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REGISTRATION  
AND  
ELECTION LAWS  
OF  
MARYLAND.

Including all Amendments to and including the Acts of the  
General Assembly of 1906.

PUBLISHED BY

The Secretary of State.

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# ELECTION LAW.

Article 33 of the Code of Public General Laws of Maryland, title "Elections," as amended by the Acts of 1900, 1901, 1902, 1904 and 1906.

## SUPERVISORS OF ELECTIONS.

1. The Governor shall biennially appoint, by and with the advice and consent of the Senate, if in session, and if not in session, then the Governor alone shall appoint, in each and every county of the State, and in the city of Baltimore, three persons, who shall constitute and be styled "The Boards of Supervisors of Elections of the respective counties and of said city." Said supervisors shall be residents and voters in their respective counties, or in the city of Baltimore, as the case may be, and two of them shall always be selected from the two leading political parties of the State, one from each said parties. They shall be men of high character and integrity, and of recognized business capacity. Before appointing such supervisors of elections the Governor shall request the State Central Committees, representing each of the two leading political parties of the State, in each county and in said city, as the case may be, to designate at least four eligible candidates for the position of supervisor of elections, in their respective counties and in said city, and the Governor shall appoint one of the persons so designated for any particular county or for said city, unless in its judgment, all of said persons shall be unfit or incompetent for said position, in which case he shall file a written statement to that effect with the Secretary of State, setting forth such fact, and the grounds therefor, and thereupon he shall call upon the said committee for the city or county, as the case may be, for another list of six names, and from said list and the original list he shall make the appointment.

2. Each Supervisor of Elections of Baltimore city shall receive an annual salary of fifteen hundred dollars, and each Supervisor of Elections of any of the counties of this State shall receive an annual salary of one hundred dollars, which salary may, in the counties having more

than fifteen polling places, be increased by the County Commissioners, in their discretion, to an amount not exceeding one hundred and fifty dollars. These salaries and all other expenses incurred by them under this Article shall upon their requisition, be audited by the County Commissioners of their respective counties, or by the Comptroller of Baltimore city, as the case may be, who shall pay the same by warrant, drawn upon the proper officers of their county or of said city.

3. Before entering upon the duties of their office said Supervisors of Elections shall each take and subscribe the oath prescribed in the sixth section of the first Article of the Constitution, and also an oath to perform faithfully and honestly the duties imposed upon them by law. These oaths shall be taken before and duly recorded by the Clerk of the Circuit Court for the county, or of the Superior Court of Baltimore city, as the case may be, who shall be entitled to a fee of twenty-five cents for each oath, to be paid by the supervisor. Within twenty days after their appointment the Supervisors of Elections for each county and for the city of Baltimore, respectively, shall organize as a board by electing one of their number as president; and they shall hold office for two years, and until their successors are appointed and qualified, unless sooner removed, for good cause shown, by the Governor, who shall have power to so remove them at any time, upon written charges, after notice and hearing.

4. In case of any vacancy in the number of said Supervisors of Elections occurring when the Legislature is not in session, the Governor shall appoint some eligible person to fill such vacancy during the remainder of the term of office of the person originally appointed; but if the latter was appointed as the representative of a political party, then only a person belonging to the same political party shall be eligible as his successor; and it shall be the duty of the Governor, before appointing such successor, to request the State Central Committee representing such political party in the county or city, as the case may be, to designate candidates for such successor, in the same manner as in the case of an original appointment; and if the Governor shall see fit not to appoint any one of the persons so designated, he shall file his



reasons for not doing so, as in the case of an original appointment, and he shall appoint as and from list as provided in case of an original appointment.

5. Each Board of Supervisors shall have an office, and shall provide all necessary ballot-boxes and ballots, and all registry books, poll books, tally sheets, blanks and stationery of every description, with printed headings and certificates, necessary and proper for the registry of voters and conduct of elections, and for every incidental purpose connected therewith; and the expenses thereof shall be paid by the county or by the Mayor and the City Council of Baltimore, as the case may be, as above provided. It shall be the duty of the County Commissioners of the several counties, and of the Mayor and City Council of the city of Baltimore, to allow the reasonable use of the public buildings in their respective counties, and in said city, by the election supervisors thereof, and to light and heat the same for such use, and in all proper ways to facilitate them in the discharge of their duties as such supervisors.

6. The Board of Supervisors of Elections, of the several counties, may have clerks, with the consent of the County Commissioners, for their respective counties, at such compensation as the said County Commissioners may fix. The Supervisors of Elections of the city of Baltimore shall have a clerk at a salary of two thousand dollars and a messenger at a salary of eight hundred dollars per annum. The said clerks, and in the city of Baltimore the said messenger, shall be appointed by the respective boards of supervisors, and shall be removable by them in their discretion. In Baltimore city, the clerks and messenger, with the approval of the supervisors, shall, from time to time, secure such temporary assistance as may be necessary for the proper transaction of the business of the office, but the compensation of such assistance to be paid by the Mayor and City Council of Baltimore, upon requisition by the said supervisors, shall not exceed the sum of two thousand dollars in any one year.

#### JUDGES AND CLERKS OF ELECTION.

7. In each year the Board of Supervisors of Elections in the city of Baltimore shall select before the first day of July, four judges of election; and before the fifteenth



day of September, two clerks, for each election precinct in said city, taking two of such judges and one of such clerks from each of the two leading political parties of the State. The Boards of Supervisors in the several counties, in each year in which an election in November is to be held in their respective counties, shall select, before the first day of July, two judges of election, and before the 15th day of September, two more judges of election, and two more clerks for each election district in their respective counties, or, where a district is divided into voting precincts, for each voting precinct in such district, taking one of such judges and one of such clerks, in making each such selection, and for each such voting precinct or district, from each of the two leading political parties of the State, so that such parties shall be equally represented at all times among said election officers. It shall not be necessary to appoint new or special judges or clerks of election for any election not held on the first Tuesday after the first Monday in November, whether general, special, local or municipal, and whether such election be held in the whole State or in any county or part thereof; but the judges and clerks appointed under this Article for the preceding November election shall discharge the duties of said judges and clerks of election, respectively, within their several precincts or districts wherein such election shall be held. Each judge and each clerk must be a legal voter residing in the precinct or district, as the case may be, for which he is selected—a man of good capacity and character—able to speak, read and write the English language, and skilled in the four fundamental rules of arithmetic, not holding any other public office or employment, and not a candidate for any office at the next election; provided, that in the city of Baltimore, whenever all three supervisors shall file in their office a sworn statement, in writing, that suitable persons cannot, in their judgment, be secured in any particular precinct for some of the offices to be filled, such offices may in such case be filled by persons otherwise qualified residing in another precinct of the same ward.

8. Each supervisor shall have a veto upon the proposed selection or nomination of any judge or clerk; and if, in any case, in consequence of such veto, the Board of

Supervisors cannot agree upon an appointment, then the supervisor or supervisors belonging to the political party entitled to be represented by the judge or clerk in question shall name three men who are eligible, and from these the other supervisor or supervisors shall select such judge or clerk.

9. Each person selected as judge or clerk by the Board of Supervisors shall be promptly notified of the fact of his selection, with directions to appear, within the time fixed in the notice, before the board for the purpose of examination; and if, upon examination, he is found qualified, he shall, unless excused by the supervisors for good cause, be appointed by the supervisors, and shall be bound to serve as such officer for the term of one year. The supervisors shall keep books in which shall be written down the name of all the judges and clerks so appointed, the date and manner of notice to them to appear, and whether or not they appear, and, if appearing, whether they were appointed, rejected or excused, and if rejected or excused, the reasons therefor. No person shall be compelled to serve as judge or clerk for one year after the expiration of his term of service, and all persons so serving shall be exempt from jury duty during the term of their service and for one year thereafter. Any person so selected and notified to appear for examination who shall not appear before the board as required, or shall refuse to serve, shall be fined not less than one hundred dollars nor more than three hundred dollars, unless it shall appear that he was not qualified for such service by reason of ill-health, infirmity or old age. It shall be the duty of the supervisors to notify the State's Attorney of the county or city of Baltimore of the failure, refusal or neglect of any person, and to require the State's Attorney to institute proceedings for such penalty at the next term of Court. The State's Attorney shall receive a fee of fifty dollars for every penalty recovered by him, to be paid out of the sum actually recovered, whether the proceedings for the recovery of such penalty shall be instituted of his own motion or at the instance of said supervisors.

CH. 385, 1898, CHS. 290, 343, 539, 1902, CH. 325, 1904.

10. The judges and clerks appointed by the Board of Supervisors of Elections for Garrett, Queen Anne's,

Dorchester, Howard, Frederick and Washington counties shall not be required to appear before the said board for the purpose of examination nor to be sworn in as required by section 9 of this Article, but the said Board of Supervisors of Elections for said counties, before making appointments of any such judges or clerks, shall thoroughly inform themselves as to the qualifications of the parties appointed and shall not require their attendance before the said board for such examination, and shall appoint only such persons as are known to them to possess the proper qualifications for the position to which they are severally appointed, and the said persons may be sworn in either by said board or by a Justice of the Peace or Notary Public of said counties, and, when sworn in by a justice or notary, shall file with said board a certificate of such qualification.

ACTS OF 1900, CHAPTER 464.

11. After the judges and clerks are appointed, the Board of Supervisors shall immediately, and before the first day of August in each year, give notice of the names of all such judges, and shall before the first day of October give notice of the names of all such clerks and in every case the residence and the precincts for which they are selected, by causing the same in the several counties to be published once a week for two successive weeks in two or more newspapers in each county, one of which papers, if possible, shall be of opposite political faith from that of a majority of such supervisors; and if no newspapers be published in such county, then by posting such notice in three of the most public places, in such county, and in Baltimore city, to be published on two successive days in all the daily newspapers in said city which shall be willing to publish the same at their current rates for advertising; said board in appointing judges and clerks, and in the notice thereof, shall designate the persons intended by them to represent the political parties respectively. It shall be the duty of the said board to examine promptly into any complaints which may be preferred to them in writing against the fitness or qualifications of any person so appointed judge or clerk, and to remove any such judge or clerk when upon inquiring they shall find to be unfit or incapable. The board shall forthwith appoint persons in the manner



herein before prescribed to fill all vacancies in the office of judge or clerk, and shall immediately make public the names of such persons so appointed by advertisement as nearly as may be, as herein before provided for the original appointments. The record of appointments to fill vacancies shall be kept in the books herein before prescribed in section 9, which books with the recommendation and protests made to them, and all their other records and papers shall always be open to the inspection of the public. After notice as aforesaid of their appointments, the judges and clerks shall again be notified to appear at the office of said board, and shall then and there, after taking the oath of office before one of said supervisors, receive their commissions. The oath of office shall be in writing, and subscribed by each one in a book to be kept for the purpose by the supervisors and shall be in substance as follows: Residing at \_\_\_\_\_, in the city (or county) of \_\_\_\_\_, in the State of Maryland, do solemnly swear (or affirm) that I am a legal voter in in the \_\_\_\_\_ precinct of the \_\_\_\_\_ ward of the city (or \_\_\_\_\_ district of \_\_\_\_\_ county) in the said State, that I will support the Constitution of the United States, and that I will be faithful and bear true allegiance to the State of Maryland and support the Constitution and laws thereof, and that I will faithfully and honestly discharge the duties of an officer of registration and judge of election (or clerk of election) for the \_\_\_\_\_ precinct of the \_\_\_\_\_ ward of the city of (or district) of \_\_\_\_\_ county, in the State of Maryland, according to the best of my ability, and I do further swear (or affirm) that I will not attempt to ascertain, save in cases and in the manner in which I am authorized by law so to do, for what candidate or candidates any person shall vote or has voted on any question which may be or may have been submitted to the vote of the people, and if such knowledge shall be acquired by me I will not, directly nor indirectly, by word or act, divulge or reveal the same or aid in doing so, save when I may be required to do so by law in some legal proceeding.

12. It shall be the duty of said Board of Supervisors to appoint the place of registration, and also the polling place, in each precinct of their county or city, and to

cause the same to be fitted up, warmed, lighted and cleaned. The places for registration and polling shall, in all cases, be upon the ground floor of a building, the entrance to which is from the highway or from a public street at least forty feet wide, if in the city of Baltimore, and at least twenty-five feet wide, if in the counties, in a room facing on said street or highway, and shall be as near the centre of the voting population of the precinct, and as convenient to the greatest number of voters, as is practicable, and in no case shall a registration or election be held in any building, or part of the building, used or occupied as a saloon, dram-shop, pool-room, billiard hall or bowling alley, or communicating therewith by doors or hallways. If no suitable place is found, the supervisors shall provide one.

13. It shall be the duty of the person or officer having charge of the vital statistics of any city or county to furnish the Board of Supervisors of Elections, monthly, a report of the name and previous residence of every male person over twenty-one years of age who shall have died during the preceding month; and said board shall, immediately before the registration or revision thereof, in each year, cause to be arranged alphabetically, and as near as possible, according to wards in the cities, and according to election precincts in the counties, the names and late residences of all such deceased persons, and have the same printed, and furnish a copy of said printed list to each member of the Board of Registry of such wards or precincts for their guidance.

#### ACTS OF 1902, CHAPTER 545.

14. Said Board of Supervisors shall give ten days' notice of the time and place of registration, and of revision thereof, and of elections in each precinct of such county or city, by hand bills set up in the most public places in such precinct, and also in the counties, by advertisement in two newspapers (one of which newspaper, if possible, shall be of opposite political faith from that of the majority of said supervisors) of general circulation therein, and in the city of Baltimore, by advertisement in all the daily newspapers which will publish the same at their current rate of advertising. And the Sheriff of Baltimore city and of each county shall no



longer publish such notices of election. Said board shall make all necessary rules and regulations not inconsistent with this Article, with reference to the registration of voters and the conduct of elections, and they shall have charge of, and make provision for, all elections, general, special, local, municipal, State and county, and for all others of every description, to be held in such city or county, or any part thereof, at any time; all questions shall be decided by a majority of the board, unless otherwise expressly provided in this Article; provided, however, that in any incorporated city or town in this State (other than the city of Baltimore) in which the municipal or charter elections thereof are now regulated by the Public Local Laws of the State, the conduct of such municipal or charter elections shall continue to be so regulated as heretofore, and such Public Local Laws shall continue in force therein.

#### REGISTRATION.

15. Each judge of election in the city of Baltimore and each of the two judges of election appointed before the first day of July in the counties, as provided in section 7, shall also be an officer of registration in the district or precinct for which he shall be appointed, and the judges so appointed, when duly qualified, shall for their respective districts or precincts, collectively, constitute the Board of Registry thereof. Said officers of registration, and each of them, in addition to the power hereinafter conferred upon them as judges of election, shall have, during the respective times of the appointed sittings of said Board of Registry, authority to keep the peace and to preserve order and enforce obedience to their lawful commands at and around the places of registration; to keep the access to such place open and unobstructed, to prevent and suppress riots, tumult, violence and disorder, any violation of this Article, and all other improper practices at and around their place of registration tending to intimidation or to the obstruction of their work; they may compel, by summons or attachment, the presence of witnesses before them for any purpose connected with the duties of their office, and may commit for trial any person committing at or around their place of registration any breach of the peace or other offense forbidden by the Article; they shall have the power to

issue any of said summonses, attachments or commitments when sitting in any county in this State, to the sheriff of said county or to any constable thereof, and when sitting in the city of Baltimore, to marshal of police or to any police officer of said city; all such processes shall be served by said respective officers in the same manner as if they were issued by a court of record having jurisdiction of the subject-matter, or by a justice of the peace exercising police powers within such respective jurisdictions. The sheriff or constable in any county of this State who shall serve any of said processes shall receive the same fees in like manner as it is or may be by law provided that he shall receive fees in other State cases, but no officer of police in the city of Baltimore shall charge or receive any fee for any service performed under this Article; and no officer of registration shall charge or receive any compensation for any service performed under this Article, except such as is herein provided. The Board of Police Commissioners for the city of Baltimore shall detail police officers, and the sheriffs for their respective counties shall detail deputy sheriffs, by them appointed, sufficient in number to preserve order at the places in said city of Baltimore and in said respective counties where said officers of registration may be sitting for the discharge of the duties of their respective offices.

#### ACTS OF 1901, CHAPTER 2.

16. The Supervisors of Elections shall furnish to each Board of Registry, for the purpose of such registration, two registry books which it shall be the duty of said officers of registration to protect and keep safe, and the said Supervisors shall designate two of said officers appointed from different political parties, each of whom shall be charged with the custody of one of said books during the intervals between the sessions of the Board of Registry until the return of said books to the Supervisors of Elections, as hereinafter provided. Such registry books shall be prepared substantially in the following form:



In the counties a sufficient number of columns headed "voted" should be provided to last until the next general registration, and in all registry books one or more extra columns should be provided, to be used in case of special election.

———— Registers of voters, ————— precinct or district, ————— ward, ————— county (or city)

#### ACTS OF 1901, CHAPTER 2.

17. On Tuesday, seven weeks preceding the election to be held on the first Tuesday after the first Monday in November, 1896, which shall occur after the enactment of this Article, each Board of Registry shall meet at the place designated by its Board of Supervisors of Elections, and shall proceed to make a general registration of all the voters in its precinct or district, as the case may be. The proceedings of each Board of Registry shall be as follows: 1. They shall open the registry in the city of Baltimore at nine o'clock a. m., and continue in session until nine o'clock p. m., on the Tuesday aforesaid. In the counties the hours of session shall be from eight o'clock a. m. to eight o'clock p. m. One of the officers of registration shall administer to all persons who shall personally apply to register, the following oath or affirmation: "You do solemnly swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your place of residence, name, place of birth, your qualifications as a voter, and your right as such to register and vote under the laws of this State." 2. The two officers of registration designated by the Supervisors to have the custody of the two registry books, or such of their colleagues as such of them may respectively ask to temporarily replace him in the discharge of this duty, shall make the entries therein required by this Article, and the questions as to qualifications shall be asked by the other officers of said Board. 3. The name and age of every applicant shall be entered in such registry books, and all the facts of his application shall be therein stated as herein provided, whether he be entitled to vote or not. If it shall be determined by the board that he is not a qualified voter in the precinct, then an entry shall be made in the appropriate column, "no," and a line shall be drawn in red ink



through his name, and through all the other entries on the line on which his name is written but so that the name and said other entries shall remain legible, and if qualified, an entry shall be made in the same column, "yes." 4. Only persons constitutionally qualified to vote in the precinct at the next election, and personally applying for registration, shall be registered as qualified voters. 5. The headings to the registry books shall be so prepared that the registry shall be made alphabetical, according to the surname of each person applying, and so that the residence and postoffice address of such persons shall appear in the first column. The registers shall be ruled, and one name shall be written on each line, but no names shall be written between the lines. The entries shall be as follows: (A) Under the column residence and postoffice address, the name and number of the street, avenue or other location of the dwelling if there be a definite number, and if there shall not be a number, or if there shall be duplicate numbers, such clear and definite description of the place of such dwelling as shall enable it to be readily ascertained; if there shall be more than one house at the number given by the applicant as his place of residence it shall be stated in which house he resides, and if there be more than one family residing in said house, either the floor on which he resides, or the number or location of the room or rooms occupied by him shall be stated, every floor below the level of the street or ground being designated as the basement, the floor upon or first above such level being designated as the first floor, and each floor above that as the second, or such other floor as it may be; in county precincts it shall only be necessary to give such general description as may be sufficient for identification. (B) Under the column, "name," the name of the applicant, writing the surname first, and full given or Christian name after. (C) Under the column "age," the age of the applicant. (D) Under the column "nativity," the state, country, empire, kingdom or dominion, as the facts shall be. (E) Under the column, "color," the words "white" or "colored," as the case may be. (F) Under the sub-divisions of the general column, "terms of residence," the period by day, month or year stated by the applicant. (G) Under the column, "naturalized," the



word "yes," or "no," or "native," as the fact may be. (H) Under the column "date of naturalization," the date of naturalization, if naturalized. No naturalization papers need be produced if a majority of the board are satisfied that for three years next preceding the applicant claiming to be naturalized has been a registered voter in this State, and has actually voted on such previous registration; but they shall note his answers to the questions, when and in what court he was naturalized, and also in the column headed "remarks," where and when he was so previously registered. (J) Under the column, "court," the designation of the court in which, if naturalized, such naturalization was had. (K) Under the column, "qualified voter," the word "yes," if the fact shall appear or be determined by a majority of the Board of Registry, or the word "no," if such fact be not established to the satisfaction of a majority of the board. (L) Under the column "date of application," the month, day and year when the applicant presented himself. (N) After the answers of the applicant to the questions under the heads of each and all of the above-mentioned columns have been properly entered by the officers in his presence in both registers, and not until then, he shall be asked to sign his name upon the same line under the column "signature" in each of them, and shall sign his name, if he can do so. If, however, he shall state his inability to do so, or declines to do so, the officers shall make the entry, "cannot write" or "declines," as the case may be, in the place for such signature. The Board of Registry shall be entitled to receive from the officers having custody thereof the last preceding registration books, for the purpose of comparison and assistance in identification, and if any one shall apply for registration, who appears in such former registry as disqualified, his name shall be entered in the new registers, but he shall be marked "disqualified," unless such grounds of disqualification shall have been removed. At the end of the day's registry said officers shall compare the two registers so kept, and cause any errors in either of them to be corrected, by aid of the entries in the other, so as to make the same agree where there is any difference between them. Each of the said officers having the custody of one of said registers shall then sign his name or

initials immediately under the last name registered under each letter in the book kept by him, so that no new name can be added without discovery. The said Board of Registry shall keep, on blanks to be provided for that purpose by the Board of Supervisors of Elections, an alphabetical list of the names, addresses and color of all persons registered, and a separate list of all persons refused registration, and of all persons whose names are erased from the registry. In the city of Baltimore, at the end of each session, they shall deliver these lists to the police officer on duty at the registration office, and the list shall be delivered by the said officer to the Police Board, and by the Police Board to the Board of Supervisors of Elections, in the forenoon of the day following the said sitting. The Board of Supervisors for the city of Baltimore shall then cause such list to be printed in hand bill form, in plain long primer type, and copies thereof posted within three days after each session in such manner that they may be easily read, in at least ten prominent places in each precinct. Nothing in this section 16, or in the preceding section 15 as hereby re-enacted with amendments, shall affect the registration in the counties heretofore made under this Article nor require the furnishing of new registry books in the counties, nor in Baltimore city for the supplemental registration for the municipal election of 1901, but the registry books now in existence shall continue to be used as far as practicable and the provisions of said sections 15 and 16 as hereby re-enacted shall be applied only to registrations hereafter to be made.

18. It shall be the duty of the Board of Police Commissioners of Baltimore city, between the first day of September and the commencement of registration in each year, to cause a census, as nearly as possible accurate, to be made by members of the force under their command, of the legal voters resident in each precinct of the said city. The said census shall give the address of each person known or supposed by the officer of police taking it to be a legal voter of the city, and a copy thereof for their precinct shall be furnished by the said Police Commissioners to each Board of Registry when they meet on the first day of their sessions, as hereinbefore provided. And the officer of police taking the said census shall in

every case be assigned to duty at the office of registration in the precinct where he took the said census, unless, for reasons stated in writing by the marshal of police, and furnished to the board of registry in question, such assignment shall be impracticable or against the public interest.

19. Any voter shall be permitted to be present at the place of registration in any precinct of his county or city, and shall have the right to challenge any applicant, and when challenged such applicant shall be carefully questioned by the Board of Registry touching the facts which entitle him to register in such precinct, and thereupon, if a majority of the board is convinced that such applicant is a qualified voter, he shall be entered as qualified. Any person claiming to be a voter of any precinct, and who, upon application, is denied the right to be registered as a qualified voter in said precinct, may make and sign an application in writing, under oath, to the court as hereinafter provided, in substance in the following form: "I,——, do solemnly swear that I did, on——, make application to the Board of Registry of the—— precinct or district of the——, county, (or the—— precinct of the——ward of the city of——), and that said board refused to register me as a qualified voter in said precinct; that I am a duly qualified voter entitled to vote in said precinct at the next election."

20. On the Tuesdays, respectively, six, five and four weeks preceding such regular election, and on the Wednesday next following said Tuesdays, respectively, said Board of Registry shall again meet at the place designated, and shall remain in session during the hours prescribed in section 16, for the purpose of registering all qualified voters not before registered who shall apply in person to be registered, and also, for the purpose of noting the names of any persons on such registry whom they suspect not to be qualified voters. The same forms shall be observed as to the applications made on these days as were required on the former day of registration. If any voter of the ward or county shall go before the Board of Registry during such sessions and make oath that he believes any specified person upon such registry is not a qualified voter, such fact shall be noted. At the end of the registration for each of these days the registers shall



be examined, compared and made to agree, and they shall then be signed immediately, under the last name registered, under each letter, in the same way as hereinbefore provided.

ACTS OF 1902, CHAPTER 133.

21. Before separating on the last day, said Board of Registry shall make out and deliver to two of their number of opposite politics, a list of the registered address of all those who have been registered as qualified voters, whom either one of the officers of registration suspects not be qualified voters, or against whom any voter of the ward or county may have made complaint, as above provided. If said Board of Registry shall, however, know that any person so complained of is a qualified voter, then such name need not be put upon the list of suspected persons, unless required by a member of the board. The officers of registration to whom such list has been delivered shall, on or before Friday next following, sign a notice, and send the same through the mail, duly stamped, to the address as given in the registry of each person who is upon the suspected list, requiring such person to appear before the Board of Registry upon the Tuesday following, giving the time of such session and show cause why his name should not be erased from such registers; proper blanks and postage stamps shall be furnished for this purpose by the Board of Supervisors. A similar notice shall also be served by said officers upon such person before the following Tuesday and if he cannot be found at the place designated upon said registers, the notice may be left there, if such place can be found. Any officer of registration, or other person acting temporarily as such, as hereinafter provided, who willfully neglects to perform his duty touching such scrutiny, shall be deemed guilty of a misdemeanor, and on conviction shall be imprisoned in jail, not less than six months nor more than twelve months. In case of temporary disability on the part of said officers, the Board of Registry may appoint a temporary clerk belonging to the same party, and administer to him the usual oath of office, and said temporary clerk shall perform all the duties of the office until the disability of the other officer is removed. And it shall also be the duty of each of the other officers

of registration, so far as may be in his power, to inform himself as to all persons whose names may be on such suspected list.

22. On Tuesday, three weeks preceding such regular election, said Board of Registry shall again meet at the place designated, and they shall remain in session during the hours prescribed in section 16, for the sole purpose of revising their registry, and no new name shall be added. At the beginning of the session, the officers of registration to whom such suspected list was delivered shall make affidavit as to the mailing of the notices sent by them, and to whom directed and where and as to the personal service upon such person or as to the leaving of the same at his place of residence so designated; and if any person to whom such notice was sent shall appear before the Board of Registry during that session he shall make and sign an affidavit in substance as follows: "I do solemnly swear that I am a citizen of the United States, and that I have resided in the —— precinct of the —— ward in the city of —— (or —— district of —— county), in the State of Maryland, from the —— day of ——, up to the —— day of —— 19——, and that I have not since acquired a legal residence giving me the right to vote elsewhere." If it is charged that he has been convicted of any infamous crime and has not been pardoned, he shall further make oath that he has never been so convicted, or if convicted that he was pardoned at a time stated. This affidavit shall be signed and sworn to before one of such Board of Registry, and it shall be preserved and filed in the office of the said Board of Supervisors of elections. Thereupon said Board of Registry shall further examine him, and shall also swear the officer of registration who has made the inquiry, and hear him upon the question, and they shall also have the power to examine on oath any other witness that may appear or be produced before them in regard to the matter, and make any further examination or inquiry that they may deem proper; and if after such further examination and hearing the majority of said board are of the opinion that such person is not a qualified voter in such precinct, they shall draw a line in red ink through his name and through all other entries on the line on which said name is written, but so that the



name and said other entries shall remain legible, which memorandum, in case of any registration shall indicate that the name of such person is erased from the registry and such person shall not be entitled to vote unless his name is restored as hereinafter provided. During the last hour of said session if any person so notified to appear at such session has not yet appeared and shown cause why his name should not be erased from the registry the name shall be so erased in the manner aforesaid, unless a majority of the board are satisfied of their own knowledge or upon competent testimony that such person is entitled to have his name retained on the registry; and under the head of "Remarks," opposite each name erased, shall be stated the facts as to such erasure, the date of the making the same, and the grounds and evidence on which it is made.

23. At the end of the last session above provided for, the said Board of Registry shall compare and correct the two registers and make them agree, and the officers having them respectively, in their custody, shall then immediately under the last name registered under each letter of the registers sign their names, so that no other names can be added without discovery; all of said officers of registration shall then subscribe, at the end of each register, a certificate in substance, in the words following: "We, the undersigned, constituting the Board of Registry in [—] precinct or district of — county, (or in — precinct of the — ward of the city of —), in the State of Maryland, do jointly and severally certify that, at the general registration of voters in said precinct, closed on this—day of — they were registered by us, in said precinct, the names which in this book are entered, and that the number of registered and qualified voters was and is the number of——." (Signature.)

Dated———.

During the next day the Board of Registry shall return the two registers to the Board of Supervisors of Elections, and in the counties the said Boards of Registry shall, at the same time, return the alphabetical list of names, color and addresses of the persons registered and erased by them, and in Baltimore city the Boards of Registry shall, at the same time, return the lists made

by them at their last session; and the said Boards of Supervisors shall at once cause said alphabetical lists to be printed in handbill form in long primer type, and copies thereof posted, within three days after the return of said lists, as aforesaid, in such manner that they may be easily read, in at least ten prominent places in the respective precincts. The Board of Supervisors in the City of Baltimore and in the several counties shall cause to be printed at least ten extra copies of all the handbills prepared by them, respectively, under this Article, and as many more copies as may be required to supply all demands for any of them made, with the tender of the price before the printing thereof, which copies they shall sell to the public at five cents per copy, the proceeds of said sales to be applied towards paying the expenses of printing the same. The said Boards of Supervisors shall furnish to any one making written application therefor, within ten days after such application has been received, or in less time, if practicable, a certified copy, under their hands, of the names, addresses, color and ages of all persons registered in any ward in said city, or in any election precinct or district of said county, for the sum of fifteen dollars per ward in said city, and two dollars for a single precinct, and for the sum of half a cent for each voter's name on said registry in the counties, which said sum shall be applied towards paying the expenses of making said certified copies. It shall be the duty of the said supervisors to make proper provisions in advance, so that they will be able to make and furnish such copies when ordered, as hereinbefore required.

24. Any person who feels aggrieved by the action of any Board of Registry in refusing to register him as a qualified voter, or in erasing or mis-spelling his name, or that of any other person on the registry, or in registering or failing to erase the name of any fictitious, deceased or disqualified person, may at any time, either before or after the last session of the Board of Registry, but not later than the Saturday next preceding the election, if in the city of Baltimore, and not later than the Tuesday next preceding the election, if in the counties, file a petition, verified by affidavit, in the Circuit Court for the county, or if the cause of complaint arises

in Baltimore city, in any court of Baltimore city, setting forth the ground of his application, and asking to have the registry corrected. The court shall forthwith set the petition for hearing, and direct summons to be issued requiring the Board of Registry to attend at the hearing or by counsel; and when the object of the petition is to strike off the name of any person alleged to be fictitious, deceased or disqualified, summons shall also be issued to such person, which shall be served by the sheriff within the time therein designated, at his place of residence given in the registry. If the petition shall allege that any person registered in any precinct does not reside in such precinct, it shall be sufficient for the petitioner to show that the person to whose registration he objects did not at the time when he was so registered reside at the particular house or place described as his residence on the registry; but the person to whose registration objection is so made, shall have the right to show by affirmative proof that, although he may not have had a legal residence at the place described by him as his residence at the time of his registration, he had at such time a legal residence in the said precinct. In determining whether any person is or is not a resident of any voting precinct, it shall be presumed that if a person is shown to have acquired a residence in one locality, he retains the same until it is affirmatively shown that he has required a residence in another locality, and it shall also be presumed that if a person is shown not to reside at the dwelling given in the entries, relating to him on the registration books, he is not a resident of the said precinct, unless it should be affirmatively shown that he is such resident, and the entries made in such registration books shall not be considered by the court as evidence of any fact therein stated, but the case shall be heard *de novo*. At the hearing, evidence subject only to the ordinary rules of evidence (as modified by the provisions of this section,) may be introduced for or against the application, and the judge shall dispose of the matter summarily, by granting or refusing the order prayed, and the clerk of the court shall make a minute of the proceedings. The costs of proceedings in all such appeal cases shall from and after the passage of this Act be one-half of those provided for and usual under existing law.



If the Board of Registry shall have returned the registers to the Supervisors of Elections, a certified copy of any such order granted by the court shall be delivered to said supervisors, who shall thereupon make the required correction upon the proper registers, and under the head of "remarks," note that the same was made under such order of the court. The court may enforce any such order by attachment as in proceedings for contempt. No person admitted to the registry by the order of court shall be protected by such order if prosecuted for false registration or false voting. In all such cases, the petitioner may be represented by counsel, and in disposing of the petition the court shall have discretion to impose the costs upon the petitioner, the County Commissioners or the Mayor and City Council of Baltimore, or the Board of Registry, or any member or members thereof, as justice and equity may require; but no attorney's appearance fee shall be taxed as part of such costs. In Baltimore city the Supreme Bench shall, from time to time, assign a judge or judges before whom, or any of whom, such petitions shall be heard, and neither party shall have any right of removal. Exceptions may be taken to any ruling of the court at the hearing of any such petition and appeal allowed to the Court of Appeals, as in other cases; all such appeals shall be taken within five days from the date of the decision complained of, and shall be heard and decided by the Court of Appeals as soon after the transmission of the record as may be practicable.

#### CHAPTER 703, ACTS 1906.

25. In the counties a new general registration shall be made by each Board of Registry in the year 1910; such new general registration shall be made in the same way, at the same time, and under the same rules and provisions in all respects as are in this Article made for the first general registration; and the respective Boards of Supervisors of Elections in the several counties are hereby authorized and required to furnish, whenever in the judgment of said board, it may be necessary or expedient, new books of registry for use in any of the districts or precincts in the said several counties, for the transcribing of the names of qualified voters residing



therein from the registration books in use. The said transcribing shall be done in the office of the Board of Supervisors of Elections by two clerks to be selected, one by the supervisors representing the majority party, and one by the supervisor representing the chief minority party, as the said parties are now constituted in this State. The transcribing shall be done by the said clerks, both present at the same time and new books, after being transcribed, shall correspond in all respects and if they do not correspond at the conclusion of the work or if any error in the transcribing be alleged to exist, either of said clerks or any citizen or voter in any of said counties may file a petition in the Circuit Court within twenty days after said work is finished naming the said two clerks and the Board of Supervisors of Elections as defendants and the said court shall have the power to make such order for the correction of said books as may be proper, any political party that polled more than one per cent. of the vote cast at the last election, may, through its political committee, if it has one, or by citizens representing the said party, if there be no political committee, name a watcher and substitute watcher who shall be permitted to attend at the transcribing of said names, and have power to examine the said books during the sittings of the said clerks for the said work and for a period of five days thereafter in the presence of said Board of Supervisors.

#### ACTS OF 1904, CHAPTER 254.

26. In the city of Baltimore there shall be a general registration in the year 1906 and biennially thereafter. Before the November election 1904 and 1905, and in the year 1907, and in every alternate year thereafter, the last general registration shall be revised by the Board of Registry in each precinct where such election was to be held, and for that purpose a Board of Registry shall meet on the Tuesdays respectively seven, six, five and four weeks preceding the regular election in November, and shall hold a session from 9 o'clock a. m. to 9 o'clock p. m. and names may be added to the registers in the same way, upon sworn application, as in the case of a general registration, and all the same forms and requirements shall be observed. If it shall appear that any applicant had

been upon the registers in any other precinct in the city of Baltimore at any time since the beginning of the last general registration for such precinct, his name shall not be added to the registers when application is made until he produces a certificate of removal given him by the Board of Registry for such other precinct, which certificate shall be in substance as follows: \_\_\_\_\_precinct \_\_\_\_\_ward. This is to certify that the name of \_\_\_\_\_ heretofore residing at \_\_\_\_\_ in this precinct, has been stricken from the registry of the precinct and proper erasure made, and that upon the registers of this precinct, the following entries appear with reference to him: Name \_\_\_\_\_, Age \_\_\_\_\_, Color, \_\_\_\_\_, Residence \_\_\_\_\_, Nativity \_\_\_\_\_, Time of residence in precinct \_\_\_\_\_, Time of residence in city \_\_\_\_\_. Time of residence in State \_\_\_\_\_. Naturalized \_\_\_\_\_. Date of papers \_\_\_\_\_. Court \_\_\_\_\_. Qualified \_\_\_\_\_voter.—Date of application \_\_\_\_\_.

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Board of Registry.

The foregoing certificate shall be granted by the Board of Registry when in session, under the following regulations: That is to say; if at the time of application for said removal certificate is made the name of said voter is already erased from the registers, then it shall be the duty of the said Board of Registry to grant the certificate to the voter himself or to any other person making application therefor, but if at the time such application is made, the name of the voter be still upon the registers of voters as a qualified voter, the removal certificate shall be granted and the name stricken off only upon the personal application of such voter to the said Board of Registry, and after his taking and subscribing an oath substantially as follows :

I, \_\_\_\_\_ do solemnly swear (or affirm) that I now reside at \_\_\_\_\_ in \_\_\_\_\_ in the city of \_\_\_\_\_ county of \_\_\_\_\_; that I am the same person who is entered by that name as a qualified voter in the registers of the \_\_\_\_\_ precinct of the \_\_\_\_\_ city; that I have

removed from said last-mentioned residence, and I do request that the proper entries and records be made, and that my name be erased from the registers of said last-mentioned precinct, and that a certificate of removal be furnished me at this time." The foregoing affidavit shall be written or printed on the back of such certificate of removal and when presented to the Board of Registry in the precinct in which such applicant resides, it shall be taken by said board and returned to the office of the Supervisors of Elections. When such certificate shall be granted by the Board of Registry the name of such applicant shall be erased from the registers of the precinct from which he removed. At the end of each of such sessions the registers shall be made to agree where there is any difference between them, and then, the officers of registration having the custody thereof shall sign their names or initials in their respective registry books immediately under the last name registered under each letter on said registers so that no new name can be added thereto without discovery. It shall be the duty of the Board of Registry, after the close of each session to note for erasure from such registers the names of all persons known or supposed to be dead and the names of all persons who are suspected of being disqualified under sections 2 and 3 of Article 1 of the Constitution of the State, and the names of all persons who are supposed to have removed from such precinct and have not taken out removal papers and of all persons who are suspected to be otherwise disqualified as voters, and they shall, before separating, make out a list of all persons so noted for erasure with the address as the same appears upon the registers. In making out such list said Board of Registry shall treat as persons suspected of not being qualified voters all persons against whom a sworn complaint is filed by any voter in the ward. Such complaint shall be as follows: \_\_\_\_\_, a voter of \_\_\_\_\_ ward, do solemnly swear that I believe \_\_\_\_\_, who professes to reside at \_\_\_\_\_, is not a qualified voter in the \_\_\_\_\_ precinct of the \_\_\_\_\_ ward, on the ground (here state reason.) If a majority of the board know, or are satisfied that such complaint is untrue they need not note such name for erasure unless required by a member of the board. Said list shall be arranged under the follow-



ing headings: "Disqualified Voters," under which shall be placed the names of persons suspected to be disqualified under sections 2 and 3 of Article 1 of the Constitution, or otherwise; "Deceased Voters," under which shall be placed all who are known or supposed to be dead; "Removed," under which shall be placed all who are known or supposed to have removed from their last address.

On each day before separating, said Board of Registry shall make out and deliver to two of their number, of opposite politics a list of the registry addresses of all those whose names are on the registers of voters as qualified voters whom the officers of registration in accordance with the foregoing provisions of this section have noted for erasure. The said two officers of registration to whom such list is delivered, shall thereupon proceed in respect thereto as the provisions of section 20 of this Article direct. On each of the Tuesday's respectively, six, five and four weeks preceding the regular election in November, the Board of Registry in each precinct, shall, at the beginning of the session receive the report of the said two officers of registration to whom the aforesaid list was delivered at the last preceding session and shall proceed in regard thereto as directed by the provisions of section 21 of this Article. The Board of Registry shall again meet for revision only on the Tuesday three weeks before said election and a session shall be held between the hours of 9 a. m. and 9 p. m. The Board of Registry at this session shall add no new name to the registers of voters but shall proceed as the provisions of section 21 of this Article direct. In the years 1904 and 1905 the Board of Supervisors of Elections shall provide such additional books of registry for use in any precinct or precincts of Baltimore city as said board shall deem necessary for the purpose of carrying into effect the provisions of this section. And in the event of any changes being made in any of the precincts of Baltimore city by the said Board of Supervisors of Elections in the year 1904 and 1905 under the provisions of section 117 of this Article, the said Board of Supervisors of Elections are hereby directed and empowered to provide and furnish such copies of the original books of registry of the year 1903 now in the office of said Board of Super-



visors of Elections as may be necessary by reason of said changes in said precincts, to supply each precinct in said city with the names of the registered voters of said precinct, which said copies shall have the same force and effect in law as said original books of registry.

