

shall be paid into the common school fund of the State of Washington.

SEC. 4. It shall be the duty of the prosecuting or county attorneys of the various counties of this state to see that the provisions of this act are complied with.

Passed the senate February 13, 1895.

Passed the house March 14, 1895.

Approved March 20, 1895.

CHAPTER CXLV.

[S. B. No. 182.]

REGULATING PRIMARY ELECTIONS.

AN ACT to authorize and regulate primary elections of voluntary political associations, to provide for punishment of frauds therein.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. All primary elections hereafter to be held by any voluntary political associations or party for delegates to any nominating convention of such party for candidates for public office shall be held under the provisions of this act in the incorporated cities and towns of this state.

SEC. 2. Whenever such primary elections are called by any managing committee authorized under the rules or customs of such voluntary political association or party to call such primary elections, such call shall be made by resolution duly passed by such managing committee and attested by the chairman and secretary of such committee.

Primary elections, how called.

SEC. 3. This resolution shall be published in some newspaper of general circulation in the city or town where such primary election is to be held, at least ten days previous to the time set for such election; and if there be no newspaper published therein, then written copies of such resolution shall be posted in two of the most public places in each precinct in said city or town.

Notice published.

Resolutions to contain, what.

SEC. 4. The resolutions shall declare — *First*, The time and places of holding such primary elections and the hours between which the polls are to be kept open; *second*, the object of the election; *third*, the qualifications required of voters in addition to those prescribed by law; *fourth*, the number of persons to be elected as such delegates in each polling precinct, and such other matters as such managing committee, in accordance with the custom of such voluntary political associations or party, usually submit in an official call for such primary elections.

Qualification of voters.

SEC. 5. The qualifications of voters at such primary elections, in addition to those prescribed by such resolution, shall be the same as those at a general election held under the general election law of this state.

Candidates, qualifications of.

SEC. 6. The persons to be voted for as such delegates at such primary election shall possess all the qualifications required of a voter at such primary election in the respective voting precincts.

Relative number of delegates voted for.

SEC. 7. The persons to be voted for as such delegates shall be selected in excess by at least twice the number to be elected in each polling precinct, and such selection shall be made at least one day previous to such primary election by a caucus of the qualified voters in each precinct, under such call or resolution, and such caucus shall also select three reputable citizens, two to act as judges and one as clerk of such primary election. Such selection shall be certified to such managing committee by the officers of such caucus.

Judges and clerks, qualifications of.

SEC. 8. The qualifications and duties of the judges and clerks selected by such caucus and their organization into an election board for their respective precincts shall be similar to those in the general election law, and such election board shall have the right to question the voter as to his previous party affiliation, and shall have the same powers in administering oaths, questioning voters as to their qualification, rejecting ballots, etc., as the election board has under the general election law of this state.

List of delegates elected to be printed.

SEC. 9. The managing committee shall cause a list of the names of such delegates so selected to be printed on one ballot of convenient form for each polling precinct, which

ballot shall be the only ballot voted at such primary election and shall be obtained only by the voters from the primary election officers immediately before voting.

SEC. 10. The voters shall designate the persons for whom he wishes to vote by marking a cross (x) opposite their names on such printed ballot voting for as many persons only as the respective precinct is entitled to elect under such call or resolution: *Provided*, That nothing in this section shall prevent the voter from inserting or adding any name or names on such printed ballot he may wish to vote for.

Designation
of persons
voted for.

SEC. 11. It shall be the duty of the registration officers under the general election law of this state to permit the judges or managing committee of such primary elections to make a list of the registered voters in the respective precincts.

Registered
voters, list of.

SEC. 12. It shall be the duty of the clerks of each primary election board to keep a tally list of the names and residences of all persons voting, numbered in the order of the voting, and upon canvassing the vote such clerk shall make a return of all persons voted for, with the number of ballots cast for each person.

List of
voters kept.

SEC. 13. Before receiving any ballots the judges, in the presence of the persons assembled at the polling places, shall open and exhibit and then close the ballot box, and thereafter it must not be removed from the polling place nor from the view of the bystanders until all the ballots are counted, nor must it be opened until the polls are finally closed.

Ballot boxes
opened before
election
begins.

SEC. 14. Before the judges receive any ballots they must cause it to be proclaimed aloud at the places of election that the polls are open, and fifteen minutes before the time of closing that fact must be proclaimed in like manner, and after the final closing of the polls no ballots must be received.

Announce-
ment of open-
ing and clos-
ing polls.

SEC. 15. On closing the polls the judges must immediately proceed to canvass the votes in the presence of the bystanders, and must continue the canvass without adjournment at the polling place until complete and the results thereof declared.

Votes, when
canvassed.

Judges,
duty of.

SEC. 16. After counting the votes, proclaiming the result and signing the return, the judges shall cause the tally list and ballots to be filed with the clerk of the county wherein such election is held, which tally list and ballots shall be kept by him as part of the public records until after the adjournment of the convention for which such primary election was held, and they shall cause the return to be filed with the managing committee under whose authority such primary election was called, whereupon such managing committee shall issue certificates of election in accordance with the result therein declared. Such certificate shall be *prima facie* evidence of the person's selection.

Penalty for
falsifying
returns.

SEC. 17. Any judge or clerk who shall falsify any primary election return, or in any manner violate the provisions of this act, or make it possible to secure a return of such primary election other than the true one by fraudulently canvassing the votes of such primary election, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than one hundred nor more than three hundred dollars, or by imprisonment in the county jail for not less than two nor more than six months, or by both fine and imprisonment, in the discretion of the court.

Penalty for
fraudulent
voting.

SEC. 18. (1) Whoever fraudulently votes at any primary election; or (2) offers to vote after having voted at such election; or (3) knowing that he is not a qualified voter under the resolution or call of such managing committee at such primary election, wilfully votes or offers to vote at such primary election; or (4) aids or abets any one not a qualified voter at such primary election in voting; or (5) by offering a reward or bribe, either directly or indirectly, to influence or attempt to influence any elector at such primary election to give or withhold his vote at such primary election; or (6) furnishes a voter, or himself votes, a ballot other than the lawful ballot obtained from the officers of such primary election; or (7) fraudulently or deceitfully changes a ballot of a voter; or (8) prevents the voting of any qualified voter; or (9) exercises an unlawful influence over a qualified voter at such primary election by means of violence or threats of violence, or any other

injury, or by bribery or by corrupt means prevents or attempts to prevent any qualified voter from attending or voting at such primary election; or (10) gives, or offers to give, any valuable thing or bribe to any judge or clerk of such primary election as a consideration for some act to be done, or omitted to be done, contrary to his duty in relation to such primary election; or (11) shall in any manner interfere with or disturb any primary election held under the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment in the county jail for not less than one nor more than six months, or by both fine and imprisonment, in the discretion of the court.

SEC. 19. Any person who shall violate any section of this act for which no punishment is herein especially provided, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than fifty nor more than two hundred dollars, or by imprisonment in the county jail for not less than one or more than three months, or by both fine and imprisonment, in the discretion of the court.

Passed the senate February 21, 1895.

Passed the house March 14, 1895.

Approved March 21, 1895.

CHAPTER CXLVI.

[S. B. No. 215.]

AUTHORIZING AGRICULTURAL COLLEGE TO GRANT USUAL DEGREES.

AN ACT to empower the faculty of the agricultural college to grant the usual academic and honorary degrees.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That the faculty of the state agricultural college and school of science be and hereby are empowered to grant the usual academic and honorary degrees, and to