

CHAPTER 25.

AN ACT

[H. B. 1.]

To provide official ballots for elections in the Territory of Alaska.

Be It Enacted by the Legislature of the Territory of Alaska:

Section 1. That after the passage of this Act, for all elections in the Territory of Alaska provided for in an Act of Congress entitled: "An Act to create a Legislative Assembly in the Territory of Alaska, to confer Legislative Power thereon, and for other purposes," approved August twenty-fourth, nineteen hundred and twelve, the Clerk of the District Court of each judicial division of the Territory shall prepare ballots for use in their respective divisions.

Ballots for territorial elections to be prepared by Clerks of District Courts.

Section 2. That every ballot printed under the provisions of this Act shall be printed upon white paper of sufficient width and length to afford space for the names of all the candidates to be voted for, and blank spaces for the insertion of names of candidates not printed upon the ballots. The names of all candidates nominated in accordance with the provisions of this Act shall be printed upon the ballots.

To be printed on white paper

Section 3. The ballots shall be headed: "Official Ballot" of the judicial division in which it is issued, and at the top thereof, above a perforated line, shall be duplicate stubs bearing consecutive numbers; one of said stubs to be retained by the election judges upon presenting the ballot to the voter; the other stub to be torn from the ballot by the election judges and compared and retained upon the return of the voter from the voting booth, and each official ballot shall contain under the title of each office one blank space for as many candidates as may be voted for to fill such office, below the printed names of candidates upon which may be written names of candidates or persons whose names are not printed upon the "Official Ballot." The Clerk of the Court shall, in pre-

Form of ballot

paring said ballot, provide space in conformity with this Act for the names of candidates for any additional offices which may hereafter be created for the Territory.

No.....	No.....
(Perforated Line.)	
OFFICIAL BALLOT	
.....Judicial Division.	
<p>Mark "X" in the square at the left of the name of the candidate for whom you desire to vote. If names of candidates for whom you desire to vote do not appear on the ballot, insert with pencil in blank spaces.</p>	
For Delegate to Congress (Vote for one)	
	Brown, Richard
	Doe, John
For Territorial Senator (Vote for)	
For Territorial Representatives (Vote for 4)	

PROVIDED, that in case there are two Territorial Senators to be elected, the terms for which the candidates are to be elected shall be printed on the ballot in the following manner:

John Doe (Long term)

Richard Moe (Short term)

Instructions to voters

Section 4. At the top of the ballot shall appear the following instructions to the voters: "Mark X in the

square at the left of the name of the candidate for whom you desire to vote. If names of candidates for whom you desire to vote do not appear on the ballot, insert with pencil in blank spaces."

Section 5. That the names of candidates for the several offices shall be printed upon the ballots in alphabetical order of the first letters of their family names. Names of candidates in alphabetical order.

Section 6. That black lines shall be printed upon the ballots to separate the spaces wherein are printed the names of candidates, and at the left hand end of each space provided for the names of candidates, shall be printed in black lines a square wherein the voter shall mark "X" to designate the candidate for whom he desires to vote. Names to be separated.

Section 7. That the first list of names printed upon the ballots in alphabetical order, as provided for in Section 6 of this Act, shall be the names of candidates for the office of Delegate to Congress, and at the top of the list shall be printed the words: "For Delegate to Congress" and "Vote for one." Delegate to Congress.

Section 8. That the second list of names printed upon the ballots in alphabetical order, as provided for in Section 6 of this Act, shall be the names of candidates for the office of Territorial Senator, and at the top of the list shall be printed the words: "For Territorial Senator" and "Vote for —." Senators

Section 9. That the third list of names printed upon the ballots in alphabetical order, as provided for in Section 6 of this Act, shall be the names of candidates for the office of Representatives to the Territorial Legislature, and at the top of the list shall be printed the words: "For Representative to the Legislature" and "Vote for four." Representatives

Section 10. That on the back and outside of every ballot shall be printed the words: "Official Ballot" followed by the designation of the judicial division for which the ballot is prepared, the date of the election, the official endorsement of the Clerk of the Court and blank certi- Certificate of judges of election

ficates in the following form: "We certify that the within ballot was marked by us for an elector incapable under the law of marking his own ballot, and as directed by him," and "signed Judges of Election."

Nomination papers for Delegate to Congress

Section 11. That the name of any candidate for the office of Delegate to Congress shall be placed upon the official ballot upon the filing of nomination papers bearing the signatures of not less than two hundred and fifty (250) qualified voters of the Territory, not less than seventy-five (75) days before the date of the election with the Clerk of the District Court of the judicial division in which the candidate resides, and such Clerk shall immediately forward certified copies of the nomination papers to the Clerks of the Court of the other judicial divisions, and such certified copies shall be accepted for filing and have the same force and effect as the original nomination papers.