ACTS OF 1901, CHAPTER 2.

27. All persons who, prior to the passage of the Act of 1901, chapter 2, (March 21, 1901,) shall have vacated or removed from, or have gone with their parents from the place of their actual abode, domicile, dwelling place or habitation within this State, and shall have taken a domicile, dwelling place, abode or habitation out of this State, shall be conclusively presumed to have thereby intended to abandon their legal residence in this State, and to have surrendered their right to registration as legal voters in this State, unless within thirty days after the passage of this Act they shall go in person before the Clerk of the Circuit Court for the county from which they shall have so removed, or before the Clerk of the Superior Court of Baltimore city, if their removal shall have been from said city, and make and acknowledge before such clerk an affidavit that when they so removed they did not intend to change their legal residence within the State, but that they had a fixed purpose to return at a definite time, and that they intend to return to this State and take up their actual domicile and habitation therein, on or before six months next preceding the Tuesday after the first Monday of November next succeeding the making of such affidavit. The form of such affidavit shall be substantially as follows: State of Maryland ——— County or City of Baltimore, sct.: I hereby certify that on this ——— day of ———, 19—, before the subscriber, Clerk of the Circuit Court for ——— County, (or of the Superior Court of Baltimore City) personally appeared ——— and made oath or affirmation in due form of law, that up to the day of ———, or thereabouts, he was an actual resident and inhabitant of the ——— election district of ——— County, or of the ——— precinct of the ——— ward of the ——— Legislative District of Baltimore city, that on or about the ——— day of ——— he removed from his said domicile or place of residence in said county or city, and took

up his domicile, habitation, dwelling place or abode out of the State of Maryland, to wit (in here insert minute and definite description of the place of abode) that when he so removed out of the State he had a fixed and definite purpose to return thereto by a certain time, and that he did not intend, by such removal to change his residence within the State, or to return, or not to return to this State, as circumstances thereafter might make expedient; sworn to before me (signature of clerk, seal of court); and unless the persons respectively making such affidavits shall actually return to this State, and shall actually take up their abode, domicile or habitation therein, six months before the Tuesday after the first Monday in November next succeeding the making of said affidavit, they shall be conclusively presumed to have lost their legal residence therein, and shall not be entitled to registration therein as legal voters, and officers of registration shall strike off their names from the registry if they be entered thereon; and after the passage of this Act all persons who shall vacate and remove from the place of their actual domicile, abode, dwelling place, or habitation within this State, and shall take up a domicile, abode, dwelling place or habitation out of this State, shall be conclusively presumed to have lost their residence in this State, and shall, in consequence thereof, become disqualified to vote unless at or about the time of such removal, or within ten days thereafter, they shall go in person before the clerk of the Circuit Court for the county from which they shall so remove or before the clerk of the Superior Court of Baltimore city, if such removal be from said city, and shall make and acknowledge before him an affidavit declaring that notwithstanding such removal from their domicile, abode, dwelling place, or habitation, they do not intend thereby to change their legal residence, but that they have a fixed and definite purpose to return to this State on or before six months preceding the next succeeding election in November. The form of such affidavit shall be as follows: State of Maryland, city or county of-----sect: I hereby certify that on this-----day of-----before the subscriber, clerk of the Circuit Court for -----county, (or Superior Court of Baltimore city) personally appeared-----and made oath (or affirmation) in due

form of law, that on or about the \_\_\_\_\_ day of \_\_\_\_\_ he vacated and removed from his habitation, dwelling place, domicile or abode, in the \_\_\_\_\_ precinct of the \_\_\_\_\_ Election District of \_\_\_\_\_ county, (or of the \_\_\_\_\_ Ward in the \_\_\_\_\_ Legislative District of Baltimore City) and took up his abode out of the State. (Here insert particular designation of such new abode by election district, precinct, ward, street and number whenever practicable); that notwithstanding such removal he does not intend thereby to change his residence, but that he has a fixed and definite purpose to return to this State on or before six months preceding the next succeeding election in November; sworn before me (signature of clerk, seal of court); and if the persons making such affidavits, shall fail so to return and take up their actual abode, domicile, dwelling place and habitation in this State on or before six months next preceding such November election, they shall be conclusively presumed to have abandoned such declared intention, and shall thereupon become disqualified to vote in this State, and the officers of registration shall refuse to register them as qualified voters, or shall strike off their names from the registry if their names be entered thereon. The clerk before whom such affidavit shall be made, shall retain, index and record the same, and shall be entitled to demand and receive for each affidavit sworn the sum of thirty cents, and for indexing and recording the affidavit and acknowledgement thereto the same compensation as allowed by law for indexing and recording deeds; such costs to be paid to said Clerks by the County Commissioners and Mayor and City Council of Baltimore, respectively. Such affidavits shall not be admissible in evidence as evidence of the right of the persons making the same to registration unless they are recorded within five days from the date of the acknowledgements thereto, and a duly certified copy thereof shall be receivable in evidence in the same manner as a certified copy of a deed. False swearing in any of such affidavits shall be deemed to be perjury, and shall be punishable as perjury is punishable by the Code of Public General Laws, Article 27, title "Crimes and Punishments," sub-title "Perjury." Said officers of registration shall require the production of such affidavits, duly



recorded, or a duly certified copy thereof in all cases where they shall have reason to suspect that the person applying to be registered as a qualified voter has lost his residence by reason of his removal from the State as hereinbefore mentioned; and they may also in such cases put any question which they may deem proper to such applicant concerning the place where he dwelt in the county or legislative district before such removal out of the State, his occupation before such removal and since the time when he so removed, and when he returned, and all other pertinent facts and circumstances touching the right of such person to be registered, and they may require the truth of the answers of all persons to such questions to be corroborated by independent evidence if in their discretion they shall think proper, and if in answer to their questions or upon testimony produced before them, it shall appear to their satisfaction that the person applying to be registered had left the State without any intention of returning, or with the intention of returning at some indefinite time in the future, he shall not be entitled to be registered as a legal voter; provided, however, that this section shall not apply to United States Senators and Representatives in Congress from Maryland. Any officer of registration who shall fail or refuse to perform the duty imposed upon him by this section shall be subject to the penalties imposed by section 94, of this Article.

#### ACTS OF 1902, CHAPTER 133.

28. All persons who after the passage of the Act of 1902, ch. 133, (March 29, 1902,) shall remove into any county of this State or into the city of Baltimore from any other State, District or Territory, shall indicate their intent to become citizens and residents of this State by registering their names in a suitable record book to be procured and kept for the purpose by the Clerk of the Circuit Court for the several counties, and by the Clerk of the Superior Court of Baltimore city; such record to contain their names, residence, age and occupation; and the intent of such persons to become citizens and residents of this State shall date from the day on which such registry shall be so entered in such record book by the Clerk of the Circuit Court for the county, or



of the Superior Court of Baltimore city, as the case may be, into which county or city such person shall so remove from any other State, District or Territory. And no person coming into this State from any other State, District or territory shall be entitled to registration as a legal voter of this State until one year after his intent to become such legal voter shall be thus evidenced by such entry in such record book, and such entry or a duly certified copy thereof shall be the only competent and admissable evidence of such intent. And the clerk of the Superior Court of Baltimore city and of the several courts of the several counties shall immediately, upon the passage of this Act, procure a suitable record book for the recording therein of such entries arranged alphabetically under the names of such persons. For every person so registered under the provisions of this section they shall be entitled to demand and receive the sum of twenty-five cents, to be paid to said clerks by the Mayor and City Council of Baltimore and the County Commissioners respectively. A copy of such record duly certified by said clerk shall be evidence of the right of such person to registration as legal voters according to law, and each person so registered shall be entitled to such certified copy upon demand without charge.

#### ACTS OF 1902, CHAPTER 522.

29. Nothing in the preceding section shall be held to apply to persons in the diplomatic or consular service of the United States appointed from Maryland, who, at the time of their appointment are registered voters thereof, or to secretaries and clerks, respectively, of the United States Senators and Representatives in Congress from Maryland for periods of service not longer than the term of a United States Senator or Representative in Congress, who shall be, at the time of their appointment, residents and registered voters of the said State.

#### INTERMEDIATE REGISTRATION.

30. Before every November election held in the counties between the general registration hereinbefore provided for the last general registration shall be revised by the Board of Registry of each precinct where such election is to be held; and for that purpose the Board of Registry shall meet on the Tuesdays, respectively, five

and four weeks preceding the regular fall election, and shall hold a session from 8 o'clock a. m. to 7 o'clock p. m., and names may be added on the registers in the same way, upon sworn application, as in the case of a general registration, and all the same forms and requirements shall be observed. If it shall appear that any applicant had been upon the registry in any other precinct of any county at any time since the beginning of the last general registration for such precinct, his name shall not be added to the registry where application is made until he produces a certificate of removal given him by the Board of Supervisors of said county, or by the Board of Registry for such other precincts, which certificate shall be in substance as follows: "———precinct, —— ward or county. This is to certify that the name of ——, heretofore residing at ——, in this precinct, has been stricken from the registry of the precinct and the proper erasure made, and that upon the registers of this precinct the following entries appear with reference to him: Name ——, age ——, color ——, residence ——, nativity ——, time of residence in precinct ——, time of residence in county (or city) ——, time of residence in State —— naturalized ——, date of papers ——, court ——, qualified voter ——, date of application ——.

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"Board of Supervisors of Elections (or of Registry.)"

The foregoing certificate shall be granted by the Board of Registry when in session, or by the Board of Supervisors of Elections prior to said session of the Board of Registry, under the following regulations—that is to say: If at the time application for said removal certificate is made, the name of the said voter is already erased from the registry, then it shall be the duty of the said Board of Supervisors or the said Board of Registry to grant the certificate to the voter himself or to any other person making application therefor. But if at the time such application is made the name of the voter be still upon the registry of voters as a qualified voter, the removal certificate shall be granted and the name stricken off only upon the personal application of

such voter to the Board of Supervisors or to the said Board of Registry, and after his taking and subscribing an oath substantially as follows; "I, \_\_\_\_\_, do solemnly swear (or affirm) that I now reside at \_\_\_\_\_, in \_\_\_\_\_ county; that I am the same person who is entered by that name as a qualified voter in the registries of the \_\_\_\_\_ precinct of \_\_\_\_\_ county; that I have removed from the said last-mentioned residence. and I do request that the proper entries and records be made, and that my name be erased from the registers of said last-mentioned precinct, and that a certificate of removal be furnished me at this time." The foregoing affidavit shall be written or printed on the back of such certificate of removal, and when presented to the Board of Registry of the precinct in which such applicant resides, it shall be taken by said board and returned to the office of Supervisors of Elections. When such certificate shall be granted, either by the Board of Registry or by the Supervisors of Elections, as the case may be, the name of such applicant shall be erased from the registers of the precinct from which he removed.

31. At the end of each of such sessions the registers shall be made to agree, where there is any difference between them and then the officers of registration having the custody thereof shall sign their names or initials in their respective registry books immediately under the last name registered under each letter on said registers, so that no new name can be added thereto without discovery.

32. It shall be the duty of the Board of Registry, after the close of the last-mentioned session, to note for erasure from such registry the names of all persons known or supposed to be dead, and the names of all persons who are suspected of being disqualified under sections 2 and 3 of Article 1 of the Constitution of the State, and the names of all persons who are supposed to have removed from such precinct and have not taken out removal papers, and of all persons who are suspected to be otherwise disqualified as voters, and they shall, before separating, make out a list of all persons so noted for erasure, with the address as the same appears upon the registers. In making out such list said Board of Registry shall treat as persons suspected of not being qualified voters all



persons against whom a sworn complaint is filed by any voter in the ward or county. Such complaint shall be, in substance, as follows: "I,———a voter of——— county, do solemnly swear that I believe———, who professes to reside at———, county, is not a qualified voter in the———precinct of———county, on the ground" (here state reasons). If a majority of the board know or are satisfied, that such complaint is untrue, they need not note such name for erasure unless required by a member of the board. Said list shall be arranged under the following headings: "Disqualified voters," under which shall be placed the names of persons suspected to be disqualified under sections 2 and 3 of Article 1 of the Constitution, or otherwise; "Deceased Voters," under which shall be placed all who are known or supposed to be dead; "Removed," under which shall be placed all who are known or supposed to have removed from their last address. The member of the board acting as clerk shall forthwith ascertain the facts as to all such persons on said list in the manner hereinbefore provided in the case of the first registration, and shall give such persons the notice provided for in the case of the first registration.

33. The Board of Registry shall again meet for revision on Tuesday three weeks before such election, and a session shall then be held from 8 a. m. until 7 o'clock p. m. At such meeting the officer who last acted as clerk shall file with said board an affidavit of the facts noted by him as to the persons on said suspected list, giving the names and addresses of those not found, and also the name and address of those actually served with such notice, or served by leaving the notice at the designated place of residence, stating how service was made, and also stating the name and address of all those to whom such notice was mailed, and when mailed. No new names shall be added at such meeting.

34. At such meeting both of the registers shall again be produced, and said board shall hear every person that appears before them to whom notice was sent, to show cause why his name should not be erased from said register, in the same manner provided for in case of the general registration; and if a majority of said board shall decide that such person is not a qualified voter, his name



shall be erased from the registers. Evidence on either side may be heard, and all witnesses or parties shall be sworn. If qualified voters so noted as dead or removed are not dead or have not removed, their names shall stand, but if any person so notified does not appear at such session and show cause why his name should not be erased, the board shall during the last hour of such session, cause his name to be erased and marked as disqualified, dead or removed, as the case may be, unless a majority of the board are satisfied, of their own knowledge, or upon competent evidence, that such person is entitled to have his name retained on the registry, and under the head of "Remarks," opposite each name erased, shall be stated the facts as to such erasure, the grounds and date of making the same and the evidence on which it was made. The two registers shall then be compared and made to agree, where there is any difference, and such revision of the registry by said Board of Registry shall then be considered closed, and no other name can be added by said board and a certificate of the number of qualified voters shall then be made and signed on the registers. The registers shall, by noon of the second day thereafter, be returned to the Supervisors of Elections, with the alphabetical list, as required in section 23.

35. The Board of Supervisors of Elections shall, immediately, upon the return of said registers, cause a suitable number of copies of the alphabetical list of names registered or erased in each precinct to be printed and written three days after such return of the lists, and cause copies thereof to be posted and to be given to the judges or clerks, and to be sold, as before provided, in case of general registration.

36. Any person who feels aggrieved for any of the causes mentioned in section 24 of this Article, which may have arisen in the course of such revision, may file a petition as provided for the first general registration, and thereupon the same proceedings shall be had, and the same forms and methods shall be used as in case of similar petitions under the said section 24.

37. The place of any officer of registration who may be absent on any day of registration or revision shall be

filled by the other members of the board then present, always selecting a person of the same political party as the absent person, and the same oath shall be administered by one of the members of said board then present to such temporary officer of registration, as provided in the case of the regular officers of registration; whenever the regular officer shall return or be present the temporary incumbent shall vacate his office. The appointment and swearing in of all such substitutes, and the reasons therefor, and the time when such substitutes began and ceased to serve as officers of registration shall be noted by the board in the registers.

38. There shall not be a previous revision of the registry before any special election, but at such election the registry books as last prepared or revised shall be used. In the year eighteen hundred and ninety-seven, however, and every second year thereafter, the books of registration for the city of Annapolis shall be open by the several boards of registry for the wards or precincts thereof on the second Monday and the following Tuesday in those years, for the purpose of registering new voters and for the correction of said books of registration prior to the biennial municipal elections in said city in the month of July, and of those sittings of the said boards of registry. ten days' previous public notice shall be given by the Board of Supervisors of Anne Arundel county, directed by section 13.

39. The Board of Supervisors of Elections, the Board of Registry and each member of said Board of Registry shall, without fee or reward, whenever the said registers, or any one of them, in its or his custody, permit the same to be freely inspected by any one wishing so to do, such inspection shall be made in the presence of a member or members of the said Board of Supervisors or one of their clerks, or of the said Board of Registry, or of those members of the Board of Registry in whose custody the said registers may be, and not otherwise. Said Board of Supervisors and said Board of Registry shall, upon application, furnish a copy of any entry in said register, and said copy, under their hands, shall be evidence in any court or before any officer, of the matters therein contained.

## NOMINATIONS.

40. Any convention or primary meeting as hereinafter defined, held for the purpose of making nominations to public office, and also voters to the number hereinafter specified, may nominate candidates for public office to be filled by election within the State. A convention or primary meeting, within the meaning of this Article, is an organized assemblage of delegates or voters representing a political party or principle which at the last election before holding of such convention polled at least one per cent. of the entire vote cast in the State, county or other division or district for which the nomination is made. Nominations may be made by means of primary elections without the intervention of any convention, by any party which, at the last preceding election, polled the requisite proportion of votes as hereinbefore specified.

## CHAPTER 2, 1901.

41. All nominations made by such convention or primary meetings shall be certified as follows: The certificate of nomination shall be in writing, shall contain the name of each person nominated, his residence, his business, his address and the office for which he is nominated, and shall designate, in not more than five words, the party or principle which such convention or primary meeting represents. It shall be signed by the presiding officer and secretary of such convention, who shall add to their signatures their respective places of residence, their business and business address, and acknowledge the same before an officer duly authorized to take acknowledgments, who shall append a certificate of such acknowledgment thereto. If the nomination is by means of a primary election, the certificate shall be signed and acknowledged by the person or persons whose duty it may be, by party usage, to declare the result of such election in the manner prescribed for a nomination by a convention, but no party emblem or device of any kind shall be added to said certificate; and if any such emblem or device should be added, it shall not be printed upon the ballot by the Secretary of State or any of the Board of Supervisors of Elections.

42. A candidate for public office may be nominated otherwise than by a convention or primary election in



the manner following: A certificate of nomination containing the names of a candidate for the office to be filled, with such information as is required to be given in certificates provided for in section 41 of this Article, with the additional statement that the persons signing the same intend to vote for the person to be nominated thereby, shall be signed by voters in numbers as follows, residing in the political division in and for which the officer is to be elected—that is to say: The number of signatures so required shall not be less than five hundred when the nomination is for an office to be filled by an election participated in by the voters of the entire State, and not less than three hundred when the nomination is for an office to be filled by an election to be participated in by the voters of an entire congressional district or of the entire cities of Baltimore, Annapolis, Frederick, Cumberland or Hagerstown, and not less than two hundred for nominations for all other elections; and provided also, that the said signatures need not all be appended to one paper; but if the signatures are appended to more than one paper all such papers must be fastened together and filed as one certificate. Each signer shall append to his signature his residence, occupation and place of business, and every such paper shall be accompanied by an affidavit or affidavits made before a justice of the peace by one or more persons known personally to the justice and so certified by him and signed by the affiant or affiants, to the effect that the signers are known to such affiant or affiants to be registered voters of the district or precinct in which they respectively reside, and that the said affiant or affiants personally saw the signers in regard to whom he or they make oath sign such paper, and any wilfully false statement in such affidavit or affidavits or affirmation shall be deemed a misdemeanor, and shall subject the person making the same to the fines and penalties prescribed by the law of this State for the crime of perjury.

43. Certificates of nominations shall be filed with the Secretary of State for the nomination of members of Congress or of candidates' for offices to be filled by the voters of the entire State or of any division of a greater extent than one county. For all other nominations to public offices certificates of nomination shall be filed with

the Supervisors of Elections of the respective counties or of Baltimore city as the case may be, wherein the offices are to be filled by the voters.

44. No certificate of nomination shall contain the name of more than one nominee for each office to be filled. No person shall join in nominating more than one nominee for each office to be filled, and no person shall accept a nomination to more than one office.

45. The Secretary of State and the several boards of supervisors of elections shall cause to be preserved in their respective offices, for two years, all certificates of nomination filed with them under the provisions of this Article. All such certificates shall be open to public inspection.

#### ACTS OF 1902, CHAPTER 133.

46. Except in cases provided for by section 50 and cases of special election, to fill vacancies in office caused by death, resignation, or otherwise, such certificates of nomination shall be filed respectively with the Secretary of State not less than twenty-five days, and with the Board of Supervisors of Elections not less than fifteen days before the day of election.

47. Not less than eighteen days before an election to fill any public office, the Secretary of State shall certify to the Supervisors of Elections of each county, within which any of the voters may, by law, vote for candidates for such office, the name and description of each person nominated for such office, as specified in the certificates of nomination filed with the Secretary of State, and shall certify the same to the Supervisors of Election of Baltimore city, if any of the voters of said city, may, by law, vote for candidates for such office.

48. At least eight days before an election to fill any public office the Supervisors of Elections of each county and of the city of Baltimore shall cause to be published in two or more newspapers within such county, and in all the daily papers published in said city which will publish the same at the current rates for advertising, the nominations to office which have then been filed with or certified to them under the provisions of this Article. If in any county there be but one newspaper published, publication in such one newspaper shall be sufficient. They

shall make not less than two such publications in each of such newspapers before the day of election, and one of such publications in each newspaper shall be upon the last day upon which said newspaper is issued before the day of election. Such publication shall be made in newspapers devoted to the dissemination of general news, and the two newspapers selected shall, if possible, represent the political parties which at the last preceding election cast the largest and next largest number of votes. The list of nominations published by the Supervisors of Elections shall be arranged, so far as practicable, in the order and form in which they are to be printed upon the ballots.

49. Whenever any person nominated for public office, as in this Article provided, shall, at least ten days before election, in a writing signed by him and acknowledged before a justice of the peace, or if he be out of the State at the time, before a notary public, notify the officer with whom the certificate nominating him is, by this Article, required to be filed, that he declines such nomination, such nomination shall be void, and the name of any person so declining shall not be printed upon the ballots.

50. Should any person so nominated die before election day or decline the nomination, as in this Article provided, or should any certificate of nomination be or become insufficient or inoperative from any cause, the vacancy or vacancies thus occasioned may be filled in the manner required for original nominations. If the original nomination was made by a party convention which had delegated to a committee the power to fill vacancies, such committee may, upon the occurring of such vacancies proceed to fill the same; the chairman and secretary of such committee shall thereupon make and file with the proper officer a certificate setting forth the cause of the vacancy, the name of the person nominated, the office for which he was nominated, the name of the person for whom the new nominee is to be substituted, the fact that the committee was authorized to fill vacancies and such further information as is required to be given in an original certificate of nomination. The certificate so made shall be executed and acknowledged in the manner prescribed for the original certificate of nomination,



and shall, except in case of a nominee dying, be filed at least eight days before the day of election, and in cases of either resignation or death, shall be filed within six days after the vacancy shall have occurred, and upon being so filed shall have the same force and effect as an original certificate of nomination. When such certificate shall be so filed with the Secretary of State, he shall, in certifying the nomination to the Supervisors of Elections, insert the name of the person who has been thus nominated to fill a vacancy in place of that of the original nominee; and in case he has already set forth his certificate he shall forthwith certify to the supervisors the name and description of the person so nominated to fill a vacancy, the office for which he is nominated, the party or political principle he represents, and the name of the person for whom he is substituted. In the case, however, of any nominee dying within so short a time before the day of election that the certificate of nomination of the new nominee shall not have been filed with or certified to the Supervisors of Elections until after six days before the day of election, thus being too late for the name of the new nominee to be printed on the ballots in any county or the city of Baltimore, as hereinafter provided, the Board of Supervisors of such county or city shall at once cause to be printed a sufficient number of stickers bearing the name of such substituted nominee, and shall deliver the same in due time to the judges of election for all of those precincts in said county or city wherein said nominee may be voted for, and said judges shall affix such stickers in the proper place on each ticket before it is given out to the voter. If the resignation or disqualification, or death and consequent change of nominee shall have occurred and been made after the first publication provided for in section 48, and before the second publication, the Board of Supervisors shall, if possible, make the proper change in the second publication.

51. Whenever a proposed constitution or constitutional amendment, or other question, is submitted for popular approval to the voters of the State, the Secretary of State shall duly, and not less than thirty days before the election, certify the same to the Supervisors of Elections in the counties and the city of Baltimore, and there-

upon, the said supervisors shall include the same in the publication provided for in section 48 of this Article. If questions of local concern are to be submitted for approval to a vote of the people of a county or a municipality, the same shall be certified to said Supervisors of Elections within said period by the County Commissioners or register of the city of Baltimore, as the case may be, and shall be advertised as herein provided in the case of nominees for county or city officers.

#### BALLOTS AND BALLOT BOXES.

52. All ballots cast in elections for public officers within this State shall be printed and distributed as hereinafter provided. The printing of ballots and cards of instruction for the voters in each county and the city of Baltimore, and the delivery of the same to the judges of election, as provided in this Article, shall be at public expense, the payment of which shall be provided for by the several counties and the city of Baltimore, respectively. All ballot boxes shall be constructed as follows: Each box shall be one foot outside measure, as near as may be, in width and length, and eighteen inches in depth, strapped and secured on each edge and corner, with brass mouldings, securely brazed or soldered together at the junctions thereof, so as to prevent it from being easily broken; it shall have a strong wooden lid, which shall be fastened to the box with brass or iron hinges, not accessible from the outside, and shall have a good Yale lock, there shall be a slit in the lid just large enough to admit a single folded ballot at one time, and the sides and bottom of the box shall be of clear plate glass not less than one-eighth of an inch in thickness. Each such box, when not in actual use at a polling place, shall be kept in a wooden case for the protection of the same and its contents in the transportation and storage thereof.

#### CHAPTER 2, 1901.

53. It shall be the duty of the Board of Supervisors of Elections of each county and of the city of Baltimore to provide ballots for every election for public officers held under this Article in which any voters within the county or said city shall participate, and cause to be printed on the ballot the name of every candidate whose name has

been certified to or filed with the proper officers in the manner herein provided by such political party, organization or body of individuals; but the said supervisors shall not be required to print any name upon a ballot if such name shall not have been certified to them at least six days before election day. Each ballot shall contain a statement of every constitutional amendment or other question to be submitted to the vote of the people at any election. Ballots other than those printed by the respective Boards of Supervisors of Elections, according to the provisions of this Article shall not be cast or counted in any election except as hereinafter provided. Nothing in this Article contained shall prevent any voter from writing on this ballot and marking in the proper place the name of any person other than those already printed for whom he may desire to vote for any office, and such votes shall be counted the same as if the name of such person had been printed upon the ballot and marked by the voter. Any voter may take with him into the polling place any written or printed memorandum or paper to assist him in marking or preparing his ballot, except a fac-simile of the ballot to be voted. Ballots shall be printed and in possession of the Supervisors of Elections at least four days before election day, and a correct list of the names of the candidates thereon with the designation of the offices for which the persons named thereon are candidates shall be furnished on demand by the supervisors to the candidates or their authorized agents. If any mistake be discovered, it shall be the duty of the said supervisors to correct the same without delay, and if said supervisors shall decline or refuse to make correction, then upon the sworn petition of any qualified voter who would have the right to vote for such candidate at the approaching election, the Circuit Court for any county, or one of the Judges of the Supreme Bench of Baltimore city, may, by order, require said supervisors of elections to correct such error or to show cause why such error should not be corrected.

(The following section 54 regulating the form and arrangement of the ballot, applies only to Baltimore city, Baltimore, Dorchester, Queen Anne's, Wicomico, Carroll, Washington, Allegany, Cecil, Montgomery, Howard, Caroline, Harford, Frederick and Garrett counties.



## ACTS OF 1902, CHAPTER 133.

54. The form and arrangement of the ballots shall be as follows: All ballots shall contain the name of every candidate whose nomination for any office specified in the ballot has been certified to and filed according to the provisions of this Article and not withdrawn in accordance herewith. The names of candidates for every office shall, except in the case of candidates for Presidential Electors, be arranged alphabetically according to their surname under the designation of the office. Above the group of names of the candidates for each office, and upon a separate line immediately underneath the designation of the office there shall be printed in bold, plain, Roman capitals, twelve point (pica) type, an appropriate direction or instruction to the voter, informing him of the number of persons for whom he may lawfully vote for the particular office mentioned immediately above each such direction thus, "vote for one," or "vote for two," or "vote for six" as the case may be. To the right of the name of each candidate upon the official ballot and properly separated from said name, and immediately to the left of the square opposite the name of the candidate and in line therewith, shall be added the designation of the party or principle which the candidate represents, as is duly contained in the certificate of nomination or nomination papers (said designation of the party, however, shall consist solely of the name of the party and nothing more.) To the name of each candidate for State office or candidate for Congress shall be added the name of the county or city in which the candidate resides. Ballots shall be so printed as to give to each voter a clear opportunity to designate by a cross (X) in a square at the right of the name of each candidate, and at the right of each question his choice of candidates, and his answer to such question. If a candidate is named for the same office on two or more certificates of nomination his name shall be printed on the ballot but once, and to the right of the name of said candidate shall be added the names of each of the parties or principles which the candidate represents. When the name of a political party is given in connection with the name of a candidate nominated as provided in section 42 of this Article, it shall be stated on the ballot to the right

of the name of the candidate; but if there shall have been any nomination for the same office by a convention or primary election claiming the same party name, duly certified as hereinbefore provided, the word "Independent" shall precede the party name and if the candidate is nominated under the provisions of the said section 42 to be printed to the right of the name of each except Presidential Electors. If the same party name shall be claimed on behalf of nominations made by more than one convention or primary election, and duly certified as aforesaid, the officers by whom the ballot is to be prepared, or a majority of them, shall determine which nominees are justly entitled to the party name, and the word "Independent" shall precede the party name of the other nominee. The names of candidates for the office of Electors of President and Vice President of the United States shall be arranged in groups, as presented in the several certificates of nomination papers, and the several groups shall be arranged in such order of the surnames of the candidates for president as the several Boards of Supervisors shall prescribe in the city of Baltimore, and in the several counties respectively. If candidates for Presidential Electors are nominated at large and for the several Congressional districts, the name and place of residence of the candidates at large shall be put at the head of each group, and the names of the other candidates with their places of residence, including the numbers of the Congressional district in which they reside, shall follow in numerical order. The surname of the candidates of each political party for the office of President and Vice President, with the party name at the right of the surname, shall be placed above the group of candidates for electors of such party. There shall be left at the right of the surname of the candidates for President and Vice President so formed as to include both names and to the right of the name of each elector, a sufficient clear square in which each voter may designate by a cross (X) his choice for electors. All candidates for office shall, as far as possible, be placed in one column, but when the names to be printed upon the ticket are over thirty-six, then another column shall be added in which names shall be printed, and when two or more columns are used the same number of names shall, as far

as possible, be printed in each column. And the initial letter of the given or Christian name of the several candidates in each column shall be printed directly beneath each other in a vertical line, and the initial letter of the respective party designations of said several candidates shall be printed directly beneath each other in a vertical line. A constitutional amendment, or any question to be submitted to the popular vote, shall be printed in a separate column to follow immediately after the names of the candidates.

(The following section 55, regulating the form and arrangement of the ballot applies to the following counties only: Anne Arundel, Calvert, Charles, Kent, Prince George's, St. Mary's, Somerset, Talbot and Worcester.)

ACTS OF 1904, CHAPTER 339.

55. The form and arrangement of the ballot shall be as follows: All ballots shall contain the name of every candidate whose nomination for any office specified in the ballot has been certified and filed according to the provisions of this Article, and not withdrawn in accordance herewith.

The names of candidates for every office shall, except in case of candidates for Presidential Electors, be arranged under the designation of the officer. Above the group of names of the candidates for each office, and upon a separate line immediately beneath the designation of the office, there shall be printed, in bold, plain, Roman capitals, twelve point (pica) type, an appropriate direction or instruction to the voter, informing him of the number of persons for whom he may lawfully vote for the particular office mentioned immediately above each such direction, thus: "vote for one," or "vote for two," or "vote for six," as the case may be. To the name of each candidate for State office or candidate for Congress shall be added the name of the county or city in which the candidate resides. Ballots shall be so printed as to give to each voter a clear opportunity to designate by a cross (X) in a square at the right of the name of each candidate, and at the right of each question his choice of candidate and his answer to such question. Such square shall be at least one-half of an inch in size. If a candidate is named for the same office on two or



more certificates of nomination, his name shall be printed on the ballot but once. The names of candidates for the office of election of President and Vice-President of the United States, shall be arranged in groups, as presented in the several certificates of nomination papers, and the several groups shall be arranged in such order of the surnames of the candidates for President as the several Boards of Supervisors shall prescribe in the city of Baltimore, and in the several counties respectively. If candidates for Presidential Electors are nominated at large, and for the several Congressional districts, the name and place of residence of the candidates, with their places of residence, including the numbers of the Congressional district in which they reside, shall follow in numerical order. The surname of the candidates of each political party for the office of President and Vice President shall be placed above the group of candidates for election of such party. There shall be left at the right of the surname of the candidates for President and Vice President, so formed as to include both names, and to the right of the name of each elector, a sufficient clear square in which each voter may designate, by a cross (X) his choice for electors. All candidates for office shall, as far as possible, be placed in one column, but where the names to be printed upon the ticket are over thirty-six, then another column shall be added in which names shall be printed, and when two or more columns are used the same number of names shall, as far as possible, be printed in each column, and the initial letter of the given or christian name of the several candidates in each column shall be printed directly beneath each other in a vertical line. A Constitutional Amendment, or any question to be submitted to the popular vote, shall be printed in the same column with the names of the candidates.

#### ACTS OF 1901, CHAPTER 2.

56. If at any election there be a constitutional question, or any other question to be submitted to the popular vote, the said question shall be placed upon said ballot in the form following "For Constitutional Amendment," "Against Constitutional Amendment," "For Proposition," "Against Proposition," and said respective questions shall be placed in a column, as hereinbefore

mentioned, so that the same shall form a parallelogram or space where the voter may clearly indicate in the way hereinbefore pointed out, whether he shall wish to cast his ballot for or against the Constitutional Amendment, or Proposition, or Propositions submitted.

ACTS OF 1902, CHAPTER 133.

57. All said ballots in all elections in and throughout the State of Maryland, including all the counties thereof and Baltimore city, shall be printed in the same uniform type upon plain white printing paper of ordinary book weight in black ink, and the names of all candidates and their several party designations shall be printed upon all ballots which may be used in any and all elections in every county of the State and in the city of Baltimore, in the following type to wit: In clear, plain, bold and legible Roman capitals, twelve point, generally known as pica type, one-eighth of an inch high, or in depth, and the printing of said names of said candidates and of their respective party designations, shall also be uniform in style and appearance throughout the ballot; and it shall be the duty of the Board of Supervisors of Elections for Baltimore city, and of the Board of Supervisors of Elections for each county, to cause all ballots to be used by the voters of said city, and of the several counties, to be printed in manner and form as aforesaid. On the back and outside of all ballots shall be printed the words, "Official Ballot For," followed by the designation of the polling place for which it is prepared, the date of the election and a fac-simile of the signature of the President of the Board of Supervisors of Elections, by whom the ballots have been prepared. Said ballot shall be printed on the same leaf with a detachable stub or coupon one inch high and three inches wide, above the upper right-hand corner of the ballot, and binding on the upper edge thereof, but separated therefrom by a line running along the entire width of said coupon. Upon said coupon shall be printed the words, "Voter's name," with a line drawn thereunder for writing said name, and under the said line the words "Number of Voter," followed by a blank space for the insertion of number. Before distribution said ballots shall be so folded in marked creases that no part of the marks or printing thereon, excepting that upon the back and outside, and that upon the detachable

stub or coupon, shall be visible, and so that the folded ballot shall be of uniform width and length, and of proper width to be deposited in the ballot boxes. All ballots when printed shall be folded as above provided, and fastened together in convenient numbers in packages, books or blocks, so that each ballot may be detached and removed separately. The said Boards of Supervisors of Elections, respectively, shall four days at least prior to the day of any election in their respective counties and in said city, cause to be conspicuously and securely posted in one or more public places in each voting precinct of their respective counties, or of said city, accurate sample copies of the ballots to be used in such district or precinct, at the then approaching election; such sample copies shall be printed on light cardboard or heavy-sized paper of considerably magnified dimensions, and one of them at least shall be placed upon the exterior of each building in which the polls will be held, so that the same can be readily seen and examined by persons passing on the street or road.

58. The Supervisors of Elections shall provide for each election precinct in the several counties and in the city of Baltimore, two packages, each containing one hundred ballots for every one hundred or fraction of one hundred voters shown by the last preceding registration in said precinct, and shall cause each package to be sealed and clearly marked on the outside of its wrapper with the name of the precinct, or polling place, for which it is intended and the number of ballots enclosed. One of said two packages shall be delivered to the judges of election with the ballot-boxes, poll-books, blanks and stationery, as provided in section 59 of this Article, and the other package of the tickets, one for every precinct, shall be delivered by the said Board of Supervisors of Elections, a sufficient time before the election, to the sheriffs of their respective counties or to the board of police commissioners of Baltimore city, as the case may be, and it shall be the duty of the said sheriffs and board of police commissioners to have them on the day of election within said polling places, respectively in their charge, or that of an officer designated by them, and to supply them to any judges of election, who shall then make requisition therefor in writing, stating their first



supply of ballots has been exhausted or that for any cause the second set is needed. Said sheriffs and board of police commissioners shall receipt for the same, and keep a record of all such second sets of ballots so delivered by them to the judges of election, and they shall, on the day after election, return all packages not so delivered to their respective Boards of Supervisors of Elections, who shall cause them to be destroyed within ten days thereafter, unless the destruction thereof be stayed by order of court pending a contest. The several Boards of Supervisors shall keep a record of the number of all ballots printed for each polling place in their respective counties or city, and shall preserve the same for at least six months after the election for which it was made.

#### ACTS OF 1901, CHAPTER 2.

59. The Supervisors of Elections of Baltimore city shall deliver to the Board of Police Commissioners of Baltimore city, not more than three days, and not less than one day, preceding the election, the two registers of every precinct of said city, together with the cards of instruction and ballot-box therefor, the latter being locked, with the key in the lock, and containing one of the sealed packages of ballots for said precinct, the specimen ballots, the two poll-books, and all blanks, indelible pencils and stationery required for such election. And the said Board of Police Commissioners shall receipt therefor, and shall deliver or cause the same to be delivered to the judges of election of the respective precincts at or before the opening of the polls on the day of election. Said Boards of Supervisors shall keep a record of the time when such deliveries are made by them and of the particulars thereof.

The Supervisors of Elections of the several counties shall not more than three days prior to every election, and not less than one, make up into sealed packages for each precinct the two registers for said precinct, together with the cards of instruction and the key of the ballot-box for such precinct, having first placed in the ballot-box one of the sealed packages of ballots for said precincts, the specimen ballots, the two poll-books, and all blanks, indelible pencils and stationery required for such elections, and shall deliver or cause the same to be de-

livered to the judges of election of the respective precincts at or before the end of the day preceding the day of election.

Said Boards of Supervisors of Elections of the several counties shall also at the same time, that is to say, at or before the end of the day preceding the day of election, deliver to the judges of election of the several precincts or districts the other sealed package of tickets mentioned in section 58 said Board of Supervisors of Elections shall in like manner keep a record of the time when such deliveries are made by them, and of the particulars thereof. Said several Boards of Supervisors in the counties are hereby respectively authorized and directed to make adequate provision for the performance of the duty imposed upon them by this section, and the County Commissioners of the several counties shall pay the expenses incurred in the performance thereof.

Should said Boards of Supervisors fail or neglect to make the delivery by the time prescribed by this section, it shall be the duty of the judge, designated beforehand by the supervisors, to take charge of the ballot-box, as provided in section 75 of this Article, to immediately send to the supervisors therefor, and to obtain the same as soon as practicable, in order that the election may be duly held, the cost hereby incurred to be paid by the County Commissioners as a part of the election expenses. For failure or neglect on the part of the Supervisors of Elections, the Board of Police Commissioners, or any person employed by them respectively, in the discharge of the duties required of them by this section, or said judges, or any person employed by them to perform the duties imposed upon them respectively, by this section, they shall respectively be subject to indictment for a misdemeanor, and upon conviction thereof, shall be subject to the penalties prescribed by section 94 of this Article.

