

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1955

ENROLLED

HOUSE BILL No. 46

(By Mr. Bowles and Mr. Underwood)

PASSED February 7, 1955

In Effect ninety days from Passage

Filed in the Office of the Secretary of State
of West Virginia FEB 16 1955
D. PITT O'BRIEN
SECRETARY OF STATE

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House Bill No. 46

(By MR. BOWLES and MR. UNDERWOOD)

[Passed February 7, 1955; in effect ninety days from passage.]

AN ACT to amend and reenact section four, article five, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the election of presidential electors.

Be it enacted by the Legislature of West Virginia:

That section four, article five, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 4. *Form and Arrangement of Ballots.*—All ballots prepared under the provisions of this article shall be printed in black ink on number two white book paper sufficiently thick so that the printing cannot be distinguished from the back, and shall contain the names of every candidate whose nomination for any office to be voted for at the election has been certified and filed ac-

8 cording to law, and no others, except that if it shall appear
9 to the satisfaction of the ballot commissioners that a per-
10 son has been legally nominated as a candidate for an
11 office and is lawfully entitled to have his name upon the
12 ballot and no certificate of the nomination has been re-
13 ceived by the clerk of the circuit court, they shall print
14 the name of such candidate upon the ballot in its proper
15 place.

16 The tickets, except the heading, which shall be in dis-
17 play type, shall be printed in eight point type; the name
18 or designation of the office and the residence of the can-
19 didate in lower case letters, and the name of the candidate
20 in capital letters. The name and residence of the candi-
21 date may be printed in the same line. The name of each
22 candidate shall be printed in a space defined by ruled
23 lines, and with a blank square on its left inclosed by
24 heavy dark lines. If, upon any ticket, there be no candi-
25 date or candidates for a designated office, a blank space
26 equal to the space that would be occupied by such name
27 or names, if they were printed thereon, with the blank
28 space herein provided for, shall be left. The heading of

29 each party ticket, including the name of the party and
30 the device or emblem above and the large circle between
31 the device or emblem and such name, shall be separated
32 from the rest of the ticket by heavy lines, and the circle
33 above the name of the party in which the voter is to place
34 the cross mark, if he desires to vote the straight ticket,
35 shall be defined by heavier lines than the lines defining
36 the blank spaces before the names of candidates, and such
37 circle shall be surrounded by the following words printed
38 in heavy face six point type; "For a straight ticket mark
39 within this circle." Each party ticket shall be separated
40 from other party tickets and bordered on either side by a
41 heavy border, or a broad solid line, at least one sixteenth
42 of an inch wide, and the edges of the ballot on either side
43 trimmed off to within one-half inch of the border or solid
44 line described.

45 The names of the candidates shall be arranged on the
46 ballot in tickets or lists, in separate columns under the
47 respective party or political or other designation certified,
48 each column or ticket containing the names of candidates
49 nominated by the same political party and no others. In

50 elections for presidential electors, the names of candidates
51 for electors of any political party or group of petitioners,
52 shall not be placed on the ballot, but shall, after nomina-
53 tion, be filed with the secretary of state. In place of their
54 names, there shall be printed first on the ballots the names
55 of the candidates for president and vice-president, respec-
56 tively, of each such party or group of petitioners, and
57 they shall be arranged under the title of the office. Before
58 the names of such candidates for president and vice-presi-
59 dent of each party, or group, a single square shall be
60 printed, in front of a brace, in which the voter shall place
61 the cross mark for the candidate of his choice for such
62 offices. A vote for any of such candidates shall be a vote
63 for the electors of the party by which such candidates
64 were named, and whose names have been filed with the
65 secretary of state.

66 The names of the candidates on each ticket shall be ar-
67 ranged in groups, with a heading over each group printed
68 in heavy faced eight point type to indicate the political
69 divisions in which such group is to be voted for. The ar-

70 rangement of the ballot shall conform as nearly as prac-
71 ticable to the plan here given:

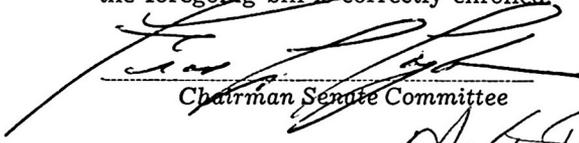
72 The tickets of the several political parties shall be
73 printed on the ballot in parallel columns, each ticket in a
74 separate column headed by the chosen device, and the
75 tickets in such order on the ballot and the names of the
76 office in such order on the ticket as the secretary of state
77 shall direct, preference, however, being given to the polit-
78 ical party which cast the highest number of votes for the
79 head of the ticket at the last preceding presidential elec-
80 tion, and so on. No ticket or list of candidates shall be
81 printed under the name of any party containing more
82 candidates for any office than are to be elected.

83 The ballot shall be so printed as to give each voter a
84 clear opportunity to designate by a cross mark in a large,
85 blank, circular space, three-quarters of an inch in diam-
86 eter, below the device and above the name of the party
87 at the head of the ticket or list of candidates, his choice
88 of a party ticket and desire to vote for each and every
89 candidate thereon; and by a cross mark, in a blank, in-

90 closed space on the left and before the name of each can-
91 didate, his choice of particular candidates.

92 On the back of the ballot shall be printed or stamped
93 in black ink the words "Official Ballot," with the date of
94 the election, and underneath shall be two blank lines,
95 followed by the words "Poll Clerks."

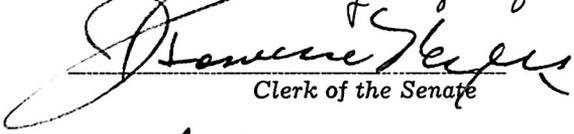
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

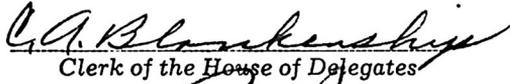

Chairman Senate Committee

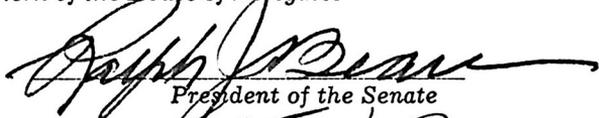

Chairman House Committee

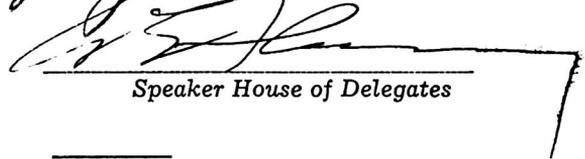
Originated in the House of Delegates

Takes effect ninety days from passage.

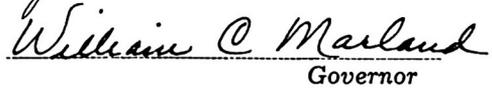

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within approved this the 15
day of February, 1955.


Governor



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of West Virginia **FEB 16 1955**
D. PITT O'BRIEN
SECRETARY OF STATE