NOMINATIONS BY DIRECT PRIMARIES

Digest of Bill Prepared by Mr. Charles M. Morgan, Attorney, of Portland.

(Note.—Sections of this act which are mere adaptations from the general election law are indicated thus: Section 16 (5). That is, section 16 of this act is section 5 of the present Australian ballot law, with such changes as make it harmonize with the remainder of this act.)

An act to provide for and establish a system of primary elections for the purpose of securing to the individual elector the most complete liberty and the fullest privilege in the selection of candidates for public office, in the adoption of policies and principles by political parties, and in the government of political parties and the election of their officers and managers; whereby there shall be made nominations of candidates for state, district, county, municipal, precinct, and all other public offices in this state to be filled at any general election; whereby there may be made recommendations to the legislature of this state of candidates for the office of United States Senator; whereby there may be adopted declarations of political party principles and policies and rules of political party government; and whereby officers, managers and committees of political parties and delegates to National conventions of political parties shall be elected to repeal an act entitled, (present primary law); to amend sections 4-21-22-27-28-29-43-45-46 and 68 of an act entitled, (present general election law): to amend sections 1-5-6 and 13 of an act entitled, (present registration law): and to repeal all acts and parts of acts in conflict with this act.

Whereas, the evils and vices of the convention system of nominating and selecting candidates for public office, declaring political principles and policies, making rules of party government, and electing party officers and managers, have become and are so flagrant and oppressive as to deprive the great majority of our citizens of that fullness of political liberty which by the letter and spirit of our constitutions, federal and state, were designed for every freeman.

Be it enacted by the Legislative Assembly of the State of Oregon:

Section 1. A political party within the meaning of this act is one which at the next preceding general election polled in the electoral district for which the primary election is to be held, for its candidate receiving the highest number of votes, at least 3 per cent of the entire vote cast in such electoral district, or shall present a petition asking for the right to have a primary election ticket as herein provided for, such petition to be signed by electors in number equal to at least 3 per cent of the total vote polled at the next preceding general election in the electoral district for which such primary election ticket is asked and to be presented to the Secretary of State if the primary election ticket desired is for the entire state or Congressional district, with the County Clerk in other cases, and with each County Clerk in the electoral district in cases of electoral districts less than a Congressional district and larger than one county.

Sec. 2. The act of the Legislative Assembly of the State of Oregon approved February 12, 1891 (present general election law), as amended by the act of February 23, 1895, Laws of Oregon, 1895, page 68, shall be herein referred to as the general election law, and the term "the general election law," as used herein, shall always be construed as referring to such act as so amended.

Sec. 3. This act shall always be construed so as most completely to effect its purpose, which is to apply and adapt the general election law and the procedure, methods, and election machinery therein provided for to primary elections to be held by political parties, so as to enable electors to have a direct voice in all affairs of the political parties with which they may be respectively affiliated; and the analogies of the general election law are to be followed in construing this act and in applying it to the practical conduct of primary elections.

Sec. 4. A primary election shall be held in the several election precincts in this state on the first Monday in April, 1902, and biennially thereafter, at which there may be nominated candidates for such offices as are by law to be filled at the general or Presidential election, as the case may be, next ensuing; at which may be submitted to the votes of the members of the various political parties declarations of party principles or policies and rules of party government and organization; at which may be elected the officers, managers and committees of political parties; at which may be elected delegates to National conventions of political parties in Presidential election years; and at which by vote of the members of the various political parties may be made recommendations to the Legislature of this state of candidates for the office of United States Senator when such officer is to be elected at the next meeting of the Legislature.

Sec. 5. The name of a candidate of any political party, as defined in this act, shall not be printed on the ballots to be used at the ensuing election unless such candidates be selected at the primary election and according to the methods provided for in this act, save that in case of death after nomination at such primary election, and not otherwise, a vacancy so caused may be filled by the officer or committee so authorized by the proper party rules and constitution or his or their petition to the Secretary of State or County Clerk or Clerks, as the case may be, such petition to be filed as certificates to fill vacancies as in the general election law provided, but candidates of other organizations of electors or individual electors may be proposed by assemblies of electors and individual electors as now provided in the general election law and their names placed on the ballots to be used at such ensuing election as now provided in said general election law, but no persons whose name has been proposed and voted on as that of a candidate for nomination at such primary election shall be nominated by an assembly of electors or by individual electors.

Section 6 amends section 31 of the general election law so as to conform to this act.

Sec. 7. It shall be unlawful, after the first primary election held under this act, for any person to profess to be or to act as any agent, representative, officer, manager, committee or committeeman of any political party in respect to the conduct of any political campaign or in the promotion of or opposition to the candidacy of any person for nomination or election to any public office, when not chosen as such agent, representative, officer, manager, committee or committeeman at a primary election held under this act, and any such person so professing or acting shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than $500, nor more than $2000, or imprisoned in the county jail not less than six months nor more than one year, or punished by both such fine and imprisonment.

