

INSTRUCTIONS TO THE BOARD OF INSPECTORS
ON ELECTION DAY

For the guidance of Election Officials and the Boards of Election Inspectors in connection with the regular elections to be held on November 10, 1953, the Commission on Elections published a pamphlet of General Instructions last July 24, 1953. The pamphlet contains a simplification of the provisions of the Election law, so that the ordinary laymen, who ultimately are the election officials in each precinct, can understand them.

The following paragraphs are taken from "Instructions to the Board of Inspectors on Election Day."

27. *Sections to read.*—Sections 50, 53, 70, 71, 125, 128 and 130 to 156, inclusive, of the Revised Election Code, as amended, should be read carefully.

29. *Persons allowed in and around the polling place.*—Only the following persons shall stay within the polling place:

- A. The members of the board of inspectors.
- B. The voters casting their votes.
- C. The voters waiting for their turn to cast their votes.
- D. The voters waiting for their turn to get inside the booths.
- E. Duly appointed watchers—one for each candidate, who shall stay only in the space reserved for them.
- F. The substitutes of the members of the board *only in cases where they are called upon to substitute for regular members.*
- G. The deputy supervisors of the Commission on Elections.
- H. The peace officers in the service of the board for the pre-

servation of order, only when summoned by the board and for the period necessary to comply with its orders.

30. *Discipline and order within the polling place.*—The number of voters waiting for their turn to get inside the booths shall not exceed at a time twice the number of booths; and those waiting for their turn to cast their votes, not more than 40 at a time. *Require these voters to fall in line* so that they shall vote in the order of their entrance in the polling place. *There should be no crowding around your table and see to it that the voting booths are in plain view of the board at all times.* See to it that the voters who have cast their votes immediately leave the polling place to make room for those who have not yet cast their votes.

See to it that the watchers have their appointments and that they stay only in the space reserved for them. Do not allow them to mingle or talk with any voter inside the polling place.

Any attempt to solicit votes or undertake any propaganda for or against any candidate or any party within the polling place or within a radius of thirty meters thereof should immediately be stopped.

Voters, however, may be allowed to have in their possession sample ballots or campaign literature to aid them in filling their ballots provided they do not use the same for electioneering purposes within the polling place or within a radius of 30 meters thereof.

Maintain at all times order and discipline inside the polling place and its environs so that each voter may cast his vote freely without disturbance or influence from any person.

32. *Preliminary steps in the casting of votes.*—At 6:30 A.M., the chairman shall direct the members of the board to see to it that everything in the polling place and its surroundings is in proper order and that there is nothing inside the voting booths which may be used to violate the secrecy of the ballot. All placards, leaflets, posters, sample ballots or propaganda literature of any party or candidate inside the voting booths, within the polling place, and within a radius of 30 meters thereof, shall be removed.

At 7:00 A.M., the chairman shall open the ballot boxes one after the other, empty and exhibit them to all present and having emptied them shall lock each box with its three keys. The boxes shall remain so locked until the voting is finished and the counting begins. *The chairman shall see to it that he has one set of keys and that each party inspector shall likewise have one set of keys so*

that each shall keep one key for the box for valid ballots and one key for the box for spoiled ballots. These keys shall remain in their respective possession during the voting and the counting of votes, and the ballot boxes shall be closed with these different locks in such a way that they cannot be opened except by means of these three distinct keys.

Before the voting starts, sign your copy of the registry list of voters on the space indicated on the cover thereof.

33. *Procedure for casting votes.* When a voter presents himself before the board, the chairman shall ask him his name, domicile and address together with other information about him which appears in his voter's affidavit. If his name appears in the registry list of voters, the chairman shall announce his name distinctly and loud enough to be heard plainly throughout the polling place. The other members of the board should check from their copy of the registry list of voters if said name is listed. If he is entitled to vote, or if having been challenged, the question has been decided in his favor, the chairman shall deliver to him one ballot folded twice toward the bottom with its entire coupon and its detachable number visible. Only the chairman shall issue the ballot and for this purpose he shall not use a new pad until one whole pad has been exhausted.

