
LEGISLATURE OF PENNSYLVANIA.

FILE OF THE HOUSE OF REPRESENTATIVES.

No. 1042 **Session of**
1919.

INTRODUCED BY MR. PALMER, MARCH 24, 1919.

REFERRED TO COMMITTEE ON ELECTIONS,
MARCH 25, 1919.

AN ACT

To amend sections three five twelve and sixteen of an act approved the twenty-fourth day of July one thousand nine hundred thirteen Pamphlet Laws one thousand one) entitled "An act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record providing for non-partisan nominations and elections for said offices abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth county commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof and the punishment of certain offenses

1 Section 1 *Be it enacted by the Senate and House of Repre-*
2 *sentatives of the Commonwealth of Pennsylvania in General Assembly*
3 *met and it is hereby enacted by the authority of the same* That
4 so much of section three of an act of Assembly ap-
5 proved the twenty-fourth day of July one thousand nine
6 hundred thirteen (Pamphlet laws one thousand one) en-
7 titled "An act to regulate nominations and elections for
8 all elective offices of cities of the second class and all
9 offices of judge of a court of record providing for non-
10 partisan nominations and elections for said offices abolish-
11 ing certain existing methods of nomination in such cases
12 and the use of party or political names or appellations
13 at elections with respect to said offices imposing certain
14 duties upon the Secretary of the Commonwealth county
15 commissioners and election officers and clerks and provid-
16 ing penalties for the violation of the provisions hereof
17 and the punishment of certain offenses" which reads as
18 follows

19 "On the back of such ballot shall be printed in
20 prominent type the words official non-partisan primary ballot and
21 there shall also appear on the back of such ballot the
22 facsimile signatures of the county commissioners of the
23 county The ballot shall vary in form only as the names
24 of districts offices or candidates or the provisions of this
25 act may require The names of the candidates shall ap-
26 pear on the official non-partisan primary ballots in al-
27 phabetical order under the respective offices Opposite or
28 under the name of each candidate who is to be voted
29 for by the electors of more than one county shall be

1 printed the name of the county in which such candidate
2 resides and opposite or under the name of each candidate
3 who is to be voted for by the electors of an entire
4 county shall be printed the name of the township borough
5 or ward and city as the case may be in which such
6 candidate resides" is hereby amended to read as follows

7 On the back of such ballot shall be printed in
8 prominent type the words official non-partisan primary bal-
9 lot and there shall also appear on the back of such
10 ballot the facsimile signatures of the county commissioners
11 of the county. The ballot shall vary in form only as
12 the names of districts offices or candidates or the pro-
13 visions of this act may require. The names of the can-
14 didates for offices in cities of the second class shall
15 appear on the official non-partisan primary ballots in al-
16 phabetical order under the respective offices. The names
17 of candidates for the office of judge shall be printed on
18 the ballot and the order of precedence shall be deter-
19 mined by the casting of lots in the manner hereinafter
20 provided for. Opposite or under the name of each can-
21 didate who is to be voted for by the electors of more
22 than one county shall be printed the name of the
23 county in which such candidate resides and opposite or
24 under the name of each candidate who is to be voted
25 for by the electors of an entire county shall be printed
26 the name of the township borough or ward and city as
27 the case may be in which such candidate resides

28 Section 2 That so much of section five of the said
29 act which reads as follows

1 "Section 5 The nomination petitions in the case of
2 candidates for the office of judge shall be filed at least
3 four weeks prior to the primary with the Secretary of
4 the Commonwealth. Nomination petitions in all other cases
5 shall be filed at least three weeks prior to the primary
6 with the county commissioners of the respective counties"

7 be and the same is hereby amended to read as follows

8 Section 5 The nomination petitions in the case of
9 candidates for the office of judge shall be filed at least
10 four weeks prior to the primary with the Secretary of
11 the Commonwealth Immediately after the last day fixed
12 for filing of said nominating petitions with him the
13 Secretary of the Commonwealth shall fix a day for such
14 casting of lots for the position of names upon the
15 primary ballot and shall give notice to all candidates to
16 appear before him for that purpose. Said candidates shall
17 appear in person or by agent duly authorized by letter
18 of attorney signed and acknowledged before an officer em-
19 powered to take acknowledgments. In the event of any
20 of said candidates not being present in person or by
21 representative at the time of casting of lots it shall be
22 the duty of the Secretary of the Commonwealth to ap-
23 point some person to represent such absentee. After said
24 lots are cast the Secretary of the Commonwealth shall
25 establish the order in which the names of said can-
26 didates are to appear upon the primary ballot and certify
27 the same to the county commissioners of the respective
28 counties. Nominations petitions in all other cases shall be

1 filed at least three weeks prior to the primary with the
2 county commissioners of the respective counties

3 Section 3 That section twelve of the said act which
4 reads as follows

5 "Section 12 The county commissioners shall make the
6 proper certification of return of votes cast at any primary
7 for the candidates for nomination for all offices of judge
8 of any court to the Secretary of the Commonwealth who
9 shall tabulate the same and shall certify to the county
10 commissioners of the respective counties the result of the
11 computation of the vote at least thirty days prior to
12 the date of the succeeding election" be and the same
13 is hereby amended to read as follows

14 Section 12 The county commissioners shall make the
15 proper certification of return of votes cast at any primary
16 for the candidates for nomination for all offices of judge
17 of any court to the Secretary of the Commonwealth who
18 shall tabulate the same and shall certify to the county
19 commissioners of the respective counties the result of the
20 computation of the vote at least thirty days prior to
21 the date of the succeeding election Immediately after the
22 county commissioners shall make the proper certification of
23 return of votes cast at any primary for the candidates for
24 nomination for all offices of judge of any court to the
25 Secretary of the Commonwealth it shall also be the duty
26 of the Secretary of the Commonwealth in the manner
27 hereinafter provided to establish the order of precedence
28 of said names on the ballot and certify the same to

1 the county commissioners of the respective counties at
2 least thirty (30) days prior to the date of the suc-
3 ceeding election

4 Section 4 That so much of section sixteen of the
5 said act which reads as follows

6 "The names of the candidates nominated as provided
7 by this act shall be printed on the ballot in alphabet-
8 ical order under the titles of the respective offices and
9 without any party name or appellation and the names of
10 no other candidates for such offices shall be printed on
11 said ballots At the right of the name of each can-
12 didate shall be a square for the insertion of a cross
13 mark and following the list of candidates for each differ-
14 ent office to be filled (or under the name of the of-
15 fice itself if there are no candidates) shall be left blank
16 spaces—all as required by law" be and the same is
17 hereby amended to read as follows

18 Section 16 The names of the candidates for office in
19 cities of the second class nominated as provided by this
20 act shall be printed on the ballot in alphabetical order
21 under the titles of the respective offices The number of
22 votes cast for the respective candidates for the office of
23 judge at the primary shall determine the order of pre-
24 cedence of the names of such candidates upon the ballot
25 for the election The name of the candidate receiving the
26 highest number of votes shall head the group of candidates and
27 the names of the other candidates shall follow in de-
28 scending numerical order according to the number of votes
29 cast for each In case of a tie between any two or

1 more candidates their position shall be established alpha-
2 betically The names of all candidates shall be printed
3 on the ballot without any party name or appellation and
4 the names of no other candidates for offices in cities of
5 the second class or for the office of judge shall be
6 printed on said ballots At the right of the name of
7 each candidate shall be a square for the insertion of a
8 cross mark and following the list of candidates for each
9 different office to be filled (or under the name of office
10 itself if there are no candidates) shall be left blank
11 spaces—all as required by law