The organization, constitution, rules, regulations and the agents, agencies, representatives, officers, managers, committees and committeemen of existing political parties, so far as consistent with this act, may be as now provided or as may be provided for by the respective political parties through regular and usual party action prior to the first primary election held under this act, but no subsequent change in political party organization, constitution, rules, regulations, agencies, representation or administration shall be effected or made unless by vote of the members of such political party at a primary election held under this act, and no declaration of political policy of principle shall be put forth by any one or any person as the declaration of a political party unless the same has been adopted as such at a primary election held as herein provided.

The organization, constitution, rules, regulations and the agents, agencies, representatives, officers, managers, committees and committeemen of political parties authorized by petition as herein provided, so far as consistent with this act, may be provided by voluntary action of such party, after which the provisions of this act must govern in all respects as in case of other parties.

Sec. 8. Any person promoting, publishing, repeating or representing any plan, system or rule of organization or constitution, or any rule or regulation, or any declaration of political policy or principle, after the first primary election held under this act, in case of existing parties or after the first primary election held after the organization, in case of parties authorized on petition as herein provided, as being adopted or established by any political party subsequent to such first primary election, or such first primary election next following the organization of the party, when not adopted or established by vote at such a primary election, shall be guilty of a misdemeanor and on conviction thereof may be punished by a fine of not less than $100 and not more than $500, or by imprisonment in the county jail for not less than three months and not more than six months, or by both such fine and imprisonment.

Sec. 9. The term of office of any agent, representative, officer, manager, committee or committeeman of any political party shall not exceed four years, but shall continue until his successor shall be elected and qualified.

Sec. 10. The officer to whom by this act is assigned the duty of receiving petitions presenting persons as candidates at primary elections for nomination for public office shall also receive petitions for nomination of candidates for offices in political parties, and for delegates to National conventions of political parties in Presidential election years, when the chairman (or president) and secretary of the political party or its managing committee, acting in the electoral district for which such officer or delegate is to be chosen, shall certify under oath to him that under the constitution and laws of the political party and the provisions of this act, such officers or delegates are to be chosen at the next primary election. If such certificate to be filed with a County Clerk is not so made and presented 60 days, or if such certificate to be filed with the Secretary of State is not so made and presented 90 days before the date of the primary election, a certificate of like nature may be made and presented to the County Clerk or Clerks not less than 40 days (or in a proper case to the Secretary of State, not less than 70 days) before the day of the primary election, over the signatures of individual electors, members of the party, equal in number to those required to make nominations of candidates under the general election law, varying as therein provided according as such officers or delegates are to be voted for in the county, or less or other electoral district, and under the oath or affirmation of at least two of such signers. And in all cases where under this act electors make petitions or certificates such petitions or certificates shall be under the oath or affirmation of at least two of the signers, and such oath or affirmation must state that the statements and signatures therein are true, that the candidate therein named (if any) is eligible to the honor sought, and that the requisite number of signers thereof are qualified to sign such petition, and the certificate of such oath or affirmation shall be annexed to such petition. No certificate being filed as in this section provided no such nominations shall be received.

When such certificates are filed with the Secretary of State, he shall at once on receipt of the same from all political parties, or on the expiration of the time for filing the same, certify the substance thereof to each County Clerk concerned, so that the County Clerks may have the necessary information to make up their election notices.

Sec. 11. At the primary election next preceding the election of a United States Senator or Senators, a candidate of each political party for such office may be recommended to the Legislature of the state by vote of the members of the respective political parties.

Sec. 12. In Presidential election years there may be elected at the primary election held under this act delegates of the various political parties to their respective National conventions, and any person participating in the selection or election of such delegates otherwise than according to the provisions of this act shall be guilty of a misdemeanor, and on conviction thereof may be punished by a fine of not less than $100 and not more than $500, or by imprisonment in the county jail not less than three months and not more than six months, or by both such fine and imprisonment.

Sec. 13. A proposition within the meaning of this act is a statement of party principle or policy or a resolution or question affecting party government or organization or administration submitted by petition under this act to be voted upon by the voters, members of the party, in a designated electoral district. Every proposition shall be so framed as to occupy the smallest possible space on the ballot, and at the same time express clearly its intended meaning; it shall be brief and concise in terms, shall cover a single point or question and shall not exceed 50 words in length. Every proposition shall be printed on the ballot in nonpareil type, and shall be so placed on the ballot as to leave a space at its left in which shall be written the words "yes" and "no," the latter word directly below the former, both of which words shall be numbered consecutively, as are the names of candidates, the voter's marks to be made between the words and their respective numbers, and just above the first proposition printed on each ticket shall be printed the direction, "Vote yes or no."

