shall be deemed to be
3 regularly elected general or executive committees within the
4 meaning of section eight of chapter six of the Revised Stat-
5 utes and of all provisions of this act.

Sect. 5. Nominations for places on the ballots to be used
2 at primary elections shall be made for each of the political
3 parties entitled as aforesaid to representation thereon by
4 nomination papers signed in the aggregate for each candi-
5 date of each political party by qualified voters within the
6 electoral division or district, wherein such candidate is to be
7 voted for, in number not less than one per cent nor more
8 than two per cent of the entire vote cast for governor in the

9 last preceding state election in the state at large, if the of-
10 fice for which such candidate is to be voted for is to be filled
11 by the voters of the state at large or is for the office of
12 United States Senator, otherwise not less than one per cent
13 nor more than two per cent of such gubernatorial vote with-
14 in the electoral division or district wherein such proposed
15 candidate is to be voted for. All such nomination papers
16 shall besides containing the names of the proposed candi-
17 dates specify as to each, first, the name of the office for which
18 he is proposed as a candidate; second, the political party
19 which he represents; third, his place of residence. There
20 shall not be in any nomination paper the name of more than
21 one candidate proposed for nomination. Nomination papers
22 shall be signed by members of the political party named
23 therein for which the nomination is made. Each voter sign-
24 ing a nomination paper shall make his signature in person
25 and add to it his place of residence. Each voter may sub-
26 scribe his name to one nomination for a candidate for each
27 office to be filled, and no more, except in cases where the of-
28 fice is to be filled by more than one person and in such cases
29 only to the extent of such number. One of the signers to
30 each such separate paper, or the person circulating the same,
31 shall make oath thereon, or by certificate of oath annexed
32 thereto, that he believes the signatures are genuine and that
33 the persons signing are members of the political party named
34 therein and that they reside within the electoral division or
35 district for which the nomination is proposed. The State at

36 large shall be considered an electoral division within the
37 meaning of this section.

Sect. 6. No such nomination papers shall be signed before
2 the first day of January of the year in which such primary
3 election is to be held and all such nomination papers shall be
4 filed with the Secretary of State on or before the first Mon-
5 day of May of said year. With such nomination papers
6 there shall also be filed the consent in writing of the persons
7 so proposed thereby as candidates, agreeing to accept the
8 nomination if nominated at the primary election, not to with-
9 draw, and, if elected at the state election, to qualify as such
10 officer. Such nomination papers so filed, and being in ap-
11 parent conformity with the provisions hereof, shall be deemed
12 to be valid; and, if not in apparent conformity, they may be
13 seasonably amended under oath. In case any person who
14 has been duly proposed as a candidate under the provisions
15 hereof shall die before the day of the primary election, or
16 shall withdraw in writing, so that the nominations shall be
17 less than the number of the candidates required to be voted
18 for by law, the vacancy may be supplied in the manner here-
19 in provided for such original nomination; or, if the time is
20 insufficient therefor, then the vacancy may be supplied by the
21 appropriate committee of the state, district, county, city,
22 town, plantation or representative class by which such office
23 is to be elected. The certificates of nomination made for
24 supplying such vacancy shall state, in addition to the other
25 provisions required by this act, the name of the original can-

26 didate proposed, the facts causing the vacancy and the meas-
27 ures taken in accordance with the above requirements for
28 filling the vacancy ; said certificate shall be accompanied by
29 the withdrawal, if any, and shall be signed and sworn to by
30 the Chairman or Secretary of the duly authorized commit-
31 tee, if the vacancy is filled by committee. The name so sup-
32 plied for the vacancy shall, if the ballots have not been print-
33 ed for the office already, be placed on the ballots instead of
34 the original nomination ; or, if the ballots have been printed,
35 new ballots containing the new nomination shall, whenever
36 practicable, be furnished, or slips containing the new nomi-
37 nation shall be printed under the direction of the Secretary
38 of State, which may be pasted in proper place upon the bal-
39 lots and thereafter shall become part and parcel of said bal-
40 lots as if originally printed thereon.

All nomination papers when filed shall forthwith be opened
42 and kept open under proper regulations to public inspection
43 and the secretary of state shall preserve the same in his of-
44 fice not less than one year.