60. The judges of elections, and each of them, shall have authority to keep the peace, and to cause any person to be arrested for any breach of the peace, or for any breach of the election laws, or any interference with the progress of an election, or of the canvass of the ballots; and it shall be the duty of all officers of the law present

to obey the order of any judge of election, and an officer making an arrest by the direction of any judge, shall be protected in so doing as fully as if a warrant had been issued to him to make such arrest.

61. The polling places shall be opened by the judges at six o'clock in the morning in the city of Baltimore, and at eight o'clock in the morning in the counties, and in said city shall be kept open until five o'clock, and in the counties until six o'clock, in the afternoon of the same day, at which time the polls shall be closed. If any judge or clerk shall not be present at the expiration of fifteen minutes after the time for opening the polls, the judge or judges present shall fill the place of such absent judge or clerk by appointing in his stead a person of the same political party as the absentee. One of the judges shall administer to such substitute the oath required of the judge or clerk originally appointed. After the opening of the polls no judge or clerk shall absent himself therefrom until all the ballots cast shall have been counted and the returns completed. If, in case of absolute necessity, any judge or clerk in attendance shall be compelled to absent himself, he shall appoint some fit person of the same political party with himself to act in his stead until his return, having first administered to such substitute the same oath as he himself has taken. Blank forms for the appointment of substitute judges and clerks and of the oath aforesaid shall be supplied by the supervisors, and the oath, when administered, shall be preserved and returned by the judges to the supervisors. The appointment and swearing in of all such substitutes and the reason therefor, and the time when such substitutes began and ceased to serve, shall be noted by the judges in the poll-book of the precinct; such substitute shall cease to act whenever the judge or clerk in whose stead he was appointed shall be present.

62. Each political party or other body of voters having a candidate or candidates duly nominated, shall have the right to designate and keep a challenger and watcher at each place of registration and election, who shall be assigned to such positions near the judges of elections, inside the registration or polling-room as to enable them to see each person as he offers to register or vote, and they shall be protected in the discharge of their duty by the



judges of election and the police. A certificate signed by the candidates or by the presiding officer of the chief managing committee of their party in the city or county, shall be sufficient evidence of the right of such challenger and watcher to be present in the registration or polling-room. In case any challenger or watcher does not produce such certificate, the judges of election shall recognize a challenger or watcher vouched for by the persons present belonging to such political party or by the judge representing such party. Such challenger and watcher shall have the right to remain in the polling-room, outside the rail hereinafter mentioned, from the time the polls are opened until they are closed, and after that time he shall be permitted to remain within the rail until the returns are completed. The refusal to permit any such challenger so to remain shall be a misdemeanor, punishable by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year or by both fine and imprisonment; but it shall be unlawful for any such challenger to inquire or ascertain for what candidate or candidates any voter may intend to vote or has voted, or to confer in the polling-room with any voter, or to assist him in the preparation of his ballot, and any challenger offering or attempting to do so may lawfully be ejected by the judges, and shall also be subject to the punishment hereinafter provided. A challenger or watcher may be removed at any time by the same person or committee, or by the chairman of the committee which appointed him. Citizens, other than accredited challengers or watchers, who desire to challenge the vote of any person then inside the polling-room, shall be permitted to enter said room for that purpose, but a majority of the judges may limit the number of persons to be allowed in the polling-room at any one time for such purpose, and all such persons shall leave the polling-room as soon as the right to vote of the person challenged by them shall have been decided.

63. Each clerk of election shall keep a poll-book containing a column headed "Number," and another headed "Name of Voter." All entries therein shall be made in ink, and the number and name of each person to whom a ballot is given shall be entered on each of the poll-books by the clerk having charge thereof in regular suc-

cession under the proper heading, the number of such voter being placed opposite his name in the column headed "Number," but if the vote of any person whose name has thus been entered on poll-books shall be afterwards rejected by the judges, the clerks shall thereupon draw a line through his name and number, as hereinafter provided.

64. The Supervisors of Elections shall provide in each room designated by them as polling places a sufficient number of voting booths or compartments, in which voters may conveniently mark their ballots. Said booths or compartments shall be constructed of plank not less than one inch in thickness, and shall be of such width, depth and height that the voter, in making his ballot therein, shall be screened from the observations of others, and for this purpose a short curtain shall be hung across the front of each compartment at a convenient height, and so as to extend a little below the shelf hereinafter mentioned. Each compartment shall have a shelf within the same, and shall be provided with proper supplies and conveniences for marking the ballots, and a guard-rail shall be constructed in said polling place so as to divide the space occupied by the judges of election and other officials and persons permitted by law to be within the same from the public; said guard-rail shall have an entrance and exit therein, and shall also be so constructed and placed that only persons who are inside said rail can approach within five feet of the ballot-boxes. The arrangements of such polling places shall be such that neither the ballot-boxes nor the voting booths or compartments shall be hidden from view of those just outside of said guard-rail. The number of such compartments shall not be less than one for every one hundred voters qualified to vote at such polling place, and not less than five in any city, and not less than three in any polling place in any county. No person other than voters engaged in preparing or depositing their ballots and the election officers shall be permitted to be within said rail, unless by authority of the judges of election, for the purpose of keeping order and enforcing the law. The ballot-box shall be within said rail not more than six feet therefrom. The expense of providing such booths or compartments and guard-rail shall be a public charge,

and the same, after the election is over, shall be preserved by the Supervisors of Elections for subsequent use.

65. As soon as the polls are opened and immediately before any ballots are received by the judges, they shall open every ballot-box used or to be used, and having taken therefrom the poll-books, ballots and all the blanks and stationery provided by the Supervisors of Elections, they shall permit all persons rightfully present to examine such ballot-boxes, and every part thereof, so that they may be satisfied as to the structure thereof, and that such ballot-box is empty. The ballot-box shall then be locked and the key delivered to one of the judges, and shall not again be opened until the closing of the polls; and until such closing each ballot-box shall be kept constantly in sight of all persons entitled to be present, and shall be so placed that the voter offering his ballot and the judges and clerks and all persons entitled to be present may conveniently see every ballot deposited therein. The sealed package of ballots shall not be opened until after the ballot-box shall have been so examined, closed and locked by the judges.

66. At every election each qualified voter shall be entitled to receive one official ballot. The person applying therefor to the judge of election holding the ballots shall give his name and residence, and the said judge shall repeat the same in a loud and distinct voice; and if such name be found upon the register by the judges having the custody thereof, they shall repeat the said name, and the voter shall be allowed to enter the space enclosed by the guard-rail, and the judge holding the ballots, having first written in ink the voter's name and number upon the coupon attached to one of them, shall deliver said ballot to the voter after having likewise written in ink his own name or initials upon the back thereof, and the two clerks of election shall at the same time enter the name of the voter upon their poll books. Upon receipt of his ballot the voter shall forthwith, and without leaving the enclosed space, retire alone to one of the booths or compartments and prepare his ballot by marking with an indelible pencil after the name of every person or persons for whom he intends to vote and to the right thereof, in



the blank space provided therefor, a cross—for example (X)—and in case of a question submitted to a vote of the people by marking likewise in the appropriate space a cross-mark (X) against the answer which he desires to give. Not more than one voter shall be permitted to occupy any one booth or compartment at one time, and no voter shall remain in or occupy a booth longer than may be necessary to prepare his ballot, and in no event longer than seven minutes in case all such booths or compartments are in use, and other voters are waiting to occupy the same. Before leaving the voting booth or compartment the voter shall fold his ballot without displaying the marks thereon, and in the same way it was folded when received by him, and he shall keep the same so folded until he has voted, and so that the signature or initials of the judge from whom he received it, and the name and number written on the coupon thereof, but nothing else thereon may be seen. He shall forthwith hand his said ballot to the judge at the ballot-box and shall give his name and residence, and upon his being identified as the person who received said ballot, the judge shall deposit his ballot in the box, having first detached therefrom its coupon, which he shall then string upon a cord or wire to be provided for the purpose, and the said voter shall forthwith leave the enclosed space. The judges having charge of the registers shall then in the column therein headed "Voted" in the same line with the name of the voter mark the word "Voted" or the letter "V." No ballot without the indorsement of the name or initials of the judges thereon as hereinbefore provided, shall be deposited in said ballot-box, but if deposited shall be counted for the purpose of ascertaining the number thereof, and the judges shall in ink mark on the back thereof the word "Counted," and indorse their names.

67. Assistance in marking their ballots shall be given to voters who shall declare, under oath, to the judges of election that by reason of blindness or physical disability they are unable without assistance to mark their ballot. Upon making and filing with the judges such affidavit the voter shall retire to one of the booths with the two clerks, and then and there one of said clerks in the presence of the other, shall mark the ballot as such voter

shall direct, the voter himself naming one by one the candidates for whom he desires his ballot to be marked and not indicating the candidates by a general designation as the candidates of any one political party. The ballots shall not be read to such voter, nor shall any suggestion of any kind be made by either of said two clerks to show him as to how his ballot is to be marked, but the only assistance which it shall be lawful for the clerks to give him is to mark the ballot as he, without prompting or suggestion from them, or either of them shall direct, but no ballot shall be marked under this section until a majority of the judges of election shall be satisfied of the truth of the fact stated in such affidavit. Voters who are not disabled by blindness or physical injury from marking their ballots shall not be entitled to receive assistance in marking them. And with the exception in favor of persons blind or incapable from physical injury of marking their ballots without assistance, no distinction or discrimination in the matter of assistance in marking ballots shall be made for or against any duly registered voter for any cause whatever.

68. Any voter who shall, by accident or mistake, spoil his ballot so that he cannot conveniently vote the same, may, on returning said spoiled ballot to the judge holding the ballots, receive another in place of it, with his name and the same number written on the coupon thereof, as on the ballot so returned, but no voter shall receive more than three ballots from said judge for the reason aforesaid. The ballots thus returned shall be immediately cancelled by endorsing thereon the word "spoiled," and, together with those not distributed to the voters, shall be preserved and returned to the Supervisors of Elections, as hereinafter provided. Every voter who does not vote any ballot delivered to him, shall, before leaving the polling place, return such ballot to the judge from whom he received it, and said returned ballot shall be retained as if said ballot had been spoiled. When anyone claiming to be a person whose name appears upon the registers, shall make application for a ballot, his right to vote at that election may be challenged but shall not be determined until after he has marked his ballot and delivered it to the judge at the ballot-box. The person challenging shall assign his reason therefor, and one

of the judges shall thereupon administer to the person offering to vote an oath to make true answers to questions, and if he shall take said oath, he shall be questioned by the judge or judges touching said cause of challenge, and he may also be questioned by the person challenging him in regard thereto, and if a majority of the judges are of opinion that he is the person so registered, his vote shall be received accordingly. No one who is not registered as a qualified voter of the precinct shall be entitled to vote or to receive a ballot, but no vote shall be rejected because of an error in the spelling of a voter's name or because of the wrongful omission or addition of one or more initials of his middle name or names, or because the voter gives the initials, one or more of his Christian or given names instead of his full name, or one or more of his Christian or given name or names, instead of the initial or initials thereof, or because of an error in the number of his residence on the register, provided a majority of the judges are satisfied that the person offering to vote is the identical person who is registered, and that he intended to register his true name and residence. Unless a majority of the judges are of the opinion that the person so challenged is entitled to vote, the judge at the ballot-box shall endorse upon his ballot the word "rejected," and return the same, still folded, and with its coupon attached, to the judge holding the ballots and the clerks of election shall draw a line through the name and number of said persons as entered on their poll-books, and write thereafter the word "rejected," or if for any other reason a person who has received a ballot shall leave the polling place without voting, they shall likewise draw a line through his name and number on the poll-books, and write thereafter the words "did not vote." All ballots returned to the judge holding the ballots shall immediately be strung by him upon a cord or wire, provided for the purpose, still folded, and with the coupons still attached, and each endorsed upon the back thereof with the words "spoiled," or "rejected," or "not voted," as the case may be, and all such ballots shall be returned to the Supervisors of Elections, as hereinafter provided.



## CHAPTER 544, ACTS 1906.

69. As soon as the election polls shall have been closed, the judges in their several precincts shall immediately, and at the place of polling, proceed, as hereinbefore provided, to canvass the votes cast, having first sealed up the unused ballots remaining of the package last broken by them and endorse the same with their signatures as unused ballots. The canvass shall not be adjourned nor postponed until it shall have been fully completed, or until the several statements and tally-sheets hereinafter required to be made by the judges and clerks shall have been made out, signed and sealed by them. The judges shall have the right to station police officers or officers of the peace within the room wherein such canvass is made, in order to keep the peace. The challengers and watchers shall be allowed to be present inside the guard-rail and so near that they can see that the judges and clerks are faithfully performing their duties.

70. Immediately after the closing of the polls, before the ballot-box is opened, all the coupons taken from the ballots cast shall be destroyed, and each of the election clerks shall write his name in each of the poll-books, immediately under the name of the last voter, and the judges shall write in ink opposite to and against the name of each person entered in their registers who is not shown by said registers to have voted, and in the appropriate column headed "Voted" the word "no," so that the said column may be wholly filled up, and the judges shall then compare the registers make them agree and ascertain the number of persons, who by said registers, are shown to have voted at that polling place on that day, and when they have made comparison and ascertained such facts, they shall announce the same in a loud voice.

71. The judges shall then open the ballot-box and count and announce the whole number of ballots in the box. They shall reject any ballots which are deceitfully folded together and any ballots which do not have endorsed thereon the name or initials of the judge who held the ballots. If the voter has marked more names than there are persons to be elected to an office, or if there shall be any mark on the ballot other than the

cross-mark in the square opposite to the name of a candidate, or other than the name or names of any candidate written by the voter on the ballot as provided in section 53, his ballot shall not be counted. Ballots not counted for such defects shall be marked "Defective" on the back thereof, and shall be wrapped in a separate package and returned to the ballot-box as hereinafter directed. No vote shall be counted for any candidate opposite whose name no cross-mark shall be placed. They shall open the ballots and all of them shall be canvassed separately by one of the judges sitting between two other judges which judge shall call out each name and the office for which it is designated and the other judges looking at the ballot at the same time, and the clerks making tally of the same. When all the ballots have been canvassed in this manner, the election clerks shall compare their tallies together and ascertain the total number of votes received by each candidate, and when they agree upon the numbers, one of them shall announce in a loud voice to the judges the aggregate number of votes received by each candidate. If requested by any watcher or challenger present at any canvass, it shall be the duty of the judges and each of them to exhibit to such watcher or challenger any ballot cast, fully opened or in such condition and manner that he may fully read and examine the same, but the judges shall not allow any ballot to be taken from their hands. As the ballots are counted they shall be strung upon a strong twine.

72. When the canvass of the ballots shall have been completed, and the clerks shall have announced to the judges the total number of votes received by each candidate, each of the judges of election, in turn, shall then proclaim in a loud voice the total number of votes received by each person voted for in such precinct and the office for which he is designated, and the number of votes for and the number of votes against any proposition which shall have been submitted to the vote of the people; such proclamation shall be prima facie evidence of the result of the canvas of such ballots. In the city of Baltimore the judges shall, immediately after such proclamation, deliver to a policeman on duty at the polling place a statement subscribed with their names, which shall be sealed up

and forthwith conveyed by the said policeman to the office of the Board of Police Commissioners, whose duty it shall be to file and preserve the same. Such statements shall contain the total number of votes in the ballot-box and the number of votes found therein for each and every candidate, and any person applying may inspect the same.

#### CHAPTER 544, ACTS OF 1906.

73. The judges shall make duplicate statements or returns of the result of the canvass, each of which shall, if possible, be made upon a single sheet of paper and shall contain a caption stating the day on which and the number of the election precinct, and the county or ward of the city in relation to which said statement shall be made, and the time of opening and closing the polls of such precinct, and showing the whole number of votes in the ballot-box, and the whole number of votes given for each person, designating the office for which they were given. Such statement shall be written or partly written and partly printed in words at length, and in case a proposition of any kind has been submitted to a vote at such election, such statements shall also show in like manner the whole number of votes cast for or against such proposition, and at the end of such statement shall be written a certificate that the same is correct in all respects; which certificate and each sheet of paper forming a part of the statement shall be subscribed by the judges and clerks. If any judge or clerk shall decline to sign such return he shall state his reason therefor in writing and a copy thereof, signed by himself, shall be enclosed with each return. Each of the statements shall be enclosed in an envelope which shall then be securely sealed with sealing wax or other adhesive material, and each of the judges and clerks shall write his name across the fold of the envelope. One of the envelopes shall be directed to the Clerk of the Circuit Court of the county or the Superior Court of Baltimore city, as the case may be, and one to the County Commissioners or to the Mayor of the city of Baltimore, as the case may be. Each set of tallies shall also be signed by the election clerks and the judges of election, and each shall be enclosed in an envelope securely signed and sealed as aforesaid, one of which shall be addressed to the Board of Supervisors of Elections and



the other to the Register of Wills. If any judge or clerk shall decline to sign said set of tallies, or either of them, he shall state his reason therefor in writing and a copy thereof, signed by himself, shall be enclosed with each tally sheet. On the outside of every envelope shall be endorsed the statement that it contains the votes cast or the tallies, and for what precinct, ward, city, or county.

74. The "spoiled" and "not voted" ballots, as defined in section 68, shall be enclosed in a package to themselves and endorsed "spoiled and not voted;" the "rejected" and "defective" ballots, as defined in said section, and section 71, shall be enclosed in a package to themselves, and endorsed "rejected and defective." The poll-books and the ballots cast and counted, as well as the two before mentioned packages of "spoiled," "not voted," "rejected" and "defective" ballots, shall be placed in the ballot-box, and the ballot-box shall then be locked and the key removed, whereupon the judges of elections shall all write their names upon a strip of paper of sufficient length for the following purposes. Said strip of paper shall then be pasted over the keyhole of said ballot-box and over the slit in the lid, in such manner that the signature shall extend across the place of the opening of the lid, and so that when the box is opened it will tear the paper and destroy the signatures, and so that when the key is inserted in the keyhole it will tear the paper so pasted over the keyhole. Such paper shall be securely fastened to the box with sealing wax or some other adhesive material.

75. Thereupon, in Baltimore city, one of the judges shall take charge of the ballot-box and its contents so enclosed, and another judge, representing the opposite political party, shall receive and hold the key thereof, and the package of unused ballots sealed up by said judges, as required by section 69; each of the two judges who do not have charge of the ballot-box or key, shall take into his possession one of the registers, and also one of the statements of the votes cast, sealed up in its envelope as aforesaid, and each of the clerks shall take one of the tally-sheets sealed up in an envelope as aforesaid, and the meeting of said judges and clerks shall then be dissolved. Before 12 o'clock noon of the day after such

election in Baltimore city, the judge having possession of the ballot-box shall deliver the same, with the contents aforesaid, to the Board of Supervisors of Elections, with the seal unbroken, and shall take a receipt therefor, and within the same period of time the judges, having possession of the key, the packages of unused ballots and of the registers shall deliver the same to the said Board of Supervisors and take a receipt therefor ; and the two judges and clerks of elections in the City of Baltimore having possession of the statements and tallies shall within the same time deliver them to the respective officers to whom they are addressed, as aforesaid, and when so delivered, each of said judges and clerks shall take a receipt therefor. No judge or clerk shall receive pay for his services unless he produces the receipt herein provided for. The officers to whom the statements and tallies are so delivered shall securely keep the same with the seals unbroken. In the counties after the proceedings set forth in the preceding section in each precinct, one of the judges who is also an officer of registration, who shall be designated beforehand by the Supervisors of Elections, shall take charge of the ballot-box and its contents so enclosed, and the other judge, who is also an officer of registration, shall receive and hold the key thereof, and the package of unused ballots sealed up by said judges ; each of said two judges shall take into his possession one of the registers, and also one of the statements of the votes cast, sealed up in its envelope as aforesaid, and also one of the tally sheets sealed up in an envelope as aforesaid, and the meeting of the judges and clerks shall then be dissolved ; before 12 o'clock noon of the second day after said election, the two judges so having custody thereof shall deliver said ballot-boxes, keys, packages of unused ballots, registers, statements of votes cast and tally sheets to the proper officers in their respective counties, as hereinbefore prescribed for the City of Baltimore and shall take similar receipts for the same. It shall be the duty of the Supervisors of Elections in the several counties and in said city to attend at their respective offices on the days named for the purpose of carrying out the provisions of this section.

CHAPTER 544, ACTS OF 1906.

76. The Board of Supervisors of Elections, upon re-

ceiving a ballot-box and the key thereof, shall note the conditions of the seal or stamp on each box, and make an entry of the facts touching the same, in a book to be kept by them, together with the name of the officer who delivered the box. They shall deliver all the ballot-boxes so sealed, as aforesaid, to the clerks of the Circuit Court for their respective counties, or to the Board of Police Commissioners of Baltimore city, as the case may be, who shall put them in a secure place to which the public shall in no case have access, and shall safely keep them for the space of six months from the day of such delivery, at which time, unless previously notified to produce the same to be used in evidence in some contested election or judicial or legislative investigation then pending, said Board of Supervisors shall destroy, or caused to be destroyed, said ballots and poll-books, also all of the said tallies and statements or returns, and shall record in the same book a certificate of the fact.

#### CHAPTER 544, ACTS OF 1906.

77. It shall be the duty of the said County Commissioners, Clerks of Courts, Mayor, Register of Wills and Supervisors of Elections, respectively, to keep safely, under lock and key, the said original statements or returns and tally-sheets until the Board of Canvassers for the county or city, as the case may be, shall have assembled and been organized according to law, as hereinafter provided; whereupon the Clerks of Court, County Commissioners, Mayor, Register of Wills and Supervisors of Elections, shall immediately deliver or transmit to such Board of Canvassers the said statements or returns and tally-sheets in the sealed envelopes.

78. The Supervisors of Elections shall constitute a board of canvassers for their county or city, as the case may be.

79. On the Thursday next following every election between the hours of 12 o'clock noon and 1 o'clock in the afternoon, the Board of County Canvassers shall meet at the usual place for holding the Circuit Court for the county, and the Board of Canvassers for Baltimore city shall meet at the usual place for holding the Superior Court, and shall respectively, elect a chairman and secretary from their number. Each member of the board



shall take an oath, which shall be administered and recorded by the clerk of the said court, to truly canvass, add up and declare the votes as required by law. At their first meeting a majority of the whole board shall be a quorum. If a majority shall not attend on the Thursday aforesaid, the canvassers present shall adjourn to the next day, when they shall meet again between the same hours, and the canvassers then attending, although less than a majority of the whole number, shall organize themselves as a board and shall perform the duties required by law, and all questions arising in the course of their proceedings shall be determined by a majority of the canvassers so attending. All the sessions, deliberations and proceedings of the board shall be public, and the candidates and their counsel shall have the right to attend and to inspect the original statements and returns, and all other documents and records.

#### CHAPTER 544, ACTS OF 1906.

80. The Board of Canvassers shall, upon being duly organized, open all the original statements or returns and tally-sheets delivered or transmitted to them, and shall canvass and add up the votes and make abstracts or statements thereof in the following manner, as the case may require, namely: All votes for Governor shall be written out in words at length on one sheet, and, in like manner, all votes for other State officers on another sheet; all votes for presidential electors on another sheet, all votes for Representatives in Congress on another sheet; all votes for judges of courts on another sheet; all votes for the Clerk of the Court of Appeals on another sheet; all votes for Senators and Delegates to the General Assembly on another sheet; all votes for county or city officers on another sheet; and all votes for any other officers on a separate and appropriate sheet; all votes for or against any proposition which may be submitted to a vote of the people on another sheet.

81. The said Board of Canvassers shall then transmit the said statements made by them, attested by the signature of their chairman and secretary, to the Clerk of the Circuit Court for the county, or to the Clerk of the Superior Court of Baltimore city, as the case may be, who shall enter the same of record. In case of all elec-

tions of Presidential Electors, Representatives in Congress, Senators and Delegates to the General Assembly, and of other State officers, except Governor or State's Attorney, the said clerk shall prepare three certified copies, under his seal of office, of the said statements and certificates. Within five days after the adjournment of the Board of Canvassers, the said clerk shall deposit the said certified copies in the nearest postoffice, addressed, respectively, to the Governor, to the Secretary of State and to the Treasurer. The statement of the votes for Governor, after being recorded, shall be transmitted by the clerk to the Secretary of State, as provided in the Constitution. The said clerk shall make out and deliver to each person having the highest number of votes for the several county and city offices a certificate of election on his application. The said canvassing board shall also make a statement of the whole number of votes given in each precinct and county or city, with the names of the candidates and the number of votes given for each, in tabular form, and shall cause a copy of such statements to be forthwith published in one or more of the newspapers printed in the county or in the city of Baltimore; provided, such official statement be so published without charge.

82. In the canvass of votes by the canvassing board for the city or county herein provided, said board shall, unless otherwise provided in the Constitution of this State, declare who is elected to any city or county office, or to any office voted for only within the territory of such city or county.

#### CHAPTER 544, ACTS OF 1906.

83. If, upon proceeding to canvass the votes, it shall clearly appear to the canvassing board for the city or county that in any statement or tally sheet produced to them certain matters are omitted which should have been inserted, or that any mistakes exist, they shall immediately issue a subpoena to the judges and clerks who made said return and said judges and clerks shall forthwith attend and shall make such corrections as the facts of the case require, but such changes shall not alter any decision before duly made by them, but shall cause the canvass to be correctly stated, and the said board of canvassers

are authorized to adjourn from day to day for the purpose of obtaining and receiving such corrected statements; such adjournment not to extend beyond three days.

84. Whenever it shall be made to appear by affidavit that errors have occurred in the determination of the Board of Canvassers of any county or city in the State, the Circuit Court of the county or the Superior Court of Baltimore city may by order require said board to correct such errors or show cause why such corrections should not be made; and in the event of the failure of said board to make such corrections, or show cause aforesaid, said court may compel said board by writ of mandamus to correct such errors, and if said Board of Canvassers shall have made its determination and dissolved, said court may compel it to convene for the purpose of making such corrections. For the purpose of making such corrections as the court shall order, the meeting of the Board of Canvassers shall be deemed a continuation of its regular session, and the statements and certificates shall be made and filed as the court shall direct, and so far as the same shall vary from the original statements and certificates, the statements and certificates made under the order of court shall stand in lieu thereof, and shall in all cases have the same effect as if such corrected statements had been a part of the original statement required by law. The practice in said cases shall be as in mandamus proceedings, and the court shall determine the time for the speedy hearing thereof, in its discretion; and for the purpose of service of papers and other proceedings the board of Canvassers, as organized and existing at the time of making the original canvass, shall be deemed a continuing board. There shall be the same right of appeal as in other mandamus cases, but such appeal shall be taken within five days from the date of the decision complained of, and shall be heard and decided by the Court of Appeals as soon after the transmission of the record as possible, and the testimony taken in such cases shall be sent up to the Court of Appeals as part of the record.

85. The Secretary of State, Comptroller, Treasurer, Clerk of the Court of Appeals and Attorney General shall constitute the Board of State Canvassers, three of whom



shall be a quorum. The Secretary of State shall appoint the meeting of the said board, to be held at his office within thirty days after any State election ; if a majority do not attend, those present shall adjourn until the next day, at which time they shall proceed, without further delay, to canvass the votes. The board, when thus formed, shall from the certified copies of the statements made by the boards of city and county canvassers, proceed to make a statement of the whole number of votes given at such election for the several candidates for the offices named in said statements, and thereupon proceed to determine and declare what persons have been, by the greatest number of votes, elected to such offices, and each of them ; they shall make and subscribe on a proper statement a certificate of such determination, and shall deliver the same to the Secretary of State. If any one of the canvassers shall dissent from the decision of the board, he shall state at large in writing, the reasons for such dissent. If any of the acts or proceedings of the board shall appear to any one of the canvassers to be illegal or irregular, such canvasser shall protest against the same, in writing, setting forth distinctly the grounds of his protest; the canvasser so dissenting or protesting shall deliver his dissent or protest, signed with his proper name, to the Secretary of State, who shall file the same in his office, and he shall also keep on file in his office the copies of the statements made by the board of city and county canvassers. The board shall have power to adjourn, from day to day, during a period not exceeding five days.

86. The Secretary of State shall record in his office, in a book, kept by him for that purpose, each certified statement and determination which shall be delivered to him by the Board of State Canvassers, and every dissent or protest which shall have been delivered to him by a canvasser. He shall, without delay, transmit a copy, under seal of his office, of such certified determination to each person thereby declared to be elected, and a like copy to the Governor, and he shall cause a copy of such certified statements and determinations to be published in one newspaper in the city of Annapolis and one in the city of Baltimore. In conformity with the statements and determinations made as aforesaid by the

Board of State Canvassers, the Governor shall issue commissions to the different persons elected, as now provided by the Constitution and laws of this State.

OFFENSES.

87. If at any general registration of voters or at any meeting of a Board of Registry held for such purpose or for revision thereof, as provided in this Article, any person shall falsely personate a voter or other person, and register or attempt or offer to register in the name of such voter or other person; or if any person shall register or attempt to make application to register in or under the name of any other person, or in or under any false, assumed or fictitious name, or in or under any name not his own; or shall register in two election precincts; or, having registered in one precinct, shall attempt or offer to register in another; or shall fraudulently register or attempt, or offer to register in any election precinct, not having a legal right to register therein; or shall knowingly or willfully do any unlawful act to secure registration for himself or any other person, or shall knowingly, willfully or fraudulently, by false personation or otherwise, or by any unlawful means cause or procure, or attempt to cause or procure the name of any qualified voter in any election precinct to be erased or stricken, as in this Article provided, from any registry of the voters of such precinct made in pursuance of this Article or otherwise; or by force, threat, menace, intimidation, bribery, reward or offer or promise thereof, or other unlawful means prevent, hinder or delay any person having a lawful right to register or be registered from duly exercising such right; or shall knowingly, willfully or fraudulently compel or induce, or attempt or offer to compel or induce, by such means, or by any unlawful means, any officer of registration in any election precinct to register, or attempt to register any person not lawfully entitled to registration in such precinct; or to register any false, assumed or fictitious name, or any name of any person, except as provided in this Article; or shall knowingly, willfully or fraudulently interfere with, hinder or delay any officer of registration in the discharge of his duties; or counsel, advise or induce, or attempt to induce any such officer to refuse or neglect to comply with or perform his duties, or to violate any law prescribed for

regulating the same; or shall aid, counsel, procure or advise any voter, person or officer of registration to do any act by law forbidden, or in this Article constituting an offense, or to omit to do any act by law directed to be done, every such person, upon conviction thereof, shall be punished by imprisonment in jail or in the penitentiary for not less than six months, nor more than five years.

88. If at any election hereafter held in any city or county, any person shall falsely personate any voter or other person and vote or attempt or offer to vote in or upon the name of such voter or other person, or shall vote or attempt to vote in or upon the name of any other person, whether living or dead, or in or upon any false, assumed or fictitious name, or in or upon any name not his own, or shall knowingly, willfully or fraudulently vote more than once for any candidate for the same office, except as authorized by law; or shall vote or attempt or offer to vote in any election precinct without having a legal right to vote therein; or shall vote more than once, or vote in more than one election precinct; or having once voted, shall vote or attempt to offer to vote again; or shall knowingly, willfully or fraudulently do any unlawful act to secure for himself or for any other person a right or opportunity to vote; or shall by force, threat, menace, intimidation, bribery or reward, or offer or promise thereof, or otherwise unlawfully, either directly or indirectly, influence or attempt to influence any voter in giving his vote; or prevent or hinder, or attempt to prevent or hinder, any qualified voter from freely exercising the right of suffrage; or by any such means induce, or attempt to induce, any such voter to exercise any such right; or shall by any such means, or otherwise, compel or induce or attempt to compel or induce, any judge or clerk of election in any election precinct to receive the vote of any such person not legally qualified or entitled to vote at the said election in such precinct; or shall knowingly, willfully or fraudulently interfere with, delay or hinder in any manner any judge or clerk of election in the discharge of his duties; or by any such means, or other unlawful means, knowingly, willfully or fraudulently counsel, advise, induce or attempt to induce any judge or clerk of election whose duty it is to ascertain, pro-



claim, announce or declare the result of any such election to give or make any false certificate, document, report, return or other false evidence in relation thereto; or to refuse or neglect to comply with his duty, or to violate any law regulating the same; or to receive the vote of any person in any election district not entitled to vote therein; or to refuse to receive the vote of any person entitled to vote therein; or shall aid, counsel, advise, procure or assist any voter, person or judge of election or other officer of election to do any act by law forbidden, or in this Article constituted an offense; or to omit to do any act by law directed to be done; every such person shall, upon conviction thereof, be punished by imprisonment in jail or in the penitentiary for not less than six months, nor more than five years.

#### ACTS OF 1900, CHAPTER 71.

89. At every election, whether national, state or municipal, hereafter held in this State, every employer, whether a body corporate, firm or individual, shall allow its or his employee or employees sufficient time, not exceeding four hours, within which to vote; provided, that the said employer shall have the right to designate the time when his employee or employees shall exercise the right herein granted, the employee or employees to be allowed sufficient time not exceeding four hours. Any employer, whether a body corporate, firm or individual, and any officer or agent of any employer, who shall refuse to allow its or his employee or employees sufficient time, not exceeding four hours within which to vote or who shall directly or indirectly prevent or hinder its or his employee or employees from exercising the right herein granted by any form of inducement whatever, or by threats, express or implied that the exercise by said employee or employees of the right herein granted will be followed by a discharge from said employment or by a reduction in salary or wages, or who shall influence or attempt to influence its or his employee or employees not to exercise the right herein granted upon any pretext whatever shall be guilty of a misdemeanor, and upon conviction thereof shall for each and every offense pay a fine not exceeding the sum of five hundred dollars or be imprisoned in jail for a period not exceeding six months, or both, in the discretion of the Court.

90. If any clerk of election or any person performing the duties of such clerk, shall willfully keep a false poll-list, or shall knowingly insert in his poll-list any false statement, or any name or statement, or any check, alteration or mark, except as in this Article provided, he shall, upon conviction thereof, be adjudged guilty of a felony, and shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

91. Every judge of election who shall willfully exclude any vote duly tendered, knowing that the person offering the same is lawfully entitled to vote at such election, or shall willfully receive a vote from any person who has been duly challenged in relation to his right to vote at such election, without exacting from such person such oath or other proof of qualification as may be required by law; or shall willfully omit to challenge any person offering to vote whom he knows or suspects to be not entitled to vote, and who has not been challenged; or shall willfully refuse to open and show the ballot-box to be empty prior to the opening of the polls; or shall permit any barricade or obstruction of any kind to be interposed, so that all who desire cannot constantly see such ballot-box, shall upon conviction thereof, be punished by imprisonment in jail or in the penitentiary for not less than three months, nor more than two years.

92. Every judge or clerk of election or other officers or person who shall make, sign, publish or deliver any false tally or return of an election, or any false certificate or statement of the result of an election, knowing the same to be false, or who shall willfully deface, destroy or conceal any statement, tally or certificate entrusted to his care and custody, shall, on conviction thereof, be adjudged guilty of a felony, and shall be punished by imprisonment in the penitentiary for not less than one, nor more than ten years.

93. If any person other than a judge of election shall, at any election, knowingly and willfully put, or cause to be put any ballot or ballots, or other paper having the semblance thereof, into any box used at such election for the reception of votes; or if any judge of election knowingly or willfully cause or permit any ballot or

ballots to be in said box at the opening of the polls, and before the voting shall have begun; or shall knowingly, willfully or fraudulently put, any ballot or other paper having the semblance thereof, into any such box at any election, unless the same shall be offered by a voter whose name shall have been found and kept upon the registry as hereinbefore provided, or who shall be entitled to vote under this Article; or if any judge of election or other officer or person shall fraudulently during the canvass of ballots in any manner change, substitute or alter any ballot taken from the ballot-box then being canvassed, or from any ballot-box which has not been canvassed, or shall remove any ballot or semblance thereof from or add any ballot or semblance thereof to the ballots taken from the ballot-box then being canvassed, or from any ballot-box which has not been canvassed, every such person shall, upon conviction thereof, be adjudged guilty of a felony, and shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

94. If any judge or clerk of election, or any officer of registration, revision, election or canvass of whom any duty is required in this Article, or by any other election law of this State, shall be guilty of any willful neglect of such duty, or any corrupt or fraudulent conduct or practice in the execution of the same, he shall, upon conviction thereof, be punished by imprisonment in jail for not less than thirty days nor more than three years, or by a fine of not less than fifty (\$50) dollars, nor more than one thousand dollars (\$1,000) or by both such fine and imprisonment.

95. Every judge or clerk of election or other officer or person having the custody of any record, registry of voters or copy thereof, oath, return or statements of votes, certificate, poll list or any papers, documents, ballots, coupons or vote of any description in this Article directed to be made, filed or preserved, who is guilty of concealing, willfully destroying, mutilating, defacing, falsifying or fraudulently removing or secreting the whole or any part thereof, or who shall fraudulently make any entry, erasure or alteration therein except as allowed and directed by the provisions of this Article, or who permits any other person to do so, shall, upon



conviction thereof, be adjudged guilty of a felony, and shall be punished for each and every such offense by imprisonment in the penitentiary for not less than one nor more than ten years.

96. Every person not an officer, such as mentioned in the last preceding section, who is guilty of any of the acts specified in said last section, or who advises, procures or abets the commission of the same, or any of them, shall, upon conviction thereof, be adjudged guilty of a felony, and for each and every such offense shall be punished by imprisonment in the penitentiary for not less than one nor more than ten years, and such offense shall be deemed to have been committed whether such person has or had any custody or control, rightful or otherwise, over, or is charged with any duty in relation to said records, registers, ballots, coupons or other documents.

97. Any person who shall be convicted of willfully and corruptly swearing or affirming in taking any oath or affirmation prescribed by or upon any examination provided for in this Article shall be guilty of a willful and corrupt perjury, and shall be punished according to the laws of the State.

98. Every person who shall willfully and corruptly instigate, advise, induce or procure any person to swear or affirm falsely, as aforesaid, or to offer so to do, shall, upon conviction thereof, be adjudged guilty of subornation of perjury, and shall suffer the punishment directed by law in cases of willful and corrupt perjury.

99. If any person who shall have been convicted of bribery, felony or other infamous crime, under the laws of this or any other State, and who has never received pardon for such offense from the officer entitled to grant such pardon, shall thereafter vote or offer to vote at any election in this State, he shall, upon conviction thereof, be adjudged guilty of a felony, and for each and every such offense shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

100. If any person shall willfully disobey any lawful command of any judge of election or of any board of registry, given in the execution of his or their duty as

such at any registration or election, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in jail, for not less than thirty days nor more than six months, or by a fine of not less than ten (\$10) dollars nor more than two hundred and fifty (\$250) dollars, or by both such fine and imprisonment in the discretion of the court. Any misdemeanor under this Article for which no penalty is specially provided shall be punished as provided in this section,

101. If during any registration of voters or revision thereof, or on any day of election or during the canvass of votes cast thereat or during any subsequent canvass by any Board of Canvassers, any person shall cause any breach of the peace, or be guilty of any disorder, violence or threats of violence whereby any such registration, revision, election or canvass shall be impeded or hindered or whereby the lawful proceedings of any officer or board of registration, or of any judge or clerk ; or other officer of such election, or challenger or person designated to be present during the reception or canvass of any ballots, or of any canvassing board as hereinbefore provided, are interfered with, every such person shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in jail for not less than thirty days nor more than one year, or by fine of not less than fifty (\$50) dollars nor more than one thousand (\$1,000) dollars, or by both such fine and imprisonment.

102. If any person knowingly or willfully shall obstruct, hinder or assault, or by bribery, solicitation or otherwise interfere with any officer of registration, or any judge or clerk of election or challenger or person designated, as provided by this Article to be present at the reception or canvass of any ballots, in the performance of any duty required by him or which he may by law be authorized or permitted to perform, or if any person by any means before mentioned or otherwise unlawfully shall, on any day of registration, revision of registration, or of election, hinder or prevent any officer of registration, judge or clerk of election, challenger or person designated as provided in this Article to be present at the reception or canvass of ballots, in his free attendance and presence at the place of registration or revision

of registration, or of election in the election precinct, in and for which he is appointed and designated to serve, or in his full and free access and egress to and from any such place of registration, revision of registration or of election, or to and from any room where such registration, revision of registration or election or canvass of votes or making of any such return and certificates thereof may be had, or shall molest, interfere with, remove or eject from any such place of registration or election or of canvassing ballots cast thereat or of making returns or certificates thereof, any such officer of registration, judge or clerk of election, challenger or person designated as provided in this Article to watch the reception or canvassing of any ballots except as otherwise provided in this Article, or shall unlawfully threaten or attempt or offer so to do, every such person shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by imprisonment in jail for not less than three months nor more than one year, or by fine of not less than fifty (\$50) dollars nor more than one thousand (\$1,000) dollars or by both fine and imprisonment.