A majority of the votes cast for and against each proposition shall determine its adoption or rejection. If a ballot shall exhibit a vote for two inconsistent propositions it shall be counted for neither.

Sec. 14. Such precincts and polling places as are or may be established for purposes of general elections shall be precincts and polling places for purposes of primary elections under this act, and the judges and clerks of election who are or may be appointed for service at general elections shall be judges and clerks respectively in their respective precincts at primary elections, and their duties, powers and privileges at primary elections shall be as defined by law in case of general elections, and all laws pertaining to judges and clerks of general elections shall be applicable to judges and clerks at primary elections, so far as consistent with the provisions of this act.

Sec. 15. (Amends section 4 of the general election law to make the notice of election respond to the requisites of this act); section 16 (5); section 17 (6); section 18 (7 and 8); section 19 (9).

Sec. 20. It shall be the duty of each judge or clerk of election, or any elector present, to challenge any person offering to vote whom he shall know or suspect not to be qualified as an elector.

The right to vote, voting, the right to challenge, and challenging at primary elections shall be as defined for general elections by existing election and registration laws and all existing laws applicable to the right to vote, voting, the right to challenge, challenging at general elections shall apply so far as practicable to primary elections.

Section 21 (17); section 22 (18); section 23 (19); section 24 (20); section 25 (21); section 26 (22); section 27 (23).

Sec. 28. The judges and clerks of primary election shall keep two pairs of tally sheets for each party ticket voted on at the election, on one of which shall be made the record of the votes cast for nominees for public office, for party offices and delegates and for recommendations for the office of United States Senator, and on the other of which shall be made the record of the votes cast for and against each proposition voted upon.

Section 29 (24); section 30 (25); section 31 (26).

Sec. 32. In the canvass of the votes only white ballots furnished under the provisions of this act shall be counted, and any ballot from which it is impossible to determine the elector's choice for any of the nominations, party offices or honors, or recommendations, or propositions, shall be void and shall not be counted. Each elector shall have the right to vote for names of candidates and for or against propositions printed on the ballot as part of the ticket of the party with which he affiliates, or for names written in the blanks in such ticket, and not otherwise. If in making the canvass as aforesaid the judges shall find that an elector has voted for names in more than one ticket, or has voted for or against propositions in more than one ticket, they shall determine in which ticket he has cast the greatest number of votes, and the ballot shall be counted for that ticket only. If there be no ticket showing a greater number of votes therein than are shown in any other ticket on the same ballot, then such ballot shall not be counted, and shall be void.

Section 33 (28), section 34 (29), section 35 (30).

Sec. 36.—The ballots used at primary elections held under this act shall be so printed that one column on the ballot shall be devoted to the primary election ticket of each political party, in which single column shall be printed the names of candidates for nomination, for party offices, for delegates, and for recommendations and the propositions to be voted on by the members of that party to which such single column is assigned. Names and propositions shall be printed on such ballots on petition of individual electors of the respective parties, designating the name of the candidate, his residence, with street and number, if any, the nomination, party office or honor, or the recommendation sought by the candidate, and the party ticket or column, in not over three words, in which the name or proposition is to be printed, each petition to be in behalf of a single name or a single proposition, except in the case of Presidential Electors. Every such petition shall be signed by electors, members of the party, such membership being certified and sworn to in the petition, in number equal to at least 3 per cent of the vote polled at the last general election by the party in whose ticket the name or proposition is to be printed for its candidate receiving the highest number of votes in the electoral district in which such name or proposition is to be voted on, in case the party in whose ticket the name or proposition is to be printed is a political party as first defined in this act. Otherwise, such petition shall be signed by electors in number equal to the number required by section 33 of the general election law to make a nomination, the number varying as therein provided, according as the vote is to be taken throughout the state or a lesser electoral division. Each elector signing a petition shall add to his signature his place of residence, with the street and number thereof, if any, and each elector shall be qualified to subscribe to only one such petition for each nomination, party office or honor, or recommendation, or proposition covering the same point, and in so signing such petition or petitions, shall act as a member of but one party.

No person who is not an elector shall be qualified to sign any petition, and no person shall be qualified to be a candidate at the same primary election for nomination to more than one public office.

Sec. 37. Any person who, in signing any petition under this act, violates any provision of this act defining his qualifications as a signer of a petition hereunder, shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than $50 and not more than $200, or by imprisonment in the County Jail for not less than 30 days and not more than three months, or by both such fine and imprisonment. Every petition under this act shall have written or printed in a conspicuous place thereon, at or near the heading thereof, the following words: "Any person signing this petition in violation of the law is liable to punishment by fine of $50 to $200, or by imprisonment for 30 days to three months, or by both such fine and imprisonment." No petition not having such words so printed or written thereon shall be received or filed by any officer.