Sect. 7. Whenever at the regular session of the legislature
2 next to meet after any primary election, so to be held as
3 aforesaid biennially on the third Monday in June, one or
4 more United States Senators are to be elected, the nominee,
5 or nominees, for such office or offices of each political party
6 shall be chosen at such primary election. Nominattons there-
7 for shall be made and filed as hereinbefore provided. Where
8 but one United States Senator is so to be elected, the nom-

9 ination papers and official ballot shall specify simply the of-
10 fice of United States Senator. When, however, two United
11 States Senators are so to be elected, the nomination papers
12 and ballots shall by apt words designate the respective terms
13 for which they are to be nominated.

Sect. 8. Every ballot which shall be printed in accordance
2 with the provisions of this act shall contain the names and
3 residences of all candidates whose nominations have been
4 duly proposed hereunder for any office specified in the bal-
5 lot, and not withdrawn in accordance herewith, and the of-
6 fice for which they have been severally proposed through
7 the nomination papers filed as aforesaid, and shall contain
8 no other names. The order of offices shall be the same as
9 in the regular September election, except that when nomi-
10 nations for United States Senators are to be made, said of-
11 fice of United States Senator shall be first on said ballots.
12 The name of each person for whom as a candidate for nomi-
13 nation a valid nomination has been filed shall be printed on
14 the ballot in but one place. The names of the candidates
15 for nomination to each office shall be arranged under the des-
16 ignation of the office in alphabetical order, according to sur-
17 names. There shall be left at the end of each list of candi-
18 dates for nomination to each office a blank space or spaces,
19 in which the voter may write or paste the name or names
20 of any person or persons not printed on the ballot for whom
21 he desires to vote as a nominee or nominees for such office,
22 the number of blank spaces so left to be equal to the number

23 of nominees to be selected for such office. The ballot shall
24 be printed so as to give each voter a clear opportunity to
25 designate his choice for candidates for nomination by mak-
26 ing a cross (X) to the right of the name of each candidate
27 he wishes to vote for as a nominee to each office; and on the
28 ballot shall be printed such words as will aid the voters to
29 do this "Vote for one," "Vote for two," and the like. At the
30 top of the ballot there shall be printed in capital letters, "Make
31 a cross (X) in the square to the right of the name of the per-
32 son you wish to vote for. Follow directions as to the number
33 of candidates to be marked for each office. Add names by
34 writing or pasting stickers in blank spaces and mark cross
35 (X) to right of such names. Do not erase names." The
36 ballots shall be printed on tinted paper, of a separate tint
37 for each political party, white for the party casting the high-
38 est vote for Governor at the last preceding state election, yel-
39 low for the second highest, blue for the third highest, green
40 for the fourth highest, other colors for others if any, and
41 brown for specimen or sample ballots. They shall be of uni-
42 form size for all political parties and folded before distribu-
43 tion in marked creases so as to be of uniform length and
44 width and conceal the interior contents. On the back shall
45 be printed so as to be visible when folded, "Official Nomi-
46 nating Ballot," followed by the designation of the polling
47 place for which the ballot is prepared, the date of the pri-
48 mary election and a fac-simile of the signature of the Secre-
49 tary of State.

Sect. 9. All ballots, printed notices, sample ballots and
2 cards of instructions shall be furnished by the Secretary of
3 State, at the expense of the State, in the same manner as in
4 the case of regular elections. All the expense of the calling
5 and holding of the primary elections and the making and
6 forwarding of the returns thereof shall be paid for by the
7 municipalities. All other expenses hereunder shall be borne
8 by the State.

Sect. 10. The Secretary of State shall fourteen days at
2 least previous to the day of any primary election transmit to
3 the clerks in each city, town and plantation printed lists con-
4 taining the names, residences and party or political appella-
5 tions of all candidates proposed for nomination as herein pro-
6 vided for such election and to be voted for at each polling
7 place in each such city, town and plantation respectively sub-
8 stantially in the form of the ballot to be used therein; and
9 the clerks shall immediately cause the lists for each planta-
10 tion, town or ward, as the case may be, to be conspicuously
11 posted in one or more public places in such plantation, town
12 or ward. The Secretary of State shall likewise cause to be
13 published prior to the day of any such election hereunder,
14 in at least two newspapers, if there be so many, printed or
15 published in each county, representing so far as practicable,
16 the political parties which, at the preceding gubernatorial
17 election, cast the largest and next largest number of votes,
18 a list of all the nominations proposed, as herein provided
19 and to be voted for hereunder in such county, so far as may

20 be in the form in which they shall appear upon the general
 21 ballots. New nominations proposed as hereinbefore pro-
 22 vided, to fill vacancies, shall be transmitted, posted and pub-
 23 lished promptly, and so far as practicable in the manner
 24 herein directed, and communications transmitted as herein
 25 directed by the Secretary of State to any clerk shall be dupli-
 26 cated on the succeeding day.

