

A SPECIAL MEETING of the Common Council of the Town of Avondale was held on call of the Mayor of the Town for the purpose of Canvassing the votes of the Primary Election held on April 20, 1953. The Special meeting was held on ~~Friday~~, April 24, 1953, at 7:30 o'clock P. M.

Members present: Mayor Joe Gill
Councilmen - Frank Geddes
C. O. Henderson
Thos. V. Ludlow, Jr.

Members absent: Councilmen - Russell Brinker
Cecil V. Suggs
M. C. Garcia

Officers present: D. W. Bumsted, Attorney
Chas. Andrade, Clerk

The following letter from the Election Board, signed by Thomas Aragon, Inspector; Joseph Werholts and W. H. Stroud, judges; and Elois C. Roberts and Winnie Brummel, Clerks, Acknowledged by Chas. Andrade, Notary Public of Maricopa County was read:

"We the undersigned members of the Board of Elections, hereby certify that the Primary Election for the Nomination of candidates for Councilmen, was held in the Town of Avondale as scheduled, on the 20th day of April, 1953, between the hours of 6 A. M. and 6 P. M. We further certify that a total of 145 ballots were cast and that 3 of these ballots were spoiled and voided. that of the 142 valid ballots tallied, the fifteen (15) candidates whose names appeared on the ballot, received the following votes: Russell H. Brinker, 95; Fred Campbell, Jr., 108; Paul De Santi, 33; Frank M. Geddes, 52; Carlos O. Henderson, 97; Charles J. Jarrell, 38; Eva Kelley, 24; John L. Kelly, 55; Archie M. Kingsbury, 62; Thos. V. Ludlow, Jr., 83; Oscar S. Nandin, 51; F. E. Riley, 62; Carl Schmidt, 42; Cecil V. Suggs, 63; Hiram O. Wendling, 73; There were four (4) write-ins, as follows: Hyman Schwartz, 3; Joe Gill, 1; Tom Aragon, 1; Joe hill, 1."

The above was compared with the Tally Lists and found to be in order.

The Canvass showed that all of the candidates for Councilmen, ran for such office without any party designation, and as such, all were considered Non-Partisan Candidates. The follow-six candidates having received the highest number of votes were declared Nominees for the Office of Councilman: Fred Campbell, Jr., 108 votes; C. O. Henderson, 97 votes; Russell H. Brinker, 95 votes; Thos. V. Ludlow, Jr., 83 votes; Hieam O. Wendling, 73 votes; and C. V. Suggs, 63 votes.

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The following candidates tied for seventh place:

Archie M. Kingsbury, 62 votes.

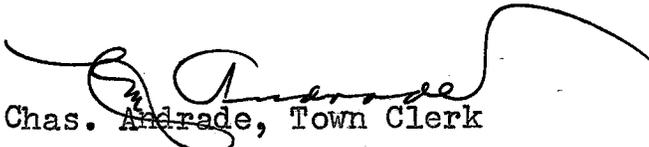
F. E. Riley, 62 votes.

Attorney D. W. Bumsted referred the Council to Section 55-910 of the Arizona Code Annotated, as amended, which reads as follows:

" Tie Vote, determination by lot - Notice - If two (2) or more persons have an equal number of votes for the same office, and a higher number than any other person, whether upon canvass of returns by the . . . official or officials whose duty it is to declare the result, shall determine by lot and in the presence of said candidates which candidate shall be declared Nominated. In case of state office ten (10) days, and in case of other office, five (5) days previous notice of the time and place of determining said election shall be given in writing by the officer or officers whose duty it is to declare the result to such two candidates."

In view of the above mandatory provision, the Clerk was ordered by the Council to forthwith issue a written notice to the above two candidates that at the Town Hall of Avondale at the hour of 7:30 P. M. on the 4th day of May, 1953, the Council will meet to determine by lot which of the two candidates shall be declared nominated and requesting both candidates to be present at said meeting, as required under Section 55-910 A. C. A. 1939.

There being no further business, the meeting stood adjourned at 9 o'clock P. M.


Chas. Andrade, Town Clerk

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The Common Council of the Town of Avondale, Maricopa County, Arizona, met in Special Session on Monday, May 4, 1953, for the purpose of determining and declaring the nominee for seventh place on the Non-Partisan Ticket for Councilman of the Town of Avondale.

The following members were present: Mayor Joe Gill, Councilmen C. O. Henderson, Frank M. Geddes, Russell Brinker and Cecil V. Suggs. Officers present: Chas. Andrade, Clerk.

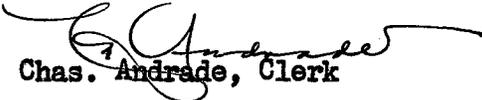
Also present: Mr. F. E. Riley and Archie M. Kingsbury.