Section 38 (36), section 39 (37 and 38), section 40 (39), section 41 (40), section 42 (41), section 43 (42), section 44 (43), section 45 (44), section 46 (45), section 47 (46), section 48 (47).

Sec. 49. As soon as practicable, and at least three days before making any order or contract for printing the ballots required by this act, the County Clerk in each county shall prepare an estimate of the number and size of and the amount of work required to print the ballots to be used at the ensuing primary election, and post the same in a conspicuous place in his office, where it may readily be seen and read by any one desiring to inspect the same. And such County Clerk shall let the contract for printing such ballots to the lowest responsible bidder, whose bid shall be submitted under seal, and not less than 15 days before the day fixed by law for the primary election.

Section 50 (48).

Sec. 51. The ballot shall be styled "Official Primary Ballot"; shall state the number or name of the precinct and county they are intended for, and the date when the primary election is to be held; shall contain the names of all persons in whose favor petitions have been filed, and who have accepted and have not died or withdrawn, and shall contain the names of no other persons. The name of each candidate shall be printed on the ballot in the column constituting the ticket referred to in the petition presenting such name. A name may be proposed for nomination for the same public office on behalf of any number of parties, and the name printed on the ballot as many times (in the respective columns, or tickets, referred to in the several petitions presenting such name), but in no other manner shall the same name be more than once printed on the same ballot as a candidate for nomination for election to a public office. The names of the candidates for each nomination, party office or honor, or recommendation, shall be arranged under the designation of the nomination, party office or honor, or recommendation, in alphabetical order, according to surnames. There shall be left in each column or ticket at the end of the list of candidates for each nomination, party office or honor, or recommendation, blank spaces in which the elector may write the name of any person not printed on the ballot for whom he desires to vote as a candidate for such nomination, party office or honor, or recommendation. On the left margins of the respective columns or tickets on the ballot the name of the first-named candidate as printed shall be numbered 12, the next 13, the next 14, and so on consecutively to the end of the column. The blank lines shall not be numbered. Whenever the adoption of a proposition is submitted to the vote of the electors of the respective parties, as provided in this act, such proposition shall be printed upon the ballot in the proper party column or ticket, after the list of candidates. Each answer to each proposition shall be numbered as are names, and the first answer and its number shall be on a horizontal line with the first word of the proposition; the numbers of the answers shall be in a vertical line with the numbers of names, and the answers to each proposition shall be printed to its left and between the proposition as printed and the numbers of the answers thereto, and the said answers being printed one directly below the other. Each ballot shall have along the top thereof a stub 1¼ inches wide, perforated along the lower edge thereof; on the left half of the stub shall be printed the words: "Stub to be torn off by the chairman"; and on the right half, "Stub to be torn off by the first clerk." The colored or sample primary ballots need not be perforated. Immediately below the perforated line shall be printed in capitals these words: "Official Primary Ballot for ——— Precinct, ——— County, April —, 19—." Under this caption shall be printed in bold-faced type the words: "Mark between the number and name of each candidate or answer voted for." Immediately below the latter direction shall be printed in bold-faced type the words: "The voter can vote but one ticket on this ballot. Votes must be confined to the column containing the ticket of the party with which the voter affiliates." At the head of each column or ticket shall be printed, in capitals, the words "(Party name) Primary Ticket." Below this, in each column, respectively, for each party, shall be printed in the manner aforesaid:

Candidates for nomination for Presidential Electors.

Candidates for nomination for Congress.

Candidates for nomination for state offices.

Candidates for nomination for district and county offices.

Candidates for nomination for municipal offices.

Candidates for nomination for precinct and other offices.

Candidates for recommendation for United States Senator.

Candidates for delegates to National Convention.

Candidates for offices of party organization in the state.

Candidates for offices of party organization in the county.

Candidates for offices of party organization in other electoral divisions.

Platform of party organization of the state.

Platform of party organization in county or city and county.

Platform of party organization in other electoral divisions.

Rules, regulations or constitutions of party organization in state.

Rules, regulations or constitutions of party organization in county or city and county.

Rules, regulations or constitutions of party organization in other electoral divisions.