Sect. 11. Not less than seven days before the third Mon-
 2 day of June preceding a biennial state election, the selectmen
 3 of every town, by their warrant, shall notify and warn all
 4 legally qualified voters to attend at the regular voting places
 5 on the third Monday in June for the purpose of voting for
 6 persons to be nominated by their respective political parties
 7 as candidates to be voted for on the second Monday in Sep-
 8 tember then next ensuing. Said warrant shall be in sub-
 9 stance as follows:

PRIMARY ELECTION WARRANT.

State of Maine:

ss.

County of

To the legal voters of the town of

You are hereby notified that the primary election in
 this town, of all political parties, entitled by law to nomi-
 nate candidates for the next election, will be held at
 , on Monday, June next, for the
 purpose of nominating candidates for the following offices
 to be voted for at the election to be held on the second

Monday in September next (and when such is the fact add “and for choice of candidate, or candidates, for United States Senator to be elected by the Legislature next to convene in regular session”), viz:

(Here follow the officers to be nominated)

The polls will be open at twelve o'clock, noon, and continue open until nine o'clock in the afternoon, when they will close. (To be changed from nine o'clock to six o'clock in towns of three thousand inhabitants or less.)

Voters not enrolled as members of a political party entitled to nominate candidates will not be permitted to vote. But voters entitled to enrollment may cause themselves to be enrolled at the polling places during the primary election on taking and subscribing the oath required by law.

Enrollment blanks will be furnished by the town clerk on application.

Dated at this day of June, 19 .

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

Selectmen of.....

Such warrants shall be posted in the manner required by
11 law for warrants for the state election. Like warrants shall
12 be issued by the mayor and aldermen of cities and the as-
13 sessors of plantations, with appropriate changes and posted
14 in like manner. In plantations and towns of two thousand

15 inhabitants or less the provisions as to enrolled voters and
16 enrollment shall be omitted. The meetings shall be opened
17 and closed as stated in the form of the warrant foregoing.
18 In all such warrants appropriate provisions shall be inserted
19 calling the attention of voters to opportunities for correction
20 of lists of voters by selectmen, municipal officers or boards
21 of registration in the manner required by law.

Sect. 12. In all such primary elections the qualifications of
2 voters in towns and cities of any size shall be determined by
3 the lists of voters used at the municipal elections in said
4 towns and cities next preceding the primary election cor-
5 rected as follows: In towns having five hundred or more
6 registered voters and in all cities having less than four thou-
7 sand inhabitants, the municipal officers shall exercise the
8 powers enumerated in section 40 of chapter five of the Re-
9 vised Statutes except that applications shall be received only
10 on the two secular days next preceding the day of the pri-
11 mary election. In towns having less than five hundred
12 voters, the municipal officers shall exercise the powers of
13 section 41 of chapter five of the Revised Statutes. In cities
14 having four thousand or more inhabitants the correcting of
15 said lists shall be governed by chapter five of the Revised
16 Statutes. In plantations the qualifications of voters, as
17 aforesaid, shall be determined by the lists of voters used
18 therein at the last preceding state election corrected in the
19 manner provided by section 41 of chapter five of the Revised
20 Statutes.