Nomination papers for members of Legislature

Section 12. That the name of any candidate for the office of Territorial Senator, or for the office of Representative to the Territorial Legislature, shall be placed on the official ballot upon the filing of nomination papers bearing the signatures of not less than one hundred (100) qualified voters of the judicial division in which the candidate resides, not less than seventy-five (75) days before the election, with the Clerk of the District Court of the judicial division in which such candidate resides.

Clerk of Court to forward ballots to proper officials

Section 13. That the Clerk of the District Court shall forward to each United States Commissioner in the division and to every election board or authorized official in incorporated towns, at least one hundred (100) ballots for each fifty (50) voters in the recording districts and incorporated towns.

Sample ballots

Section 14. That the Clerk of the District Court shall have printed upon tinted paper sample ballots upon which shall be printed in large type, the words: "Sample Ballot," twenty-five of which shall be sent to each voting precinct in the division and shall be posted or distributed

in conspicuous places at any time on or before the date of election, by the judges of election.

Section 15. That the United States Commissioner of each recording district shall deliver to the election judges or the authorized officials in incorporated towns the required number of ballots for each voting precinct.

Commissioners to deliver ballots to election judges

Section 16. That every polling place in the Territory shall be provided with booths or screens wherein the voter shall mark his or her ballot. Provided, that not less than one booth shall be furnished for each 100 votes or fractional part thereof, cast at the previous election.

Voting booths

Section 17. That when a voter enters the polling place he shall be given an official ballot by one of the election judges with which he shall retire to the booth or screen and there mark the same for the candidates of his choice.

Ballots to be marked in booths

Section 18. That when any voter mars a ballot so that the legibility is destroyed, he may receive a second ballot from the judges of the election, and if necessary, a third ballot, but no more than three will be allowed, and the marred ballots must be preserved by the judges of the election and placed with the unused ballots.

Marred ballots may be replaced

Section 19. That any voter who is blind or otherwise incapable of marking his or her ballot, may demand that the judges of election assist him or her, and the judges of the election shall do so.

Judges may assist voters—When

Section 20. That the Act of Congress entitled "An Act providing for the election of a Delegate to the House of Representatives from the Territory of Alaska," approved May seventh, nineteen hundred and six, or any acts amendatory thereof shall continue to apply to all elections except insofar as it is modified or amended by this Act.

34 Stat. L., 169-175 to apply, as amended hereby

Section 21. That in any precinct where the election has been legally called and no official ballots have been received, the voters are permitted to write or print their ballots, but the judges of election shall in this event certify to the facts which prevented the use of the official

When other than official ballots may be used

Judges of election to certify

ballots, which certificate must accompany and be made a part of the election returns.

Registration
book—Con-
tents.

Section 22. The Clerk of the Court shall provide each polling place with a book to be known as the "Registration Book" on the first page of which shall be printed the qualifications of the voter as follows: "Any person of the age of twenty-one (21) years or more who is a citizen of the United States, who has lived in the Territory of Alaska one year and in the judicial division in which he or she offers to cast his or her vote thirty (30) days immediately preceding such election, shall be entitled to vote at all elections held therein; Provided, that all idiots, insane persons, and persons who have been convicted of an infamous crime are excluded from such right and privilege, and provided further that no person shall be deemed to have lost his residence by reason of his absence while in the Civil or Military service of the Territory, or the United States, nor while a student at any institution of learning, nor while kept a public charge at any poor-house or any other asylum, nor while confined in any public prison, nor while engaged in navigation of the waters of this Territory, of the United States or the high seas; absence from the Territory or said judicial division or city or town wherein election is held, on business, shall not affect the question of residence; provided he or she has not claimed such right elsewhere. One of the said judges shall keep said registration book, and before any voter shall receive his or her official ballot, he or she shall sign his or her name in said book, which signature shall be a statement of said voter to the effect that he or she is qualified to vote under this Act.

Electors may
vote in any
precinct in di-
vision.

Section 23. Any person who can qualify as a legal voter in the division in which he or she attempts or offers to vote, may qualify and vote in any election precinct in such division by subscribing to the qualifications required for registration in this section. Any person who makes a false statement of his or her qualifications to vote, shall be punished, upon conviction by a fine of not less than

False state-
ment of quali-
fications—
Penalty.

twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00), or by imprisonment in the federal jail for not less than ten (10) days nor more than sixty (60) days, or by both fine and imprisonment in the discretion of the Court.

Section 24. PENALTY FOR VIOLATION OF ELECTION LAWS: Any person or officer who has assumed the duties of any officer under the provisions of this Act, who shall wilfully and corruptly fail, neglect or refuse to perform any duty or do anything required of him by this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00), or by imprisonment in the federal jail for a period of not less than one month, nor more than one year, or by both such fine and imprisonment; provided, however, that the provisions of this section shall not apply to any case where special punishment is provided by this Act.