Before delivering the ballot to the voter, the chairman shall read aloud its number and the other members of the board shall enter said number in the corresponding column of their respective copies of the registry list of voters.

The voter shall forthwith go to a vacant voting booth and prepare his ballot in secret.

When the voter returns with his ballot, only the chairman shall receive the ballot correctly folded. Without seeing or exposing its contents, he shall require the voter to stamp his right hand thumbmark on the space provided for the purpose on the detachable coupon. He shall then read aloud the number of the ballot while the other members of the board shall check whether said number corresponds to the number previously entered by them in their respective copies of the registry list of voters. If found in order, the chairman shall then remove the detachable coupon without seeing or exposing the contents of the ballot and shall deposit the coupon in the box for spoiled ballots. The ballot still folded shall then be deposited by the chairman in the box for valid ballots.

The voter shall sign his name in the corresponding column in the copy of the registry list of the chairman and affix his right hand thumbmark on the space provided. The chairman shall also sign in the proper column. The voter shall then depart.

If the ballot is returned by the voter with the detachable coupon already removed or the number of which does not correspond with the number of the ballot previously entered in the registry list, consider it spoiled. The chairman shall mark it with the word "spoiled" on its reverse side and all the members shall sign below. The chairman shall then deposit it in the box for spoiled ballots. In such a case announce and record the delivery of the second ballot in the same manner as the first one.

No voter shall be given more than one ballot at a time and in the foregoing case, he shall not be allowed to change his ballot more than twice.

34. *When box for valid ballots may be opened.*—During the voting, the box for valid ballots shall be kept locked and the keys held in possession of the chairman and the two party inspectors. However, upon unanimous agreement of the board, the chairman may open the ballot box for the purpose of pressing down the ballots already deposited in the ballot box to make room for additional ballots after which, the ballot box shall be immediately locked and the keys thereto distributed as before.

After the voting and before the counting of votes, the board may also open the box for spoiled ballots, if necessary, only for the purpose of drawing out valid ballots erroneously placed therein. The board shall prepare and sign a statement of this fact and lock the box with its three keys immediately thereafter.

35. *Instruction to voter.*—Upon the request of the voter, the board may instruct him on the manner of filling and folding the ballot by using the sample ballot, provided such instruction is given outside the voting booth and in the presence of the public. No name of any actual candidate shall be written on the sample ballot.

Warn the voter that it is unlawful to erase any printing on the ballot, to intentionally tear or deface or put thereon any distinguishing mark, to use carbon paper or paraffin paper or any other means of making a copy of the ballot or to make use of any other means to identify his vote.

36. *Late voters.*—If at exactly 6 o'clock in the evening, there

are still voters present within thirty meters in front of the polling place who have not yet voted, the poll clerk under the supervision of the board, shall make a complete list of these voters with their names consecutively numbered and the chairman shall then issue to them a card consecutively numbered and signed by him. Upon presentation of such card, the voter may cast his vote. *In such a case, the voting shall continue even after 6 o'clock in the evening but only for as long as these late voters may cast their votes without interruption upon presentation of their respective cards; and provided they are present when their names are announced by the chairman.*

37. *Challenge of illegal voter.*—A person offering to vote may be challenged by any voter or watcher on the ground that he is not registered in the list or for using the name of another or for corrupt practices. For the purpose of identification, the challenged voter may present his copy of the voter's affidavit, or a statement (Election Form No. 17) identifying him, subscribed and sworn to by a voter known to the board.

The poll clerk shall keep the statement (Election Form No. 17) identifying the challenged voter and attach it to the minutes of the incident which he will make at the time.

If the challenge is on the ground of corrupt practices, require the challenged person to take an oath (Election Form No. 18) that he is not guilty of any corrupt practice.

Upon taking the required oath, or presenting satisfactory proof of his identity, the challenged person may cast his vote. If he refuses to identify himself or take an oath, he shall not be allowed to vote.

38. *Premature announcement of poll prohibited.*—Before the termination of the voting, no member of the board shall make any statement as to how many voted or failed to vote or as to any fact tending to show the state of the polls.