Sect. 13. No person shall vote at any primary election unless a legally qualified voter at such voting place, as required by the preceding section, and, in all cities and in towns of two thousand inhabitants or more, enrolled as qualified to vote in the caucuses of his political party in the manner provided by the general or special laws applicable to said cities, or any of them, or to said towns. The selectmen of towns and the wardens of wards in cities shall be seasonably furnished by the town or city clerk, or other official charged with the duty of preserving the same, with duly certified copies of all enrollment lists, arranging each political party separately and its names of voters therein alphabetically. If not therein enrolled any voter qualified by law and this act as a legal voter at such voting place, may be enrolled after subscribing and making oath before a ballot clerk to the statement as required by chapter 6, sec. 103, Revised Statutes, and the duties imposed upon the secretary of a caucus by said section shall be performed by such ballot clerk. A suitable number of such statements shall be furnished at each voting place by the city or town; if the number be insufficient, or none be furnished, the statement aforesaid may be sworn to as aforesaid and return thereof made in like manner as if the same had been subscribed. At the polling places in the cities and towns aforesaid each person applying to vote shall give his name, residence, party affiliation, and place of last enrollment, if any; if already enrolled in the precinct he shall be given a ballot of his party, his name

28 shall be checked on the enrollment list; and he shall be ad-
29 mitted to the voting booth and vote. If not enrolled and
30 then enrolled as hereinbefore provided, he shall be given a
31 ballot of his party, checked and may vote as aforesaid. In
32 plantations and towns having less than two thousand inhabi-
33 tants, enrollment shall not be necessary and any voter, legal-
34 ly qualified to vote therein, shall, upon giving his name and
35 party affiliation, be given a ballot of his party, his name
36 checked upon the voting list and he shall be admitted to the
37 voting booth and vote. No ballot shall be received contain-
38 ing any distinguishing mark or figures thereon other than as
39 herein expressly permitted.

Sect. 14. Except as modified or superseded by this act,
2 sections twenty-three, twenty-four, twenty-five, twenty-six,
3 twenty-seven, twenty-nine, thirty, thirty-one, thirty-two and
4 thirty-three of Chapter 6, R. S., shall apply, so far as neces-
5 sary thereto, to primary elections, except, however, that in
6 designating his choice of candidates the voter shall mark a
7 cross (X) in the square to the right of the name of each
8 person that he desires to vote for, and the voter, if desirous
9 of voting for any person whose name is not printed upon
10 the ballot, may do so by writing or pasting such name or
11 names in the blank spaces left therefor and marking a cross
12 (X) to the right of such name or names.

Sect. 15. The Secretary of State shall seasonably furnish
2 blanks for all voting places on which to make the returns
3 required hereunder. The names of the candidates shall be

4 printed thereon substantially as in the nominating ballot and
5 in the space made for the purpose following each name shall
6 be there entered the number of votes received in that polling
7 place by each candidate. The ballots shall be sorted and
8 the result declared in open plantation, town and ward meet-
9 ings. Such record shall be separately made for the political
10 parties respectively having proposed nominees upon the bal-
11 lot and shall give the number of votes lawfully cast for each
12 of the nominees thereon, following as near as practicable the
13 order of the political parties, officers and nominees thereon,
14 so as to give the detailed result of such voting. Returns
15 thereof shall be attested by the selectmen and town clerk, in
16 towns, and by the assessors and clerk in plantations, in like
17 manner as at the biennial election for Governor. Such clerks
18 shall cause the returns aforesaid to be delivered at the office
19 of the Secretary of State, by mail or otherwise, within seven
20 days after such primary election and if not so delivered with-
21 in said seven days like proceedings shall follow as provided
22 by Chapter six, sections fifty-five to fifty-eight, both inclu-
23 sive, of the Revised Statutes. In cities, the warden shall
24 preside, as required by law at state elections, receive the votes
25 of all qualified voters present, and, as herein required in case
26 of town meetings, sort, count and declare the results in open
27 ward meetings, and in the presence of the ward clerk, who
28 shall make return and a record thereof, as in towns, and a
29 fair copy of the record shall be attested by the warden and
30 the ward clerk, sealed up in open ward meeting and delivered

31 to the city clerk, within twenty-four hours after the closing
32 of the polls. And the aldermen of each city shall be in ses-
33 sion within twenty-four hours after the close of the polls in
34 such meetings, and in the presence of the city clerk shall
35 open, examine and compare the copies from the lists of votes
36 given in the several wards, of which the city clerk shall
37 make a record and a return thereof shall be made into the
38 office of the secretary of state in the same manner as select-
39 men of towns are required to do hereunder.

