

CHAP. 724

What ballots
shall not be
counted.

SEC. 12. *And be it enacted*, That the judges shall then open the ballot box, count the envelopes therein, and, in a like manner, announce the whole number of envelopes in the box ; and if any envelope shall be found not of the uniform character supplied, or if any mark or device be found on any envelope, or on the ballot contained therein, by which, in the opinion of the majority of the judges, the same may be identified, so as to indicate who may have cast the same, the ballot so marked or the ballot contained in the envelope so marked shall not be counted ; and when more than one ballot shall be found in an envelope, neither of the ballots therein shall be counted.

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SEC. 13. *And be it enacted*, That the intention, so far as the same may be ascertained from each ballot itself, shall, in the absence of any unlawful or fraudulent mark or device thereon or enclosed therewith or on the envelope containing the same, prevail. If more names are marked for any office than there are persons to be voted therefor, such ballots shall not be counted for such office, delegate or committeeman, but the whole ballot shall not for that reason be rejected ; and a ballot marked by any other than a black pencil shall not be counted ; no vote shall be counted for any person whose name is cancelled, and names of those voted for are to be indicated by the absence of any cancellation of their names.

Manner of
counting the
ballots.

SEC. 14. *And be it enacted*, That one of the judges, in the presence of the others, shall open the envelopes, take the ballots therefrom, and hand them separately to be canvassed by another of the judges sitting where the other judges can see the same. The judge canvassing the ballots shall call out the name of each candidate voted for and the designation of the position for which he is voted for, the other judges looking at the ballot at the same time ; and the clerks shall, as the names are called, make proper tally of the same on tally sheets provided for the purpose. When all of the ballots have been canvassed in this manner the primary election clerks shall compare their tallies together and ascertain the total number of votes received by each person voted for, and when they agree upon the number, one of them shall announce in a loud voice to the judges the aggregate number of the votes received by each candidate. If requested by any watcher or challenger present at any canvass, it shall be