39. *Don'ts to the board on the casting of votes:*

- A. Do not permit a person to vote although his name appears in the registry list if he cannot prepare his ballot himself.
- B. Do not allow any person to enter a voting booth occupied by another.

- C. Do not allow a voter to occupy the booth more than five minutes in case there are other voters waiting for their turn to vote.
- D. Do not allow voters to speak with each other or with any watcher while within the polling place.
- E. Do not allow a voter to prepare his ballot outside the voting booth or to exhibit its contents to any person.
- F. Do not permit in any case that official ballots are brought out of the polling place.
- G. Do not allow any person carrying any firearm or any other deadly weapon to enter the polling place or to stay within 100 meters radius thereof, except a government official or employee who has been requested in writing by the board to carry out its lawful orders, or who has been expressly authorized by the Commission on Elections.
- H. Do not allow any electioneering inside the polling place or within 30 meters radius thereof.
- I. Do not allow any crowding or disorderly behavior by any voter inside the polling place.

40. *Record of challenges and oaths.*—Upon the termination of the voting, the poll clerk shall keep a record of the challenges and the oaths taken in connection therewith as well as of the resolutions of the board in each case, using Election Form No. 19.

41. *Minutes of voting.*—After the voting and before the counting of the votes, the board shall prepare and sign a statement (Election Form No. 21) in quadruplicate setting forth the time when the voting commenced and ended, the number of official ballots received, how many of them were used and how many were left unused, the number of voters who cast their votes, how many were challenged during the voting, how many watchers were present and how many protests were made by the watchers.

42. *Disposition of the minutes of the voting.*—The four copies of the minutes of voting shall be distributed by the board as follows: Deposit one copy inside the box for valid ballots; deliver one copy to the Municipal Treasurer to which shall be attached the records of the challenges of voters (E. F. No. 19) and the record of watchers present and their protests (E. F. No. 20) and send by registered mail, one copy to the Commission on Elections and another to the Provincial Treasurer.

43. *Counting of votes.*—Immediately after the minutes of voting are all duly accomplished and sealed in their respective envelopes, the votes cast shall be counted publicly in the polling place. The board shall not adjourn or postpone or delay the counting until it shall be fully completed.

44. *Preliminary proceedings before actual counting begins.*—Before the actual reading and counting of the votes cast, the board shall follow these preliminary steps:

A. *Counting of valid ballots.*—The board shall count the ballots in the box for valid ballots without unfolding them or exposing their contents, except so far as to ascertain that each ballot is single.

If in the course of examination, any ballots shall be found folded together in their entire lengths in such a manner that they appear to have been folded together before they were deposited in the box, they shall be marked on the reverse side "ballot found folded with another", signed by the members of the board and placed in the envelope for excess ballots. These ballots shall not be separated from each other.

Also if in the course of the examination there are ballots with their detachable coupons still intact, the chairman shall remove the detachable coupons, deposit said coupon in the box for spoiled ballots and include the ballots with the valid ballots to be counted.

If there are valid ballots erroneously placed in the box for spoiled ballots, recover said ballots and include them with the valid ballots to be counted.

If there are ballots marked "spoiled" which were included in the box for valid ballots, deposit them in the box for spoiled ballots.

Count all these valid ballots and compare the resulting number with the number of voters who have voted. If the number of valid ballots exceeds the number of voters who voted, replace all the valid ballots in the box and thoroughly mingle them. The chairman, without seeing the ballots and with his back to the box, shall publicly draw out as many ballots as may be equal to such excess. Without unfolding them, the chairman shall mark each of them on the reverse side as "excess ballot", signed by the members of the boards, and place them in an envelope to be marked "excess ballots". This envelope shall be sealed and signed by the members of the board, and shall be placed in the box for valid ballots. These excess valid ballots shall not be read in the counting of votes.