Penalty for violation of election laws

Section 25. INTIMIDATION OF VOTERS: No person shall in any way directly or indirectly, by menace or other corrupt means or device (directly or indirectly), attempt to influence any person in giving or refusing to give his vote in any such election, or to deter or dissuade any person from giving his vote therein, or to disturb, hinder, persuade, threaten or intimidate any person from giving his vote therein, nor shall any person at any such election, knowingly and wilfully make any false assertion or propagate any false report concerning any person who shall be a candidate thereat, which shall have a tendency to prevent his election, or with a view thereto, and if any person shall be guilty of any act forbidden or declared to be unlawful by this section, he shall be deemed and taken to be guilty of a misdemeanor, and on conviction thereof, shall be punished by fine or imprisonment, or both, at the discretion of the Court, before [whom] such conviction shall be had; Provided, that in no case shall such fine ex-

Intimidation of voters

ceed the sum of two hundred and fifty dollars (\$250.00), or such imprisonment the term of six months.

Fraudulent
voting

Section 26. FRAUDULENT VOTING: If any elector shall vote, or attempt to vote more than once at any election, or shall knowingly hand in two or more tickets together, or having voted in one division, precinct, town or ward, shall afterward on the same day, vote, or attempt to vote in another division, precinct, town or ward, such person shall be guilty of a misdemeanor and shall be prohibited from voting at any election or holding any public office for two years thereafter.

Disqualified
persons voting

Section 27. DISQUALIFIED PERSONS VOTING: If any person, knowing that he does not possess the legal qualifications of a voter, at any election authorized by law to be held in this Territory for any office whatever, shall vote at such election, such person shall be guilty of a felony.

Collusion of
election offic-
ers.

Section 28. COLLUSION OF ELECTION OFFICERS: If any inspector or judge of any such election shall knowingly permit any elector to cast a second vote at any such election, or shall knowingly permit any person not a qualified elector to vote at any such election, such inspector or judge of election shall be guilty of a felony and be incapable of holding any public office in this Territory for five years thereafter.

Officers at-
tempting to in-
fluence voters

Section 29. OFFICERS ATTEMPTING TO INFLUENCE VOTER: If any inspector, judge, or clerk of an election shall attempt to induce, by persuasion, menace, or reward, or promise thereof, any elector to vote for any person, such inspector, judge, or clerk shall be guilty of a felony.

Tampering
with ballot by
officer

Section 30. TAMPERING WITH BALLOT BY OFFICER: If any judge, inspector, clerk or any other officer of an election shall open or mark, by folding or otherwise, any ticket presented by such elector, at such election, or attempt to find out the names thereon, or suffer the same to be done by any other person, before such

ticket is deposited in the ballot box, such judge, inspector, or clerk shall be guilty of a felony.

Section 31. INTIMIDATING OR BRIBING VOTER: Intimidating or bribing voter
If any person shall use menace, force, threat or corrupt means at or previous to any election held pursuant to the laws of the Territory toward any elector, to hinder or deter such elector from voting at said election, or shall directly or indirectly offer any bribe or reward of any kind to induce any elector for or against any person, or proposition, or shall authorize any person so to do, such person shall be guilty of a felony.

Section 32. FRAUDULENT ATTEMPT TO INFLU- Fraudulent at-
ENCE VOTER: If any person shall fraudulently cause tempt to in-
or attempt to cause, any elector, at any election held pur- fluence voter
suant to law in this Territory, to vote for a person differ-
ent from the one he intended to vote for, such person so
offending shall be fined not more than one hundred dol-
lars (\$100.00) nor less than ten dollars (\$10.00).

Section 33. INDUCING CERTAIN INDIANS TO Inducing cer-
VOTE: If any person shall induce, or attempt to induce, tain Indians to
any Indian or descendant of the aboriginal races, or any vote
other person to vote or offer his vote at any such election,
when he is not legally entitled so to do, such person so
offending, upon conviction thereof, shall be fined in the
sum not exceeding five hundred dollars, to which may be
added imprisonment in the federal jail not to exceed
three months; Provided, that this section shall not be so
construed as to include Indians or descendants of the
aboriginal races inhabiting Alaska who are or who shall
have become citizens and entitled to vote under the laws
of the United States and the Territory of Alaska.

Section 34. NONFEASANCE OR MALFEASANCE Nonfeasance
OF ELECTION OFFICERS: Every person charged with or malfeasance
the performance of any duty under the provisions of any of election of-
law of this Territory relating to elections, or to any pri- ficers
mary or any other primary election held pursuant to law,
who wilfully neglects such duty, or who, in the perform-
ance of such duty, or in his official capacity, knowingly

violates any of the provisions of law relating to such duty, shall be guilty of a felony and shall be punished by a fine of not more than one thousand (\$1,000.00) dollars, or imprisonment in a penitentiary for a period not to exceed two years, or both such fine and imprisonment.