103. If any person upon the day of election, or before the canvass of votes is completed, shall conceal or willfully break or destroy any ballot-box used or intended to be used at any such election, or shall willfully or fraudulently conceal, secrete or remove any such box from the custody of the judges of election, or other official in charge thereof, or shall alter, deface, injure or destroy or conceal any ballot which has been deposited in any ballot-box at such election which has not been counted or canvassed, or any poll-list used at such election, or any report, return, certificate or any evidence in this Article required, he shall, upon conviction thereof, be adjudged guilty of a felony, and shall for each and every such offense be punished by imprisonment in the penitentiary for not less than one nor more than five years.

104. If at any election precinct, at any registration of voters or revision thereof, any officer of registration shall knowingly, willfully admit any person to registration, or make any entry upon any register unless a majority of the Board of Registry in said precinct are present and concur, or if at any election hereafter held, any judge or clerk of election shall receive any vote or



proceed with the canvass of ballots, or shall consent thereto, unless a majority of judges of election in said election precinct are present and concur, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in jail for not less than ten nor more than ninety days, or by fine of not less than ten (\$10) dollars nor more than two hundred and fifty (\$250) dollars, or by both such fine and imprisonment, in the discretion of the Court.

105. If any officer of registration in any election precinct shall, without urgent necessity, absent himself from the place of registration during the hours prescribed by law for registering voters, or if any judge or clerk of election shall, without urgent necessity, be late at the opening of the polls, or shall absent himself therefrom during the election or during the canvass of ballots, or the making up of the returns, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in jail for not less than ten days nor more than six months or shall be fined not less than twenty (\$20) dollars nor more than five hundred (\$500) dollars.

106. Whoever shall (1) falsely make or fraudulently deface or fraudulently destroy any certificate of nomination or any part thereof, or (2) file any certificate of nomination, knowing the same or any part thereof to be falsely made, or (3) suppress any certificate of nomination which has been duly filed, or any part thereof, or (4) shall forge or falsely make the official endorsement on any ballot, shall be punished by a fine of not less than one hundred (\$100) dollars nor more than one thousand (\$1000) dollars, or by imprisonment, in jail for a period not exceeding three years or by both fine and imprisonment, in the discretion of the court.

107. Whoever shall, during an election, remove or destroy any of the supplies or other conveniences placed in the booths or compartments in this Article described for the purpose of enabling the voter to prepare his ballot, or shall, during such election, remove, tear down or deface any of the cards or specimen ballots printed for the instruction of voters, shall be punished by fine of not less than five (\$5) dollars nor more than five hundred (\$500)

dollars, or by imprisonment in jail for a period not exceeding one year, or by both fine and imprisonment, in the discretion of the court.

108. Whoever shall, except in this Article otherwise provided, allow his ballot to be seen by any person with the apparent intention of letting it be known how he is about to vote, or place any distinguishing marks upon his ballot, or who shall make a false statement as to his inability to mark his ballot, or who shall interfere or attempt to interfere with any voter when inside the enclosed space in the polling-room, or when marking his ballot, or who shall endeavor to induce any voter before voting to show how he marks or has marked his ballot, shall be punished by fine of not less than five (\$5) dollars nor more than one hundred (\$100) dollars, or by imprisonment in jail for a period not exceeding sixty days, or by both fine and imprisonment, in the discretion of the court.

109. Whoever shall willfully destroy or deface any ballot, or shall take or remove any ballot outside of the inclosure provided for voting, before the close of the polls, or willfully delay the delivery of any ballot, or who shall, on or before any day of election, have or retain in his possession any official ballot printed for said election or any imitation thereof save and excepting when such possession by him is necessary or appropriate and designed for the purpose of carrying out the true intent and meaning of this law, or who shall canvass or electioneer in said polling place, or within one hundred feet distant from the same, or who shall hold any tickets or fac-simile tickets or papers purporting to be tickets, either in said polling place or within said distance from the same, shall be fined not less than fifty (\$50) dollars nor more than five hundred (\$500) dollars, or shall be imprisoned in jail for not exceeding sixty days, or shall be subject to both fine and imprisonment, in the discretion of the Court.

110. Whoever, during the hours of registration or revision of registration, or during the hours of election or canvass of votes, or of making returns thereof in any precinct shall bring, take, order, or send into, or shall attempt to bring or take or send into, any place of registration, or revision of registration or election, any distilled or spirituous liquors, wine, ale or beer, or shall at

any such time and place, drink or partake of such liquor, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be fined not less than (\$10) dollars nor more than one hundred (\$100) dollars.

111. It shall be unlawful for the keeper of any hotel, tavern, store, drinking establishment, or any other place where liquors are sold, or for any person or persons, directly or indirectly, to sell, barter, give or dispose of any spirituous or fermented liquors, ale or beer, or intoxicating drinks of any kind on the day of any election hereafter to be held in the several counties of this State; any person violating the provisions of this section shall be liable for indictment, and shall, upon conviction, be fined not less than fifty (\$50) dollars, nor more than one hundred (\$100) dollars for each offense; one-half of the fine shall be paid to the informer, and the other half to the County Commissioners for the use of public roads.

112. Any person who shall make any bet or wager upon the result of any election to take place in this State shall be liable to indictment, and upon conviction thereof shall be fined not less than fifty (\$50) dollars, nor more than five hundred (\$500) dollars, to be paid to the State for the use of the school fund. Every deposit of money in any part of this State, as a bet or wager upon the result of any election of this State or elsewhere, shall be forfeited and paid over to the County Commissioners of the county where deposited for the use of the county; or, if deposited in the city of Baltimore, to the Mayor and City Council.

113. No commissioned or non-commissioned officer having the command of any soldier or soldiers quartered or posted in any district of any county in this State shall muster or embody any of the said troops, or march any recruiting party within the view of any place of election during the time of holding said election, under the penalty of one hundred (\$100) dollars. This section is not to apply to the city of Baltimore.

114. Irregularities or defects in the mode of giving notice or of conveying, holding or conducting a registration or election authorized by law shall constitute no defense to a prosecution for a violation of the provisions of this Article. Every act, which by the provisions of



this Article or the laws of the State, is made a crime when committed with reference to the election of a candidate, shall be equally criminal and subject to the same punishment when committed with reference to a proposition to be submitted to the people to be decided by the votes cast at an election.

115. It shall be the duty of the Supervisors of Elections to aid in the prosecution of all crimes and offenses against this Article, and when, in the judgment of the supervisors, there is probable cause for believing that an offense has been committed, it shall be their duty to cause a prosecution to be instituted in accordance with the provisions of this Article.

#### CHAPTER 544, ACTS OF 1906.

116. The sheriffs in the several counties shall, respectively, be allowed the sum of twelve (12) dollars for each election held in their county for the performance of the duties therein required, to be levied as other county charges; provided, that when two or more elections are to be held on the same day the sheriff shall not be allowed more than twelve dollars for such elections (except in Baltimore city); all judges, whether acting as or sitting as officers of registration, and clerks of election, shall be allowed and paid three dollars a day; fractions of a day shall be allowed for at the rate of thirty cents an hour. In the city of Baltimore, in the year 1907 and thereafter, the judges when acting as officers of registration shall be allowed and paid five dollars a day, and all judges and clerks when sitting as officers of election shall be allowed and paid ten dollars for each election conducted by them; each judge and clerk of election who has performed all the duties and services required of him by this Article shall be allowed pay for his time as above provided. When any judge or clerk does not perform all the services required by this Article, then such Board of Supervisors of Elections shall audit his time and allow his compensation only for the time during which he has actually served.

#### MISCELLANEOUS PROVISIONS.

117. All oaths required by this Article to be in writing shall have a certificate of the officer making the same attached and signed by him, and said Supervisors of

Elections, officers of registration and judges of election are hereby empowered to administer all oaths and affirmations required in the discharge of the duties of their respective offices.

118. The word "election," as used in this Article, shall be construed to include elections had within any county or city for the purpose of enabling voters to choose some public officer or officers under the laws of this State, or of the United States, or to pass upon any amendment, law or other public act or proposition submitted to vote by law.

The word "precinct," as used in this Article, shall be construed to mean an election district in a county or an election precinct in such district, or in a ward of the city of Baltimore, as the case may be. In computing the times for notices to be given under this Article Sundays shall be included, except when the day on which said notices should be given should happen to fall on Sunday, in which event the same shall be given on the Monday following; the day of giving the notice and the day of registration or election shall be excluded.

119. In all trials for offenses against any of the provisions of this Article, or of any existing law relating to registration or elections, where such offenses are punishable by imprisonment in the penitentiary, the State and defense shall each be entitled to twenty peremptory challenges of jurors.

120. It shall be the duty of the Attorney-General, within three months after the adoption of this Article, to prepare instructions and blank forms necessary for the use of the officers of registration and of the election created by this Article; and this Article, with said forms and instructions so prepared, and with other provisions of the Constitution and laws touching the same matters, and with a proper index thereto, shall be published by the Secretary of State, and shall be distributed by him to the Supervisors of Elections, in quantities sufficient to supply the judges of election and other officers requiring the same. The expenses of printing shall be paid from the treasury of the State, and the sum of one thousand dollars per annum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the

treasury for such printing and for the employment of any necessary clerical help in preparing and attending to election business by this Article assigned to the office of the Attorney-General, and that of the Secretary of State. A price shall be fixed by the Secretary of State at which copies may be furnished to purchasers.

(Note. The following section 121, applies to the following counties only: Baltimore city, Baltimore, Dorchester, Queen Anne's, Wicomico, Carroll, Washington, Allegany, Cecil, Montgomery, Howard, Caroline, Harford, Frederick and Garrett counties.)

#### ACTS OF 1901, CHAPTER 2.

121. At least thirty days before every State election, the Attorney-General shall prepare full instructions for the guidance of the voters of such election as to obtaining ballots, as to the manner of marking them, and as to obtaining new ballots in place of those accidentally destroyed, with such other instructions as shall in his opinion be necessary and proper. Said instructions shall be furnished by the Secretary of State to the several Boards of Supervisors of Elections, who shall, respectively, cause the same together with copies of sections 66, 67 and 68 of this Article, to be printed in large, clear type, on separate cards, to be called "Cards of Instruction," and said Boards of Supervisors shall furnish twelve of the same with ballots for use in each election precinct. They shall also cause to be printed on light cardboard, or heavy-sized paper, ten or more copies of the form of the ballot provided for each voting place at each election therein, of a considerably magnified size, which shall be called "Specimen Ballots," and the same shall be furnished with the other ballots prepared for each voting place. On the morning of said election, the said Supervisors of Elections shall cause to be conspicuously posted in each polling place, said cards of instruction and largely magnified specimen ballots, and one of said cards of instruction shall be fixed in each booth or voting compartment, and the said specimen ballots shall be conspicuously displayed in said polling room and on the outside of the building wherein said voting shall take place. Not less than three of said cards and three of said specimen ballots shall be posted outside of the



guardrails, and not less than three of each of same shall be securely and conspicuously posted on the outside of the building in which the polls are held, before the balloting begins, in such position that the same may be easily examined by the public.

(Note. The following section 122, applies to the following counties only: Anne Arundel, Calvert, Charles, Kent, Prince George's, St. Mary's, Somerset, Talbot and Worcester.)

#### ACTS OF 1904, CHAPTER 339.

122. At least thirty days before every State election the Attorney-General shall prepare full instructions for the guidance of voters of such election, as to obtaining ballots, as to the manner of marking them, and as to obtaining new ballots in place of those accidentally destroyed, with such other instructions as shall, in his opinion, be necessary and proper. Said instructions shall be furnished by the Secretary of State to the several Boards of Supervisors of Elections, who shall respectively cause the same, together with copies of sections 66, 67 and 68 of this Article to be printed in large, clear type, on separate cards, to be called "Cards of Instruction," and said Boards of Supervisors shall furnish twelve of the same, with ballots for use in each election precinct. They shall also cause to be printed, on light card-board or heavy-sized paper, ten or more copies of the form of the ballot provided for each voting place, at each election therein, of a considerably magnified size, which shall be called "Specimen Ballots," and the same shall be furnished with the other ballots prepared for each voting place. On the morning of said election the said Supervisors of Elections shall cause to be conspicuously posted in each polling place, said cards of instruction and largely magnified specimen ballots, and one of said cards of instruction shall be fixed in each booth or voting compartment, and the said specimen ballots shall be conspicuously displayed in said polling room and on the outside of the building wherein said voting shall take place. Not less than three of said cards and three of said specimen ballots shall be posted outside of the guard-rails, and not less than three of each of same shall be securely and conspicuously posted on the outside

of the building in which the polls are held, before the balloting begins, in such positions that the same may be easily examined by the public. It shall also be the duty of the several Boards of Supervisors of Elections, on the morning of said election, to cause to be conspicuously posted in each polling place, and in each voting booth of each polling place, separate tickets or lists containing the names of the candidates of each political party, with a designation of the several offices for which they are candidates, so that voters may thereby be aided in selecting the candidates for whom they wish to vote and in marking the official ballot accordingly.

123. The Boards of Supervisors of Elections for the several counties shall have power to employ an attorney, who shall also be the attorney for the judges of election, whether acting as such or as registration officers, to receive such compensation as shall be allowed by the County Commissioners upon the approval of the Circuit Court. In the city of Baltimore the Board of Supervisors of Elections shall biennially appoint some practicing member of the bar of Baltimore city to act as general counsel for the said board and for officers of registration and judges of election appointed by them, in all matters and proceedings pertaining to their duties, and to appear for and defend the said judges of election at the hearing of all petitions which may be filed against them as officers of registration under the provisions of this Article. For his services such counsel shall receive an annual salary of twelve hundred dollars, to be paid in equal quarterly instalments by the Mayor and City Council of Baltimore. He may be removed and other counsel may be appointed in his place at the discretion of said board, and whenever petitions filed against officers of registration and pending before more than one of the judges of the Supreme Bench of Baltimore city at the same time, he may appoint, with the approval of the Board of Supervisors, as many additional counsel as may be necessary to assist him in trying said petitions, who shall each be paid the sum, not exceeding one hundred and fifty dollars in any one year, as he shall certify, with the approval of the Board of Supervisors, to be a reasonable and proper compensation for their respective services; provided, that the whole number of counsel retained at any

one time, including himself, shall, in no case, exceed the number of judges then engaged in hearing such petitions.

ACTS OF 1904, CHAPTER 254.

124. The boundaries of the election districts of the counties and of the wards of Baltimore city shall remain as now established by law, but before the first general registration held under this Article, and before every subsequent general registration or whenever in the judgment of the Board of Supervisors of Elections of Baltimore city it shall be deemed expedient it shall be the duty of said board to divide and establish precincts in the said wards, as in the judgment of said board shall best promote the convenience of voters; provided, that no precinct upon the basis of the registry of voters in use at the election in the next year preceding that in which such precincts are divided and established shall contain over four hundred and fifty registered voters in the city. In dividing and establishing precincts in the city of Baltimore, the new precincts shall conform to the boundaries of the Legislative and Congressional districts established by law. The precincts of each ward shall be numbered from one upward, consecutively. The boundaries of said precincts shall be made known by advertising in one or more newspapers in said city once a week for two successive weeks before the first day of July in each year in which such division is made. Such additional books of registry and such copies of the original books of registry of the year 1903, as are provided by said Board of Supervisors of Elections, under the provisions of this section, and the original books of registry of Baltimore city for the year 1903, shall be used at the general elections to be held in the city of Baltimore in said years 1904 and 1905.

ACTS OF 1901, CHAPTER 10.

125. As soon after the passage of the Act of 1901, ch. 10, April 1, 1901, as shall be reasonably practicable, it shall be the duty of the Boards of Supervisors of Elections of the several counties to examine the boundaries of the several election districts and election precincts in their respective counties, and whenever, in their judgment and discretion, it shall be expedient for the con-



venience of the voters to subdivide any of said election districts or election precincts having a number of voters in excess of six hundred; they are hereby empowered and authorized to make such subdivisions, and to establish the boundaries of such subdivisions in such way as to facilitate and expedite the casting of their ballots by the voters thereof, either by a designation of an entirely new and different polling place, or by providing for two separate polling places at or near the former polling place. Whenever in the exercise of the discretion conferred upon the several Boards of Supervisors of Elections by this section, they shall subdivide any election district or election precinct, they shall appoint officers of registration and judges and clerks of election therefor, as in this Article provided, who shall have all the powers, perform all the duties, be subject to all responsibilities and be liable to all the penalties prescribed in this Article for officers of registration, judges and clerks of election. All the members of the Boards of Supervisors for the several counties whenever such district or precinct is divided, as herein provided, sign their name to the books which contain the names copied from the original books for such new district or precinct in the hands of said Supervisors, and shall duly certify that said new books contain all the names of the persons entitled to vote in such newly established district or precinct, such said certificate shall appear on the blank line next following the last name in each letter of the alphabetical list of names in the new book so transcribed, and such certificates shall be attested by the clerk to the respective Boards of Supervisors. Said Boards of Supervisors shall furnish to the officers of registration and judges of election, appointed by them for such new additional voting precincts, full and complete sets of registry books, containing the names of all voters already registered, duly and properly arranged for such additional voting precincts, and for the entering upon such registry books persons entitled to be newly registered thereon; the cost of such subdivision and preparation of proper registry books shall be paid by the County Commissioners of the counties in which such subdivisions shall be made upon proper requisition and vouchers presented by the Boards of Supervisors of Elections. The boundaries of said

additional precincts established under this section shall be made known by advertisement in two newspapers in said counties, once a week for three successive weeks, before the first day of September in each year in which subdivision is made. Said newspapers to be designated as provided in other cases under this Article where advertisements are required to be made in at least two newspapers.

126. The Board of Supervisors of Elections in the city of Baltimore shall, moreover, in every year in which such division is made, cause to be prepared maps of said city, showing the boundaries of the wards and precincts as established by said board. They shall furnish a sufficient number of copies of such maps to the officers of registration of each precinct, who shall keep one or more copies of such maps conspicuously posted in the offices of registration during their sittings, and the said board shall furnish copies of such maps to any person who shall apply for the same, and pay fifty cents for each map so furnished him.

#### CONTESTED ELECTIONS.

127. All contested elections for Comptroller of the Treasury, Judge, Clerks of the Courts of Law, and Registers of Wills shall be decided by the House of Delegates, and testimony in such cases shall be taken in such cases in the same manner as herein prescribed in the contested seats in the Senate and House of Delegates.

128. All cases of contested elections of any of the officers not provided in the Constitution, or in the preceding sections shall be decided by the judges of the several Circuit Courts, each in his respective circuit, and by the Superior Court of Baltimore city, in the city of Baltimore.

129. Each judge of the Circuit Court and of the Superior Court of Baltimore city may adopt such modes of proceeding and adjudging costs in cases of contested elections as to him shall seem most satisfactory, but the rules of taking testimony in such cases shall be the same as those which regulate the taking of testimony in contested election cases recognizable by the House of Delegates.

130. If either party shall deem himself aggrieved by the decision of any of the Circuit Courts or the Supreme Court of Baltimore city in cases of contested elections he shall have a right of appeal to the Court of Appeals, as in other cases; said appeal to be taken within five days from the date of the decision complained of; and shall be heard and decided by the Court of Appeals as soon after transmission of the record as may be practicable, and the testimony taken in such cases shall be sent up to the Court of Appeals as part of the record.

131. The party intending to contest an election for the Senate or House of Delegates shall give notice of such intention to the person elected, or, in case of a tie vote, to the person against whom the contest is to be instituted, within thirty days after the judges of election shall have made known publicly the state of the polls, unless at a special election to fill a vacancy, when such notice shall be given within ten days after the state of the polls is announced by the judges of election.

132. Such notices shall be delivered in writing at the usual residences of the person returned, and if he be absent shall be left there.

133. The party intending to make examination shall, after such notice, apply to some justice of the peace of the county or city wherein the election is contested, and shall obtain a notice under his hand and seal, directed to the opposite party, requiring him to attend in person or by attorney and cross-examine witnesses.

134. The justice in such cases shall have the usual power to coerce the attendance of witnesses.

135. The notice of the justice shall contain the names of the witnesses with the facts expected to be proven by them, and shall state the time and place of examination, and shall be served on the opposite party or his attorney at least ten days previous to the proposed examination.

136. Every person deposing shall be examined on oath, and his testimony shall be reduced to writing, either by himself, in the presence of the justice, or by the justice, or by a clerk by him appointed and sworn fairly to write down and transcribe the depositions, and shall be transcribed by the deponent.



137. The depositions so taken, together with a certificate of the notices, and proof of service of them, shall be sealed up by the justice who took them, and transmitted to the presiding officer of the body in which the seat is contested.

138. The examination of witnesses, taken in the manner herein prescribed, and in no other, shall hereafter be admitted on trial of contested elections.

139. The copies of any papers recorded in any office of record, attested under the hand and seal of the recording officer, shall be admitted at all such trials in the same manner as the originals would be if produced.

140. The copies of any other papers of a public nature, and remaining in possession of a public officer, and extracts from the poll-books, under the hand and seal of the clerk of the court or public officer in whose office they are deposited, shall be admitted as evidence.

#### ACTS OF 1902, CHAPTER 133.

141. The Board of Police Commissioners in the city of Baltimore and the Clerks of the Circuit Courts in the counties to whom ballots have been returned under the provisions of this Article shall produce any such ballots in regard to which testimony may be proposed to be taken before a justice of the peace taking depositions in a contested election, and shall furnish said justice copies of the same only on the order first had and obtained from some of the courts of Baltimore city or the Circuit Courts for the counties, or some one of the judges thereof, and then, in pursuance of the terms and conditions of said order and subject to its restrictions; and said Police Commissioners of Baltimore city, and said clerks as the case may be, shall retain such ballots in possession and custody until such ballots shall be required by the order of the court having jurisdiction in the case, to be delivered to said court, or by order of the Senate or House of Delegates, or by order of the First Branch or Second Branch of the City Council of Baltimore, in whichever the seat is contested.

142. The justice before whom such depositions shall be taken shall be entitled to the sum of two dollars for every day he may be engaged in the examination of witnesses, and the witnesses shall be entitled to the usual

allowance for their attendance before a justice of the peace, to be paid by the party on whose behalf such examination is held and said witnesses are summoned.

143. No person contesting a seat of any one who has been regularly returned by the judges of election as elected to a seat in the Senate or House of Delegates shall be allowed any per diem, mileage or other pay, unless the party so contesting shall establish his right to such seat.

#### ELECTORS OF PRESIDENT AND VICE PRESIDENT.

144. On the first Tuesday next after the first Monday of November preceding the time fixed by law of the United States for choice of President and Vice President of the United States, there shall be elected by general tickets as many electors of President and Vice President as this State shall be entitled to appoint.

145. Each citizen of this State entitled to vote for delegates to the General Assembly shall have the right to vote for the whole number of electors; and the several persons, to the number required to be chosen, having the highest number of votes, shall be declared and deemed duly appointed electors.

146. If any of the persons voted for as electors shall have an equal number of votes so as to defeat a choice between them, the Governor shall determine by lot which of the persons having such equal number of votes shall be electors, so as to complete the whole number to which the State shall be entitled.

147. The said election shall in all respects be conducted as other elections, and the returns thereof made and canvassed as hereinbefore directed.

148. Upon the meeting of the persons returned elected as electors of President and Vice President, or of as many of said persons as may attend on the day appointed by the Constitution and Laws of the United States, the said electors who are present, before proceeding to perform the duties reposed in them shall fill any vacancy which may exist in the said college of electors, at such meeting, whether such vacancy be occasioned by absence or otherwise; and the said person or persons so appointed to fill such vacancy or vacancies shall be entitled to all

the rights and privileges of those proclaimed by the Governor as duly elected electors of President and Vice-President of the United States.

149. The electors for this State shall meet in the State House, in the city of Annapolis, and give their votes for President and Vice-President of the United States at the hour of noon upon the first Wednesday in December, in the year in which they are appointed.

#### REPRESENTATIVES IN CONGRESS.

150. Elections of Representatives of this State in the Congress of the United States shall be held on the Tuesday next after the first Monday in the month of November every two years, commencing in the year eighteen hundred and ninety-six, and taking place every second year thereafter.

151. If a vacancy should occur by death, resignation or otherwise, at such period as to make it necessary that a Representative or Representatives in Congress from this State should be chosen before the regular time for such election, the Governor shall by proclamation direct that a special election be held to fill such vacancy, which proclamation shall require at least twenty days' notice of such election to be given by the Supervisors of Elections to the sheriffs of the respective counties or city of Baltimore, comprising the Congressional district in which such vacancy may exist.

#### CONGRESSIONAL DISTRICTS.

##### ACTS OF 1902, CHAPTER 136.

152. This State shall be divided into six districts for the choosing of six Representatives in the Congress of the United States, which will be numbered, respectively, from one to six.

153. The First Congressional District shall be composed of Worcester county, Somerset county, Wicomico county, Dorchester county, Talbot county, Queen Anne's county, Caroline county, Kent county and Cecil county, and shall be entitled to choose one Representative in the House of Representatives.

154. The Second Congressional District shall be composed of the Fifteenth and Sixteenth Wards of Baltimore city, as said wards are numbered by the Act of 1901,



chapter 8, of Harford county, Carroll county and Baltimore county, and shall be entitled to choose one Representative in the House of Representatives.

155. The Third Congressional District shall be composed of the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth and Twenty-Second Wards of Baltimore city, and the Ninth, Tenth, Eleventh and Thirteenth Election Precincts of the Eighteenth Ward of Baltimore city, as said wards are numbered by the Act of 1901, chapter 8, and shall be entitled to choose one Representative in the House of Representatives.

156. The Fourth Congressional District shall be composed of the Ninth, Tenth, Eleventh, Fourteenth, Twelfth, Thirteenth, Seventeenth, Nineteenth and Twentieth Wards of Baltimore city, and the First, Second, Third and Twelfth Election Precincts of the Eighteenth Ward of Baltimore city, as said wards are numbered by the Act of 1901, chapter 8, and shall be entitled to choose one Representative in the House of Representatives.

157. The Fifth Congressional District shall be composed of the Twenty-first, Twenty-third and Twenty-fourth Wards of Baltimore city, and the Fourth, Fifth, Sixth, Seventh and Eighth Election Precincts of the Eighteenth Ward of Baltimore city, as said wards are numbered by the Act of 1901, chapter 8, and of St. Mary's county, Charles county, Calvert county, Prince George's county, Anne Arundel county and Howard county, and shall be entitled to choose one Representative in the House of Representatives.

158. The Sixth Congressional District shall be composed of Allegany county, Garrett county, Washington county, Frederick county and Montgomery county, and shall be entitled to choose one Representative in the House of Representatives.

159. The judges of the election districts of Baltimore county forming part of the Second Congressional District shall make a return separate from that to be made by the judges of the remaining districts of said county and the judges of the election precincts of Baltimore city composing the Third Congressional District, and the judges of the election precincts of Baltimore city, composing the Fourth Congressional District, shall re-

spectively, make separate returns, and separate returns shall in like manner be made by the judges of the election precincts in said city, constituting a part of the Second Congressional District, and also by the judges of the election precincts in said city constituting a part of the Fifth Congressional District.

160. All Public General Laws or Public Local Laws, or parts thereof, which are inconsistent with the provisions of this Article are hereby repealed; provided, that every offence which has been or shall have been wholly or partly committed against any of said public general or public local laws, or parts thereof, before April 2, 1896, shall be dealt with, inquired into, tried, determined and punished; and any penalty in respect to any such offence shall be imposed or inflicted, and any fine shall be imposed, enforced or recovered in the same manner as if the said laws or parts thereof had not been repealed; and no case pending shall abate, by reason of such repeal, and every act duly done and every warrant or other instrument duly issued, made or granted before April 2, 1896, shall continue and be of the same force and effect as if the said laws or parts thereof had not been repealed; and provided also, that any right, liability, privileges and protection in respect to any matter or thing committed or done before April 2, 1896, shall continue and be of the same force and effect as if the said laws or parts thereof had not been repealed; and every action, prosecution or other proceeding which shall have commenced before April 2, 1896, or shall thereafter be commenced in respect to any such matter or thing done before April 2, 1896, may be prosecuted, continued and defended in the same manner as if said laws or parts thereof had not been repealed; and provided also, that nothing in this Article shall be construed to repeal any provisions of the existing laws applicable to the city of Baltimore for the prevention of the sale or dispensing of any liquor or for the preservation of peace and order therein on any election day.

#### PRIMARY ELECTION LAW FOR BALTIMORE CITY.

The following Primary Election Law was enacted by chapter 296, Acts of 1902 and amended by the Acts of

1904 and 1906, and is a part of Article 33 of the Code of Public General Laws, title "Elections."

CH. 407, ACTS OF 1906.

Political parties, which at the General Election held on November 3, 1903, polled ten per cent. of the entire vote cast in the State, shall hereafter nominate their candidates for public office, and shall elect all delegates to conventions, or managing bodies in said political parties, and all precinct, ward, city and county executives or executive committees, not appointed by party conventions, whenever the political party usage provides for such executives, or committees, by means of primary elections conducted under the provisions of this Act, and not otherwise; and the several Boards of Supervisors of Elections shall not print on the official ballot to be voted at any general or special election to be hereafter held, the names of any candidates of any of said parties who shall not be so nominated, and whose nominations shall not be certified to them or to the Secretary of State, as having been so nominated; such candidates may be nominated by direct vote of the duly registered voters belonging to or acting with such parties in every precinct, ward, councilmanic, legislative, congressional and election district in Baltimore city and the several counties, respectively, or they may be nominated by city, county or district conventions, the delegates to which shall be elected at primary elections duly held in precincts, wards, election, councilmanic, legislative, congressional and judicial districts, or they may be nominated by State or other conventions composed of delegates elected by city, county, councilmanic, legislative, judicial or congressional district conventions, the delegates to which last mentioned several conventions shall have been elected at said primary elections, as shall be determined from time to time by the State Central Committee or other governing body of said political parties. Said primary election shall be annually held on a day to be fixed for Baltimore city and the several counties respectively, by an agreement between the governing bodies of said parties not later than the third Monday of September in each year. The day for holding such primary elections need not be the same in Baltimore city and in the several counties, but on or before the above named date, be held in Balti-



more city and in the several counties upon days which shall be so agreed on, and in case such governing bodies shall fail to agree on the day for holding said primary elections, either in the city of Baltimore or in any of the counties, they shall be held in said city and in said counties on the third Monday of September in each year. Notice shall be given of the times and places of holding said primary elections by the several Boards of Supervisors of Elections in the same way precisely as notice is required to be given for municipal and county elections held under the provisions of Article 33 of the Code of Public General Laws, and there shall be at every primary election a voting place in each precinct or election district, which shall be selected as provided in section 12 of this Article, and furnished in the same manner as at a general election; they shall be conducted under the control of the several Boards of Supervisors of Elections, by the judges and clerks of elections appointed by them under the provisions of said Article 33 for the conduct of elections held thereunder in Baltimore city and the several counties, the books of registry furnished to the judges at each polling place, and shall be used at such elections in the same way as they are now used at municipal and county elections held under the provisions of said Article 33; in the books of registry to be hereafter prepared for use in Baltimore city a column headed voted at primary elections, shall be used, in which column such word voted, or letter V, shall be hereafter entered at the primary election at which such registry shall be used in the counties. Until new books of registry shall be required to be prepared according to existing law, the present books of registry shall be used and the judges shall therein make a column headed voted at primary election of ———, and enter in like manner therein the word voted, or letter V. Persons arriving at the age of twenty-one years after the closing of the next preceding registration, and entitled to be registered as qualified voters, shall be entitled to vote, upon proving under oath, to the satisfaction of a majority of the judges of election their right to registration in the precinct at which they shall claim the right to vote; official ballots shall be prepared for such primary elections by the several Boards of Supervisors

of Elections, as is now provided by said Article 33, and the said several Boards of Supervisors shall print on said official ballots the names of all candidates and the names of all delegates to any convention or nominating convention, who shall become duly qualified by the payment of the amount herein named, and shall have filed a certificate in writing containing the name of the person seeking a nomination, his residence, his business, his address, the office for which he seeks to be nominated, and the party to which he belongs; and the certificate for delegations to contain the names of each person or delegate, his residence, his business, his address, the convention to which the delegation seeks to be elected, and the party to which the members of the delegation belong, and acknowledged by the candidate where the certificate is filed by a candidate seeking a nomination, and by a member of a delegation on his part, and on the part of the delegation, when filed on behalf of a delegation before an officer duly authorized to take acknowledgments, who shall append a certificate of such acknowledgment; all such certificates must be filed and payments made not less than fifteen days before the day or days of said several primary elections; the names of the several candidates or of the several delegates to be elected at said primary election to any convention or nominating convention shall be published two days before said election, in the mode prescribed in section 48 of said Article 33, as far as practicable; it shall not be necessary to print sample ballots or cards of instruction for such elections, but either or both shall be printed by the Board of Supervisors of Elections of the city of Baltimore or counties of the State, respectively, when requested by any candidate or delegate, said request to be accompanied by a sum of money necessary to cover the cost of printing; each candidate for nomination for public office at a primary election shall pay the sum of twenty-five dollars, and each delegation to a nominating convention shall pay the sum of five dollars upon filing their certificate with the Supervisors of Elections, and the said Board of Supervisors shall pay over the amount so received to the Mayor and City Council of Baltimore city, and the County Commissioners of each county, and all the expenses of holding said elections shall be paid by the Mayor and City Council of Bal-

timore and the County Commissioners, respectively, precisely as the expenses of State, city and county elections are now paid under existing law. If such nominations are to be made by conventions, as hereinbefore provided, every candidate having complied with the prerequisites, shall have the privilege of having his name placed on the official ballot before the name of that set of delegates selected by him or running in his interest, and every vote cast for said candidate by marking in the square opposite his name, in the manner and form provided by this Article, shall be construed and counted for his entire set of delegates, unless there is a mark opposite any name in his set of delegates, in which event only those names in that particular set of delegates marked in the square opposite shall be counted as having been voted. Whenever the name of any candidate is so placed upon the ballot, the candidate's surname shall determine his place upon the alphabetical arrangement as hereinbefore provided in this Article, upon said ballot, and the names of his delegates shall follow immediately after his name in such order as submitted to the Board of Supervisors of Elections. Ballots shall be cast, counted and canvassed, and the result of the election announced and certified, as now provided by said Article 33, for elections held thereunder, and the said elections shall be held and conducted in the manner and form provided by this Article for general elections, and subject to all the regulations, requirements and provisions as prescribed by this Article for general elections, in so far as the same is applicable to said primary elections. Challengers and watchers representing the candidates shall be allowed to be present at the several voting places during the voting and counting of the ballots, as provided in said Article 33. As many different set of official ballots shall be printed and supplied at each polling place, and as many ballot boxes shall be used at each polling place as there are separate party nominations to be voted for, and to prevent voters belonging to or acting with one political party from inadvertently or intentionally casting their ballot for the candidates for nomination or election as delegates to any nominating convention of any other party, the ballots of the several parties shall be printed upon paper of different colors, and until



after the next general registration, every person offering to vote, shall be required to state to which party he belongs, and which party's candidate he intends to vote for at the State, city or county election, and he shall be supplied only with the official ballot prepared for the candidates of such party, excepting as hereinafter provided for Baltimore city. As each voter's name shall be entered in the poll books kept by the two clerks of election, there shall be entered opposite his name the name of the party whose candidate he votes for. The provisions, all and singular, of sections 37 to 115 of this Article, both inclusive, and the offenses defined and the penalties and punishments prescribed therefor in said sections shall be fully applicable in all respects to the same persons, matters, acts and omissions in connection with or pertaining to the primary election held under this Article, sub-title "Primary Elections," and said sections are hereby made applicable to all primary elections provided for and held hereunder, and any judge, clerk or other officer of any primary election, or any voter or other person who would be deemed guilty of any offense against the general election law, or any provisions thereof, in a general election, who is found guilty of the same offense in any primary election, as herein provided for, shall be deemed guilty of the same crime of which his offence is made to consist by and under the general election law, and particularly under the above mentioned section thereof, and shall be liable to the same punishment or penalty as is prescribed for such offense by the general election law or by any of said sections thereof; provided, that none of the provisions of this Act relating to the holding and conduct of primary elections, shall be applicable to primary elections for the nomination of congressional candidates in congressional districts which are now or shall be composed partly of counties and partly of portions of Baltimore city; nor is the selection of delegates to the national nominating convention of any political party subject to the provisions hereof, nor is the selection of delegates to State, Legislative or Congressional district conventions called for the purpose of choosing delegates to said National Convention and for nominating Presidential electors; nor is the selection of delegates to the State nominating convention of any

political party subject to the provisions hereof; nor is the selection of delegates to Legislative district conventions called for the purpose of choosing delegates to said State nominating conventions; and, provided further, that the primary election law in force in Baltimore city prior to the passage of this Act, shall continue in force and shall apply only to primary elections for Congressional candidates held in those portions of Baltimore city which forms a part of and are embraced in the Second and Fifth Congressional Districts and the selection of delegates to the State nominating convention, as hereinbefore provided.

CHAPS. 182 AND 286, ACTS OF 1906.

Primary elections for Mayor, Comptroller, President of the Second Branch City Council and members of the City Council of Baltimore shall be held in all respects according to the foregoing provisions, except that the day for holding the same shall be the first Tuesday of April, of the year in which the municipal elections in said city of Baltimore are to be held, and at every general registration held in Baltimore city subsequent to the passage of this Act there shall be provided in the registration books an additional column, headed, "Party Affiliation," and the Board of Registers shall enter in this column the name of the political party, if any, to which the voter is inclined and with which the voter desires to have himself recorded as affiliated. It shall be the duty of the Board of Registry to explain to each voter that the statement of such party affiliation does not bind him to vote for the candidates of such party at any given election; also, that he has the right to decline to state any party affiliation, but that no one who is not recorded upon the registry as affiliated with a particular political party, will be qualified to vote at subsequent primary elections of said political party.

Wherever a voter declines to state his party affiliation, the word "Declined" shall be written opposite his name under such column, so that there shall be written in such column, opposite the name of every registered voter, either his party affiliation or the word "Declined." And in all primary elections thereafter held, any person so registered as affiliated with a given political party, shall have the right to receive and vote the official ballot of

that party and of no other. And at any intermediate registration subsequent to the close of the next general registration, such voter may appear before the Board of Registry, and upon his identity being established to the satisfaction of the majority of the Board of Registry, he shall have the right to require the said Board of Registry to make, alter or strike out any entry in the column headed "Party Affiliation" opposite his name in the registry.

It shall be the duty of the Board of Registry to enter in the column headed "Remarks," the fact that such entry was made, altered or stricken out and the date thereof.

#### ACTS OF 1902, CHAPTER 296.

For the performance of the duties imposed upon them by this Act, the Supervisors of Elections of Baltimore city shall be entitled to receive in addition to the annual salary of fifteen hundred dollars allowed them by section 2 of Article 33, the further annual salary of one thousand dollars each, and the Supervisors of Elections of the several counties, in addition to the annual salary of one hundred dollars each allowed to them by section 2 of said Article 33, shall be entitled to receive an additional compensation to be paid by the County Commissioners of the several counties amounting to fifty per cent. of the salary now received by them under said section in the counties not excepted from the operation of this law, and such further sum for expenses incurred in the performance of the duties imposed on them by this Act as the said several Board of County Commissioners shall allow. The Supervisors of Elections of Baltimore city, in addition to the sums allowed them by section 6 of said Article 33, as compensation for their clerk and messenger and other temporary assistance, such as is mentioned in said section 6 of said Article 33, shall be allowed the further sum of fifteen hundred dollars, and the Supervisors of Elections of the several counties shall be entitled to receive for such additional clerical or other assistance as they may need for the performance of the duties imposed upon them by this Act a sum not exceeding fifty per cent. of the present salary for that purpose in the counties not excepted from the operation of this



law. All of said expenses shall be paid by the Mayor and City Council of Baltimore and the County Commissioners respectively, in precisely the same way as the salaries of the said Supervisors of Elections of Baltimore city, and in the several counties, and as other expenses of every kind mentioned in said sections 2 and 6 of Article 33 are provided to be paid.

And be it further enacted, that sections 402 to 425, both inclusive of Article 4 of the Code of Public Local Laws, title "City of Baltimore," sub-title "Elections, Primary," as the same were re-enacted by the Act of 1898, chapter 123 and chapter 548 of the Acts of 1892, entitled "An Act to punish misconduct at Primary Elections in Montgomery County," be and the same are hereby severally repealed, and the foregoing sections 152, 153 and 154 be and the same are hereby declared and enacted as a substitute for all said Public Local Laws, and all parts thereof; provided, however, that nothing contained in this Act shall be taken or construed to repeal or modify the provisions of the existing law providing for and regulating the manner of making independent nominations for any office, except that the individual signatures required under section 38 of chapter 202 of the Acts of 1896, shall be required to accompany the same by an affidavit made before a justice of the peace, and so certified to by him and signed by the affiant to the effect that he, the said signer of such certificate of nomination intends to vote for the person or persons to be nominated thereby.