Sec. 52. Each proposition printed on the ballots shall be so framed as to indicate to the voter whether it is to be voted upon by the electors of the state at large belonging to the particular party, or only by electors of the party in less electoral divisions, and such proposition shall be so presented in the petition. The ballots shall be so printed as to give each elector a clear opportunity to designate his choice of candidates and his answers to the propositions submitted by making a mark to the left of the name of the candidate he wishes to vote for for each nomination, party office, or honor, recommendation, and to the left of the answer he wishes to make to each proposition submitted. And on the ballots may be printed such words as will aid the elector to do this, as "Vote for one," "Vote for three," "Yes," "No," and the like. The ballots shall be of sufficient length and width to permit of proper compliance with all the requirements of this act. The white ballots shall be arranged and printed in substantially the following form:

Section 53 (50), section 54 (51), section 55 (52), section 56 (53), section 57 (54), section 58 (55), section 59 (56), section 60 (57) section 61 (58), section 62 (59), section 63 (60), section 64 (61), section 65 (62), section 66 (63), section 67 (64), section 68 (65), section 69 (66), section 70 (67).

Section 71 (amends section 68 of the general election law, to conform to the needs of primary elections under this act).

Section 72 (69), section 73 (70), section 74 (71).

Sec. 75. Upon the filing of any petition hereunder with the Secretary of State for any candidate for nomination, election or recommendation by the electors of any party as organized in the state or a Congressional district, there shall be paid to such officer a fee of $50, which fee shall be paid by such officer into the state treasury for the benefit of the general fund of the state. Upon the filing of such a petition with a County Clerk or Clerks, there shall be paid each such Clerk a fee of $10, to be by such Clerk paid over to the County Treasurer for the benefit of the general fund of the county.

Sec. 76. (Makes registration law applicable to primary elections, and amends sections 1, 5, 6, 13, so as to have the books opened earlier and closed two weeks before the primary election.)

Sec. 77. Every person or officer in any way concerned or occupied in any manner or matter pertaining to primary elections, their conduct, the returns, the canvasser, or in any other respect, as in the care of ballot-boxes, books, papers, etc., or in any other manner, as here enumerated or otherwise, shall permit, afford and give to persons accredited as herein provided, the amplest facility for detecting any fraud, error, misconduct or mistake, and such privilege must be permitted and provided by every such person or officer, irrespective of his hours of duty in other matters.

Sec. 78. (Amends sections 22, 27, 28, 29, 43, 45 and 46 of the general election law, so as to conform to the changes made by this act.)

Sec. 79. (Repeals present primary law.)

Sec. 80. On the 10th day after the close of any primary election, or sooner, if all the returns be received, the County Clerk, taking to his assistance two Justices of the Peace of the county, shall proceed to open said returns and make abstracts of the votes. Such abstract of the votes for all names and propositions voted on by the voters of an electoral district larger than a county shall be certified by the County Clerk and transmitted to the Secretary of State. The candidates of each party respectively receiving the highest number of votes for nomination for public office in the county or less electoral district shall be the candidates of the respective parties for the respective offices to be filled at the next election, and their names shall be accordingly placed on the ballots by the County Clerk. To the candidates of the respective parties for party offices in the county or less electoral district receiving the highest number of votes for such offices the County Clerk shall issue certificates of election. The County Clerk shall certify to the managing committee of the proper political party in the county or less electoral district such propositions as have been adopted according to the provisions of this act in such county or less electoral district. And it shall be the duty of the County Clerk of such county, on receipt of the returns of any primary election, to make out his certificate, stating therein the compensation to which the judges and clerks of election may be entitled for their services, and lay the same before the County Court at its next term and the said court shall order the compensation aforesaid paid out of the County Treasury.

Sec. 81. If in case of nominees for public office in the county or less electoral district, or officers of a political party as organized in such district, the requisite number shall not be elected by reason of two or more persons having an equal and the highest number of votes for one and the same nomination or party office, the Clerk, whose duty it is to compare the polls, shall give notice to the several persons so having an equal and the highest number of votes, to attend at the office of the County Clerk at a time to be appointed by said Clerk, who shall then and there proceed publicly to decide by lot which of the persons so having an equal number of votes shall be declared duly nominated or elected. And the said Clerk shall place such name on the ballot as required by this act, or issue to such person an election certificate as required herein, as the case may be.