Mr. Riley and Mr. Kingsbury were present in response to an Official Notice sent to each of them on April 25, 1953, which notice stated that since both men received a tie vote in the Primary Election held on April 20, 1953, it was necessary under Section 55-910 A. C. A. 1939 for the Council to determine by lot which of the two candidates shall be declared nominated.

Mayor Gill stated that the Council had decided to use a coin and declared that "Head" would be for Mr. Riley and "Tail" for Mr. Kingsbury, whereupon Mayor Gill flipped the coin. It came to rest on the floor, tails up.

Therefore, upon motion duly made and seconded, Mr. Archie M. Kingsbury was declared nominated and the Clerk advised to place his name on the General Election Ballot.

There being no other business, the meeting was adjourned in regular order.


Chas. Andrade, Clerk

NOTICE OF TIE VOTE AND TIME AND PLACE
TO DETERMINE THE SEVENTH NOMINEE
BY LOT FOR THE OFFICE OF COUN-
CILMAN, TOWN OF AVONDALE

1 Mr. Archie M. Kingsbury,
Avondale, Ariz.

2 Dear Sir:

3 You are hereby notified that we, the Town Council of Avondale,
4 being the officials whose duty it is to declare the results of the
Primary Election held at the Town of Avondale on the 20th day of
5 April, 1953, declare that you and ~~WALTER~~ RILEY have received an
6 equal number of votes (62), tying for seventh place, and that it
will be necessary, under the law, for the Council to determine by
lot which of you shall be declared nominated.

7 Section 55-910 of the Arizona Code provides that if two (2) or
8 more persons have an equal number of votes for the same office, the
official or officials whose duty it is to declare the result shall
9 determine by lot and in the presence of said candidates which can-
10 didate shall be declared nominated. And in the case of a municipal
election, five (5) days previous written notice of the time and
11 place of determining said election shall be given by the officers
whose duty it is to declare the result, to such two candidates.

12 Therefore, you are notified that at the Town Hall of Avondale
at the hour of 7:30 P. M. on the 4th day of May, 1953, is the time
13 and place in which the Council will determine and declare the
nominee for seventh place on the General Election Ballot.

14 You are further notified to be there personally or to have a
15 representative with proper credentials there at the said time and
place. In the event that you fail to appear or to send a personal
16 representative in your stead, then a representative shall be appoint-
ed by the Town Council to act in your place and stead at the said
17 determination of the election.

18 TOWN COUNCIL OF AVONDALE

19
20
21 By: Joe Hill
MAYOR

22
23 Attest:

24 [Signature]
25 TOWN CLERK

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27 To The Town Clerk: The above NOTICE was received by me this 25
28 day of April, 1953, at 11:45 o'clock A. M.

29
30 Archie M. Kingsbury
31 Archie M. Kingsbury
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NOTICE OF THE VOTE AND TIME AND PLACE
TO DETERMINE THE SEVENTH NOMINEE,
BY LOT, FOR THE OFFICE OF COUN-
CILMAN, TOWN OF AVONDALE.

Mr. F. E. Riley,
Avondale, Ariz.

Dear Sir:

You are hereby notified that we, the Town Council of Avondale, being the officials whose duty it is to declare the results of the Primary Election held at the Town of Avondale on the 20th day of April, 1953, declare that you and ARCHIE M. KINGSBURY have received an equal number of votes (62), tying for seventh place, and that it will be necessary, under the law, for the Council to determine by lot which of you shall be declared nominated.

Section 55-910 of the Arizona Code provides that if two (2) or more persons have an equal number of votes for the same office, the official or officials whose duty it is to declare the result shall determine by lot and in the presence of said candidates which candidate shall be declared nominated. And in the case of a municipal election, five (5) days previous written notice of the time and place of determining said election shall be given by the officers whose duty it is to declare the result, to such two candidates.

Therefore, you are notified that at the Town Hall of Avondale at the hour of 7:30 P. M. on the 4th day of May, 1953, is the time and place in which the Council will determine and declare the nominee for seventh place on the General Election Ballot.

You are further notified to be there personally or to have a representative with proper credentials there at the said time and place. In the event that you fail to appear or to send a personal representative in your stead, then a representative shall be appointed by the Town Council to act in your place and stead at the said determination of the election.

TOWN COUNCIL OF AVONDALE

By: Joe Rice
MAYOR

Attest:

E. J. Andrade
TOWN CLERK

To The Town Clerk: The above NOTICE was received by me this 25 day of April, 1953, at 10:30 O'Clock A M.

F. E. Riley
F. E. RILEY