And be it further enacted, that in the event of the passage of any Act by the General Assembly of Maryland during the session of 1902, providing for any changes in the wards or precinct boundaries of the city of Baltimore, the Board of Supervisors of Elections of the city of Baltimore are hereby directed and empowered to provide and furnish such copies of the original books of registry of the year 1901, now in the office of the said Board of Supervisors of Elections of the city of Baltimore, as may be necessary by reason of said changes in said wards or precincts, to supply each precinct in said city with the names of the registered voters of said precincts, which said copies shall have the same

force and effect in law as said original books of registry, said copies of said books of registry to be used in all primary elections held under the provisions of this Act prior to the next annual registration held in said city of Baltimore; provided, however, that nothing in this Act shall apply to the counties of Worcester, Carroll, Howard, Frederick, Washington, Queen Anne's, Prince George's, Wicomico, Allegany, St. Mary's, Dorchester, Caroline, Somerset, Kent, Calvert, Cecil, Anne Arundel, Baltimore, Montgomery, Harford, Charles, Garrett and Talbot.

ACTS OF 1898, CHAPTER 75.

An Act to repeal section 13 of Article 1 of the Code of Public General Laws, as enacted by chapter 113 of the Acts of 1896, and to add two sections to said Article, to follow section 8.

Section 1. Be it enacted by the General Assembly of Maryland, That section 13 of Article 1 of the Code of Public General Laws, title "Rules of Interpretation," be and the same is hereby repealed, and the following sections are hereby added to said Article to follow section 8 and to be numbered 8A and 8B.

8A. The form of judicial and all other oaths to be taken or administered in this State, and not prescribed by the Constitution, shall be as follows: "In the presence of Almighty God, I do solemnly promise or declare," etc. And it shall not be lawful to add to any oath the words, "So help me God," or any imprecatory words whatever.

8B. The manner of administering oaths shall be by requiring the person making the same to hold up his hand in token of his recognition of the solemnity of the act, except cases wherein this form is not practicable, or when it shall in those appear that some other mode is more binding upon the conscience of the swearer.

Approved, March 22, 1898.

ACTS OF 1890, CHAPTER 67.

An Act to repeal and re-enact with an amendment section 15 of Article 41 of the Code of Public General Laws, title "Governor."

Section 1. Be it enacted by the General Assembly of Maryland, That section 15 of Article 41 of the Code of

Public General Laws, title "Governor," be and the same is hereby repealed and re-enacted with an amendment so as to read as follows:

15. The Governor, upon receiving the returns of the election for electors to choose a President and Vice-President of the United States and for members to represent this State in the Congress of the United States, shall enumerate and ascertain the number of votes given for each person voted for as an elector and member of Congress respectively, and shall thereupon declare by proclamation, signed by him, the name or names of the person or persons duly elected and shall cause such proclamation to be inserted in such newspapers as he may direct.

Section 2. And be it further enacted, That this Act shall take effect from the date of its passage.

Approved, February 28th, 1890.

ACTS OF 1901, CHAPTER 8.

An Act to repeal sections 657 and 211 of the Acts of 1898, chapter 123, entitled "City of Baltimore," sub-title "Charter," and to enact in lieu of section 657 three sections to be known as "Sections 657, 657 A and 657 B," and to re-enact section 211 with amendments.

Section 1. Be it enacted by the General Assembly of Maryland, That sections 657 and 211 of the Acts of 1898, chapter 123, entitled "City of Baltimore," sub-title "Charter," be and the same are hereby repealed; that three sections, be and they are hereby enacted in lieu of section 657, and to be known as 657, 657 A and 657 B, and that section 211 be re-enacted with amendments all of which to read as follows:

657. That the twenty-four wards, into which the city of Baltimore is now divided, shall be numbered as follows: The present first ward shall in future be known and numbered twenty-second ward; the present second ward shall in future be known and numbered fourth ward; the present third ward shall in future be known and numbered fifth ward; the present fourth ward shall in future be known and numbered third ward; the present fifth ward shall in future be known and numbered second ward; the present sixth ward shall in future be known and numbered first ward; the present seventh ward shall in future be known and numbered sixth ward; the present



eighth ward shall in future be known and numbered seventh ward; the present ninth ward shall in future be known and numbered eighth ward; the present tenth ward shall in future be known and numbered tenth ward; the present eleventh ward shall in future be known and numbered ninth ward; the present twelfth ward shall in future be known and numbered twelfth ward; the present thirteenth ward shall in future be known and numbered eleventh ward; the present fourteenth ward shall in future be known and numbered seventeenth ward; the present fifteenth ward shall in future be known and numbered fourteenth ward; the present sixteenth ward shall in future be known and numbered thirteenth ward; the present seventeenth ward shall in future be known and numbered fifteenth ward; the present eighteenth ward shall in future be known and numbered sixteenth ward; the present nineteenth ward shall in future be known and numbered twentieth ward; the present twentieth ward shall in future be known and numbered nineteenth ward; the present twenty-first ward shall in future be known and numbered eighteenth ward; the present twenty-second ward shall in future be known and numbered twenty-first ward; the present twenty-third ward shall in future be known and numbered twenty-third ward; and the present twenty-fourth ward shall in future be known and numbered twenty-fourth ward.

ACTS OF 1902, CHAPTER 602.

657A. The First Legislative District of Baltimore city shall be and consist of the wards as newly numbered by the Act of 1901, chapter 8, from 1 to 6, both inclusive, as said wards were laid out under the provisions of the Act of 1898, chapter 10, approved February 19, 1898; and the Second Legislative District of Baltimore city shall be and consist of the following wards, as newly numbered by the Act of 1901, chapter 8, namely: Seventh, Eighth, Ninth, Twelfth, Thirteenth and Fifteenth, as said wards were laid out under the provisions of the Act of 1898, aforesaid, and the Third Legislative District of Baltimore city shall be and consist of the following wards, as newly numbered by the Act of 1901, chapter 8, namely: Tenth, Eleventh, Fourteenth, Sixteenth, Nineteenth and Twentieth, as said wards were laid out under the provisions of the Act

of 1898, aforesaid; and the Fourth Legislative District of Baltimore city shall be and consist of the following wards, as newly numbered by the Act of 1901, chapter 8, namely: Seventeenth, Eighteenth, Twenty-first, Twenty-second, Twenty-third and Twenty-fourth, as said wards were laid out under the provisions of the Act of 1898 aforesaid.

657 B. The First Councilmanic District shall be and consist of the wards as newly numbered by this Act from one to six, both inclusive, as said wards were laid out under the provisions of the Act of 1898, aforesaid; that the Second Councilmanic District shall be and consist of the following wards, as newly numbered by this Act, namely: Seventh, Eighth, Ninth, Twelfth, Thirteenth and Fifteenth, as said wards were laid out under the provisions of the Act of 1898, aforesaid; that the Third Councilmanic District shall be and consist of the following wards as newly numbered by this Act, namely: Tenth, Eleventh, Fourteenth, Sixteenth, Nineteen and Twentieth, as said wards were laid out under the provisions of the Act of 1898, aforesaid; that the Fourth Councilmanic District shall be and consist of the following wards, as newly numbered by this Act, Seventeenth, Eighteenth, Twenty-first, Twenty-second, Twenty-third and Twenty-fourth, as said wards were laid out under the provisions of the Act of 1898 aforesaid.

211. The Second Branch shall consist of nine members, one of whom shall be president thereof, and shall possess the qualifications and be elected as hereinafter provided. The other eight members shall be elected from four Councilmanic Districts, two from each district; said district to be established and fixed as herein defined by this Act. The members of the Second Branch, excepting the president thereof, shall be citizens of the United States, above the age of twenty-five years, residents of the city of Baltimore four years prior to the election, each of whom has been assessed with property in said city in the sum of five hundred dollars, and who has paid taxes on the same for two years prior to his election; and the said members of the Second Branch shall hold their offices for four years, except as provided in section 213 of this \*Article, and each of them shall be paid a salary of one thousand dollars per annum, payable monthly.

\*Refers to Baltimore City Code, Article 4, Public Local Laws.

Section 2. And be it further enacted, That nothing in this Act shall affect the terms of the present Senators and Members of the House of Delegates from Baltimore city, but they shall severally continue to represent the respective legislative districts for which they were elected until the end of their terms respectively as fully as if this Act had not been passed. Nor shall anything in this Act affect the terms of the Members of the First Branch, nor of the Members of the Second Branch of the City Council, but they shall severally continue to represent the wards and councilmanic districts for which they were elected, until the expiration of their terms respectively as fully as if this Act had not been passed, nor shall anything in this Act affect the terms or the jurisdiction of any of the Justices of the Peace in and for the city of Baltimore, or other officials in said city, but they shall be entitled to continue to discharge their duties and exercise their jurisdiction until the expiration of their terms as fully as if this Act had not been passed.

Section 3. And be it further enacted, That this Act shall take effect from the date of its passage.



# EXTRACTS

## FROM THE BILL OF RIGHTS AND THE CONSTITUTION OF MARYLAND APPLICABLE TO ELECTIONS.

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### BILL OF RIGHTS.

#### ARTICLE 7.

That the right of the people to participate in the Legislature is the best security of liberty and the foundation of all free government, for this purpose elections ought to be free and frequent; and every male citizen, having the qualifications prescribed by the Constitution, ought to have the right of suffrage.

### CONSTITUTION.

#### ARTICLE I.

##### ELECTIVE FRANCHISE.

Section 1. All elections shall be by ballot, and every male citizen of the United States, of the age of twenty-one years or upwards, who has been a resident of the State for one year, and of the Legislative district of Baltimore city, or of the county in which he may offer to vote, for six months next preceding the election, shall be entitled to vote, in the ward or election district in which he resides, at all elections hereafter to be held in this State; and in case any county or city shall be so divided as to form portions of different electoral districts, for the election of Representatives in Congress, Senators, Delegates or other officers, then, to entitle a person to vote for such officers, he must have been a resident of that part of the county or city, which shall form a part of the electoral district in which he offers to vote, for six months next preceding the election, but a person, who shall have acquired a residence in such county or city, entitling him to vote at any such election, shall be entitled to vote in the election district from which he removed, until he shall have acquired a residence in the part of the county or city to which he has removed.

Sec. 2. No person above the age of twenty-one years, convicted of larceny or other infamous crime, unless pardoned by the Governor, shall ever thereafter be entitled to vote at any election in this State; and no person under guardianship as a lunatic, or as a person non compos mentis, shall be entitled to vote.

Sec. 3. If any persons shall give or offer to give, directly or indirectly, any bribe, present, or reward, or any promise, or any other thing, to induce any voter to refrain from casting his vote, or to prevent him in any way from voting, or to procure a vote for any candidate or persons proposed, or voted for, as elector of President and Vice-President of the United States, or Representative in Congress, or for any office of profit or trust, created by the Constitution or laws of this State, or by the ordinances, or authority of the Mayor and City Council of Baltimore, the person giving, or offering to give, and the person receiving the same, and any person who gives, or causes to be given, an illegal vote, knowing it to be such, at any election to be hereafter held in this State, shall, on conviction in a court of law, in addition to the penalties now or hereafter to be imposed by law, be forever disqualified to hold any office of profit or trust, or to vote at any election thereafter.

Sec. 4. It shall be the duty of the General Assembly to pass laws to punish, with fine and imprisonment, any person who shall remove into any election district or precinct of any ward of the city of Baltimore, not for the purpose of acquiring a bona-fide residence therein, but for the purpose of voting at an approaching election, or who shall vote in any election district or ward in which he does not reside (except in the case provided for in this Article,) or shall, at the same election, vote in more than one election district, or precinct, or shall vote or offer to vote in any name not his own, or in place of any other person of the same name, or shall vote in any county in which he does not reside.

Sec. 5. The General Assembly shall provide by law for a uniform registration of the names of all voters in this State who possess the qualifications prescribed in this Article, which registration shall be conclusive evidence to the judges of election to the right of every person thus

registered to vote at any election thereafter held in this State but no person shall vote at any election, Federal or State, hereafter, to be held in this State, at any municipal election in the city of Baltimore, unless his name appears in the list of registered voters, and until the General Assembly shall hereafter pass an act for the registration of the names of voters, the law in force on the first day of June, in the year eighteen hundred and sixty-seven, in reference thereto, shall be continued in force, except so far as it may be inconsistent with the provisions of this Constitution; and the registry of voters, made in pursuance thereof, may be corrected, as provided in said law; but the names of all persons shall be added to the list of qualified voters by the officers of registration, who have the qualifications prescribed in the first section of this Article, and who are not disqualified under the provisions of the second and third sections thereof.

Sec. 6. Every person elected or appointed to any office of profit or trust, under this Constitution, or under the laws, made pursuant thereto, shall, before he enters upon the duties of such office, take and subscribe the following oath or affirmation; I,——, do swear (or affirm, as the case may be,) that I will support the Constitution of the United States, and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of—— according to the Constitution and laws of this State (and if Governor, Senator, Member of the House of Delegates or Judge;) that I will not, directly or indirectly, receive the profits, or any parts of the profits, of any other office during the term of my acting as——.

Sec. 7. Every person hereafter elected or appointed to office in this State, who shall refuse or neglect to take the oath or affirmation of office provided for in the sixth section of this Article, shall be considered as having refused to accept the said office; and a new election or appointment shall be made, as in case of refusal to accept, or resignation of an office; and any person violating said oath, shall, on conviction thereof, in a court of law, in addition to the penalties now or hereafter to be imposed



by law, be thereafter incapable of holding any office of profit or trust in this State.

## ARTICLE II.

Section 2. An election for Governor, under this Constitution, shall be held on the Tuesday next after the first Monday in November, in the year eighteen hundred and sixty-seven, and on the same day and month of every fourth year thereafter, at the places of voting for Delegates to the General Assembly; and every person qualified to vote for Delegate shall be qualified and entitled to vote for Governor; the election to be held in the same manner as the election of Delegates, and the returns thereof under seal to be addressed to the Speaker of the House of Delegates, and inclosed and transmitted to the Secretary of State, and delivered to said Speaker, at the commencement of the session of the General Assembly next ensuing said election.

Sec. 3. The Speaker of the House of Delegates shall then open the said returns in the presence of both Houses; and the person having the highest number of votes, and being constitutionally eligible, shall be the Governor, and shall qualify, in the manner herein prescribed, on the second Wednesday of January next ensuing his election, or as soon thereafter as may be practicable.

Sec. 4. If two or more persons shall have the highest and an equal number of votes for Governor, one of them shall be chosen Governor by the Senate and House of Delegates; and all questions in relation to the eligibility of Governor, and to the returns of said election, and to the number and legality of the votes therein given, shall be determined by the House of Delegates; and if the person or persons having the highest number of votes be ineligible, the Governor shall be chosen by the Senate and House of Delegates. Every election of Governor by the General Assembly shall be determined by a joint majority of the Senate and House of Delegates, and the vote shall be taken *viva voce*. But if two or more persons shall have the highest and an equal number of votes, then a second vote shall be taken, which shall be confined to the persons having an equal number; and if the vote should again be equal, then the election of Governor shall be

determined by lot between those who shall have the highest and an equal number on the first vote.

Sec. 5. A person to be eligible to the office of Governor must have attained the age of thirty years, and must have been for ten years a citizen of the State of Maryland, and for five years next preceding his election a resident of the State, and, at the time of his election, a qualified voter therein.

### ARTICLE III.

Section 2. The city of Baltimore shall be divided into four legislative districts, as near as may be, of equal population and of contiguous territory, and each of said legislative districts of Baltimore city, as they may from time to time be laid out, in accordance with the provisions hereof, and each county in the State shall be entitled to one Senator, who shall be elected by the qualified voters of the said legislative districts of Baltimore city, and of the counties of the State, respectively, and shall serve for four years from the date of his election, subject to the classification of Senators hereafter provided for.

Sec. 4. As soon as may be after the taking and publishing of the next national census, or after the enumeration of the population of this State, under the authority thereof, there shall be an appointment of representation in the House of Delegates, to be made on the following basis towit: Each of the several counties of the State having a population of eighteen thousand souls, or less, shall be entitled to two Delegates; and every county having a population of over eighteen thousand, and less than twenty-eight thousand souls, shall be entitled to three Delegates; and every county, having a population of twenty-eight thousand, and less than forty thousand souls, shall be entitled to four Delegates; and every county having a population of forty thousand, and less than fifty-five thousand souls, shall be entitled to five Delegates; and every county having a population of fifty-five thousand souls and upwards shall be entitled to six Delegates, and no more; and each of the four Legislative Districts of Baltimore city shall be entitled to the number of Delegates to which the largest county shall or may be entitled, under the foregoing apportionment. And the General Assem-

bly shall have power to provide by law, from time to time, for altering and changing the boundaries of the existing Legislative Districts of the City of Baltimore, so as to make them, as near as may be, of equal population ; but each district shall always consist of contiguous territory.

Sec. 5. Immediately after the taking and publishing of the next national census, or after any State enumeration of population, as aforesaid, it shall be the duty of the Governor, then being, to arrange the representation in said House of Delegates in accordance with the apportionment herein provided for; and to declare, by proclamation, the number of Delegates to which each county and the City of Baltimore may be entitled under such apportionment; and after every national census taken thereafter, or after any State enumeration of population thereafter made, it shall be the duty of the Governor, for the time being, to make similar adjustment of representation, and to declare the same by proclamation, as aforesaid.

Sec. 6. The members of the House of Delegates shall be elected by the qualified voters of the counties and the Legislative Districts of Baltimore city, respectively, to serve for two years from the day of their election.

Sec. 7. The first election for Senators and Delegates shall take place on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-seven; and the election for Delegates and as nearly as practicable, for one-half of the Senators, shall be held on the same day, in every second year thereafter.

Sec. 8. Immediately after the Senate shall have convened, after the first election under this Constitution, the Senators shall be divided by lot into two classes, as nearly equal in number as may be. Senators of the first class shall go out of office at the expiration of two years, and Senators shall be elected on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-nine for the term of four years, to supply their places; so that, after the first election, one-half of the Senators may be chosen every second year. In case the number of Senators be hereafter increased, such classifi-



cation of the additional Senators shall be made as to preserve, as nearly as may, an equal number in each class.

Sec. 9. No person shall be eligible as a Senator or Delegate who, at the time of his election, is not a citizen of the State of Maryland, and who has not resided therein for at least three years next preceding the day of his election, and the last year thereof, in the county, or in the Legislative District of Baltimore city, which he may be chosen to represent, if such county or Legislative District of said city shall have been so long established; and if not, then in the county or city from which, in whole or in part, the same may have been formed; nor shall any person be eligible as a Senator unless he shall have attained the age of twenty-five years, nor as a Delegate unless he shall have attained the age of twenty-one years, at the time of his election.

¶ Sec. 10. No member of Congress, or person holding any civil or military office under the United States, shall be eligible as Senator or Delegate; and if any person shall, after his election as Senator or Delegate, be elected to Congress, or be appointed to any office, civil or military, under the Government of the United States, his acceptance thereof shall vacate his seat.

Sec. 11. No minister or preacher of the Gospel or of any religious creed or denomination, and no person holding any civil office or profit or trust under this State, except justices of the peace, shall be eligible as Senator or Delegate.

Sec. 12. No collector, receiver or holder of public money shall be eligible as Senator or Delegate, or to any office of profit or trust under this State, until he shall have accounted for and paid into the treasury all sums on the books thereof charged to and due by him.

Sec. 13. In case of death, disqualification, resignation, refusal to act, expulsion, or removal from the county or city for which he shall have been elected, of any person who shall have been chosen as a Delegate or Senator, or in case of a tie between two or more of such qualified persons, a warrant of election shall be issued by the Speaker of the House of Delegates, or President of the Senate, as the case may be, for the election of another

person in his place, of which election not less than ten days' notice shall be given, exclusive of the day of the publication of the notice and of the day of election; and if during the recess of the Legislature, and more than ten days before its termination, such death shall occur or such resignation, refusal to act or disqualification be communicated in writing to the Governor by the person so resigning, refusing or disqualified, it shall be the duty of the Governor to issue a warrant of election to supply the vacancy thus created, in the same manner the said Speaker or President might have done during the session of the General Assembly; provided, however, that unless a meeting of the General Assembly may intervene, the election thus ordered to fill such vacancy shall be held on the day of the ensuing election for Delegates and Senators.

Sec. 19. Each House shall be judge of the qualifications and elections of its members, as prescribed by the Constitution.

Sec. 41. Any citizen of this State, who shall, after the adoption of this Constitution, either in or out of this State, fight a duel with deadly weapons, or send or accept a challenge so to do, or who shall act as a second, or knowingly aid or assist in any manner those offending, shall ever thereafter be incapable of holding any office of profit or trust under this State, unless relieved from the disability, by an Act of the Legislature.

Sec. 42. The General Assembly shall pass laws necessary for the preservation of the purity of elections.

Sec. 47. The General Assembly shall make provisions for all cases of contested elections of any of the officers not herein provided for.

Sec. 49. The General Assembly shall have power to regulate by law, not inconsistent with this Constitution, all matters which relate to the judges of election, time, place and manner of holding elections in this State, and of making returns thereof.

#### ARTICLE IV.

Section 2. The judges of all the said courts shall be citizens of the State of Maryland, and qualified voters under this Constitution, and shall have resided therein

not less than five years, and not less than six months next preceding their election or appointment in the judicial circuit, as the case may be, for which they may be respectively elected or appointed. They shall be not less than thirty years of age at the time of their election or appointment, and shall be selected from those who have been admitted to practice law in this State, and who are most distinguished for integrity, wisdom and sound legal knowledge.

Sec. 3. The judges of the said several courts shall be elected in the counties by the qualified voters in their respective judicial circuits, as hereinafter provided, at the general election to be held on the Tuesday after the first Monday in November next, and in the City of Baltimore on the fourth Wednesday of October next. Each of the said judges shall hold his office for the term of fifteen years from the time of his election, and until his successor is elected and qualified, or until he shall have attained the age of seventy years, whichever may first happen, and be re-eligible thereto until he shall have attained the age of seventy years, and not after; but in case of any judge who shall attain the age of seventy years while in office such judge may be continued in office by the General Assembly for such further time as they may think fit, not to exceed the term for which he was elected, by a resolution to be passed at the session next preceding his attaining said age.

Sec. 5. After the election for judges as hereinbefore provided, there shall be held in this State, in every fifteenth year thereafter, on the Tuesday after the first Monday in November of such year, an election for judges as herein provided, and in case of death, resignation, removal or disqualification by reason of age or otherwise of any judge, the Governor shall appoint a person duly qualified to fill said office, who shall hold the same until the next general election for members of the General Assembly, when a successor shall be elected, whose term of office shall be the same as hereinbefore provided; and upon the expiration of the term of fifteen years which any judge may be elected to fill a vacancy, an election for his successor shall take place at the next general election for members of the General Assembly to occur upon or after



the expiration of said term, and the Governor shall appoint a person duly qualified to hold said office from the expiration of said term of fifteen years until the election and qualification of his successor.

Sec. 11. The election for judges hereinbefore provided, and all elections for clerks, registers of wills and other officers provided in this Constitution, except State's Attorneys, shall be certified and the returns made by the clerks of the Circuit Courts for the counties, and the clerk of the Superior Court of Baltimore city, respectively, to the Governor, who shall issue commissions to the different persons for the offices to which they have been, respectively, elected; and in all such elections the persons having the greatest number of votes shall be declared to be elected.

Sec. 12. If in any case of election for judges, clerks of the courts of law, and registers of wills, the opposing candidates shall have an equal number of votes, it shall be the duty of the Governor to order a new election; and in case of any contested election, the Governor shall send the returns to the House of Delegates, which shall judge of the election and qualification of the candidates at such election; and if the judgment shall be against the one who has been returned elected, or the one who has been commissioned by the Governor, the House of Delegates shall order a new election within thirty days.

Sec. 17. There shall be a Clerk of the Court of Appeals, who shall be elected by the legal and qualified voters of the State, who shall hold his office for six years, and until his successor is duly qualified; he shall be subject to removal by said court for incompetency, neglect of duty, misdemeanor in office, or such other cause, or causes, as may be prescribed by law; and in case of a vacancy in the office of said clerk the Court of Appeals shall appoint a clerk of said court, who shall hold his office until the election and qualification of his successor, who shall be elected at the next general election for members of the General Assembly; and the person so elected shall hold his office for the term of six years from the time of his election.

Sec. 19. The State shall be divided into eight judicial circuits in manner following, viz: The counties of Wor-

cester, Somerset, Dorchester and Wicomico shall constitute the first circuit; the counties of Caroline, Talbot, Queen Anne's, Kent and Cecil, the second; the counties of Baltimore and Harford the third; the counties of Allegany, Washington and Garrett the fourth; the counties of Carroll, Howard and Anne Arundel the fifth; the counties of Montgomery and Frederick the sixth; the counties of Prince George's, Charles, Calvert and St. Mary's the seventh, and Baltimore city the eighth.

Sec. 21. For each of the said circuits (except the eighth) there shall be a chief judge and two associate judges, to be styled Judges of the Circuit Court, to be elected or appointed, as herein provided. And no two said associate judges shall, at the time of their election or appointment, or during the term for which they may have been elected, or appointed, reside in the same county. If two or more persons shall be candidates for associate judge in the same county, that one only in said county shall be declared elected who has the highest number of votes in the circuit. In case any two candidates for associate judge, residing in the same county, shall have an equal number of votes, greater than any other candidate for associate judge in the circuit, it shall be the duty of the Governor to order a new election.

Sec. 25. There shall be a Clerk of the Circuit Court each county, who shall be elected by a plurality of the qualified voters of said county, and shall hold his office for six years from the time of his election, and until his successor is elected and qualified, and be re-eligible, subject to be removed for willful neglect of duty or other misdemeanor in office, on conviction in a court of law. In case of a vacancy in the office of Clerk of a Circuit Court, the judges of said court shall have power to fill such vacancy until the general election for Delegates to the General Assembly, to be held next thereafter, when a successor shall be elected for the term of six years.

Sec. 27. There shall be in the Eighth Judicial Circuit six courts to be styled the Sepreme Bench of Baltimore city, the Superior Court of Baltimore city, the Court of Common Pleas, the Baltimore City Court, the Circuit Court of Baltimore city, and the Criminal Court of Baltimore.

Sec. 31. There shall be elected by the legal and qualified voters of said city at the elections hereinbefore provided for one chief judge and four associate judges, who, together, shall constitute the Supreme Bench of Baltimore city, and shall hold their offices for the term of fifteen years, subject to the provisions of this Constitution with regard to the election and qualifications of judges and their removal from office.

Sec. 37. There shall be a clerk of each of the said courts of Baltimore city, except the Supreme Bench, who shall be elected by the legal and qualified voters of said city at the election to be held in said city on the Tuesday next after the first Monday of November, in the year eighteen hundred and sixty-seven, and shall hold his office for six years from the time of his election, and until his successor is elected and qualified, and be re-eligible thereto, subject to be removed for willful neglect of duty or other misdemeanor in office on conviction in a court of law. In case of a vacancy in the office of clerk of any of said courts, the judges of said Supreme Bench of Baltimore city shall have power to fill such vacancy until the general election of Delegates to the General Assembly to be held next thereafter, when a clerk of said court shall be elected to serve for six years thereafter.

Sec. 39. The General Assembly shall, as often as it may think the same proper and expedient, provide by law for the election of an additional judge of the Supreme Bench of Baltimore city, and whenever provision is so made by the General Assembly, there shall be elected by the voters of said city another judge of the Supreme Bench of Baltimore city, who shall be subject to the same constitutional provisions, hold his office for the same term of years, receive the same compensation and have the same powers as are provided by the Constitution or laws of this State for the judges of said Supreme Bench of Baltimore city.

Sec. 40. The qualified voters of the City of Baltimore, and of the several counties, shall on Tuesday next, after the first Monday in November next, and on the same day in every fourth year thereafter, elect three men to be judges of the Orphans' Court, of said city and counties, respectively, who shall be citizens of the State, and resi-



dents for the twelve months preceding in the city or county for which they may be elected. In case of a vacancy in the office of judge of the Orphans' Court, the Governor shall appoint, subject to confirmation or rejection by the Senate, some suitable person to fill the same for the residue of the term.

Sec. 41. There shall be a Register of Wills in each county of the State and the City of Baltimore, to be elected by the legal and qualified voters of said counties and cities, respectively, who shall hold his office for six years from the time of his election, and until his successor is elected and qualified; he shall be re-eligible, and subject at all times to removal for willful neglect of duty or misdemeanor in office in the same manner that the clerks of courts are removable. In the event of any vacancy in the office of Register of Wills, said vacancy shall be filled by the judges of the Orphans' Court in which such vacancy occurs until the next general election for Delegates to the General Assembly, when a register shall be elected to serve six years thereafter.

Sec. 44. There shall be elected in each county, and in the City of Baltimore in every second year, one person, resident in said county or city, above the age of twenty-five years, and at least five years preceding his election, a citizen of this State, to the office of Sheriff. He shall hold his office for two years, and until his successor is duly elected and qualified; shall be ineligible for two years thereafter; shall give such bond, exercise such powers and perform such duties as now are or may hereafter be fixed by law. In case of a vacancy by death, resignation, refusal to serve or neglect to qualify or give bond or by disqualification or removal from the county or city, the Governor shall appoint a person to be Sheriff for the remainder of the official term.

## ARTICLE V.

Section 1. There shall be an Attorney-General elected by the qualified voters of the State, on general ticket, on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-seven, and on the same day in every fourth year thereafter, who shall hold his office for four years from the time of his election and qualification, and until his successor is elected and quali-

fied, and shall be re-eligible thereto, and shall be subject to removal for incompetency, willful neglect of duty, or misdemeanor in office, on conviction in a court of law.

Sec. 2. All elections for Attorney-General shall be certified to, and returns made thereof by the clerks of the Circuit Courts for the several counties, and the Clerk of the Superior Court of Baltimore city, to the Governor of the State, whose duty it shall be to decide on the election and qualifications of the person returned; and in case of a tie between two or more persons, to designate which of said persons shall qualify as Attorney-General and to administer the oath of office to the person elected.

Sec. 4. No person shall be eligible to the office of Attorney-General who is not a citizen of this State and a qualified voter therein, and has not resided and practiced law in this State for at least ten years.

Sec. 7. There shall be an attorney for the State in each county and the city of Baltimore, to be styled "The State's Attorney," who shall be elected by the voters thereof, respectively, on the Tuesday next after the first Monday in November, in the year eighteen hundred and sixty-seven, and on the same day every fourth year thereafter; and shall hold his office for four years from the first Monday in January next ensuing his election, and until his successor shall be elected and qualified; and shall be re-eligible thereto and be subject to removal therefrom for incompetency, willful neglect of duty or misdemeanor in office, on conviction in a court of law, or by a vote of two-thirds of the Senate on the recommendation of the Attorney-General.

Sec. 8. All elections for the State's Attorney shall be certified to and returns made thereof by the clerks of the said counties and city, to the judges thereof having criminal jurisdiction, respectively, whose duty it shall be to decide upon the elections and qualifications of the persons returned; and in case of a tie between two or more persons, to designate which of said persons shall qualify as State's Attorney, and to administer the oaths of office to the persons elected.

Sec. 10. No person shall be eligible to the office of State's Attorney who has not been admitted to practice

law in this State, and who has not resided for at least two years in the county or city in which he may be elected.

## ARTICLE VI.

Section 1. There shall be a Treasury Department, consisting of a Comptroller, chosen by the qualified electors of the State, at each regular election of Members of the House of Delegates, who shall receive an annual salary of two thousand five hundred dollars; and a Treasurer to be appointed by the two Houses of the Legislature, at each regular session thereof, on joint ballot, who shall receive an annual salary of two thousand five hundred dollars; and the terms of office of the said Comptroller and Treasurer shall be for two years and until their successors shall qualify. In case of a vacancy in either of the offices by death or otherwise, the Governor, by and with the advice and consent of the Senate, shall fill such vacancy by appointment, to continue until another election, or a choice by the Legislature, as the case may be, and until the qualification of the successor.

Sec. 5. The Comptroller shall qualify and enter on the duties of his office on the third Monday in January next succeeding the time of his election, or as soon thereafter as practicable.

## ARTICLE VII.

Section 1. County Commissioners shall be elected on general ticket of each county by the qualified voters of the several counties of the State on the Tuesday next after the first Monday in the month of November, commencing in the year eighteen hundred and ninety-one; their number in each county, their compensation, powers and duties shall be such as now or may be hereafter prescribed by law; they shall be elected at such times in such numbers and for such periods not exceeding six years, as may be prescribed by law.

Sec. 2. The qualified voters of each county and of the City of Baltimore shall on the Tuesday next after the first Monday in the month of November, in the year eighteen hundred and sixty-seven, and on the same day in every second year thereafter, elect a Surveyor for each county and the City of Baltimore, respectively, whose term of office shall commence on the first Monday



of January next ensuing their election; and whose duties and compensation shall be the same as are now or may hereafter be prescribed by law. And any vacancy in the office of surveyor shall be filled by the Commissioners of the counties, or by the Mayor and City Council of Baltimore, respectively, for the residue of the term.

Sec. 6. The qualified voters of Worcester county shall on the Tuesday next after the first Monday in the month of November, in the year eighteen hundred and sixty-seven, and every two years thereafter, elect a Wreck-Master for said county, whose duties and compensation shall be the same as are now prescribed by law; the term of office of said Wreck-Master shall commence on the first Monday of January next succeeding his election, and a vacancy in said office shall be filled by the County Commissioners of said county for the residue of the term.

## ARTICLE XIV.

### AMENDMENTS TO THE CONSTITUTION.

Section 1. The General Assembly may propose amendments to this Constitution; provided, that each amendment shall be embraced in a separate bill, embodying the Article or section, as the same will stand when amended and passed by three-fifths of all the members elected to each of the two Houses, by yeas and nays, to be entered on the Journals with the proposed amendment. The bill, or bills, proposing amendment, or amendments, shall be published by order of the Governor, in at least two newspapers in each county, where so many may be published, and where not more than one may be published, then in that newspaper, and in three newspapers published in the City of Baltimore, one of which shall be in the German language, once a week, for at least three months preceding the next ensuing general election, at which the said proposed amendment, or amendments shall be submitted, in a form to be prescribed by the General Assembly, to the qualified voters of the State for adoption or rejection. The votes cast for and against said proposed amendment, or amendments, severally, shall be returned to the Governor, in the manner prescribed in other cases, and if it shall appear to the Governor that a majority of the votes cast at said election

on said amendment, or amendments, severally, were cast in favor thereof, the Governor shall, by his proclamation, declare the said amendment, or amendments, having received said majority of votes, to have been adopted by the people of Maryland as part of the Constitution thereof, and thenceforth said amendment, or amendments, shall be part of the said Constitution. When two or more amendments shall be submitted, in manner aforesaid, to the voters of this State at the same election, they shall be so submitted as that each amendment shall be voted on separately.

#### ARTICLE XV.

Section 4. If at any election directed by this Constitution any two or more candidates shall have the highest and an equal number of votes, a new election shall be ordered by the Governor, except in cases specially provided for by this Constitution.

Sec. 7. All general elections in this State shall be held on the Tuesday next after the first Monday in the month of November, in the year in which they shall occur; and the first election of all officers, who, under this Constitution, are required to be elected by the people, shall, except in cases herein specially provided for, be held on the Tuesday next after the first Monday of November, the year eighteen hundred and sixty-seven.

Sec. 8. The sheriffs of the several counties of this State, and of the city of Baltimore, shall give notice of the several elections authorized by this Constitution, in the manner prescribed by existing laws for elections to be held in this State, until said laws shall be changed.

Sec. 9. The term of office of all judges and other officers, for whose election provision is made by this Constitution, shall, except in cases otherwise expressly provided herein, commence from the time of their election; and all such other officers shall qualify as soon after their election as practicable, and shall enter upon the duties of their respective offices immediately upon their qualification; and the term of office of the State Librarian and of Commissioner of the Land Office shall commence from time of their appointment.

Sec. 10. Any officer elected or appointed in pursuance of the provisions of this Constitution may qualify, either according to the existing provisions of law, in relation to officers under the present Constitution, or before the Governor of the State, or before any clerk of any court of record in any part of the State; but in case an officer shall qualify out of the county in which he resides, an official copy of his oath shall be filed and recorded in the Clerk's Office of the Circuit Court for the county in which he may reside, or in the Clerk's Office of the Superior Court of the City of Baltimore, if he shall reside therein.



# PROVISIONS

—OF THE—

Constitution of the United States Relating to Elections.

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## ARTICLE I.

Section 2. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature. (Par. 1.)

No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen. (Par. 2.)

\* \* \* \* \* The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and with every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative. \* \* \* (Par 3.)

When vacancies happen in the representation from any State the executive authority thereof shall issue writs of election to fill such vacancies. (Par. 4.)

Section 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years; and each Senator shall have one vote. (Par. 1.)

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expira-

tion of the second year, of the second class at the expiration of the fourth year and of the third class at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen by resignation or otherwise during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies. (Par. 2.)

No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State from which he shall be chosen. (Par. 3.)

Section 4. The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators. (Par. 1.)

Sec. 5. Each House shall be the judge of the elections, returns and qualifications of its own members. (Par. 1.)

Sec. 8. The Congress shall have power \* \* \* \*  
To establish a uniform Rule of Naturalization \* \* \*  
throughout the United States. (Par. 4.)

## ARTICLE II.

Section 1. The executive power shall be invested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows: (Par. 1.)

Each State shall appoint in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in Congress; but no Senator or Representative or person holding an office of trust or profit under the United States shall be appointed an elector. (Par. 2.)

*Chisholm v. Georgia*, 2 Dall, 419, *Leitensdorfer v. Webb*, 20 How., 176.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the United States. (Par. 3.)

## ARTICLE VI.

The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States. (Par. 3.)

## TWELFTH AMENDMENT.

The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in the ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and for all persons voted for as Vice-President, and the number of votes for each, which lists they shall sign and certify and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the vote shall then be counted. The person having the greatest number of votes for President shall be President, if such number be a majority of the whole number of electors appointed; and if no person have such a majority then from the persons having the highest number, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the State, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appoin-



ted, and if no person have a majority then from the two highest numbers on the list the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

#### FOURTEENTH AMENDMENT.

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law; nor to deny any person within its jurisdiction the equal protection of the laws.

Sec. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Sec. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or

given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House remove such disability.

Sec. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this Article.

FIFTEENTH AMENDMENT.

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Sec. 2. The Congress shall have power to enforce this Article by appropriate legislation.





# INSTRUCTIONS

— TO —

## Officers of Election and Registration.

PREPARED BY THE

Attorney-General of Maryland

IN COMPLIANCE WITH THE PROVISIONS OF

Sections 114 and 114A of Article 33 of  
the Code of Public General Laws  
of Maryland.

# INSTRUCTIONS.

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To the Judges and Clerks of Election:

Gentlemen:—The following instructions have been prepared by me in accordance with the directions of section 120 of Article 33 of the Code of Public General Laws. It will be your duty to read them carefully. The reading of these instructions, however, should not lead anyone to suppose that it will be unnecessary to read the Election Law itself. This, each one of you should do, and you should make yourself familiar with all of its provisions, which in any way relate to the discharge of the duties committed to you. I wish to urge upon you particularly the necessity of conforming strictly to all the provisions of the law. It is possible that in the conditions existing in particular precincts you may think that some of the safeguards of the law are unnecessary and that time may be saved by omitting them. Such omissions, however, you have no right to make. The whole law is one statute by which the election system is governed, and provisions which may seem in particular places or under particular circumstances to be of slight importance are really essential features of the entire scheme. Any willful omission of any requirement of law will be an offense. It is expressly made the duty of the Supervisors of Election in each county and city, whenever they have probable cause to believe that any offense against the law has been committed, to cause a prosecution to be instituted against the guilty person.

I am, yours respectfully,  
WILLIAM SHEPARD BRYAN, JR.,  
Attorney-General.

# **PART I.**

## **Instructions to Judges of Election when Acting as Boards of Registry.**

### **SECTION 1.**

**When and how Long Boards of Registry Sit.**

#### **REGISTRATION IN 1906.**

**Registration Days in the Counties: (Secs. 30, 33.)**

First Sitting :—Tuesday October 2nd.

Second Sitting :—Tuesday October 9th.

For Revision :—Tuesday, October 16th.

**In Baltimore City, New Registration, Sec. 26.**

First Sitting :—Tuesday, September 18th.