Sec. 82. The County Clerk, immediately after making the abstract of votes given in his county for nominations, recommendations, party offices and propositions to be voted upon by the members of the parties in electoral districts larger than his county, shall make a copy of each of said abstracts, and transmit it by mail to the Secretary of State, at the seat of government, and it shall be the duty of the Secretary of State, in the presence of the Governor, to proceed within 25 days after the primary election, and sooner if all the returns be received, to canvass the votes given and as shown by such abstracts received from the several County Clerks. The Secretary of State shall then and at the same time he certifies other nominations to the County Clerks also certify the names of such persons as have received the highest number of votes for the respective nominations by respective parties as nominees for the respective offices on their respective tickets at the ensuing election. The Governor shall issue to such persons as shall receive the highest number of votes on their respective party tickets for party offices, for delegates to National conventions and for recommendations for United States Senator, certificates of election or recommendation accordingly. The Secretary of State shall certify to the managing committees of the respective parties as organized in the state or other electoral district larger than a county such propositions as have been accepted under the provisions of this act by members of the parties respectively in such respective electoral districts. If in any case there is no choice of a nominee, or a party officer, or a National delegate by reason of any two or more persons having an equal and a highest number of votes, the Secretary of State shall give notice to the several persons so having the highest and an equal number of votes to attend in person or by proxy at his office at a time to be appointed by him, and he shall then and there, in the presence of the Governor, publicly decide by lot which of the persons so having an equal number of votes shall be declared duly nominated or elected, and such selection by lot shall have the same effect and be of the same force as an election by such highest number of votes and the subsequent procedure in respect to such person so selected shall be the same as in the case of election by such highest number of votes.

Sec. 83. (2541, Code.)

Sec. 84. Whenever it shall appear by affidavit to the County Court or Judge thereof, or to the Circuit Court of the county, or a Judge thereof, that an error or omission has occurred, or is about to occur, in the printing of the name of any candidate on official primary ballots, or that any error has been or is about to be committed in the printing of the ballots, or that the name of any person has been or is about to be wrongfully placed upon such ballots, or that any wrongful act has been performed, or is about to be performed, by any judge or clerk of the primary election, County Clerk, canvassing board or member thereof, or by any person charged with a duty under this act, or that any neglect of duty by any of the persons aforesaid has occurred, or is about to occur, such court or Judge shall, by order, require the officer, or persons or person charged with the error, wrongful act or neglect to forthwith correct the error desist from the wrongful act, or perform the duty, and do as the court shall order, or to show cause forthwith why such error should not be corrected, wrongful act desisted from, or such duty or order performed. Failure to obey the order of any such Judge or court shall be contempt.

Sec. 85. Any candidate at such primary election who may desire to contest the nomination or election of any candidate for the same nomination, party office or honor, or recommendation, at said primary election, may proceed by such affidavit so presented, provided that such affidavit be presented within five days after the completion of the canvass by the canvassing board, and not later, and the candidate whose nomination or election is so contested shall, by order of such Judge duly served, be required to appear and abide by the orders of the court to be made therein. Such contest shall be heard and determined at the earliest practicable date, and the result thereof shall be immediately certified by the Clerk of the Court or the Judge to the proper officer or officers, who shall proceed accordingly. This section shall not be so construed as to affect any remedy any party aggrieved might otherwise have under the law of this state.

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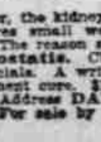

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TRAVELERS' GUIDE.

O.R.&N.

Union Depot, Sixth and J Streets.

THREE TRAINS DAILY FOR ALL POINTS EAST

"CHICAGO-PORTLAND SPECIAL."

Leaves for the East, via Huntington, at 9:00 A. M.; arrives at 4:30 P. M.

SPOKANE FLYER.

For Spokane, Eastern Washington, and Great Northern points, leaves at 6 P. M.; arrives at 7 A. M.

ATLANTIC EXPRESS.

Leaves for the East, via Huntington, at 9:00 P. M.; arrives at 8:40 A. M.

THROUGH PULLMAN AND TOURIST SLEEPERS.

OCEAN AND RIVER SCHEDULE.

Water lines schedule subject to change without notice.

OCEAN DIVISION — From Portland, leave Ainsworth Dock at 8 P. M.; sail every 5 days: Geo. W. Elder, Dec. 3, 13, 23; Jan. 2, 12, 22. Columbia, Dec. 8, 18, 28; Jan. 7, 17, 27.

From San Francisco — Sail every 5 days. Leave Spear-street Pier 24 at 11 A. M.: Columbia, Dec. 4, 14, 24; Jan. 3, 13, 23. Geo. W. Elder, Dec. 9, 19, 29; Jan. 8, 18, 28.

COLUMBIA RIVER DIVISION.

PORTLAND AND ASTORIA.

Steamer Hassalo leaves Portland daily, except Sunday, at 8:00 P. M.; on Saturday at 10:00 P. M. Returning, leaves Astoria daily, except Sunday, at 7:00 A. M.

WILLAMETTE RIVER DIVISION.

PORTLAND AND SALEM, OR.

Steamer Ruth, for Salem, Independence and way points, leaves from Ash-street Dock at 6 A. M. on Mondays, Wednesdays and Fridays. Returning, leaves Independence at 5 A. M., and Salem at 8 A. M., on Tuesdays, Thursdays and Saturdays.

CORVALLIS AND ALBANY.