B. *Removal of marked ballots.*—When the number of valid ballots to be counted already corresponds to the number of voters who voted, or do not exceed the same, the chairman shall unfold each ballot to determine whether there are marked ones. Decide by majority vote whether or not a ballot is marked. If certain ballots are found and decided to be marked, the chairman shall mark each of them on the reverse side as "marked ballot", signed by the members of the board, and place these ballots in an envelope and label the envelope "Marked ballots". Seal and sign this envelope and deposit it in the box for valid ballots. Its contents shall not be counted.

C. *Certificate of number of official ballots received and how used.*—After the valid ballots had been counted and any marked ballot removed in accordance with the preceding paragraph, the board, before proceeding to the reading and actual counting of the votes cast, shall prepare in quadruplicate the Certificate of the Number of Official Ballots Received and How Used (C. E. Form No. 5). The four copies of the certificate shall be signed by all the members of the board, sealed in separate envelopes (E. F. No. 12-C) and immediately distributed as follows: The original shall be sent to the Commission on Elections by registered mail; one copy shall be delivered to each political party duly represented in the board of inspectors through its authorized representative, if present, and if absent, to the member of the board of inspectors recommended by said political party, and the latter shall immediately deliver the same to the authorized representative of the party upon arrival in the polling place; the fourth copy shall be delivered to the city or municipal treasurer in the polling place or in his absence to his duly authorized representative.

For purposes of receiving the Minutes of Voting (E. F. No. 21) and the above certificate, the Municipal Treasurer is required to collect, personally or through his authorized representative, the copies pertaining to the Commission on Elections, to the Provincial Treasurer and to his office with respect to the Minutes of Voting; and the copies for the Commission on Elections and for his office with respect to the Certificate of the Number of Official Ballots Received and How Used.

45. *Spoiled Ballots: Presumptions.*—The ballots deposited in the box for spoiled ballots shall be presumed to be spoiled ballots whether or not they contain a notation to the effect.

46. *Actual counting.*—For the actual reading of the ballots and the counting of the votes, proceed as follows:

The chairman shall separate the valid ballots, face down, into piles of one hundred each.

The poll clerk shall assume his position near the blackboard, which shall be in plain view of the watchers and the public.

The party inspectors shall decide by lot who shall read with the chairman and who shall record on the tally sheet.

The chairman shall then take the ballot of the first pile one by one and, with the party inspector, read jointly the names of the candidates voted for each office in the order in which they appear on the ballot. The chairman shall assume such position as will enable all or at least a majority of the watchers to read the ballot without touching it. As the names voted for each office are read, the party inspector shall record on the tally sheet and the poll clerk on the blackboard, the votes of each candidate by a vertical line, except every fifth vote of the same candidate which shall be recorded by a diagonal line crossing the four previous vertical lines.

After finishing the first pile of ballots, the total number of votes for each candidate shall be recorded on the tally sheet and on the blackboard. In case the totals appearing on the blackboard and on the tally sheet do not tally, a recount shall be made, in which case the ballots of the first pile shall again be grouped and read as before.

The remaining piles of ballots shall be counted in the same manner.

After all the valid ballots of the precinct have been read, the total number of ballots received by each candidate shall be added and the aggregate sum recorded on the tally sheet and on the blackboard.

Each pile of counted valid ballots shall then be placed in an envelope (E. F. No. 12-A) prepared for that purpose. This envelope shall be sealed, signed by all members of the board and deposited in the box for valid ballots. Only one copy of the tally sheet shall be prepared, which shall be deposited in the box for valid ballots.

47. *Appreciation of ballots.*—

Read carefully Section 149 of the Revised Election Code as amended.

Any question affecting the appreciation of ballots shall be decided by majority vote of the board.

In the appreciation of ballots, give reasonable allowance to the fact that most voters, particularly the laymen who are not proficient

in writing, cannot write the names of candidates with perfection. It cannot also be expected that the names of the candidates will be written exactly or almost exactly on the line or space provided in the ballot.

Presume every ballot to be valid unless there are clear and sufficient reasons to justify its rejection. Bear in mind that the object of election is to obtain the expression of the voter's will. Where such expression of the voter's will can be ascertained, do not allow technicalities to defeat it.