Second Sitting :—Tuesday, September 25th.

Wednesday, September 26th.

Third Sitting :—Tuesday, October 2nd.

Wednesday, October 3rd.

Fourth Sitting :—Tuesday, October 9th.

Wednesday, October 10th.

For Revision :—Tuesday, October 16th.

**Hours of Registration, Sec. 17.**

In Baltimore City, from 9 A. M. to 9 P. M.

In the Counties, from 8 A. M. to 7 P. M.



## JUDGES OF ELECTION ABSENT OR LATE, LIABLE TO FINE OR IMPRISONMENT.

The absence of a judge of election from his registration office during the hours in which, by law, the office should be open, is a misdemeanor punishable by imprisonment for not less than ten days nor more than six months, or by a fine of not less than \$20 or more than \$500. (Art. 33, Sec. 105.)

### APPOINTMENT OF SUBSTITUTE JUDGES.

When any judge is absent from the registration office during the sittings, the other judge or judges present must appoint as substitute judge, some person of the same political party as the absentee. He must be sworn in by one of the judges present. He must take the same oath as the other judges took, a form of which will be found among the forms in this pamphlet. When the regular appointed judge returns, the substitute's powers cease. You must note in the registries that the substitute was appointed, who he was, in whose place he was appointed, when he began to act and when he ceased to act. (Art. 33, Sec. 37.)

NOTE :—The appointment of a substitute judge does not relieve an original judge from the penalties by law imposed upon him for absence without urgent necessity.

## SECTION II.

### POWERS OF JUDGES OF ELECTION WHEN SITTING AS BOARDS OF REGISTRY.

#### POWERS OF JUDGES OF ELECTION TO KEEP THE PEACE, ETC.

The judges must preserve order and keep the peace in and about the registration offices, during their sittings, and see that the entrance thereto shall be open and unobstructed. They and each of them may commit any person breaking the peace or violating any of the provisions of the registration law. (Sec. 15.)

In the counties, the sheriff or constable, and in Baltimore city, the police, must arrest and take to jail the persons so committed. (Art. 33, Sec. 15.)

#### TO SUMMON WITNESSES AND TO COMPEL THEIR ATTENDANCE.

Officers of registration may summon witnesses and

compel their attendance by attachment if necessary. In counties, summonses and attachments are to be served by the sheriff or constable, in Baltimore city, by the police. (Art. 33, Sec. 15.)

#### DISTRIBUTION OF WORK AMONG THE REGISTERS.

In the counties, each judge sitting as register, will have charge of one of the registries, and the two judges so sitting will divide the other work to be done between them.

In the city, the Supervisors will designate two of the judges, one of each political party, to keep the registries. Either of these officers may get one of his colleagues temporarily to take his place in keeping the registry. The two judges not in charge of the registries should keep the alphabetical list of the names registered and refused registration and erased, and should swear the applicants, ask the questions, and attend to such other things as may have to be done. Any judge has a right to ask any applicant any questions, the answers to which he may think will help to make clear whether the applicant is or is not a qualified voter of the precinct. (Art. 33, Sec. 17.)

The form of all oaths required by law to be taken has been somewhat changed by the Act of 1898, chapter 75.

The proper forms of oath will be found among the forms at the end of this pamphlet.

#### LIQUOR NOT PERMITTED IN POLLING OR REGISTRATION ROOM

No distilled or spirituous liquor, wine, ale or beer, can be brought into any polling or registration room. Any person bringing such beverages into a polling or registration room, and anyone who drinks or partakes thereof in such room, is guilty of a misdemeanor, and may be fined not less than \$10 or more than \$100. (Art. 33, Sec. 110.)

### SECTION III.

#### WHO MAY AND WHO MAY NOT BE REGISTERED.

##### WHO ARE ENTITLED TO BE REGISTERED.

“Every male citizen of the United States of the age of 21 years or upwards, who has been a resident of the

State for one year, and of the Legislative District of Baltimore city or of the county in which he may offer to vote, for six months next preceding the election, shall be entitled to vote in the ward or election district in which he resides." (Constitution of Maryland, Art. 1, Sec. 1.)

It is further provided that in case any county or Legislative District of the city is divided so as to form parts of different Congressional Districts, then, to entitle a person to vote for a Representative in Congress, he must have been a resident of that part of the county or city which forms a part of the Congressional District in which he offers to vote, for six months next preceding the election. (Constitution of Maryland, Art. 1, Sec. 1.)

(NOTE :—The last sentence has no application in years in which members of Congress are not to be elected. In other words, in all odd numbered years it must be ignored, in all even numbered years it must be strictly followed.)

Kemp v. Owens, 76 Md. 235.

It is also further provided that a person who shall have acquired a residence in a county or city in this State, entitling him to vote at an election, shall be entitled to vote in the election district from which he removed until he shall have acquired a residence in the part of the county or city to which he has removed. (Constitution of Maryland, Art. 1, Sec. 1.)

#### PERSONS WHO ARE NOT ENTITLED TO REGISTER.

No person above the age of twenty-one years, convicted of larceny or other infamous crime, unless pardoned by the Governor, shall be entitled thereafter to vote at any election in this State, and no person under guardianship as a lunatic or as a person non compos mentis shall be entitled to vote. (Constitution of Maryland, Art. 1, Sec. 2.)

Persons convicted of giving or offering to give, or receiving money or any other valuable things for votes, or convicted of giving or causing to be given an illegal vote, knowing it to be such, are disqualified from registering or voting. (Constitution of Maryland, Art. 1, Sec. 3.)

READ CAREFULLY SECTIONS 25, 26, 27, 28 AND 29.

In the next section you will find some instructions intended to aid you in determining whether an applicant



for registration has the qualifications, or labors under any of the disqualifications above set forth, and in connection therewith certain suggestions as to the way in which some of the entries upon the registries of voters ought to be made.

## SECTION IV.

### INSTRUCTIONS AS TO REGISTERING VOTERS.

Read section 16 of the Election Law carefully, and follow its directions strictly, also Sections 27, 28 and 29.

Every applicant for registration must be sworn, unless he says that he is conscientiously scrupulous as to taking an oath, in which case he must affirm. If he swears, enter the word "sworn" in the column on the registry headed "Sworn or Affirmed." If he affirms, write in the same column the word "Affirmed."

### POSTOFFICE ADDRESS.

Both postoffice address and residence are to be put in same column. (Sec. 16-5.)

### WHEN APPLICANT DOES NOT OCCUPY ENTIRE HOUSE.

In such cases, follow precisely the directions of sentence A, Section 16 of Election Law, the purpose of which is to render fraudulent registration easy of detection.

### RESIDENCE--WHAT CONSTITUTES RESIDENCE FOR VOTING PURPOSES.

The Court of Appeals defines a man's residence for voting purposes as "his actual home in the sense of his having no other home," whether he intends to reside there permanently or for a definite or indefinite length of time.

That is to say, a man should register where he lives. If he claims the right to register elsewhere, he must show that his home in the ordinary acceptance of the word "home" is somewhere other than at the place at which he physically dwells.

(See also 25 A, 25 B and 25 C.)

### LENGTH OF RESIDENCE REQUIRED IN STATE.

To qualify a man to vote, he must have been a resi-

dent of the State for the year next preceding the election. (Constitution of Maryland, Art. 1, Sec. 1.)

Election day in 1906 will be November 6th. No man therefore has a right to register unless he has his home in Maryland continuously since, at the latest, November 7th, 1905.

Mere temporary absence from the State during a portion of the year will not disqualify a citizen, provided, that his home in the ordinary meaning of the word "home" has not for some part of the year been outside the limits of the State.

See also Sections 27, 28 and 29.

LENGTH OF RESIDENCE IN COUNTY, LEGISLATIVE AND CONGRESSIONAL DISTRICT NECESSARY.

A voter should register in the precinct in which he has his home at the time of registration, provided he has been a resident of the county or legislative district of which such precinct forms a part, continuously since, at the latest, the day six months next preceding the election. In the years of Congressional elections; that is to say, in the year 1898, and every second year thereafter, he must furthermore have resided since the day six months preceding the election in the same Congressional District as that in which is the precinct in which he is living at the time of registration. If he has not been in the county or Legislative District, and when necessary in the Congressional District as well, since the day six months preceding the election, he must register in the last county, Legislative and Congressional District in which he lived for six continuous months, and in the precinct of it in which he last lived. (Constitution of Maryland, Art. 1, Sec. 1.)

Thus, for example, a man who may live in one precinct or district in Wicomico county until the first day of September, 1905, and shall then move into another district and take up his home in the latter, must register in the latter because he has not moved out of the county or Congressional district. On the other hand if he has moved to Worcester county at any time after May 17th, 1905, he will have to register in that district of Wicomico county in which he had his home before he moved to Worcester county.

In Baltimore city, a person moving from one of the counties or from one Legislative district to another, in any year within six months preceding the election, registers in the place from which and not in the place to which he moves.

The following table shows of what wards each Legislative District of Baltimore city is composed:

Wards, 1, 2, 3, 4, 5 and 6.. .....1st Legislative District.  
 Wards, 7, 8, 9, 12, 13 and 15.....2d Legislative District.  
 Wards, 10, 11, 14, 16, 19 and 20..3rd Legislative District.  
 Wards, 17, 18, 21, 22, 23, and 24..4th Legislative District.

(Chapter 602, 1902.)

In the years of Congressional elections, if a voter moves from one Congressional District to another, although he remains in the same Legislative District, he does not acquire the right to vote in his new home until he has been six months in it.

Whether a voter moves from one ward to another makes no difference, unless the ward from which and the ward to which he moves are in different Legislative or Congressional Districts. If the two wards are in the same Legislative and Congressional District he must register in the ward to which and not in the ward from which he moved.

A voter may move from one precinct in any one of these sections to another in the same section, and acquire the right to vote at once in the one in which he has last taken up his home. If in a year of a Congressional election he move from one of these sections to another, he will have no right to vote in the section into which he has moved, and consequently to register therein, unless by the day of election, he will have had his home for at least six months continuously in the section to which he has moved. If he has not had his home in the section to which he has moved for the length of time mentioned, he must register in the last precinct in which he lived in that section in which he last lived six months continuously.

The applicant after answering all questions shall be asked to sign his name under the column "Signature" in each register, if he cannot do so or declines the officers shall make the entry "Cannot Write" or "Declines" in the place for such signature. (See Sec. 16.)



## NATURALIZATION.

### WHO MUST BE NATURALIZED.

Every person born abroad, unless his parents were at the time of his birth American citizens, must before he can register have been naturalized in some way.

### WHO CAN BE NATURALIZED BY FATHER'S PAPERS.

If the father of a boy, who came to this country while the boy was under the age of sixteen years, is naturalized before the boy attains the age of twenty-one years, the boy is naturalized by his father's naturalization; provided the boy was at the time of his father's naturalization residing in the United States.

### WHO MAY BE NATURALIZED ON MINOR PAPERS.

Any person coming to this country while under the age of eighteen years may be naturalized after he has been in this country five years, without having made any previous declaration of his intention.

### WHO MUST MAKE PREVIOUS DECLARATION OF INTENTIONS.

Any person coming to this country after he has attained the age of eighteen years, before he can be naturalized, must have resided in this country at least five years, and have made a declaration of intention to become a citizen; that is, have taken out what are usually called first papers at least two years before he can be naturalized.

### WHEN FOREIGNER MUST PROVE HIS NATURALIZATION.

The ordinary proof of naturalization is the production of the applicant's naturalization papers or of his father's, if he claims to have been naturalized thereby. When the papers are produced, they will, of course, show on their face the court by which they were issued, and the date upon which they were issued; the name of the court, and the date of the papers must be entered upon the registers in the columns headed "Court" and "Date of Naturalization," respectively.

Papers need not be produced if a majority of the judges are satisfied that the applicant has been naturalized, and has been registered for the three years next preceding his application. In such last-mentioned case, however, the judges must be very careful to follow the law precisely and note upon the registers in the appropriate

columns, the name of the court and the approximate date by and at which the applicant claims to have been naturalized, and in the column headed "Remarks" the county or ward and precinct in which he says he was registered for three years next preceding his application. If the judges obey these requirements of law, any attempt to register under false claim of naturalization can be readily detected. (Art. 33, Sec. 16, sentence H.)

#### DISQUALIFICATION BY CONVICTION OF CRIME.

To disqualify by conviction of crime a person otherwise qualified to vote, three things must exist:

First—At the time of his conviction he must have been of the age of twenty-one years or upwards. No person who at the time of his conviction was under twenty-one years of age, is disqualified by such conviction from registering, when he attains the age of twenty-one years.

Secondly—He must be unpardoned. A pardon restores his right of citizenship.

Thirdly—The crime of which he was convicted must have been larceny or other infamous crime, or else bribegiving, offering to give a bribe, or bribe-taking, or illegally voting, or procuring others to illegally vote. (Constitution of Maryland, Art. 1, Secs. 2 and 3.)

#### WHAT ARE INFAMOUS CRIMES.

The place in which the person convicted has been confined in consequence of his conviction has nothing to do with determining whether the crime of which he was convicted was or was not infamous. He may have served ten years in the penitentiary for assault with intent to kill or to rape, and yet not be disqualified to register and vote when he gets out. On the other hand, an adult male, convicted of the most trifling larceny, and sentenced to a day or two in jail, will, unless pardoned, be disqualified for the rest of his life. All felonies at common law, or which were created by statute prior to the adoption of the present Constitution, in 1867, as well as certain non-felonious offenses against the administration of public justice, such as perjury, are infamous crimes. A list of the infamous crimes of most frequent occurrence are as follows :

#### INFAMOUS CRIMES.

1. Arson.

2. Bigamy.
3. Bribing juries or packing juries.
4. Breaking head or other portion of a tobacco hogs-head, with intent to evade laws relating to the inspection of tobacco.
5. Burglary.
6. Burning willfully any public building, church, academy, school-house, etc.
7. Carnal knowledge of a female child under fourteen years of age.
8. Counterfeiting. (Conviction must be in a Maryland and not in a United States Court.)
9. Embezzlement.
10. Forgery.
11. Incest.
12. Larceny.
13. Manslaughter.
14. Mayhem.
15. Murder.
16. Perjury.
17. Subornation of perjury.
18. Rape.
19. Robbery.
20. Sodomy.

Persons convicted of any of the above offenses after they reach the age of twenty-one years cannot be registered unless they have been pardoned. Breaches of the peace, disorderly conduct, assault, either common assault or assault with intent to commit felonies, are not infamous crimes in the eye of the law, and conviction of them although followed by a long sentence to the penitentiary, does not disqualify the person convicted. It is believed that the above instructions will cover almost all the cases with which the officers of registration will ordinarily have to deal. If the offense of which the applicant for registration has been convicted is not included in the above list of infamous crimes, the probability is that the voter is entitled to be registered. Upon any special case not covered by the above instructions, the counsel to the



Board of Supervisors of Election of your county will advise you.

#### CHALLENGERS AT REGISTRATION OFFICES.

Any voter may be present in any precinct of his county or city, and shall have the right to challenge any applicant for registration. You will perceive that the challenger may be any voter residing in the county or city in which you are sitting. He need not necessarily be a voter in your precinct or district. And each party or body of voters having a candidate or candidates duly nominated, may appoint a challenger and give him a commission signed by the candidates or the presiding officer of the county or city committee of his party. When the right of an applicant for registration is challenged, you will carefully and thoroughly inquire into his right to be registered. If a majority of you are satisfied that he is entitled to be registered, you will register him irrespective of the challenge. If no challenger is present or one or more challengers are present and do not challenge any applicant for registration, it will be none the less your duty to make certain that the applicant is entitled to be registered before registering him. (Art. 33, Sec. 19.)

#### OLD REGISTRATION BOOKS.

The old registries will be furnished you, to aid you in identifying voters. If any voter who applies to you to be registered is entered disqualified on the old books you cannot register him unless you are satisfied that the disqualification has been removed since the entry was made. (Art. 33, Sec. 17.)

#### POLICE CENSUS.

In Baltimore city the officers of registration will be furnished with a copy of the police census to be taken by the police shortly before the opening of registration. The fact that a person's name is found on the police census is, of course, no evidence that he is a qualified voter of the precinct, and you will be required to put to him all the questions the law prescribes and such others as may in your judgment tend to make clear to your mind whether or not he has a legal right to register in your election precinct or district. If his name is not on the police census, it will obviously be your duty

to inquire very carefully and precisely how it is that he claims to be a resident of the precinct, and yet was not found by the police in the precinct. If you are satisfied that he is a resident of the precinct, the omission of his name from the police census does not impair his right to registration. The absence of his name simply warns you to be doubly careful in your inquiries concerning him. (Art. 33, Sec. 18.)

NO APPLICANT TO BE ENTERED AS A QUALIFIED VOTER UNTIL MAJORITY OF REGISTERS ARE SATISFIED THAT HE IS ONE.

No person can be entered as a qualified voter upon the registries without the consent of a majority of the judges, that is to say, in the counties without the consent of the two judges acting as registers, in the city of Baltimore without the consent of at least three judges. While it is the right and duty of every judge when he really believes that an applicant is not entitled to register, to vote against registering him, yet no judge has the right, out of a mere whim or stubbornness or for any partisan purpose, to deny to an applicant for registration when he has no good ground to believe that the applicant is not qualified. Any judge who for any reason shall refuse registration to any person whom he believes to be entitled to register, is guilty of an offense which is severely punishable. On the other hand, no matter how clear in his mind any judge may be that an applicant is entitled to be registered, he must not enter him qualified upon his registration book unless a majority of the judges at his precinct decide that he is a qualified voter. Any judge making such entry is liable to all the penalties imposed by section 98 of Article 33. If a majority of the judges decide that an applicant for registration is a qualified voter, the word "Yes" must be written in the column headed "Qualified Voter." If a majority do not agree that he is a qualified voter, the word "No" must be written in that column and a red line drawn through his name and through all other entries concerning him, but in such manner that all the entries may be easily read. (Art. 33, Sec. 17, Paragraph 3.)

The requirements to write the word "Yes" or "No" in the column headed "Qualified Voter" opposite the name

of each voter is of great importance. Carelessness of officers of registration in this matter in the year 1896 and each year since then, cost a number of them each the loss of a day or more time in attendance at some one of the courts of Baltimore city, and put the city to an expense of hundreds of dollars.

AT CLOSE OF EACH DAY REGISTRIES TO BE COMPARED AND SIGNED.

At the end of each day of registration, the two registries shall be compared and made to agree, and each officer of registration having custody of a register, shall sign his name or initials immediately under the last name registered under each letter, so that other names cannot be fraudulently entered without discovery. (Art. 33, Secs. 17, 20.)

#### ALPHABETICAL LISTS.

Boards of Supervisors of Elections will furnish to the officers of registration blanks properly prepared, upon which the officers of registration shall enter the names, addresses and color of all persons registered, and a separate list of all persons refused registration, and of all persons whose names are erased from the registries. At the close of each session of the Boards of Registry in Baltimore city, except for revision only, the judges must deliver these lists to the police officer on duty at the registration office. (Art. 33, Secs. 17, 20.)

In the city the alphabetical lists for the sitting for revision only are to be returned to the Supervisors with the registries on the day following the sitting for revision only; that is to say; in the year 1906 on Wednesday, October 17th, 1906. (Sec. 23, Art. 33.)

In the counties the alphabetical lists for all the sittings shall be returned to the supervisors by noon of the second day after the sitting for revision only, that is in the year 1906, by noon of Thursday, October 18th. (Art. 33, Sec. 34.)

### SECTION V.

#### REVISION OF THE REGISTRIES.

NAMES IMPROPERLY REGISTERED TO BE ERASED—HOW SUSPECTED LIST MADE UP.

If at any of your sittings prior to your last sitting for



revision only, any voter of your ward or county shall go before you and make oath that he believes that any name upon your registration books is not that of a qualified voter, you must note that fact. (Art. 33, Sec. 19.)

Before separating on the last day for registering new names, that is in 1906, before separating on October 10th, in the City of Baltimore, and on October 19th, in the counties, you must make out two lists of all persons against whom any voter of your ward or county has made complaint under oath, as provided in section 19, and upon that list shall also be placed the names of persons who have been registered, but whom any of the registers suspect may have been improperly registered. You may omit from such list any name so complained of if your board is satisfied that such person is in fact a qualified voter. (Sec. 20.)

If, however, any one member of your board desires that any name so complained of shall be placed upon such list, it must be placed thereon. (Sec. 20.)

The two lists above mentioned shall be delivered to two of the members of your board of opposite political faith who shall on or before the Friday following, mail, duly stamped, to the addresses given upon the registry, a notice to each person named upon the lists mentioned above, to appear before the Board of Registry on the Tuesday next following and show cause why his name should not be erased from the registry. If such suspected person cannot be found at his registered address, the notice may be left there for him. The law provides that any such officer, or any person acting as such, who willfully neglects the duty above mentioned shall be guilty of a misdemeanor punishable by imprisonment for not less than six months nor more than twelve months. In case of the temporary disability of either of the two members to whom the suspected lists have been delivered, you must appoint a substitute, who shall be of the same political faith, and who shall perform all the duties of the officer temporarily disabled until the disability be removed. (Sec. 20.)

It is the duty of all of the officers of registration to inform themselves, so far as in their power, as to all persons whose names have been placed upon the suspected lists. (Art. 33, Sec. 20.)

At the last sitting of the Board of Registry, that is to say, in 1906, on Tuesday, October 16th, at the beginning of the sitting for revision, the officers to whom the lists of suspected voters were delivered shall make affidavit as to the mailing of the notices sent by them and to whom directed, and where, and as to whether or not they served the notices personally on each person on the suspected list, or served such notice by leaving the same at the place designated on the registry, as the residence of such person. (Art. 33, Sec. 21.)

#### WHAT TO BE DONE WHEN SUSPECTED VOTER APPEARS.

If a voter whose name was on the suspected list appears before the Board of Registry, the oath set forth in section 21, of the Act must be put to him. By the provisions of the Act this affidavit must be signed by the voter and sworn to before one of the Board of Registry. It must be preserved and returned with the registers to the Supervisors. The board then proceeds to further examine the suspected voter, and swear the officer of registration who has made the inquiry and hear him upon the question, and the board should also examine, under oath, any other person whom it thinks can give information on the subject. If, as a result of such examination, a majority of the judges are of the opinion that such person's name should be stricken from the registry it must be stricken off. The way in which names are to be erased is fully set forth in section 21 of the Act, which should be followed strictly. A memorandum of the date upon which such erasure was made and the grounds and evidence upon which it was made, must be entered in the column headed "Remarks." (Art. 33, Sec. 21.)

#### WHAT TO BE DONE WHEN SUSPECTED VOTER DOES NOT APPEAR.

If a voter who has thus been summoned does not appear his name must be stricken from the registry during the last hour of the sitting for revision, unless a majority of the Board of Registry are satisfied of their own knowledge or from competent testimony produced before them that the name of the voter is entitled to remain upon the books. (Art. 33, Sec. 21.)

## UNDER WHAT CIRCUMSTANCES MAJORITY VOTE OF THE REGISTERS IS NECESSARY.

No one can be registered unless a majority of the judges, that is to say, both of them in the county and three out of four in the city, are satisfied that he is a qualified voter. No person summoned to appear before the Board of registry as a suspected voter, who appears, can be stricken off unless a majority of the judges, that is to say, two in the county and three at least in the city, are satisfied that he ought to be stricken off. If, however, he does not appear, he must be stricken off unless a majority of the judges are satisfied that he ought to remain on the registries.

### LAST SITTING IS FOR REVISION ONLY.

A person who at one of the sittings for registration applied for registration but who was then determined by the Board of Registry to be disqualified, and was so entered upon the registries, may again apply at the sitting for revision only, and if the disqualification has been in the meantime removed, he may and must be entered as a qualified voter; but no person who has not applied during one of the sittings for new registration can be registered at the sitting for revision.

## SECTION VI.

### INTERMEDIATE REGISTRATION.

NOTE.—The subjects discussed under this head, except such portion of them as relate to transfers or removal certificates, are applicable to the counties only.

### WHEN AND HOW LONG REGISTERS SIT IN YEARS OF REVISION.

In years of revision in the counties, the registers sit for the first time on Tuesday, five weeks before the election, and for the second time on Tuesday four weeks before the election, from 8 a. m., until 7 p. m. (Art. 33, Sec. 30.)

### HOW VOTERS ARE REGISTERED AT INTERMEDIATE REGISTRATION.

To far as concerns persons who are to be registered for the first time since the beginning of registration in 1896, the method of procedure in years of intermediate registration is the same as in years of general registration.



WHEN AND WHERE REMOVAL CERTIFICATES OR TRANSFERS  
WILL BE REQUIRED.

In any year between 1897 and 1906, both inclusive, a voter registered in a precinct or district in a county who moves therefrom to another precinct or district in the same or in another county, or in the City of Baltimore, must produce a removal certificate showing that his name has been stricken off in the precinct in which he was registered before he can be registered in the precinct to which he has removed. A person registered in Baltimore in any year may in the next year register in any precinct in the State in which he is qualified, without producing a removal certificate, as there is a complete new and general registration in Baltimore City every year, (Art. 33, Sec. 30.)

GIVING TRANSFERS OR REMOVAL CERTIFICATE.

Application for a removal certificate for a person whose name is still unerased upon the registers can be made by that person only, as he must be sworn. If the name had already been erased, the removal certificate must be given to the voter himself, or to any one else making application therefor. (Art. 33, Sec. 30.)

ERASING NAMES IN YEARS OF INTERMEDIATE REGISTRATION. HOW SUSPECTED LIST MADE UP.

After the close of the session on Tuesday, four weeks before the election, the Board of Registry is required by section 32 to note for erasure the names of all persons whom they know or suppose to be dead or to have removed, or to be otherwise disqualified. In making out this list the judges are bound to treat as suspected all persons against whom complaint under oath has been made in the form set forth in section 32 of the Election Law, unless both members of the board know or are satisfied that such complaint is untrue. After noting these names, they shall make up a list of them under three headings; one "Disqualified Voters," under which shall be placed the names of all persons disqualified because of the conviction of infamous crime or having given or received bribes or who are otherwise disqualified. Under the list headed "Deceased Voters," shall be placed the names of all persons known or supposed to be dead, and under the list headed "Removed," all persons

supposed or known to have removed from their last voting place. (Art. 33, Sec. 32.)

#### SUSPECTED LIST INVESTIGATED AS IN YEARS OF NEW REGISTRATION.

The Clerk of the Board of Registry selected as in years of general registration by lot, shall proceed to notify the persons whose names are upon such suspected list, and to ascertain the facts concerning them in same manner as is required to be done with reference to the names upon the suspected list in years of general registration. (Art. 33, Sec. 32.)

#### PROCEEDINGS AT FINAL SITTING FOR REVISION.

In years of intermediate registration, the board holds a third and final sitting on Tuesday three weeks before the election, at which time they sit from 8 a. m. until 7 p. m. The Clerk of the Board of Registry shall make an affidavit, setting forth in detail the facts noted by him as to the persons on said suspected list, giving the names and addresses of those not found and names and addresses of those served with such notices by leaving the notice at the designated place of residence, stating how service was made, and also stating the names and addresses of all those to whom such notice was mailed and when mailed. The proceedings with reference to such names are substantially the same as those which are taken on the day of revision in years of new registration, with reference to names on the suspected list for that year, and are set forth in detail in section 30 of the Election Law. As in years of new registration the names of persons who appear before the board remain on the registries, unless both of the judges are satisfied they ought to be erased. The names of those persons who do not appear must be stricken off unless both judges are satisfied that they should remain on. In the column headed "Remarks" you must note upon your registries opposite each name erased by you the reason why you erased, the date you did it and the evidence upon which you acted. (Art. 33, Secs. 33, 34.)

#### SECTION VII.

##### REGISTRIES ALWAYS OPEN TO INSPECTION.

The Board of Registry when in session, and any member of it when not in session, who has actual custody of

the registry of voters, must permit its inspection by any one wishing to inspect it in the presence of the Board of Registry, or of the member or members of the board in whose custody at the time the registry may be, but not otherwise. The Board of Registry shall upon application furnish to any one a copy of any entry in the registry. (Art. 33, Sec. 39.)

## SECTION VIII.

### SUPPLEMENTARY REGISTRATION IN BALTIMORE CITY FOR MUNICIPAL ELECTION.

Section Seventeen of the new charter of Baltimore city, Act of eighteen hundred and ninety-eight, chapter 123, etc., provides for a sitting of the Boards of Registry in each precinct in Baltimore city on the first and second Mondays of April next preceding the biennial municipal election; that is on the first and second Mondays of every April in every odd-numbered year thereafter.

The Boards of Registry will sit from 9 a. m. to 9. p. m. They will be furnished with the original registries made out by them in September and October preceding.

So far as concerns the registration of applicants for new registration, they will proceed in all respects as they did on the days in which they sat for registration at the general registration. They will enter the name of each applicant upon the original registry made up in the preceding fall, and will make all the same inquiries and the same entries concerning each of said applicants as they are required to make of applicants presenting themselves for registration at the general registration, and will, in like manner, determine and enter upon the registry the qualifications or disqualifications, as the case may be, of each of said applicants.

The law further requires the Boards of Registry to strike from the registration books and lists the names of those persons who have died or become disqualified since the October sitting. The Board of Supervisors of Elections of Baltimore city may and doubtless will adopt regulations and issue instructions with reference to the procedure to be followed in carrying out the requirement to strike off the names of dead and disqualified persons. If such regulations and instructions shall be adopted, copies of them will, of course, be furnished to the judges of election in time for their guidance.



# PART II.

## Instructions to Judges of Election When Acting as Such.

### SECTION I.

#### Opening of the Polls.

##### HOURS FOR OPENING POLLS.

Baltimore city—6 a. m. to 5 p. m.

The counties—8 a. m. to 6 p. m. (Art. 33, Sec. 61.)

##### JUDGES MUST BE PUNCTUAL.

Absence or lateness of judge is an offense punishable by fine or imprisonment. (Art. 33, Sec. 105.)

##### JUDGES TO FILL VACANCIES AMONG JUDGES AND CLERKS.

If any judge or clerk is not present at the expiration of fifteen minutes after the time fixed for the opening of the polls, the judge or judges present shall fill the place of the absent judge or clerk by appointing in his stead a person of the same political party as the absentee. One of the judges administers to the newly-appointed judge or clerk the oath required of the judge or clerk originally appointed. (Art. 33, Sec. 61.)

##### JUDGE OR CLERK COMPELLED TO LEAVE POLLING ROOM MUST APPOINT SUBSTITUTE.

After the polls are opened, no judge or clerk can leave them until the ballots have been cast and counted and the returns completed. If absolute necessity compels the absence of judge or clerk, such judge or clerk before he leaves must appoint some person of the same political party as himself to act in his stead until his return, having first administered to such substitute the same oath that he himself has taken. Blank forms for the appointment of such substitute judges and clerks, and of the oath to be taken by them, will be furnished at each polling place by the Supervisors of Election. The oath administered shall be preserved and returned by the judges to the supervisors. A record shall be made by the judges in the poll book of the appointment and swearing in of such substitute, and the reason therefor, and of the time such substitute began and ceased to serve. When the judge or clerk in whose stead the substitute was appointed. returns, such substitute shall cease to act. (Art. 33, Sec. 61.)

#### JUDGES SHALL PERMIT INSPECTION OF BALLOT-BOX.

Precisely at 6 o'clock in the morning in the city; and precisely at 8 o'clock in the counties, the judges, before they receive any ballots, must open the ballot-box to be used. They take out of it the poll books, ballots and all the blanks and stationery which they find in it. Then they must permit all persons rightfully present to examine such ballot-box and every part thereof. (The persons rightfully present will be the officers of election, the challengers and such voters as may be waiting to vote.) When this examination has been completed the ballot-box shall then be locked, and the key delivered to one of the judges, and it shall not then be thereafter opened until the closing of the polls. (Art. 33, Sec. 65.)

#### POSITION OF BALLOT-BOX DURING THE ELECTION.

From the time the ballot-box is inspected until the closing of the polls, it shall be kept constantly in sight of all persons entitled to be present. It must be so placed in the room that the voter offering his ballot, and the judges and clerks and all persons entitled to be present can conveniently see every ballot as it is deposited therein. The ballot-box must be placed not more than six nor less than five feet from the guard rail. (Art. 33, Secs. 64, 65.)

#### WHEN PACKAGE OF OFFICIAL BALLOTS TO BE OPENED.

The sealed package of ballots from the supervisors must not be opened until after the ballot-box has been examined, closed and locked. (Art. 33, Sec. 65.)

#### BALLOTS TO BE EXAMINED WHEN OPENED.

When opened judges should look at endorsement on ballots to be certain that they have the ballots for their precinct and not for some other.

#### HOW EXTRA BALLOTS TO BE OBTAINED.

If the package of ballots when opened is found not to contain the correct ballots, or if at any time during the day the supply of ballots from any cause runs short, the judges must make a written requisition upon the sheriff in the counties, and upon the police commissioners in the city, for an extra supply of ballots, stating why they are needed. This requisition will be handed to the

deputy sheriff or policeman on duty at the polling place, and upon receiving it, he will immediately deliver the package of ballots in his custody to the judges, and take their receipt therefor. (Art. 33, Sec. 58.)

## SECTION II.

### POWERS OF JUDGES TO ORDER ARREST.

The judges of election and each of them have authority to keep the peace, and to cause any person to be arrested who has committed any breach of the peace or any breach of the election laws, or has interfered with the conduct of the election or the count of the ballots. It is made the duty of all officers of the law to obey the order of any judge of election; and an officer making an arrest by order of such judge will be protected in so doing as fully as if a warrant had been issued to him to make such arrest. It will be noted that any one of the judges can order the arrest. It is not necessary that a majority of the judges concur in the order. (Art. 33, Sec. 60.)

## SECTION III.

### CHALLENGERS AND WATCHERS.

#### RIGHTS AND DUTIES OF CHALLENGERS.

Each political party and body of voters having a candidate or candidates duly nominated, has the right to have a challenger and watcher at each polling place. It is the duty of the judges of election and the police to protect the challengers and watchers in the discharge of their duty. Each challenger should have a certificate signed by the candidates or by the presiding officer of the chief managing committee of his party in the city or county in which he claims to act. (Art. 33, Sec. 62.)

It may happen that a person claiming to be a challenger or watcher has no commission. In such cases he must be admitted if he shall be vouched for by the persons present belonging to the political party he claims to represent or by a judge belonging to that party. (Art. 33, Sec. 62.)

CHALLENGERS MAY BE REMOVED BY THE PERSON OR PERSONS APPOINTING THEM.

A challenger may be removed at any time by the same



person or committee or the chairman of the committee which appointed him. (Art. 33, Sec. 62.)

#### POSITION OF CHALLENGERS AND WATCHERS IN POLL-ROOM.

From the time the polls open until the time they are closed the challenger's position is in the poll-room outside the guard rail, but as near the judges as practicable so that he can see every person who offers to vote. (Art. 33, Sec. 57.) From the time the polls close until the returns are finally made up and all the work of the election completed, the challengers have the right to be behind the guard rail and take such positions as will enable them to see everything that is done and how it is done. (Art. 33, Sec. 62.)

#### PENALTY FOR EXCLUDING CHALLENGERS OR WATCHERS.

To refuse to permit the challengers to take the positions above prescribed is an offense punishable by a fine not exceeding \$1,000 or by imprisonment not exceeding one year, or by both. (Art. 33, Sec. 62.)

#### WHAT CHALLENGERS MUST NOT DO.

No challenger or watcher has any right to inquire or ascertain for whom any voter desires to vote or has voted, or to confer in the polling room with any voter, or to assist him in the preparation of his ballot. It will be the duty of the judges whenever a challenger or watcher does any of the things above stated to exclude such challenger or watcher from the polling room. The challenger or watcher will also be liable to criminal prosecution. (Art. 33, Sec. 62.)

#### WHEN CITIZENS MAY COME INTO POLL-ROOM TO CHALLENGE.

Persons other than challengers who desire to challenge the vote of any person inside the polling-room are permitted by law to enter the room for such purpose. The majority of the judges, however, may limit the number of persons allowed in the room for such purpose, and any person who enters the room for such purpose must leave it as soon as the right to vote of the person challenged has been decided. (Art. 33, Sec. 62.)

#### NO ELECTIONEERING WITHIN 100 FEET OF POLLING-ROOM.

No person is permitted to canvass or electioneer in the poll-room or within 100 feet thereof, nor can any

one hold any tickets or fac-simile of tickets or papers purporting to be tickets, either within the polling room or within 100 feet thereof. Any person so offending shall be fined not less than \$50 or more than \$100, or imprisoned in jail not less than sixty days, or both. It will be the duty of the judges of election to enforce this provision of law. (Art. 33, Sec. 109.)

#### VOTER MAY HAVE SAMPLE BALLOT WITH HIM.

A voter when coming into the poll-room to vote may take with him any printed or written memoranda or paper to assist him in marking or preparing his ballot except a fac-simile of the ballot to be voted. (Art. 33, Sec. 53.)

### SECTION IV.

#### HOW VOTES ARE TO BE RECEIVED.

##### DIVISION OF DUTIES AMONG THE JUDGES.

Two of the judges will handle the registers, another judge will have charge of the blank ballots, and the fourth will receive the ballots. (Art. 33, Sec. 66.)

##### WHAT IS TO BE DONE BEFORE VOTER ALLOWED BEHIND GUARD RAIL.

When a voter applies to vote, he shall give his name and residence to the judge holding the ballots. The judge shall then repeat the name in a loud and distinct voice. The judges having charge of the registries will then find the name of the voter upon them, and having found it, they repeat the name. The voter will then be allowed to pass the guard rail. If the name of the person desiring to vote cannot be found on the registries, no ballot can be given him. Remember, however, that as hereinafter explained, mis-spelling a name, an incorrect address or wrong initials on registries, do not disfranchise. (Art. 33, Secs. 66, 68.)

##### JUDGE HOLDING BALLOTS TO PUT VOTER'S NAME AND NUMBER ON COUPON AND JUDGE'S NAME OR INITIALS ON BALLOTS.

The judge holding the ballots then writes in ink the voter's name and number upon the coupon of the ballot, and his own name or initials upon the ballot itself. The number on the ballot will be the same which the clerks

enter upon their poll-books, and will be the next number to that put upon the ballot last issued, so that the numbers will run upwards from one consecutively, the first voter being numbered one, and so on. At this time the clerk shall enter the name of the voter, and his number upon their respective poll-books. The judge having charge of the ballots must be careful under no circumstances to omit entering his name or initials upon the ballot itself, and must be equally careful to put the voter's name and number upon the coupon only, so that when the coupon is detached there will be no trace of either the voter's name or number left on the ballot itself. (Art. 33, Sec. 66.)

The willful neglect of any judge of election in charge of the ballots to put his initials on every ballot given out by him is punishable by imprisonment in jail for not less than thirty (30) days nor more than three (3) years, or by a fine of not less than fifty (\$50) dollars nor more than one thousand (\$1,000) dollars, or by both fine and imprisonment. (Art. 33, Sec. 94.)

#### WHAT VOTER MUST DO WITH BALLOT.

After receiving his ballot the voter at once, without going outside the guard rail, proceeds alone to one of the booths or compartments and there prepares his ballot by marking it in the manner hereinafter mentioned. Not more than one voter shall be allowed to enter any one booth at the same time. He cannot stay in the booth more than seven minutes, provided any other voters are waiting to vote. Before leaving the voting booth the voter folds his ballot in the same way in which it was folded when he received it from the judges, and without displaying the marks thereon. The signature or initials of the judge from whom he received it, and the name and number written on the coupon will thus show, but nothing else. He forthwith hands his ballot to the judge at the ballot-box and gives his name and residence. (Art. 33, Sec. 66.)

#### WHAT JUDGES ARE TO DO WHEN VOTER HANDS IN HIS BALLOT.

The judge in charge of the ballot-box must satisfy himself that the voter who tenders the ballot is the same man who receives it from the judges. When so satisfied, the judge in charge of the ballot-box detaches therefrom



the coupon, and strings the coupon upon a cord or wire provided for the purpose and then deposits the ballot in the ballot-box. The judge at the ballot-box must make sure that each ballot handed to him has upon it the initials of the judge in charge of the ballots, for under the law, no ballot without such initials upon it can lawfully be deposited in the ballot-box.

Knowingly to put in the ballot-box any ballot without its having such initials upon it, or willfully to neglect to examine a ballot to find out whether it has or has not such initials upon it is an offense punishable by imprisonment for not less than thirty (30) days nor more than three (3) years, or by a fine of not less than fifty (\$50) dollars nor more than one thousand (\$1,000) dollars, or by both fine and imprisonment. (Art. 33, Sec. 94.)