Steamer Modoc leaves Portland at 6 A. M. on Tuesdays, Thursdays and Saturdays. Returning, leaves Corvallis at 6 A. M. on Mondays, Wednesdays and Fridays.

YAMHILL RIVER ROUTE.

PORTLAND AND DAYTON, OR.

Steamer Elmore, for Oregon City, Butteville, Champoeg, Dayton and way landings, leaves Portland, Tuesdays, Thursdays and Saturdays at 7 A. M. Leaves Dayton for Portland and way points Mondays, Wednesday and Fridays at 6 A. M.

SNAKE RIVER ROUTE.

RIPARIA, WASH., AND LEWISTON, IDAHO

Steamer Spokane or steamer Lewiston leaves Riparia daily at 3:40 A. M., arriving at Lewiston about 3 P. M. Returning, the Spokane or Lewiston leaves Lewiston daily at 8:30 A. M., arriving at Riparia same evening.

W. H. HURLBURT, General Passenger Agent.

V. A. SCHILLING, City Ticket Agent.
Telephone Main 712. 80 Third st., cor. Oak.

STEAMSHIP LINE TO THE ORIENT

CHINA AND JAPAN, FROM PORTLAND.

For rates, accommodations, etc., apply to OREGON RAILROAD & NAV. CO., Agents, Portland, Or.

EAST VIA SOUTH

SOUTHERN PACIFIC COMPANY — SUNSET OGDEN & SHASTA ROUTES

Leave	Depot Fifth and I Streets.	Arrive
*8:30 P. M. *8:30 A. M.	OVERLAND EXPRESS TRAINS, for Salem, Roseburg, Ashland, Sacramento, Ogden, San Francisco, Mojave, Los Angeles, El Paso, New Orleans and the East.	*7:45 A. M. *6:30 P. M.
	At Woodburn (daily except Sunday), morning train connects with train for Mt. Angel, Silverton, Brownsville, Springfield, and Natron, and evening train for Mt. Angel and Silverton.	
*4:00 P. M.	Albany passenger	*10:10 A. M.
‖7:30 A. M.	Corvallis passenger	‖5:50 P. M.
‖4:50 P. M.	Sheridan pass'gr ..	‖8:25 A. M.

*Daily. ‖Daily except Sunday.

Rebate tickets on sale between Portland, Sacramento and San Francisco. Net rates $17 first class and $11 second class, including sleeper.

Rates and tickets to Eastern points and Europe. Also JAPAN, CHINA, HONOLULU and AUSTRALIA. Can be obtained from J. B. KIRKLAND, Ticket Agent, 140 Third street.

YAMHILL DIVISION.

Passenger Depot, foot of Jefferson street.

Leave for Oswego daily at 7:20, *9:40 A. M.; 12:30, 1:55, 3:25, 4:40, 6:25, 8:30, 11:30 P. M.; and 9:00 A. M. on Sundays only. Arrive at Portland daily at *6:35, 8:30, *10:50 A. M.; 1:35, 3:10, 4:30, 6:15, 7:40, 10:00 P. M.; 12:40 A. M. daily, except Monday, 8:30 and 10:05 A. M. on Sundays only.

Leave for Dallas daily, except Sunday, at 5:05 P. M. Arrive at Portland at 9:30 A. M.

Passenger train leaves Dallas for Airlie Mondays, Wednesdays and Fridays at 2:45 P. M. Returns Tuesdays, Thursdays and Saturdays.

*Except Sunday.

R. KOEHLER, Manager. C. H. MARKHAM, Gen. Frt. & Pass. Agt.

ONLY 70 HOURS
PORTLAND TO CHICAGO
...VIA...

UNION PACIFIC — THE OVERLAND ROUTE — WORLD'S PICTORIAL LINE.

UNION PACIFIC R. R. CO.
OREGON SHORT LINE R. R. CO.
OREGON R. R. & NAVIGATION CO.

TWO TRAINS DAILY TO THE EAST

NO CHANGE OF CARS to Denver, Omaha, Kansas City and Chicago.

Only Four Days

To New York, Boston, Philadelphia and Washington.

Palace Sleepers, Tourist Sleepers, Dining Cars, Library Cars, Free Reclining-Chair Cars. Steam Heat, Pintsch Light, Fast Time. Union Depots. Baggage checked to destination.

CITY TICKET OFFICE
135 Third Street Portland, Oregon
J. H. LOTHROP, Gen'l Agent. GEORGE LANG, City Pass. & Tkt. Agt.

Steamers
Altona and Pomona

Daily (ex. Sunday) for Independence, Salem and all way landings. Leave Portland 6:45 A. M.; leave Salem 7 A. M.; Independence, 6 A. M. Office and dock, foot Taylor st.

TRAVELERS' GUIDE.