Sect. 16. The Governor and Council by the first Tuesday
2 of July in each year in which a primary election is held here-
3 under, shall open and compare the votes so returned here-
4 under, and have the same tabulated, and may receive testi-
5 mony on oath to prove that the return from any city, town or
6 plantation does not agree with the record of the vote of such
7 city, town or plantation, in the number of votes or the names
8 of the persons voted for, and to prove which of them is cor-
9 rect; and the return, when found to be erroneous, may be
10 corrected by the record. No such correction can be made
11 without application within seven days after the returns are
12 opened and tabulated, stating the error alleged, nor without
13 reasonable notice thereof given to the person affected by such
14 correction, and during said seven days any person voted for
15 may personally, and by or with counsel, examine said re-
16 turns in the presence of the Governor and Council, or either
17 of them, or any member of the Council, or the secretary of
18 state. The person having the highest number of votes for

19 nomination to any office shall be deemed to have been nom-
20 inated by his political party for that office, provided, that
21 when a tie shall exist between two or more persons for the
22 same nomination by reason of said two or more persons hav-
23 ing an equal and the highest number of votes for nomination
24 by one party to one and the same office, the secretary of state
25 shall give notice to the several persons so having the highest
26 and equal number of votes to attend at the office of the secre-
27 tary of state at a time to be appointed by said secretary, who
28 shall then and there proceed publicly to decide by lot which
29 of the persons so having an equal number of votes shall be
30 declared nominated by his party with like effect as if there
31 had been no such tie. To ascertain what persons have re-
32 ceived the highest number of votes, the Governor and Coun-
33 cil shall count and declare for any person all votes appearing
34 by said returns to have been intentionally cast for him, al-
35 though his name upon the return is misspelled or written
36 with only the initial or initials of his christian name or
37 names, or with wrong initials or otherwise as the case may
38 be; and they may hear testimony upon oath, in relation to
39 such returns, in order to get at the intention of the voters
40 and shall decide accordingly. When a return is defective by
41 reason of any informality, an attested copy of the record
42 may be substituted therefor.

The secretary of state shall enter in a register of nomina-
44 tions, to be kept by him for the purpose, the nominations for
45 each party so ascertained, and shall forthwith notify by reg-
46 istered mail each person who is so nominated.

Sect. 17. Every candidate, so nominated and notified as
 2 aforesaid, shall within seven days after the receipt of such
 3 notification, send to the secretary of state, by registered mail
 4 the following acceptance:

To the Secretary of State:

I, _____, of _____, hereby accept the
 nomination to the office of _____, made
 at the primary election June _____ 19 _____.

.....

5 The name of any candidate failing to file such acceptance
 6 shall not be printed upon the official ballot to be used at the
 7 state election and failure to file such acceptance within said
 8 seven days shall be deemed to be a refusal thereof.

Sect. 18. Each candidate, so nominated, shall, with such
 2 acceptance, send to the secretary of state the following re-
 3 turn by him subscribed and sworn to:

Return of Expenditures.

To the Secretary of State:

I, _____, of _____, nominated for the
 office of _____, at the primary election
 held on June _____, 19 _____, on oath depose and say that
 the following is a true and perfect return of all ex-
 penditures by me made, or liabilities by me incurred for
 any purpose whatever, except my actual personal trav-
 elling expenses, postage and stationery, in connection
 with my said nomination, or the procurement thereof,
 before, at, or since said primary election.

The total amount thereof was \$.....

The aforesaid amount is made up of the following:

Printing	\$.....
Clerk Hire	\$.....
Newspaper Advertising	\$.....
Hall Rent	\$.....
Soliciting Agents	\$.....
Miscellaneous	\$.....
Total	\$.....

Of the above, the following are itemized:

Printing.

Name.	Date.	Amount.
-------	-------	---------

(The subdivisions of Clerk Hire, Newspaper Advertising, Hall Rent and Soliciting Agents shall follow the foregoing form.)

Miscellaneous.

Name.	Date.	Amount.	Purpose.
-------	-------	---------	----------

I further depose and say that no person, firm or corporation has with my knowledge and consent paid any sum, or incurred any liability, to procure, or to aid in procuring, my nomination aforesaid.

Dated A. D. 19 ..

State of Maine.

.....County, ss.

..... A. D. 19 ..

Personally appeared and made

oath that the foregoing return by him signed is true.

Before me,

.....
Justice of the Peace.