When the ballot of a voter is deposited in the ballot-box the judges having charge of the registries, then in the column headed "Voted" in the same line with the name of the voter, write the word "voted" or letter "V." (Art. 33, Sec. 66.)

If there is no unused column headed "Voted" in the books of registry for the elections in 1904 and 1905, either columns must be ruled at such positions on the pages of the books of registry as the local Boards of Supervisors of Elections may direct, or columns must be ruled on slips of paper to be pasted on the different pages of the books of registry on which columns it may be designated whether the different voters vote at the elections of 1904 and 1905, 1906 and 1907.

It is for the local Boards of Supervisors of Elections to determine the position on the respective pages where these additional columns shall be ruled, and whether they shall be ruled on the existing pages, or upon slips of paper attached to such pages.

#### JUDGES AND CLERKS MUST STRICTLY FOLLOW THE LAW.

It will be the duty of the judges and clerks of election strictly to conform themselves to the requirements of the law. It is not open to them nor to anyone to say that the provisions of the law in any respect are unimportant. All the details prescribed by law must be strictly followed.

## WHAT VOTER MUST DO TO RECEIVE ASSISTANCE.

He must first make oath that he is unable to mark his ballot, either by reason of blindness or physical disability. (Art. 33, Sec. 67.)

## HOW ASSISTANCE IS TO BE GIVEN VOTERS.

(See instructions to clerks of election.)

## SECTION VI.

## SPOILED AND NOT VOTED BALLOTS.

## WHAT TO BE DONE WHEN VOTER SPOILS HIS BALLOT.

If a voter spoils his ballot he may get another, after he returns the spoiled one, but not before. The same number is put upon the coupon of the new ballot as was on the old one. No voter can receive more than three ballots. If he spoils all three he loses his vote. A ballot returned to the judge holding the ballots by the voter as having been spoiled, must be at once cancelled by the judge by endorsing the word "spoiled" upon it. The spoiled ballots shall be preserved and returned to the Supervisors of Elections along with the unused ballots. (Art. 33, Sec. 68.)

## WHAT TO BE DONE WHEN VOTER, AFTER RECEIVING A BALLOT, DECIDES NOT TO VOTE IT.

When a voter receives his ballot and does not vote it he must deliver it to the judge from whom he received it before leaving the poll-room or going outside the guard-rail, and such ballot so redelivered shall be treated as a spoiled ballot. (Art. 33, Sec. 63.)

## OFFICIAL BALLOTS NOT ALLOWED OUTSIDE OF GUARD-RAIL.

The judges must be careful never to permit anyone, under any pretext whatever, to take official ballots outside of the guard-rail. (Art. 33, Sec. 68.)

## SECTION VII.

## CHALLENGED VOTERS.

## WHEN CHALLENGE IS TO BE DECIDED.

Whenever a voter is challenged he must be allowed to receive his ballot and mark it. When he hands his ballot to the judge, and not before, the question whether he is or is not entitled to vote must be decided. (Art. 33, Sec. 68.)

## HOW CHALLENGE DECIDED.

The challenger shall be required to state his reasons for the challenge. The voter challenged shall be sworn and questioned. If a majority of the judges are of the opinion that he is the person who was registered, his vote shall be received. The judges have nothing to do with the question whether he was or was not entitled to be registered. Under the Constitution of the State, the fact that he has registered is, so far as the judges of election are concerned, conclusive of his right to vote; their business is simply to satisfy themselves that the person offering to vote is the person who registered. (Art. 33, Sec. 68.)

## JUDGES IGNORING CHALLENGE PUNISHABLE.

When a voter is challenged the judges must swear him and examine him as above directed. A failure or refusal to do so is a punishable offense. (Art. 33, Sec. 90.)

JUDGE MUST CHALLENGE VOTER HIMSELF IF HE KNOWS OR SUSPECTS HIM NOT TO BE THE PERSON HE CLAIMS TO BE.

If a judge knows or believes a person offering to vote not to be the person registered, he must challenge him himself, if no one else does. (Art. 33, Sec. 90.)

MISSPELLING OF NAME, WRONG INITIALS, ETC., DO NOT DIS-FRANCHISE VOTER.

The fact that a voter's name is wrongly spelled on the registry, or that he has given a wrong initial or more initials than he has or that one or more than one of his initials are omitted, or that he states his initials or Christian name in a different way from the way in which it is registered, or that there is an error in the number of his residence on the registry, shall not, the law expressly declares, affect his right to vote, if a majority of the judges are satisfied that he is the man who did actually register, and that he intended to register his true name and residence. (Art. 33, Sec. 68.)

MAJORITY OF JUDGES NECESSARY TO RECEIVE A CHALLENGED VOTE.

If a voter is challenged, his vote cannot be received unless a majority of the judges of election, that is to say, at least three, are satisfied that he has the right to vote. (Art. 33, Sec. 68.)



## WHAT TO BE DONE WITH REJECTED BALLOTS.

When a majority of the judges are not satisfied that a challenged voter is the person registered, his ballot must be rejected.

Whenever a ballot is rejected, the word "rejected" shall be written upon it by the judge at the ballot-box. That judge shall then return the same still folded, and with its coupon attached, to the judge holding the ballots. All ballots returned to the judge holding the ballots must be immediately strung by him upon a cord or wire, still folded, and with the coupon attached, and each endorsed upon the back with the words "spoiled," "rejected," or "not voted," as the case may be. All such ballots must be returned to the Supervisors of Elections, as hereinafter directed, (Art. 33, Sec. 68.)

## SECTION VIII.

## CLOSING THE POLLS.

Hours of closing polls—Counties, 6 p. m.; Baltimore City, 5 p. m. (Art. 33, Sec. 61.)

## WHAT TO BE DONE BEFORE BALLOT-BOX IS OPENED. ■

FIRST:—CHALLENGERS AND WATCHERS PERMITTED TO COME BEHIND GUARD-RAIL.

When the hour for the closing of the polls arrives, the polls shall be closed, and the challengers permitted to come behind the guard-rail. (Art. 33, Sec. 69.)

SECOND:—UNUSED BALLOTS SEALED UP.

Before the ballot-box is opened all the unused ballots must be sealed up and marked "unused ballots," and the signatures of the judges endorsed upon the package. (Art. 33, Sec. 69.)

THIRD:—COUPONS TAKEN OFF VOTED BALLOTS TO BE DESTROYED.

Before the ballot-box is opened, all coupons taken from the ballots cast shall be destroyed. You will perceive here that the coupons are not to be taken from the spoiled, rejected and not voted ballots. The coupons to be destroyed are the coupons which have been taken off the ballots which have been actually placed in the ballot-box. (Art. 33, Sec. 69.)

FOURTH:—JUDGE SHALL WRITE “NO” ON REGISTRIES AFTER EACH NAME NOT VOTED.

Before the ballot-box is opened the judges shall write in ink on their registries opposite to and against the name of each person entered on their registry, who is not shown by such registry to have been voted, and under the column headed “Voted” the word “No,” so that the whole column may be filled up. (Art. 33, Sec. 70.)

FIFTH:—COMPARE REGISTRIES AND COUNT AND ANNOUNCE NUMBER OF PERSONS WHO HAVE VOTED.

After the judges have filled up the column headed “Voted” as above directed, and before the ballot-box is opened, they must compare their registries and see that they agree, count the number of names of persons who have voted, and announce that number in a loud voice. (Art. 33, Sec. 70.)

## SECTION IX.

### COUNTING THE BALLOTS.

Election officials should read the decision of the Court of Appeals relating to the counting of ballots in the following cases: 94 Md., *Duvall v. Milier*, and 96 Md., *Coulehan v. White*, about to be published.

When the judges have completed all the above they are required to do, and not before, the ballot-box should be opened.

WHOLE NUMBER OF BALLOTS IN BOX TO BE FIRST COUNTED.

Before opening the ballots the whole number in the box must be first counted, and the number found therein proclaimed in a loud voice. (Art. 33, Sec. 71.)

### WHAT BALLOTS TO BE REJECTED.

Any ballots which are found deceitfully folded together shall be rejected, as must all non-official ballots found in the ballot-box. (Art. 33, Sec. 71.)

WHAT TO BE DONE WITH BALLOTS WITHOUT ENDORSEMENT OF JUDGE UPON THEM.

No ballot without the endorsement of the initials of the election judge, shall be delivered by the election judge to the voter, nor shall any ballot without such endorsement be received from any voter or be deposited in the

ballot-box. If, however, any such endorsed ballots are discovered in the ballot-box when the same is opened, after the close of the polls, to count the ballots, they shall be counted as ballots for the purpose of ascertaining the number of ballots cast, and the judges of election shall mark on the back of such ballot the word "Counted," and endorse their names. (Art. 33, Sec. 66.)

These unendorsed ballots, however, shall not be counted for any candidate in the count of the ballots. They shall be marked by the judges "Defective," and shall be enclosed in the package with other defective ballots. (Art. 33, Sec. 71.)

#### HOW THE COUNTING OF BALLOTS IS TO BE DONE.

When counting the ballots, the judge who calls off the ballot must be seated between two others, so that they can see the names and marks upon the ballot. In counting the ballots, the law expressly requires that the name of every person voted for upon a ballot and the office for which the vote is given him, shall be called out. (Art. 33, Sec. 71.)

And no vote shall be counted for any candidate opposite whose name no cross mark shall be placed.

#### INSTRUCTIONS FOR VOTERS.

The voter must make with an indelible pencil his cross mark (X) opposite the name of each candidate for whom he wishes to vote with the exception of candidates for the office of Presidential Elector. The voter may vote for Presidential Electors by making a cross mark (X) in the square opposite the name of each one of the persons (not more than 8 in number) for whom he wishes to vote. He may also vote for the 8 candidates for Presidential Elector of any political party by making his cross mark (X) in the square opposite the surnames of the candidates of the party of his choice for President and Vice-President. For example, a voter wishes to vote for the candidate of the Democratic party for Presidential Electors; he can do so by making a cross mark (X) in the square opposite the name of each one of the 8 Democratic candidates for Presidential Elector; he can also, if he prefers, make his cross mark (X) in the square opposite the names of the candidates for President and Vice-



President, and have his ballot counted for each one of the candidates for Presidential Elector, grouped under the names of three candidates. (Art. 33, Sec. 66.)

In case a question is submitted to a vote of the people, the voter may indicate his vote on that question by marking with an indelible pencil a cross mark (X) in the appropriate space on the ballot, against the answer he desires to make. (Sec. 66.)

If the voter has marked more names than there are persons to be elected to an office, or if there shall be any mark on the ballot other than the cross mark (X) in an appropriate space, or other than the name or names of any candidate written by the voter on the ballot as provided in section 53 his ballot shall not be counted. (Art. 33, Sec. 71.)

#### CHALLENGERS PERMITTED TO INSPECT ANY BALLOT.

In counting the ballots it shall be the duty of any of the judges if requested by any challenger or watcher to exhibit to such challenger or watcher any ballot cast, fully opened, or in such condition or manner that the challenger may read and fully examine the same, but the judges must under no circumstances allow any ballot to be taken from their hands. (Art. 33, Sec. 71.)

#### BALLOTS MUST BE STRUNG AS COUNTED.

(Art. 33, Sec. 71.)

#### PROCLAMATION OF RESULT OF COUNT BY JUDGES.

After the clerks have announced to the judges the total number of votes received by each candidate, each of the judges of election in turn shall then proclaim in a loud voice the total number of votes received by each person voted for, in such precinct, and the office for which he is voted for, and the number of votes for and against any proposition which shall have been submitted to the vote of the people. (Art. 33, Sec. 72.)

#### POLICE RETURNS.

In Baltimore City, immediately after the above-mentioned proclamation of the result of an election, the judges must deliver to a policeman on duty at the polling place a statement, subscribed with their names, which shall be sealed up and forthwith conveyed by said

policeman to the office of the Board of Police Commissioners. This statement shall contain the total number of votes in the ballot-box and the number of votes given for each and every candidate. (Art. 33, Sec. 72.)

## SECTION X.

### THE RETURNS.

#### MAKING UP THE RETURNS.

When the proclamation has been made of the result of the count, and the police officer has been furnished with the statement above mentioned, the judges proceed to make up the returns. These returns are to be made up in duplicate. If it is possible, each of these should be upon a single sheet of paper. If the number of candidates voted for make it impracticable to get all the names upon a single sheet of paper, more than one sheet may be used. (Art. 33, Sec. 73.)

#### WHAT RETURNS SHOULD CONTAIN.

The returns should be headed with the date of the election, name of the city or county, and the number of the ward, district and precinct. They should state at what hour the polls were opened and what hour closed, and the total number of votes cast, and then should follow the number of votes given for each candidate for each office, and the number of votes cast for and against each proposition submitted to the vote of the people. The number of votes must be written out in words, and not merely given in figures. Each statement must conclude with a certificate that is correct in all respects. The certificate must be signed by all the judges and both the clerks. If the returns are on more than one sheet or paper, the judges and clerks must sign their names on each sheet.

If any judge or clerk shall decline to sign the returns, he must make a written statement of his reasons for refusing so to do. And such written statement must be enclosed and returned with the returns themselves as below directed. (Art. 33, Sec. 73.)

#### RETURNS MUST BE SEALED UP.

So soon as the returns shall be completed, they shall each be enclosed in an envelope, and each of the en-

velopes shall be sealed with sealing wax or some similar material. Each of the judges and clerks shall write his name across the fold of the envelope. (Art. 33, Sec. 73.)

THESE ENVELOPES SHALL BE ADDRESSED AS FOLLOWS:

IN THE COUNTIES.

One to the County Commissioners.

One to the Clerk of the Circuit Court.

IN THE CITY.

One to the Mayor.

One to the Clerk of the Superior Court.

On the outside of each envelope shall be endorsed the statement that it contains the votes cast, and for what precinct, ward, district, city or county. (Art. 33, Sec. 73.)

TALLIES TO BE SIGNED AND SEALED UP.

Each set of tallies shall in like manner be signed and sealed up, and the envelopes containing them shall have the name of each judge and clerk written by such judge or clerk across its fold, and shall be endorsed with the statement that it contains the tallies, and for what ward, precinct, county or city.

One envelope containing the tallies shall be directed to the Register of Wills, and the other to the Board of Supervisors of Election. (Art. 33, Sec. 73.)

## SECTION XI.

WHAT IS TO BE PUT IN THE BALLOT-BOX AND HOW IT IS TO BE SEALED UP.

THE "SPOILED," "NOT VOTED," "REJECTED" AND "DEFECTIVE" BALLOTS.

The "spoiled" and "not voted" ballots are to be enclosed in a package to themselves, and the package endorsed "spoiled and not voted." The "rejected" and "defective" ballots shall then be enclosed in another package, and endorsed "rejected and defective." All of these ballots except the "defective" will have their coupons upon them, and their coupons must be allowed to remain upon them and must be returned undetached with them. (Art. 33, Sec. 74.)



BALLOTS CAST AND COUNTED, AND POLL BOOKS.

These two packages of ballots must be placed in the ballot-box (as must also be all the ballots cast and counted, and both the poll-books.) (Art. 33, Sec. 74.)

LOCKING AND SEALING BALLOT-BOX.

The ballot-box must then be locked and the key removed. A strip of paper upon which the judges shall have written their names must be then pasted over the slit through which the ballots are put into the box, the keyhole and the edge of the lid, so that the signatures will extend over the lid in such manner that the opening of the box will tear the paper and destroy the signatures, and so that when the key is inserted in the keyhole it will tear the paper so pasted over the keyhole. This slip of paper must be pasted on with sealing wax or other adhesive material. (Art. 33, Sec. 74.)

SECTION XII.

CUSTODY AND DELIVERY OF BALLOT-BOX AND RETURNS.

WHAT THE CITY JUDGES ARE TO TAKE WITH THEM WHEN THEY FINALLY SEPARATE AFTER THE COUNT.

One judge takes the ballot-box. A judge of the other political party takes the key and the sealed package of unused ballots. A third judge shall take one of the registries and one of the statements sealed up in an envelope. The fourth judge shall take the other registry and the other statement sealed up in its envelope.

Each of the clerks shall take one of the tally sheets sealed up in its envelope.

When all this has been done, and not before, the judges and clerks may separate and their meeting is finally dissolved.

JUDGES IN BALTIMORE CITY TO DELIVER BALLOT-BOX AND RETURNS BEFORE NOON OF DAY AFTER ELECTION.

Before noon of day after election the Baltimore City judges must deliver the election property and statements committed to them as follows:

Ballot-box to Supervisors of Election.

Key to Supervisors of Election.

Unused ballots to Supervisors of Election.

Registries to Supervisors of Election.

One envelope with returns to Clerk of Superior Court  
 One envelope with returns to Mayor of Baltimore.

And must take receipt therefor. It will be absolutely necessary for the judges to get these receipts, for the law expressly provides that no judge shall be paid for his services unless and until he produces such receipt. (Art. 33, Sec. 75.)

IN COUNTIES TWO OF THE JUDGES TAKE CHARGE OF  
 BALLOT-BOXES, RETURNS, TALLIES, ETC.

In the counties the Supervisors will designate in advance one of the judges who also acted as officer of registration to take charge of the ballot-box and its contents. The other judge who acted as register shall take the key and the sealed package of unused ballots. Each of said judges shall take one of the registries and one of the returns sealed up in its envelope, and one of the tally sheets sealed up in its envelope, and the meeting of the judges and clerks shall then be dissolved. (Art. 33, Sec. 75.)

RETURN OF BALLOT-BOX, KEY, RETURNS, ETC.

These two judges, shall, before 12 o'clock noon the second day after the election, that is to say, before noon Thursday following the Tuesday of the election, deliver the ballot-box and key, the package of unused ballots, and the registries, to the Supervisors of Election. One of the envelopes, containing the returns, they shall deliver to the Clerk of the Circuit Court, the other to the County Commissioners. One of the tallies in its envelope they shall deliver to the Board of Supervisors, the other to the Register of Wills. The judges charged with these deliveries must be careful to take receipt for whatever they deliver. (Art. 33, Sec. 76.)

# PART III.

## INSTRUCTIONS TO CLERKS OF ELECTIONS.

Clerks must be punctual in attendance. The clerks, like the judges, and under the same penalties, must attend promptly at the hour fixed for the opening of the polls, and must remain on duty until the returns are completed. Like the judges, a clerk may appoint a substitute to act for him if he is necessarily compelled to leave the poll-room during the election. Such substitute acts only until the clerk returns. As to the method of appointing such substitute full instructions are given under the heading of "Instructions to Judges."

### CLERKS MUST KEEP POLL-BOOKS.

Each clerk shall keep a poll-book. This poll-book will have one column headed "Number," and another headed "Name of Voter." The entries in these books must be made in ink. The name and number of each voter from one upward, consecutively, shall be written by the clerks in the poll-books at the time the voter obtains his ballot from the judge holding the ballots. If subsequently, the vote is rejected by the judges and is not deposited in the ballot-box, or the voter returns his ballot without voting it, the clerk shall draw a line through the name and number of such voter, and the next voter to receive a ballot will have his name numbered on the poll-book just precisely as if the voter before him had actually cast his ballot. After the name of each voter whose name was rejected, the clerks shall write on each of their poll-books the word "rejected." After the name of each voter who returns his ballot without voting it, the clerks shall write on each poll-book the words "did not vote." (Art. 33, Secs. 63, 68.)

### DUTIES OF CLERKS IN ASSISTING VOTERS.

After the voter entitled to assistance has made to the judges the oath required by him to be taken, it will be the



duty of the clerks to assist him if he so desires. One clerk, in the presence of the other, shall mark the ballot as indicated by the voter only, the voter himself naming one by one the candidates for whom he desires to vote, and not indicating them by a general designation as the candidates of any one political party. The ballot shall not be read to him. (See Sec. 67.)

Both judges and clerks are required, when swearing in, to make oath that they will not reveal information which they may obtain as to how any voter marked his ballot or directed how it was to be done. The terms of the oath are stringent and precise, and are violated by indicating or hinting in any way how any voter voted.

#### DUTIES OF THE CLERKS AT THE CLOSE OF THE POLLS— SIGNING NAMES ON POLL-BOOKS.

After the close of the polls and before the ballot-box shall be opened, each of the election clerks must write his name in ink in each of the poll-books immediately under the name of the last voter. (Art. 33, Sec. 70.)

#### DUTIES OF CLERKS DURING COUNT.

The duties of the clerks during the count shall be to tally the votes for each candidate, and on each side of each proposition voted on as the same shall be called out by the judges who are counting the ballots. When all the ballots have been called off the clerks compare their tallies together, and when they agree upon the number of votes received by each candidate, one of them shall announce the number of votes received by each candidate in a loud tone of voice. (Art. 33, Sec. 71.)

#### DUTIES OF THE CLERKS WITH REFERENCE TO THE RETURNS.

The clerks shall sign the duplicate returns. Like the judges, if these returns are on more than one sheet they must sign their names on each sheet. Like the judges, if either clerk declines to sign the returns, he must make out a written statement of the reason why he declines to sign, and must enclose this statement with the returns, and have it returned along with them. Like the judges, each clerk must sign his name across the fold of the envelope in which the returns and the tallies are sealed up, and, like the judges, he must sign each set of tallies. When this has been done, and the meeting of

the judges and clerks has been dissolved, the clerks in the counties will have no further duties. In Baltimore city the clerks must take charge of and return the envelopes containing the tallies to the officials to whom they are respectively directed before twelve o'clock noon of the day after the election, and must take receipt therefor; that is to say, one of the clerks will have to deliver his envelope to the Board of Supervisors of Election and the other clerk to the Register of Wills. The clerks must be particular to get receipts for these envelopes, for the law expressly provides that they shall not be paid unless they produce such receipts. (Art. 33, Secs. 73, 75.)

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# FORMS OF BLANKS,

Which Supervisors are to Have Printed in Sufficient  
Quantities to Supply Each Registration and  
Polling Room.

PREPARED BY THE ATTORNEY GENERAL OF  
MARYLAND.

In Accordance with the Provisions of Section 120 of Article  
33 of the Code of Public General Laws.

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# REGISTRATION FORMS.

## SUMMONS.

To the Sheriff or to any Constable of . . . . . County,  
Greeting:

You are hereby commanded to summons . . . . ., who resides at . . . . . to appear before us, the Board of Registry, of the . . . . . election precinct of the . . . . . district of said county, to testify on the . . . . . day of . . . . . 190 . . . , at . . . . . M., in the matter of registering (or erasing the name of) . . . . . which matter is now pending before us as such Board of Registry.

In Testimony Whereof, witness our hands and seals this . . . . . day of . . . . ., 190 . . .

.....  
.....  
Board of Registry for the . . . . . precinct of the . . . . . district of said county.

## ATTACHMENT.

To . . . . . Esq., Sheriff of . . . . . County, or to any Constable of . . . . . County, Greeting:

We, the Board of Registry for the . . . . . election precinct of the . . . . . district in said county, hereby command you to take the body of . . . . . who resides at . . . . ., in . . . . . and him or her immediately have before us, as such officers of registration, to answer a contempt of our authority, as such officers of registration, in not being present at our office ( . . . . . ) on the . . . . . day of . . . . .

Here insert place of said office.

190 . . . , and in not answering to his name when called to testify in the matter of registering (or erasing) the name of . . . . . upon the registers of this precinct, after having been legally summoned to testify then and there and therein.

In Testimony Whereof, witness our hands and seals as such Board of Registry, this . . . . . day of . . . . . 190 . . .

.....  
.....  
Board of Registry for the . . . . . election precinct of the . . . . . district of . . . . . county.

COMMITMENT BY BOARD OF REGISTRY.

State of Maryland,..... County, to Wit :  
 To the Sheriff of.....County, Greeting:  
 You are hereby commanded to receive the body of  
 ....., who is committed for trial before the Cir-  
 cuit Court of ..... County, for the offense of  
 .....

Here set forth as nearly as you can in the language of the law the  
 exact offence for which you have committed him.

at or around the place of registration of the names of  
 qualified voters of the.....election precinct of the.....  
 district of said county, and him, the said ..... safely  
 keep in your custody in jail, until he shall be thence dis-  
 charged according to law; thereof fail not at your peril.

In testimony whereof, witness our hands and seals this  
 ..... day of ....., 190..., as the Board of Registry  
 for the ..... election precinct of the ..... district  
 of said county.

..... (Seal.)  
 ..... (Seal.)

Board of Registry for the ..... election precinct  
 of the ..... district of ..... county.

SUBSTITUTE OFFICER OF REGISTRATION.

Oath to be Taken By.

I, ..... residing at ..... in the county of  
 ..... in the State of Maryland, do solemnly swear  
 (or affirm) that I am a legal voter in the ..... precinct  
 of the..... district of the county of ....., in said  
 State; that I will support the Constitution of the United  
 States and that I will be faithful and bear true allegiance  
 to the State of Maryland and support the Constitution  
 and laws thereof, and that I will faithfully and honestly  
 discharge the duties of an officer of registration and of  
 judge of election for the ..... precinct of the.....  
 district of the county of ....., in the State of  
 Maryland, according to the best of my ability; and I do  
 further swear (or affirm) that I will not attempt to as-  
 certain, save in cases and in the manner in which I am  
 authorized by law so to do, for what candidate or candi-  
 dates any person shall vote or has voted, on any question,

which may be or may have been submitted to the vote of the people, and if such knowledge shall be acquired by me, I will not directly or indirectly, by word or act, divulge or reveal the same or aid in doing so, save when I may be required to do so by law in some legal proceeding.

.....

Signature of Substitute Register

Sworn and subscribed before me, an officer of registration and judge of election of said precinct, this..... day of ....., 190....

.....

SUBSTITUTE OFFICER OF REGISTRATION.

Note of Appointment to be Made in Registers.

It is hereby noted that on this ..... day of..... 190..., at the hour of ..... M., ..... was appointed by me, a member of the Board of Registry, to take the place of ....., a regular officer of registration, who was then compelled to absent himself for the following reason (.....) and I do hereby further certify that <sup>Here insert Reason.</sup> before acting as such officer of registration, the said substitute officer of registration took and subscribed the oath below set forth, and the said substitute officer of registration served until the ..... day of ....., 190., at the hour of.....

.....

Member of the Board of Registry of the .....precinct of the ..... district of the ..... county.

OATH.

To be Taken by Applicant for Registration.

In the presence of Almighty God, you do solemnly promise (or affirm) that you will fully and truly answer all such questions as shall be put to you, touching your place of residence, name, place of birth, your qualifications as a voter and your right as such to register and vote under the laws of this State.

PETITION TO COURT.

By Applicant for Registration Refused Registration.

.....vs.....

Board of Registry of the .... election precinct of the .... district of ..... county.



To the Honorable, the Judges of said Court :

I, ....., in the presence of Almighty God, do solemnly declare that I did on ....., make application to the Board of Registry of the ..... election precinct of the ..... district of the ..... county, and that said Board of Registry refused to register me as a qualified voter in said precinct, and that I am a duly qualified voter, entitled to vote at the next election.

(.....)

Here voter signs his name.

Subscribed and sworn to before me, a Justice of the Peace of the State of Maryland, in and for the county aforesaid, this ..... day of ....., 190...

....., J. P.

OATH.

Of Person Who Asked That a Name be Erased From the Registry.

“I,....., a voter of ..... county, in the presence of Almighty God, do solemnly declare that I believe..... who professes to reside at ....., is not a qualified voter in the ..... precinct of the ..... district of the ..... county, on the ground” (here state grounds).....

Subscribed and sworn to before us, the Board of Registry of said precinct, this ..... day of ....., 190...

.....  
.....

NOTICE.

To Persons Whose Names Are on Suspected List.

To .....

Dear Sir—You are hereby notified to appear before the Board of Registry for the ..... election precinct of the ..... district of ..... county, on Tuesday next, the ..... day of October, 190..., between the hours of 8 a. m. and 8 p. m. on said day, and then and there show cause, if any you have, why your name should not be erased from the registry of said precinct.

By order Board of Registry of the ..... precinct, of the..... district of the ..... county.

.....  
Clerk of Board of Registry.

AFFIDAVIT.

By Clerk of Board of Registry, Showing Services of Notices by Him.

State of Maryland, County of....., to-wit:

"I....., clerk of the Board of Registry of the..... election precinct of the ..... district of the ..... county, do hereby, in the presence of Almighty God, solemnly declare (or affirm) that I have, in accordance with law, mailed notices to the following persons, addressed to the residences below set forth, opposite the name of each of said persons, requiring such persons and each of them to appear before the Board of Registry of said precinct on Tuesday, October..... between the hours of 8 a. m. and 8 p. m. to show cause, if any they have, why their names should not be erased from the registry."

Name: Address to which notice was mailed:

.....  
 .....

And I do further, in the presence of Almighty God, declare (or affirm) that upon the following persons I served a duplicate of said notice personally, namely,....., and that upon the following persons I served said notice by leaving the same at their registered addresses, which addresses are below set forth opposite the name of each of said persons:

Name. Address.

.....  
 .....  
 .....

Clerk to the Board of Registry of..... Precinct.

Sworn and subscribed before me, a judge of election and officer of registration of the..... election precinct of the..... district of the.....county, this ....day of October, 190...

OATH

Of Voter Whose Name Was on the Suspected List, but Who Appears Before the Board of Registry to Show Cause Why His Name Should Not be Stricken Off.

I, in the presence of Almighty God, do solemnly declare that I am a citizen of the United States, and that I have

resided in the .....precinct.....of the.....district of the .....county, in the State of Maryland, from the..... day of ..... 190..., up to the .... day of ..... 190..., and that I have not since acquired a later residence, giving me a right to vote elsewhere.

Sworn and subscribed before us, the Board of Registry of said precinct, this ..... day of October, 190...

OATH.

Of Voter Who is Charged With Having Been Convicted of Infamous Crime.

I, in the presence of Almighty God, do solemnly declare that I am a citizen of the United States, and that I have resided in the ..... precinct of the ..... district of the ..... county, in the State of Maryland, from the ..... day of ....., 190..., up to the ..... day of ....., 190..., and that I have not since acquired a legal residence giving me a right to vote elsewhere, and that I have never been convicted of any infamous crime since I arrived at the age of twenty-one years (or that although I was convicted of an infamous crime, I was pardoned by the Governor of Maryland, on or about the ..... day of ..... 190...)

Subscribed and sworn before us, the Board of Registry of said precinct, this ..... day of October, 190..

CERTIFICATE.

To be Subscribed at the End of Each Registry at the Close of the Session for Revision in October.

We, the undersigned, constituting the Board of Registry of the ..... precinct of the..... district of the ..... county, in the State of Maryland, do jointly and severally certify that at the general registration of voters in said precinct, closed on this ..... day of..... there were registered by us in said precinct the names which in this registry are entered, and that the number



of registered and qualified voters was and is the number of .....

.....  
.....

Dated this ..... day of October, 190...

REMOVAL CERTIFICATE.

.....Precinct, (..... District of ..... County) or .... Ward of Baltimore City.

This is to certify that the name of..... heretofore residing at....., in this precinct, has been stricken from the registers of the precinct and the proper erasure made, and that upon the registers of this precinct the following entries appear with reference to him:

- Name.....
- Age.....
- Color.....
- Residence.....
- Nativity.....
- Time of residence in precinct.....
- Time of residence in county (or in ward and city).....
- Time of residence in State.....
- Naturalized.....
- Date of papers.....
- Court.....
- Qualified voter.....
- Date of application.....

Board of Registry of said Precinct.

Board of Supervisors of <sup>or</sup> Election of..... County.  
(Or of Baltimore City.)

Affidavit Printed on Back of Removal Certificate, and to Be Taken by Voter When His Name is Stricken Off the Registry at His Request.

I, ....., in the presence of Almighty God, do solemnly declare (or affirm) that I now reside at..... in..... county; that I am the same person who is entered by that name as a qualified voter in the registries of the .... precinct of the .... district of.....county; that I have removed from the said last-mentioned residence, and I do

request that the proper entries and records be made, and that my name be erased from the registries of said last-mentioned precinct, and that a removal certificate be furnished me at this time.

.....  
Subscribed and sworn to before us, the Board of Registry of the said precinct, this.....day of.....190...

.....  
.....

# NOMINATION FORMS.

## CERTIFICATE OF NOMINATION.

By a Convention, for an Office to be Filled by the Voters  
of An Entire County.

We, the undersigned, presiding officer and secretary of the convention for the nomination of a candidate of the ..... party, for the office of ..... hereby certify that ..... residing at ..... in the county of ....., whose business is ..... and whose address is ....., was duly nominated for the office of ..... by the ..... party convention of ..... county, held on the ..... day of ....., 190...

That the said convention represents a party which, at the last general election held in this State, polled more than one per cent. of the entire vote cast in the said county.

That the said convention was held at ..... in ..... county.

Witness our hands this ..... day of ....., 190...

Whose residence is at ..... } Presiding officer  
Whose business is ..... } of the  
Whose place of business is at ..... } said convention.

Whose residence is at ..... } Secretary  
Whose business is ..... } of the  
Whose place of business is at ..... } said convention.

State of Maryland, County of....., to Wit :

On the. .... day of ....., A. D., 190..., before me, the subscriber, one of the Justices of the Peace of the State of Maryland, in and for the county aforesaid, personally appeared ....., and ....., the presiding officer and secretary, respectively, of the.....



..... party convention, held in the county aforesaid, and acknowledged the foregoing certificate of nomination to be their respective act, and their signatures thereunto to be genuine.

....., J. P.

Note—The certificate of a nomination by a primary election will be in substance the same, except that the persons whose duty it may be by party usage to declare the result of such primary election must be the persons to make the certificate. Each of said persons must add to their signatures their respective places of residence, their business and business addresses, and each of them must acknowledge the certificates before some officer authorized to make such acknowledgments.

Certificates of nomination for offices to be filled by the voters of particular portions of the county, or of a municipality, shall be in the same form as above with necessary changes to make them applicable to the precise facts of each special case.

\*CERTIFICATE OF INDEPENDENT NOMINATION.

To the Board of Supervisors of Election:

We, the undersigned voters in the county of....., do hereby certify that we do nominate....., who resides at....., in said county, whose business is...., and whose address is....., for the office of..... we do further certify that we and each of us intend to vote for the said person nominated hereby; we do further certify that said candidate so nominated hereby is the candidate of the .....party. Witness our hands this.....day of....., 190...  
Name of voter..... Residence of voter .....  
Occupation of voter .... Place of business of voter.....  
State of Maryland, County of....., to-wit:

I, ....., do solemnly swear (or affirm) that each of the persons whose names are signed to the above certificate of nomination are known to me to be registered voters of the district or precinct in which they respectively reside, and that I personally saw each of said signers sign such certificate of nomination.

.....

I hereby certify that the above affidavit was sworn and subscribed before me this ..... day of ....., 190..., and that the said affiant is personally known to me.

....., J. P.

Note—If some of the persons who sign any particular certificate did so in the presence of one person and others in the presence of another, the affidavits of each of them must specify which of the voters so signing the said certificate of nomination signed in the presence of the persons so making affidavit with reference thereto.

The above form of Independent Nominations is certainly applicable in the counties of the State. Chapter 296 of the Acts of 1912 attempts to prescribe a different rule for Baltimore City. It is believed that this provision in this Act will be held invalid by the Courts because the TITLE of the Act does not disclose the purpose to make the regulation attempted as required by Article 3, Section 29, of the State Constitution

DECLINATION OF A CANDIDATE.

To the Board of Supervisors of Election for the County of .....

I, ....., heretofore nominated by the ..... party for the office of ....., do hereby decline said nomination.

Witness my hand this ..... day of ..... , 190... State of Maryland, County of ....., to wit :

I, ....., a Justice of the Peace of the State of Maryland, in and for the county aforesaid, do hereby certify that on this day of..... , before me personally appeared..... personally known to me to be the person referred to in the above declination and the person who signed the same, and acknowledged that the said declination was his act.

....., J. P.

CERTIFICATE OF NOMINATIONS.

To Fill a Vacancy by a Committee Empowered by a Convention to Fill Such Vacancy.

To the Board of Supervisors of Elections :

We, the undersigned, chairman and secretary of the ..... committee of the ..... party of the ..... county, do hereby certify that at the convention of the said party, held on the ..... day of ....., the said committee was authorized to fill vacancies which might happen among the nominees of the said convention; that a vacancy has occurred in the candidate of said party for the office of..... the said vacancy being caused by the ....., that the name of the person originally nominated for such office was.....and that the office for which he was so nominated was...., and we do further certify that at a meeting of the said committee held on the.....day of....., 190..., in pursuance of the power and authority conferred upon said committee by the said convention, the said committee has nominated.....for the said office of....., residing at .....in the county aforesaid, whose business is ....., and whose address is.....

Witness our hands this.... day of ...., 190..

Test:

.....

Whose residence is at.....	}	Chairman of the said Committee.
Whose business is.....		
Whose place of business is at.....		
.....		
Whose residence is at.....	}	Secretary of the Committee.
Whose business is.....		
Whose place of business is at.....		
.....		

Note—The said certificate is to be acknowledged by the chairman and secretary, respectively, in the same manner as the original certificate of nomination was acknowledged by the presiding officer and secretary of the convention which made the original nomination.



# ELECTION FORMS.

## APPOINTMENT AND OATH OF SUBSTITUTE JUDGE OR CLERK.

In Place of Judge or Clerk Not Present, Within Fifteen  
Minutes After the Opening of the Polls.

We, the judges of election of the ..... precinct of the ..... district of ..... county, present at such polling place, ..... appointed a judge (or clerk) of election for said precinct, not having attended at such polling place at the opening of the polls, or within fifteen minutes thereafter, do appoint ....., as judge (or clerk) of election in the place and stead of the said ....., so absent, we having first administered to him, and he having taken and subscribed the oath below set forth; that is to say:

I, ..... residing at ....., in the county of ....., in the State of Maryland, do solemnly swear (or affirm) that I am a legal voter in the ..... precinct of the ..... district of the county of ..... in said State, that I will support the Constitution of the United States, and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and laws thereof, and that I will faithfully and honestly discharge the duties of an officer of registration, and of judge of election for the ..... precinct of the ..... district of the county of ..... in the State of Maryland according to the best of my ability; and I do further swear (or affirm) that I will not attempt to ascertain, save in cases and in the manner in which I am authorized by law so to do, for what candidate or candidates any person shall vote or has voted on any question which may be, or may have been, submitted to the vote of the people, and if such knowledge shall be acquired by me, I will not directly or indirectly, by word or act, divulge or reveal the same, or aid in do-

ing so, save when I may be required to do so by law in some legal proceeding.

In testimony of which appointment having been made, and said oath having been taken and subscribed, we do hereunto subscribe our names.

.....  
.....  
.....  
.....

APPOINTMENT AND OATH OF SUBSTITUTE  
JUDGE OR CLERK.

Made by Judge or Clerk Compelled to Absent Himself from the Polls.

I, ....., a judge (or clerk) of election for the ..... precinct of the ..... district of ..... county, being compelled by ..... to absent myself from ..... <sup>Here insert reason of absence</sup> the polling place of said precinct, do hereby appoint in my place and stead..... to act as judge (or clerk) until my return, I having first administered to him the oath following:

I, ....., residing at ....., in the county of ....., in the State of Maryland, do solemnly swear (or affirm) that I am a legal voter in the ..... precinct of the ..... district of the county of..... ...., in said State; that I will support the Constitution of the United States, and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and laws thereof, and that I will faithfully and honestly discharge the duties of an officer of registration and of judge of election for the ..... precinct of the ..... district, of the county of ....., in the State of Maryland, according to the best of my ability; and I do further swear (or affirm) that I will not attempt to ascertain, save in cases and in the manner in which I am authorized by law so to do, for what candidate or candidates any person shall vote or has voted, on any question, which may be, or may have been, submitted to the vote of the people, and if such knowledge shall be acquired by me, I will not, directly or indirectly, by word or act, divulge or reveal

the same or aid in doing so, save when I may be required to do so by law in some legal proceeding.

Sworn and subscribed before me this ..... day of...  
....., 190...

NOTE ON POLL-BOOK OF APPOINTMENT OF SUBSTITUTE JUDGE OR CLERK.

Form of Note on Poll-Book of Appointment of Substitute Judge or Clerk of Election.

Note :—At the hour of ..... precisely..... was appointed and sworn in as substitute judge (or clerk) of election in the place of....., who (here state reason of absence), and said substitute began to serve at precisely ..... , and ceased to serve at precisely...  
.....

.....  
.....  
.....  
.....

Judges of Election.

COMMITMENT BY JUDGE OF ELECTION.

State of Maryland,.....County, to Wit :

To the Sheriff of ..... County, Greeting :

You are hereby commanded to receive the body of....  
....., who is committed for trial before the Circuit Court of ..... county for the offense of.....