NORTHERN PACIFIC — YELLOWSTONE PARK LINE

The Yellowstone Park and Pioneer Dining-Car Route

Leave.	Union Depot, 6th and J Sts	Arrive.
No. 12—1:45 P. M.	Overland Express for South Bend, Aberdeen, Hoquiam, Cosmopolis, Olympia, Tacoma, Seattle, North Yakima, Ritzville, Spokane, Pullman, Moscow, Lewiston, Grangeville, Rossland, B. C., Butte, Billings, Fargo, St. Paul, Minneapolis, Chicago, Boston, Washington, D. C., New York, and all points east and southeast.	No. 11—7:00 A. M.
No. 4—11:30 P. M.	Kansas City-St. Louis Special for Tacoma, Seattle, North Yakima, Ritzville, Spokane, Rossland, Lewiston, Helena, Butte, Billings, Deadwood, Denver, Omaha, St. Joseph, Kansas City, St. Louis, Chicago, Washington, Baltimore, New York, Boston, and all points east and southeast.	No. 3—7:30 P. M.

Baggage checked to destination of tickets. Union Depot connections in all principal cities.

Through car service via Northern Pacific-Burlington Route, train No. 4, for Omaha, St. Joseph, Kansas City, St. Louis. Quick time and unequaled accommodations. The only line running Pullman standard and Pullman upholstered tourist sleepers, the finest in the world, Portland to Minneapolis and St. Paul without change.

For any additional information, tickets, sleeping-car reservations, maps of routes, etc., call on or write to

A. D. CHARLTON
Assistant General Passenger Agent,
255 Morrison St., Cor. Third,
Portland, Oregon.

Burlington Route

A Right To be Proud

There is one feature of the Burlington's service of which it has a right to be proud—the dining-cars.

Railroad men who have traveled over the Burlington admit that its dining-car service is without an equal; that the meals are the best to be had on any railroad in the country.

Neither pains, nor effort, nor expense is spared. The instructions are: "Make it the best in the world and keep it there." And they are obeyed.

The traveling public gets the benefit.

Omaha, Chicago, Kansas City, St. Louis—everywhere East and South.

TICKET OFFICE
Cor. Third and Stark Sts.

R. W. FOSTER, City Ticket Agent.

CANADIAN PACIFIC
AND
SOO LINE

FIRST-CLASS AND TOURIST SLEEPERS DAILY

PASSENGERS BOOKED —TO— AND FROM ALL POINTS EAST

ATLANTIC STEAMSHIP OFFICE

For full particulars apply to

H. H. ABBOTT, Agent, 146 Third st., Portland, Or.
E. J. COYLE, A. G. P. A., Vancouver, B. C.

THE GREAT NORTHERN

Ticket Office 268 Morrison St. 'Phone 680

LEAVE		ARRIVE
No. 4 6:00 P. M.	The Flyer, daily to and from St. Paul, Minneapolis, Duluth, Chicago and all points East.	No. 3 7:00 A. M.

Through Palace and Tourist Sleepers, Dining and Buffet Smoking-Library Cars.

JAPAN - AMERICAN LINE

STEAMSHIP RIOJUN MARU

For Japan, China and all Asiatic points will leave Seattle

About January 7th

Astoria & Columbia River Railroad Co.

LEAVES UNION DEPOT.		ARRIVES UNION DEPOT.
8:00 A. M.	For Maygers, Rainier, Clatskanie, Westport, Clifton, Astoria, Warrenton, Flavel, Hammond, Fort Stevens, Gearhart Pk., Seaside, Astoria and Seashore Express, Daily.	11:10 A. M.
7:00 P. M.	Astoria Express, Daily.	9:40 P. M.

Ticket office 255 Morrison st. and Union Depot.
J. C. MAYO, Gen. Pass. Agt., Astoria, Or.

Pacific Coast Steamship Co.
FOR ALASKA.

THE COMPANY'S elegant steamships Cottage City, City of Topeka and Al-Ki leave TACOMA 11 A. M.; SEATTLE 9 P. M., Dec. 1, 6, 11, 16, 21, 26, 31; Jan. 5, 10, 15, 20, 25, 30; Feb. 4. Steamer leaves every fifth day thereafter. Further information obtain company's folder. The company reserves the right to change steamers, sailing dates and hours of sailing, without previous notice.

AGENTS—N. POSTON, 249 Washington st., Portland, Or.; F. W. CARLETON, N. P. R. R. Dock, Tacoma. TICKET OFFICE, 618 First ave., Seattle; M. TALBOT, Comm'l. Agent; C. W. MILLER, Asst. Gen'l Agent, Ocean Dock, Seattle.

GOODALL, PERKINS & CO., Gen. Agts., SAN FRANCISCO.