Sale of liquor
on election
day

Section 35. SALE OF LIQUOR ON ELECTION DAY: Any person who shall barter, sell, give away, or in any manner dispose of any intoxicating liquors, on the day of any general or special election of Territorial, Divisional or Municipal officers within the territory, division or municipal corporation in which said election is held, and before the polls have closed, shall upon conviction thereof, be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the federal jail not less than ten nor more than thirty days, or both, in the discretion of the court.

Bribery or in-
fluencing voter

Section 36. BRIBERY OR INFLUENCING VOTER: If any candidate for office, in any election as hereafter mentioned under the laws of this territory, or any other person, shall directly or indirectly offer, promise, procure, confer or give any money, property, thing of action, victuals, drink, preferment or other consideration or valuable thing, by way of fee, reward, gift or gratuity, for giving or refusing to give any vote in any election of any public officer, territory, division or municipal whatever, or any person who shall carry voters to any polling place by wagon, steamboat or otherwise, for the purpose of influencing their votes, such person shall be deemed and taken to be guilty of a misdemeanor, and on conviction thereof, be punished by a fine or imprisonment, or both, at the discretion of the court, said fine not to exceed one thousand dollars, nor such imprisonment to exceed six months in a federal jail, PROVIDED FURTHER, such person shall, on such conviction, and as part of the judgment of the court, be deprived of the right of suffrage, and such candidate for office shall be disqualified to hold any office to which he was elected at such election, and provided further, if any person shall directly or indirectly ask for, ac-

cept, receive or take any such bribe, or the promise thereof, for giving or refusing to give his vote in any such election, he shall be deemed guilty of a misdemeanor and punished with the like penalties as hereinbefore prescribed.

Section 37. UNLAWFUL PRINTING OR DISTRIBUTING OF OFFICIAL BALLOTS: Any printer, business manager or publisher employed by any officer authorized by the laws of this territory to procure the printing of any official ballot, or any person engaged in printing the same who shall appropriate to himself or give or deliver or knowingly permit to be taken any of said ballots by any person other than such officer so authorized by law to receive the same, or who shall wilfully print or cause to be printed any official ballot in any other form than that prescribed by law or as directed by the officer so authorized to procure the said printing, or with any other names thereon or with the names spelled otherwise than as directed by such officer, or the names or printing thereon arranged in any other way than that authorized and directed by law, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars nor less than five hundred dollars, or imprisonment in the federal jail for a term not exceeding one year nor less than six months, or both at the discretion of the court.

Unlawful printing or distributing of official ballots

Section 38. UNLAWFUL POSSESSION OR COUNTERFEITING OF OFFICIAL BALLOTS: Any person other than the officer charged by law with the care of ballots, or a person intrusted by any such officer with the care of the same for the purpose required by law, who shall have in his possession outside of the voting room any official ballot, or any person who shall make or have in his possession any counterfeit of any official ballot, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not exceeding one thousand dollars nor less than five hundred, or to undergo imprisonment in the federal jail for a term not

Unlawful possession or counterfeiting of official ballots

less than six months or more than one year, or both at the discretion of the court.

Penalty where
no other is
provided

Section 39. PENALTY WHERE NO OTHER IS PROVIDED: In the event that any person shall be convicted of the violation of any one or more of the provisions of the election laws and no other penalty therefor shall be named herein, he shall pay a fine of not more than one thousand dollars or be imprisoned in the federal jail for not more than one year, or by both such fine and imprisonment, in the discretion of the court.

Allowance of
time for em-
ployees to vote

Section 40. ALLOWANCE OF TIME FOR EMPLOYEES TO VOTE: Any person entitled to vote at a general or special election held within this territory, as herein provided, shall on the day of such election be entitled to absent himself from any service or employment, in which he is then engaged or employed, for a period of at least two hours while the polls of such election are open. If such elector shall notify his employer before the day of such election of such intended absence and, if thereupon two consecutive hours for such absence shall be designated by the employer and said absence shall be during such designated hours, or if the employer upon the day of such notice makes no designation and such absence shall be during any two consecutive hours while such polls are open, no deduction shall be made from the usual salary or wages of such voter, and no other penalty shall be imposed by reason of such employer or person having the direction of or being in charge of persons employed by another shall violate the provisions of this section, he shall be guilty of a misdemeanor and shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the federal jail for not more than one year, or by both such fine and imprisonment.

Repealing
clause

Section 41. All acts or parts of acts in conflict with this Act are hereby repealed insofar as they affect this Act.

Approved, April 27, 1915.