Here set forth as nearly as you can in the language of the law the exact offense for which you have committed him.

and him, the said....., safely keep in your custody in jail until he shall be thence discharged according to law thereof; fail not at your peril.

In testimony whereof, witness our hands and seals this  
..... day of ....., 190..

.....  
.....  
.....  
.....

Judges of election for the ..... precinct of the...  
..... district of the ..... county.

Note—If only one judge signs the commitment it is valid; in that case however, he should make the necessary change in the language of the commitment to conform to the facts.



AFFIDAVIT OF VOTER.

Who Needs Assistance Because He is Suffering From Physical Disability of Some Kind.

State of Maryland,..... County, to wit :

I, ....., whose registered address is ..... in the presence of Almighty God, do solemnly declare (or affirm) that I am unable to mark my ballot because.....

Here state the special physical disability which incapacitates the voter. and that such disability has existed for ..... years and ..... months.

Subscribed and sworn to before the undersigned, this ..... day of November, 190..

Judge of election for the ..... precinct of the..... district of the ..... county.

STATEMENT ON RETURN.

To be Made in Duplicate by the Judges of Election of Result of Election.

We, the undersigned judges and clerks of election for the..... precinct of the..... district of the ..... county in the State of Maryland, do hereby certify that at the election held on this ..... day of November, 190., that the polls of said precinct were open at the hour of ..... a. m. and were closed at the hour of..... p. m., and that at said election at said precinct the whole number of votes cast for ..... was (.....) and the whole number of

Here write out numbers in words.

votes cast for ....., for elector for President and Vice-President of the United States was (.....

Here write out numbers in words.

(and in like manner for each of the other candidates for each office.)

And we do further certify that the above statement is correct in all respects.

Witness our hands this ..... day of November, 190...

.....  
.....  
.....  
.....

Judges of Election.

.....  
.....

Clerks of Election.

Affidavit Before Clerk of Court of a Voter Removing  
From State.

State of Maryland ..... County or City of Baltimore, set: I hereby certify that on this ..... day of ....., 190., before the subscriber, Clerk of the Circuit Court for ..... County, (or of the Superior Court of Baltimore City), personally appeared ....., and made oath (or affirmation) in due form of law, that up to the day of ..... or thereabouts, he was an actual resident and inhabitant of the ..... election district of ..... county, or of the ..... precinct of the ..... ward ..... of the ..... Legislative District of Baltimore city, and that on or about the ..... day of ..... he removed from his said domicile or place of residence in said county or city, and took up his domicile, habitation, dwelling place or abode out of the State of Maryland, to wit (in here insert minute and definite description of the place of abode) that when he so removed out of the State he had a fixed and definite purpose to return thereto by a certain time, and that he did not intend, by such removal to change his residence within the State, or to return, or not to return to this State, as circumstances thereafter might make expedient; sworn to before me (signature of clerk, seal of court.)





# INDEX TO ELECTION LAWS AND INSTRUCTIONS.

## A

### ADVERTISEMENT—

	Sec.	Page.
Names, judges and clerks originally appointed, etc .....	11	8
Time and place of registration and election.....	12	9-10
Nominations.....	39-44	39
Name of new nominee, etc.....	50	42
Precinct boundaries.....	125	87
ALTERATION OF BALLOTS .....	53	44
Punishment for.....	93	74

### ANNAPOLIS—

City of, revision of registration books in.....	38	38
-------------------------------------------------	----	----

### APPOINTMENT—

Of supervisors of election.....	1	3
Of clerks.....	6	5
Of messenger . . . . .	6	5
Of judges and clerks of election...	7	5
Of judges and clerks of election—notification of.....	9	7
Of judges and clerks of election—record of.....	9	7
Of judges and clerks of election—notice of.....	11	8
Of judges and clerks of election—complaints against.....	11	8
Of substitute registration officers	37	37
Of substitute judges and clerks..	61	54

### APPEALS—

From boards of registry.....	24	22
------------------------------	----	----

### ARRESTS—

Judges of election may order . . .	60	53
------------------------------------	----	----

	Sec.	Page.
ASSISTANCE—		
How to be rendered voter.....	67	58
When and how voter may receive	67	58
ATTORNEY-GENERAL—		
Member of Board of State canvassers.....	85	69
To prepare instructions for registration and election officers....	121	84
To prepare instructions for voters	122	85
ATTORNEY—		
To supervisors, employment and compensation of.....	123	86
AUTHORITY—		
Of judges of election to keep peace, etc. ....	60	53
Of registration officers to keep peace, etc.....	15	11
Of registration officers to summon witnesses... ..	15	11
ALPHABETICAL LISTS.....	16	13
B.		
BALLOTS—		
To be provided by supervisors.....	5	5
Printing of ballots and expense of same.....	52	44
Supervisors to provide ballots, etc	53	44
What to contain.....	53	44
Alteration of ballot by voter.....	53	44
Mistakes in printing of ballots...	53	44
Form and arrangement of ballots	54	46
Printing of sample copies of ballots.....	57	50
Number of ballots to be provided.	58	51
Delivery of ballot, ballot-boxes, etc., to judges of election.....	58	51
Delivery of ballots to sheriffs of counties.....	58	52
Delivery of ballots to Board of Police Commissioners of Baltimore City.....	58	51

	Sec.	Page.
Duties of sheriffs and Board of Police Commissioners.....	59	52
Record of ballots printed.....	59	52
Spoiled.....	68	59
Returned.....	68	59
Rejected.....	68	59
Count of.....	69	61
Rejected, return of.....	74	64
Spoiled, return of.....	74	64
Marking of.....	66	57
BALLOT BOXES—		
Construction of.....	52	44
Position of at elections.....	64	56
Sealing of, after close of polls.....	74	64
Custody of, after close of polls....	75	64
Concealing or destroying.....	103	78
BALTIMORE CITY—		
Annual registration.....	25-26	24-25
Primary elections.....	—	95-108
BETTING ON RESULT OF ELEC- TIONS.....		
	112	81
BOARD OF POLICE COMMISSION- ERS OF BALTIMORE CITY—		
Detail of police.....	15	11
To distribute ballot-boxes and bal- lots.....	52	44
Delivery of ballots to.....	52	44
Delivery of registers, etc., to....	52	54
BOUNDARIES OF ELECTION DIS- TRICTS, ETC.....		
	124	87
BREACHES OF THE PEACE—		
Penalty for causing.....	101	77
BOOTHES FOR VOTING—		
Form and construction of.....	64	56
C.		
CANDIDATES—		
Entitled to be present at sessions of Canvassing Board.....	79	66
CANVASSING BOARDS.....	77	66
CANVASS OF VOTES.....	80	67



	Sec.	Page.
CARDS OF INSTRUCTION—		
Supervisors to furnish . . . . .	122	85
CERTIFICATE—		
Of Board of Registry . . . . .	23	21
Of removal . . . . .	30	33
Of nomination . . . . .	41	39
Of nomination—filing of . . . . .	43	40
Of nomination—reservation of . . . . .	46	41
Of nomination, time of filing . . . . .	46	41
CHALLENGING—		
Of jurors in trial of offenses . . . . .	119	83
CHALLENGE—		
Applicants for registration . . . . .	19	18
Rights of citizens . . . . .	62	54
Voters . . . . .	68	59
CHALLENGERS AND WATCHERS	62	54
CLERKS OF ELECTIONS—		
Duties of . . . . .	63	55
CLERKS AND JUDGES—		
Appointment of . . . . .	7	5-10
CLERKS TO BOARD OF REGISTRY	21	19
CLERKS TO BOARD OF SUPERVISORS—		
Appointment of . . . . .	6	5
CLERKS OF COURTS—		
Duties of, under this Article . . . . .	81	67
COUNT OF THE BALLOTS . . . . .	69	61
CONTESTED ELECTIONS—		
For Comptroller, judges and clerks of Courts and Register of Wills	127	89
Of other officers . . . . .	128	89
Mode of proceedings . . . . .	129	89
Appeals . . . . .	130	90
For the Senate or House of Dele- gates—procedure . . . . .	131	90
CONGRESS—		
Representatives in . . . . .	150	93

	Sec.	Page.
CONVENTIONS—		
Nominating.....	40	39
CONSTITUTIONAL AMENDMENTS		
Proposed.....	51	43
CONSTABLES—		
Fees for summonses.....	15	11
COMPLAINTS OF PERSONS RE-		
FUSED REGISTRATION.....	24	22
CONGRESSIONAL DISTRICTS.....	152	93
CONSTRUCTION OF BALLOT-		
BOXES.....	52	44
COPIES OF THE ARTICLE—		
Price of, etc. ....	120	83
COMPLAINTS AGAINST APPOINT-		
MENT OF JUDGES AND		
CLERKS OF ELECTION.....	11	8
COUNSEL-GENERAL—		
Appointment of, by Board of Su-		
pervisors of Baltimore city.....	123	86
COMPENSATION—		
Of supervisors of Election.....	2	3
Of Clerks of Board of Supervi-		
sors.....	6	5
Of messenger, City of Baltimore.	6	5
Of additional assistants.....	6	5
Of sheriffs.....	116	82
Of judges.....	116	82
Of clerks.....	116	82
CRIMES—See “Offenses and Pen-		
alties.”		
CRIMES—Infamous.....		143-144

## D.

## DELIVERING—

Ballots to Sheriffs of counties.....	58	51
Ballots to Board of Police Com-		
missioners of Baltimore City...	59	52
Registers, etc., to Sheriff and		
Board of Police Commissioners	59	52

	Sec.	Page.
DEFINITION—		
Of the words “Election” and “Pre- cinct” .....	118	83
DECLINING NOMINATION .....	49	42
DEATHS—		
Males over 21 years to be report- ed monthly to Supervisors .....	13	10
DECEASED AND DISQUALIFIED PERSONS—		
Erasure of names.....	32	35
DISTRICTS—		
Election, boundaries of.....	124	87
Congressional.....	152	93
DUTIES—		
Of sheriffs.....	58	51
Of Board of Police Commissioners of Baltimore city.....	58	51
Of officers of the law.. ..	60	53
Of clerks of election .....	63	55
Of judges of elections.....	65	57
Of Supervisors of Elections to prosecute crimes.....	115	82
Of Attorney-General in regard to this Article.....	120	83
Of Secretary of State in regard to this Article.....	120	83
Of registration officers.....	14	10
DISQUALIFICATION BY CONVICT- TION OF CRIME.....	—	143-144
E.		
ELECTIONS—		
Supervisors of.....	6	5
Special—Judges and clerks for..	7	5
Judges and clerks of.. ..	7	5
Notice of time and place of.....	14	10
Municipal or charter, regulated by local law....	14	10
Special—Registry for.....	38	38
Time and manner of delivery of registers, ballot-boxes, etc., to sheriff and Board of Police Com- missioners... ..	59	52



	Sec.	Page.
Authority of judges of election...	60	53
Duty of officers of the law.....	60	53
Time of opening and closing polling places.....	61	54
Absence of judges and clerks at time of opening the polls.....	61	54
Substitute judges and clerks and appointment of the same.....	61	54
Challengers and watchers.....	62	54
Rights of citizens not accredited challengers, or watchers to challenge.....	62	54
Duties of clerks to keep poll-books	63	55
Voting booths and regulations regarding same.....	64	56
Position of ballot-box.....	—	155
Persons permitted within the rail	64	56
Expense of booth and guard-rail	64	56
Duties of judge at opening of polls.....	65	57
Manner and details of casting vote.....	66	57
Physical disability of voter.....	67	58
Spoiled ballots.....	68	59
Returned ballots.....	68	59
Mode of challenging.....	68	59
Mistakes in registering, etc., not to disqualify.....	68	59
Rejected ballots.....	68	59
Declaration of result by judges...	72	62
Returns.....	73	63
Declaration of result by board of canvassers.....	82	68
False returns.....	92	74
Documents, ballots, etc., concealing, destroying, etc.....	95	75
Instructions, Attorney-General to prepare.....	121	84
Instructions, Secretary of State to furnish same to Board of Supervisors..	122	85
District boundaries of.....	124	87

	Sec.	Page.
Contested .....	127-143	89-92
<b>ELECTION OF REPRESENTATIVES IN CONGRESS.....</b>	<b>150-151</b>	<b>93</b>
<b>ELECTORS—</b>		
Presidential—election of.....	144-149	92
Presidential—in case of a tie, Gov- ernor to appoint.....	146	92
Presidential—meeting of.....	148	92
Presidential—vacancies, how filled	148	92
Presidential—Time of meeting..	149	93
<b>EMPLOYEES—</b>		
Employees, to be allowed 4 hours in which to vote.....	89	73
<b>ERRORS IN RETURNS, ETC.—</b>		
Correction of.....	83-84	68-69
<b>EXPENSES—</b>		
Of ballots and ballot-boxes, etc....	52	44
Of voting booth and guard-rail...	64	56
Of printing and clerical help....	120	83
<b>EXEMPTION FROM JURY DUTY—</b>		
Of judges and clerks of election...	9	7
<b>EXAMINATION OF JUDGES AND CLERKS.....</b>	<b>9</b>	<b>7</b>
In Garrett county.....	10	7
<b>ELECTION FORMS.....</b>		<b>186-191</b>
<b>F</b>		
<b>FALSE RETURNS OF ELECTION...</b>	<b>92</b>	<b>74</b>
<b>FALSE SWEARING.....</b>	<b>97</b>	<b>76</b>
<b>FEES—</b>		
State's Attorney's.....	9	7
Sheriff's.....	15	11
Constables' .....	15	11
<b>FILING CERTIFICATES—</b>		
Of nomination.....	43	40
Of nomination—time of.....	46	41
<b>FORM AND ARRANGEMENT OF BALLOTS.....</b>	<b>54</b>	<b>46</b>
<b>FORMS OF BLANKS TO BE USED..</b>		<b>187-191</b>

	Sec.	Page.
G.		
GARRETT COUNTY—JUDGES AND CLERKS EXEMPT FROM EXAMINATION .....	10	7
GENERAL COUNSEL—		
Appointment of, by Board of Supervisors of Baltimore city.....	123	86
GENERAL REGISTRATION.....	17	14
GOVERNOR—		
To appoint supervisors.....	1	3
Removal of supervisors by .....	3	4
To appoint supervisors to fill vacancies.....	4	4
To issue commissions to persons elected.....	86	70
I.		
ILLEGAL VOTING .....	88	72
ILLEGAL BALLOTS—		
Putting same in ballot-box.....	93	74
INTIMIDATION OF VOTERS .....	87	71
INSTRUCTIONS—		
To officers of registration and elections to be prepared by Attorney-General .....	120	83
(See page 134)		
To be printed and distributed to supervisors by Secretary of State.....	120	83
To officers, etc., Secretary of State to fix price for sale of same.....	120	83
To voters, preparation and distribution of.....	121	84
INSTRUCTION OF REGISTERS....	39	38
INTERMEDIATE REGISTRATION..	30	33
Time of meeting, etc... ..	30	33
Additional meeting of.....	30	33
INTERFERENCE—		
With officers of registration.....	87	71
With judges and clerks of election	89	73



	Sec.	Page.
With officers of registration, penalty for.....	102	77
With judges and clerks of election, penalty for .....	102	77
IRREGULARITIES—		
In giving notice of election.....	114	81
INFAMOUS CRIMES.....	—	143-144
INSTRUCTIONS TO CLERKS OF ELECTIONS.....	171	173

## J.

## JUDGES AND CLERKS OF ELECTION—

Number of.....	7	5
Qualification of.....	7	5
Appointment of .....	7	5
For special election.....	7	5
Nomination of, and veto by supervisor.....	8	6
Notification of appointment of.....	9	7
Record of appointment of.....	9	7
Exemption from jury duty of.....	9	7
Refusing to serve after appointment and penalty therefor.....	9	7
Fee for State's Attorney for recovery of penalty.....	9	7
Examination of.....	9	7
Term of office of.....	9	7
Jury duty—Exemption from.....	9	7
Advertisement of appointments of	11	8
Complaints against appointments of .....	11	8
Appointments to fill vacancies of..	11	8
Oath of office of.....	11	8
Report of vital statistics to.....	13	10
Penalty for failure to scrutinize list	21	19
Absence or disability of .....	21	19
Absence at time of opening the polls .....	61	54
Appointment of substitutes.....	61	54
Neglect of duty of. ....	94	75

	Sec.	Page.
JUDGES OF ELECTION—		
Delivery of ballots to.....	58	51
Authority to preserve order, etc...	60	53
Duties of, at opening of polls.....	65	57
Failure to receive lawful votes.....	91	74
Disobeying lawful command of...	100	76
JURORS—		
Challenge of, in trial of offenses..	119	83
L.		
LIST OF REGISTRATION .....	17	14
M.		
MANNER AND DETAILS OF VOT- ING.....	66	57
MANNER OF SELECTING JUDGES AND CLERKS OF ELECTION...	7	5
MAPS—		
Of Baltimore city to be provided by supervisors .....	126	89
MESSENGERS—		
Compensation of.....	6	5
MISCELLANEOUS PROVISIONS—		
Written oaths. ....	117	82
Definition of the words “Election” and “Precinct”.....	118	83
Time of giving notice falling on Sunday, etc.....	118	83
Trials of offenses against provis- ions of this Article.....	119	83
Duties of Attorney-General in re- gard to this Article.....	120	83
Duties of Secretary of State in regard to this Article.....	120	83
Expenses of printing and clerical help .....	120	83
Prices of copies of this Article to be fixed by the Secretary of State.....	120	83
The Attorney-General to prepare election instructions .....	121	84

	Sec.	Page.
The Secretary of State to furnish said instructions to Boards of Supervisors of Election.....	121	84
Supervisors of Election to furnish cards of instruction, specimen ballots, etc.....	121	84
Employment of an attorney for the counties by Supervisors of Boards of Elections.....	123	86
Appointment of general counsel by the Board of Supervisors of Baltimore city.....	123	86
Boundaries of election districts and wards.....	124	87
Boundaries of precincts.....	126	89
Maps of Baltimore City showing boundaries of wards and precincts to be provided by Supervisors of Elections.....	126	89
MISTAKES—		
In printing ballots.....	53	59
In registering.....	68	59
MODE OF CHALLENGING.....	68	59
MODE OF REGISTRATION.....	17	14
MUNICIPAL ELECTIONS—		
Regulated by local law.....	14	10
N.		
NEW GENERAL REGISTRATION IN THE COUNTIES—		
Time of.....	25	24
NEGLECT OF DUTY—		
Of judges and clerks of election and officers of registration.....	94	75
NOMINATIONS—		
Of judges and clerks of election...	8	6
Conventions.....	40	39
Primaries.....	40	39
Party emblem.....	41	39
Certificate of.....	41	39



	Sec.	Page.
Other than by convention or primaries.....	42	39
Filing of certificates.....	46	41
Preservation of certificates.....	45	41
Time of filing certificates.....	46	41
Certificate of Secretary of State to supervisors....	47	41
Publication of list of nominations	48	41
Declining.....	49	42
Filling vacancies caused by death or declination.....	50	42
Proposed constitution, constitutional amendments, etc.....	51	43
NOTICE—		
Of appointment of judges and clerks of election.....	11	8
Of time and place of registration	14	10
Of time and place of election.....	14	10
Of time and place of election—irregularities in giving.....	114	81
NUMBER—		
Of Supervisors of Election.....	1	3
Of judges and clerks of election...	7	5
Of ballots to be provided.....	58	51
NATURALIZATION.....		142
NOMINATION FORMS.....		183-186
O.		
OATH OF OFFICE—		
Judges and clerks of election.....	11	8
OATH OF REGISTRATION—		
Form and details of.....	17	14
OATHS—		
To be written.....	117	82
OFFICE OF SUPERVISORS OF ELECTION.....	5	5
OFFICERS OF THE LAW—		
Duties of.....	60	53

	Sec.	Page.
OFFENCES—See also Penalties.		
Registering and attempting to register illegally.....	87	71
Intimidation etc., of persons having lawful right to register.....	87	71
Interference, etc., with officers of registration....	87	71
Voting and attempting to vote illegally.....	88	72
Intimidation, etc., of qualified voters.....	88	72
Interference, etc., with judges and clerks of election.....	88	72
Punishment for keeping false poll-list votes, etc.....	90	74
False returns of election.....	91	74
Putting illegal ballots in ballot-box	92	74
Punishment for alteration, etc., of ballots during canvass of same.	93	74
Neglect of duty of judges and clerks of election and officers of registration.....	93	74
Concealing, destroying and mutilating records, ballots or other election documents.....	95	75
False swearing and affirming.....	97	76
Inducing others to swear or affirm falsely.....	98	76
Voting or offering to vote of persons convicted of crime.....	99	76
Penalty for disobeying lawful command of judges of election.....	100	76
Penalty for causing breaches of the peace, etc.....	101	77
Penalty for interfering with officers of registration, judges and clerks of election, challengers, etc.....	102	77
Concealing or destroying ballot-boxes, ballots, etc.....	103	78

	Sec.	Page
Penalty for allowing persons to register without a majority of board of registry being present	104	78
Penalty for allowing persons to vote without a majority of the judges of election being present	104	78
Penalty for absence of judges and clerks of election during election hours.....	105	79
Penalty for absence of officers of registration during registration hours .....	105	79
Destroying or defacing certificate of nomination.....	106	79
Destroying or removing booth supplies, etc .....	107	79
Showing ballot, making false statement of disability, etc.....	108	80
Destroying or defacing ballots, etc	109	80
Retaining possession of official ballot, etc.....	109	80
Electioneering within 100 feet of polling place.....	109	80
Introducing liquors into any place of registration or election, etc..	110	80
Selling or otherwise disposing of liquors on days of election.....	111	81
Betting or wagering upon the result of election.....	112	81
Marching of soldiers within view of place of election.....	113	81
Irregularities in notice of conduct of registration or election.....	114	81
Duties of Supervisors of Election to prosecute offenses.....	115	82
Challenge of jurors in trial of .....	119	83
P.		
PARTY EMBLEM.....	41	39
PENALTY—		
For disobeying lawful command of judges of election.....	100	76
For causing breaches of the peace	101	77



	Sec.	Page.
For interfering with officers of registration, judges of election, etc.....	102	77
For allowing persons to register without a majority of board of registry present.....	104	78
For allowing persons to vote without a majority of Judges of Election present.....	104	78
For absence of officers of registration during registration hours	105	79
For absence of judges and clerks of election during election hours .....	105	79
For destroying certificate of nomination.....	106	79
For destroying booth supplies, etc	107	79
For showing ballot, etc.. .....	108	80
For destroying or defacing ballots, etc.....	109	80
For retaining possession of official ballots, etc.....	109	80
For electioneering within one hundred feet of polling place . . . .	109	80
For introducing liquors into places of registration or election.....	110	80
For selling liquor on days of election . .....	111	81
For betting or wagering on result of election.....	112	81
For marching of soldiers near places of election.....	113	81
PHYSICAL DISABILITY OF VOTER	67	58
PLACES OF REGISTRATION—		
Appointment of.....	12	9
POLICE CENSUS OF VOTERS. ....	18	17
POLL LIST FALSE.....	90	74
POSTING OF SAMPLE COPIES OF BALLOTS.....	57	50
POSITION OF BALLOT-BOXES AT ELECTIONS .....	64	56

	Sec.	Page.
POLLING PLACES—		
Appointment of.....	12	9
Time of opening and closing.....	61	54
Absence of judges or clerks at time of opening.....	61	54
Duties of judges at opening of....	65	57
Primary elections .....		95-96
PRINTING BALLOTS .....	52	44
PRESIDENTIAL ELECTORS.....	144	92
PRIMARIES.....	40	39
PRECINCTS—		
Definition of.....	118	83
Boundaries of.....	124	87
Size of, in Baltimore city.....	124	87
PUBLIC BUILDING—		
Use of.....	5	5
PUBLICATION OF LIST OF NOM- INATIONS .....		
Subdivision of .....	48	41
	125	87
Q.		
QUALIFICATIONS—		
Of supervisors of election . . . . .	1	3
Of judges and clerks of election..	7	5
Of voters.....	3	136
QUALIFYING OF SUPERVISORS OF ELECTION .....		
	3	4
R.		
REGISTRATION—		
Board of registry—how constitu- ted.....	15	11
Board or registry—authority and duties of.....	15	11
Sheriffs—Fees for summonses ...	15	11
Constables—Fees for summonses..	15	11
Board of Police Commissioners, City of Baltimore—Details of police, etc.....	15	11
Registry books—Custody of.....	16	12
Registry books—Form of.....	16	12

	Sec.	Page.
Registry books—To be provided by Board of Supervisors.....	5	5
Registry books—Inspection of....	39	38
Registry books—Copies of entries to be furnished.....	39	38
Place to be appointed by Supervisors.....	12	9
Notice of time and place of.....	14	10
Rules and regulations for.....	14	10
Preservation of order during.....	15	11
Police census of voters.....	18	17
Absence of judges or clerks.....	21	19
For Annapolis.....	38	38
<b>NEW GENERAL REGISTRATION.</b>		
In the counties.....	25	24
In Baltimore city.....	26	25
First sitting—Time of.....	17	14
Procedure.....	17	14
Challenge of applicants.....	19	18
Second, third and fourth sittings—		
Time of.....	20	18
Procedure.....	20	18
Notice to suspected disqualified voters.....	21	19
Scrutiny of lists.....	21	19
Absence of judge or clerk.....	21	19
Fifth sitting—Time of.....	22	20
Procedure.....	22	20
Revision of registries.....	22	20
Return of registers.....	23	21
Registry-list to be printed and sold	23	21
Appeals from board of registry...	24	22
<b>INTERMEDIATE REGISTRATION.</b>		
First and second sittings.....	30	33
Removal certificate.....	30	33
Noting for erasure.....	19	18
Third sitting—for revision.....	33	36
Hearing of applicants.....	34	36
Return of registers to supervisors.....	34	36
Registry list to be printed and sold	35	37



	Sec.	Page.
Appeals .....	36	37
Absence of judge or clerk.....	37	37
REGISTRY BOOKS—		
Custody of.....	16	12
Form of.....	16	13
REGISTERING—		
Mistakes in.....	68	59
Illegally.....	87	71
REVISION OF REGISTRY.....	22	20
REMOVAL—		
Of supervisors.....	3	4
Of clerks and messengers.....	6	5
Of judges.....	11	8
REPRESENTATIVES IN CON- GRESS—		
Election of.....	150	93
Election of to fill vacancies.....	151	93
RECORD—		
Of appointment of judges and clerks of election.....	9	7
Of ballots printed.....	58	51
Of statement of Board of State Canvassers .....	86	70
RETURNED BALLOTS.....		161
REJECTED BALLOTS.....	68	59
RETURNS OF ELECTION.....	73	63
False.....	92	74
REFUSAL TO SERVE—		
Judges and clerks of election.....	9	7
REPORT—		
Of vital statistics to board of reg- istry .....	13	10
RIGHTS OF CITIZENS TO CHAL- LENGE.....	62	54
RULES AND REGULATIONS NOT IN THIS ARTICLE (SUPERVI- SORS TO MAKE).....	14	10
REMOVAL CERTIFICATES.....	30	33
Removal from State.....	27	29
Residence . . . . .	27	29
REGISTRATION FORMS.....	175	182

S.	Sec.	Page.
SAMPLE COPIES OF BALLOTS—		
Posting of . . . . .	57	50
SECRETARY OF STATE—		
Certificates of nomination to be filed with . . . . .	43	40
To preserve certificates of nomination . . . . .	45	41
To certify to supervisors' names of nominees . . . . .	47	41
To certify to supervisors' proposed constitutional amendments, etc	51	43
Duties of, as a member of the Board of State Canvassers . . . . .	85	69
To have printed and distributed Attorney-General's instructions	120	83
To furnish instructions to voters to Board of Supervisors . . . . .	121	84
SELLING LIQUOR ON DAYS OF ELECTION—		
Penalty for . . . . .	111	81
SHERIFFS OF COUNTIES—		
Fees for summonses . . . . .	15	11
Delivery of ballots to . . . . .	58	51
Duties of . . . . .	58	51
Delivery of registers, etc., to . . . . .	59	52
SOLDIERS—		
Marching of, near places of election . . . . .	113	81
SPOILED BALLOTS . . . . .	68	59
SPECIMEN BALLOTS . . . . .	121	84
SPECIAL ELECTIONS—		
Judges and clerks for . . . . .	7	5
Registry for . . . . .	38	38
STATE CENTRAL COMMITTEES TO NOMINATE SUPERVISORS		
	1	3
STATE'S ATTORNEY'S FEES . . . . .		
	9	7

	Sec.	Page.
SUNDAY—		
Time of notice falling on.....	118	83
SUSPECTED PERSONS.....	21	19
SUPERVISORS OF ELECTIONS—		
Appointment of.....	1	3
Number of.....	1	3
Style of.....	1	3
Qualifications of.....	1	3
State Central Committee to designate candidates.....	1	3
Compensation of, and payment of same.....	2	3
Expenses, payment of.....	2	3
Appointed by Governor, previous to passage of this Article, to hold office.....	4	4
Qualifying of.....	4	4
Organization of.....	3	4
Terms of office of.....	3	4
Removal of.....	3	4
Filling vacancies in.....	4	4
Use of public buildings.....	5	5
To provide office, ballot-boxes, ballots, books, etc.....	5	5
Clerks—appointment and compensation of.....	6	5
Messenger (City of Baltimore) appointment and compensation of.....	6	5
Additional assistants and compensation of same.....	6	5
Appointment of judges and clerks when.....	7	5
To give notice by advertisement of names of judges and clerks appointed.....	11	8
To remove unfit judges or clerks.....	11	8
To appoint place of registration and polling place.....	12	9
To give notice of time and place of registration and election.....	14	10



	Sec.	Page.
To furnish names of deceased persons.....	13	10
Majority to decide all questions...	14	10
To make rules and regulations for conduct of registration and elections.....	14	10
To furnish copies of list of persons registered.....	23	21
To publish nominations.....	48	41
To publish proposed constitutional amendments, etc.....	51	43
To post sample copies of ballots...	57	50
To provide voting booths.....	64	56
Custody of ballot-boxes.....	76	65
To constitute a board of canvassers	78	66
To prosecute offenses.....	115	82
To furnish cards of instruction....	121	84
To furnish specimen ballots.....	121	84
To employ an attorney.....	123	86
To establish precincts.....	124	87
In Baltimore city, to furnish maps of wards and precincts.....	126	89
To subdivide election districts and precincts.....	124	87
SWEARING FALSELY.....	97	76
SUBSTITUTE REGISTRATION OFFICERS—		
Appointment of.....	37	37
SUBSTITUTE JUDGES AND CLERKS—		
Appointment of.....	61	54
SUBDIVISION OF ELECTION DISTRICTS AND PRECINCTS.....		
	124	87
T.		
TERM OF OFFICE—		
<small>REGISTERS</small> Of supervisors of election.....	3	4
<small>CLERKS</small> Of judges and clerks.....	9	7
TIME OF DELIVERY—		
Of registers, etc., to sheriffs and Board of Police Commissioners.	59	52

	Sec.	Page.
Of ballot-boxes, etc., to supervisors after election.....	75	64
TIME OF—		
Selecting judges and clerks of election .....	7	5
Registration—Notice of....	14	10
Election—Notice of.....	14	10
General registration.....	17	14
Intermediate registration.....	30	33
Filing certificates of nomination.	46	41
Opening and closing polling places	61	54
Destruction of ballots etc., after election .....	76	65
Meeting of Board of Canvassers..	77	66
Transmission of statement of Board of Canvassers... ..	81	67
Meeting of Board of State Can- vassers .....	85	69
Computing of, for notices.....	118	83
TRIALS—		
Of offenses against provisions of this Article, challenge of jurors in.....	119	83
TRANSFERS .....	30	33
U.		
USE OF PUBLIC BUILDINGS.....	5	5
V.		
VITAL STATISTICS.....	13	10
Report of, to Board of Registry...	13	10
VOTING BOOTHS—		
Regulations regarding same.....	64	56
Guard-rail, expense of....	64	56
VOTING—		
Manner and details of.....	66	57
Illegally.....	88	72
Of persons convicted of crime....	99	76
VOTER—		
Physical disability of.....	67	58

	Sec.	Page.
VACANCIES—		
Filling of (supervisors of elections)	4	4
“    “ (judges and clerks).....	11	8
“    “ (judges and clerks).....	37	37
Filling of (nominations).....	50	42
W.		
WATCHERS AND CHALLENGERS.	62	54

Note—Officers of Election and Registration should study carefully the instructions prepared by the Attorney-General beginning at page 130.



# Index to Extracts from Bill of Rights and Constitution of Maryland.

## A.

	Sec.	Page.
Attorney-General, election of.....	1	121
Attorney-General, term of.....	1	121
Attorney-General, removal of.....	1	121
Attorney-General, returns of election of.....	2	122
Attorney-General, qualifications of.....	4	122
Amendments to the Constitution.....	1	124
Additional judges of Supreme Bench of Baltimore city.....	39	120

## B.

Bribery at elections, penalty for.....	3	110
Baltimore city, courts in. ....	27-31-39	119
Baltimore city, election of clerks of courts of.....	37	120
Baltimore city, term of clerks of courts of.....	37	120
Baltimore city, removal of clerks of courts of.....	37	120
Baltimore city, vacancies of clerks of courts of.....	37	120
Baltimore city, Supreme Bench of.....	27	120
Baltimore city, additional judges of Supreme Bench of.....	39	120

## C.

Comptroller, election of.....	1	123
Comptroller, term of.....	1	123
Comptroller, vacancy.....	1	123
County Commissioners, election of....	1	123
Clerk of the Court of Appeals, term of	17	118
Clerk of the Court of Appeals, removal of.....	17	118
Clerk of the Court of Appeals, vacancy	17	118

	Sec.	Page.
Courts in the counties.....	19-21	118
Clerk of the Circuit Courts, election of	25	119
Clerk of the Circuit Courts, term of...	25	119
Clerk of the Circuit Courts, removal of	25	119
Clerk of the Circuit Court, vacancy....	25	119
Courts in Baltimore city.....	27-31-39	119
Clerks of Courts of Baltimore City, election of.....	37	120
Clerks of Courts of Baltimore City, term of.....	37	120
Clerks of Courts of Baltimore City, removal of.....	37	120
Clerks of Courts of Baltimore City, vacancies .....	37	120
Counties, courts in the.....	19-21	118
Constitution, amendments to.....	1	124

## E.

Election of County Commissioners.....	1	123
Election of Attorney-General.....	1	121
Election, in case of tie, Governor to order new election.....	2	122
Elections, when to be held.....	7	122
Election, bribery at, penalty for.....	3	122
Election for Governor.....	2-4	110
Election of Senators.....	2,7,8	112
Election of Members of House of Dele- gates.....	6-7	113-114
Elections, contested, General Assem- bly to provide for.....	47	116
Elections, General Assembly to regu- late by law.....	49	116
Election officers, General Assembly to regulate by law.....	49	116
Election of judges of courts.....	3,5,11,12	117-118
Election of judges of courts.....	21	119
Election of clerks of the Circuit Courts	25	119
Election of clerks of courts of Balti- more city.....	37	120
Election of judges of the Orphans' Court.....	40	120
Election of Register of Wills.....	41	121

	Sec.	Page.
Election of Sheriff.....	• 44	121
Election of State's Attorney.....	7	122
Election of Comptroller.....	1	123
Election of Surveyor.....	2	123
Election of Wreck-Master.....	6	124
Election, sheriffs to give notice of.....	8	125
Eligibility of Members of General Assembly.....	9,10,11	115
Governor, to issue commissions to of- ficers.....	11	118
Governor, election of.....	2-4	112
Governor, to order new election in case of tie.....	12	118
Governor, qualifications of.....	5	113
General Assembly to pass laws to pun- ish fraudulent registration and voting.....	4	110
General Assembly to provide for a uniform registration of voters....	5	110
General Assembly, eligibility of mem- bers of.....	9-41	115-116
General Assembly to pass laws for pre- servation of purity of elections...	42	116
General Assembly to provide for con- tested elections.....	47	116
General Assembly to regulate by law elections and election officers.....	49	116
H.		
House of Delegates—Appointment and representation.....	4-5	113-114
House of Delegates, election of mem- bers of.....	6-7	114
House of Delegates, qualifications of members of.....	9-41	115-116
J.		
Judges of Courts, qualification of.....	2	116
Judges of Courts, election of.....	3,5,11,12	117-118
Judges of Courts, term of.....	3	117
Judges of Courts, vacancies, how filled	5	117
Judicial Circuits.....	19	118
Judges of Courts, apportionment of...	21	119



	Sec.	Page.
Judges of Courts, election of . . . . .	21	119
Judges of the Orphans' Court, election of . . . . .	40	120
O.		
Oath of public officers . . . . .	6-7	111
P.		
Public officers, oath of . . . . .	6-7	111
Q.		
Qualifications of officers . . . . .	6-7	111
Qualifications of voters . . . . .	1-2	109-110
Qualifications of Governor . . . . .	5	113
Qualifications of Senators . . . . .	9-41	115-116
Qualifications of Members of House Delegates . . . . .	9-41	115-116
Qualifications of Judges of Courts . . . . .	2	116
Qualifications of Attorney-General . . . . .	4	122
Qualifications of State's Attorney . . . . .	10	122
Qualifications of Comptroller . . . . .	1	123
R.		
Registration of voters . . . . .	5	110
Register of Wills, election of . . . . .	41	121
Returns of election of officers . . . . .	11	118
Removal of clerk of the Court of Appeals . . . . .	17	118
Removal of clerk of the Circuit Courts . . . . .	25	119
Removal of clerks of Courts of Baltimore city . . . . .	27	119
Removal of Attorney-General . . . . .	1	121
Returns of election of Attorney-General . . . . .	2	122
Removal of State's Attorney . . . . .	7	122
Returns of election of State's Attorney . . . . .	8	122
S.		
Senators, election of . . . . .	2-7-8	113-114
Senators, qualification of . . . . .	8	114
Senators, qualifications of . . . . .	9-41	115-116
Surveyor, election of . . . . .	2	123
State's Attorney, election of . . . . .	7	122

	Sec.	Page.
State's Attorney, term of.....	7	122
State's Attorney, removal of.....	7	122
State's Attorney, returns of election of	8	122
State's Attorney, qualifications of.....	10	122
Sheriffs to give notice of election.....	8	125
Supreme Bench of Baltimore city.....	27	119
Sheriffs, election of.....	44	121
Supreme Bench of Baltimore city, ad- ditional judges of .....	39	120

## T.

Term of clerks of courts of Baltimore city .....	37	120
Term of judges of courts.....	3	117
Term of clerk of the Court of Appeals	17	118
Term of clerk of the Circuit Courts.....	25	119
Term of Attorney-General.....	1	121
Term of State's Attorney.....	7	122
Term of Comptroller.....	1	123
Term of officers.....	9	125

## V.

Voting fraudulently.....	4	110
Voters, qualifications of.....	1-2	109-110
Voters, registration of.....	5	110
Vacancies, judges of courts, how filled	5	110
Vacancy, clerk of the Court of Appeals	17	118
Vacancy, clerk of the Circuit Courts..	25	119
Vacancies, clerks of courts of Balti- more city .....	37	120
Vacancy, Comptroller....	1	123

## W.

Wreck-Master, election of.....	6	124
--------------------------------	---	-----

# Index to Extracts from the Constitution of the United States.

	Sec.	Page.
Apportionment of Members, House of Representatives . . . . .	2	127
Congressional elections . . . . .	4	128
Classification of Senators . . . . .	3	127
Elections, Congressional . . . . .	4	128
Election of Members of House of Representatives . . . . .	2	127
Election of President of the United States . . . . .	Amd. 12	129
Election of Vice-President of the United States . . . . .	Amd. 12	129
House of Representatives, apportionment of members . . . . .	Sec. 2	130
House of Representatives, election of members of . . . . .	2	130
House of Representatives, number of members of . . . . .	2	130
House of Representatives, qualifications of members . . . . .	2	130
House of Representatives, vacancies . . . . .	3	127
Naturalization . . . . .	Art. 1	127
President of the United States, election of . . . . .	Amd. 12	129
Qualifications of Members of House of Representatives . . . . .	Sec. 2	127
Qualifications of Senators . . . . .	3	127
Qualifications of Senators and Representatives . . . . .	3	127
Qualifications of Senators and Representatives . . . . .	Art. 6	129
Right of suffrage . . . . .	Sec. 1	130
Senators, classification of . . . . .	3	127
Senators, number of . . . . .	3	127
Senators and Representatives, qualifications of . . . . .	3	127
Senators, qualifications of . . . . .	3	127
Suffrage, right of . . . . .	1	130
Vacancies, House of Representatives . . . . .	2	127
Vice-President of the United States, election of . . . . .	Amd. 12	129











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