4 If any statement in said return is wilfully false it shall be
 5 deemed to be perjury and shall be punished accordingly.
 6 No expenditures shall be made, or liabilities be so incurred
 7 except for the purposes named aforesaid in said return and
 8 the subdivision of "Miscellaneous" shall not exceed ten per
 9 cent of the total amount hereinafter permitted.

The returns aforesaid shall be open to public inspection for
 11 one year and then be destroyed.

Sect. 19. No person, firm or corporation shall directly or
 2 indirectly or by any device whatsoever pay any sum, or incur
 3 and liability, to procure or to aid in the procurement of the
 4 nomination of any candidate so to be voted for as aforesaid
 5 at any primary election without the knowledge and consent
 6 of such candidate. Whoever violates the provisions of this
 7 section forfeits five hundred dollars to be recovered by in-
 8 dictment.

Sect. 20. Candidates chosen for United States senators, as
 2 aforesaid, shall file like acceptances and make like returns.
 3 If any such candidate fails so to do, his nomination at the
 4 primary election shall be deemed to be void.

Sect. 21. The expenditures to be made, and liabilities in-
 2 curred, for which returns are to be made as hereinbefore pro-

3 vided, shall not exceed in amount for each candidate the fol-
4 lowing: In case of nominations for any office to be filled by
5 the voters of the state one thousand five hundred dollars, for
6 members of Congress five hundred dollars, for state senators
7 and county officers one hundred and fifty dollars for each
8 ten thousand votes cast for governor within the county at
9 the last preceding gubernatorial election or fraction thereof,
10 for members of legislature in representative districts having
11 three representatives or more one hundred dollars, in other
12 representative districts fifty dollars, for United States sena-
13 tor one thousand five hundred dollars. Whenever such ex-
14 penditures and liabilities exceed the foregoing limitations,
15 upon proof thereof to the satisfaction of the secretary of
16 state, after complaint, notice and hearing, or upon the ad-
17 mission of the fact by the candidate in his return, the finding
18 of such fact by the secretary of state shall be deemed to be a
19 withdrawal by such candidate and the vacancy shall be filled
20 in like manner as if such candidate had filed a withdrawal in
21 writing.

Sect. 22. In case any candidate, except for the United
2 States Senate, who has been duly nominated as the result of
3 any primary election hereunder, shall die before the day of
4 the gubernatorial election, or shall withdraw in writing, the
5 vacancy may be supplied by the political party of such nom-
6 inee by any convention of delegates or appropriate caucus,
7 under the provisions of Sections two, three and seven of
8 Chapter six of the Revised Statutes, or, if the time is insuffi-

9 cient therefor, then the vacancy may be supplied by the reg-
10 ularly elected state, congressional district, county, town, city,
11 plantation or representative class committee, as the case may
12 be, of such political party. The certificate of nomination,
13 made for supplying such vacancy, shall state, in addition to
14 the other facts required by this section, the name of the
15 original nominee, the facts causing the vacancy, and the
16 measures taken in accordance with the above requirements
17 for filling the vacancy; said certificate shall be accompanied
18 by the withdrawal, if any, and shall be signed and sworn to
19 by the presiding officer or secretary of the convention or
20 caucus, or by the chairman or secretary of the duly author-
21 ized committee, as the case may be. The name so supplied
22 for the vacancy shall, if the ballots have not been printed for
23 the office already, be placed on the ballots instead of the
24 original nomination; or, if the ballots have been printed, new
25 ballots containing the new nomination shall, whenever prac-
26 ticable, be furnished, or slips containing the new nomination
27 shall be printed under the direction of the secretary of
28 state, which may be pasted in proper place upon the ballots
29 and thereafter shall become part and parcel of said ballots
30 as if originally printed thereon.

Sect. 23. In case any nominee for United States senator,
2 nominated hereunder, shall die before the meeting of the
3 legislature at which such office is to be filled, or shall before
4 that time withdraw in writing, a state primary election shall
5 be ordered by proclamation of the Governor, at such date as

6 he deems best, conforming as near as may be practicable to
7 the provisions of this act, but in that event the Governor in
8 said proclamation shall fix the time within which and when
9 the returns shall be received and the result declared. Can-
10 didates so chosen shall be subject to the provisions of this
11 act regulating acceptances and returns by candidates for
12 United States senator.

Sect. 24. When special elections are to be held for any
2 office as required or permitted by law, primary elections for
3 the nomination of candidates to be voted for thereat shall be
4 held at such time as shall be ordered by the Governor by
5 proclamation and, so far as practicable, all the provisions
6 hereof shall be applicable thereto. Candidates so nominated
7 shall file acceptances and returns of expenditures as herein-
8 before provided.

Sect. 25. Except as modified or superseded by this act,
2 and so far as the same may be necessary for the purposes
3 hereof, and where not inconsistent herewith, Chapter five of
4 the Revised Statutes, and all acts additional thereto and
5 amendatory thereof, are hereby made applicable to primary
6 elections.

Sect. 26. Except as modified or superseded by this act,
2 and so far as the same may be necessary for the purposes
3 hereof, and where not inconsistent herewith, the following
4 sections of Chapter six of the Revised Statutes with all acts
5 additional thereto and amendatory thereof, are hereby made
6 applicable to primary elections and all doings, therefor, there-

7 at, or thereafter, for the purposes thereof and of this act:
8 Sections eleven, twelve, thirteen, sixteen, eighteen, nineteen,
9 twenty, twenty-one, twenty-two, thirty-six, thirty-seven,
10 thirty-eight, thirty-nine, forty, forty-one, forty-four, sixty-
11 one, sixty-two, sixty-three, sixty-four, seventy-five, seventy-
12 six to one hundred, both inclusive, one hundred and eighteen
13 to one hundred and twenty-two, both inclusive, and one hun-
14 dred and thirty-three to one hundred and thirty-six, both in-
15 clusive.

Sect. 27. In construing the provisions of this act and of
2 all sections of the Revised Statutes, with all acts additional
3 thereto and amendatory thereof, hereby made applicable as
4 aforesaid to the primary elections to be held hereunder, and
5 to all matters herein contained before and after such primary
6 election, material to the purposes thereof, they shall, as to
7 the duties of officers, forms, blanks, ballots, elections, war-
8 rants, returns, and all other matters, so far as necessary for
9 accomplishing the purposes of this act, be understood and
10 interpreted as though said primary election is a separate
11 election for each political party making its nominations here-
12 under, and to be conducted as to that party as nearly as
13 practicable the same as the regular biennial state elections
14 in September are conducted for all the electors except in so
15 far as the manner of proceeding before, at and after said
16 September election may be modified or changed by this act
17 for the purposes of said primary elections. The provisions
18 of this act do not modify or in any manner control the pro-

19 ceedings at the regular biennial state elections except in so
20 far as they may be herein expressly and directly amended.

Sect. 28. All acts or parts of acts inconsistent herewith or
2 contrary to the provisions of this act, are hereby repealed.

Sect. 29. Every political party entitled by law to represen-
2 tation upon the official ballot at state elections held biennially
3 on the second Monday in September, or at any special elec-
4 tion for state or county officers or for members of Congress
5 or members of the legislature, shall nominate all its candi-
6 dates for such offices, to be voted for at such elections, under
7 the provisions of this act and not in any other manner.

Sect. 30. All accounts for expenditures by the state here-
2 under shall be approved in the manner required by law and
3 after approval the Governor and Council shall draw their
4 warrant against any money in the treasury not otherwise
5 appropriated in payment thereof.

This written petition is to be filed in the office of the secretary
7 of state or presented to either branch of the legislature at
8 least thirty days before the close of its session.

We respectfully pray that the foregoing bill, if proposed by
10 not less than twelve thousand electors, may be enacted with-
11 out change by the legislature at the session at which it is
12 presented.

If said measure is thus proposed by not less than twelve
14 thousand electors and is not enacted without change by the
15 legislature at the session at which it is presented, we respect-
16 fully pray that it shall be submitted, as required by the Con-

17 stitution of Maine, to the electors together with any amended
18 form, substitute or recommendation of the legislature, and
19 in such manner that the people can choose between the com-
20 peting measures or reject both.

If said measure is not enacted by the legislature without
22 change, the governor is hereby requested to, by proclama-
23 tion, order said measure to be referred to the people at a
24 special election to be held not less than four nor more than
25 six months after such proclamation, and the governor is
26 hereby requested to order such special election so that said
27 measure, if approved by a majority of the votes given there-
28 on, shall take effect and become a law in season for nomi-
29 nations thereunder for the official ballot to be used at the
30 general election to be held in September, nineteen hundred
31 and twelve.