

district of the county, of the time and place of holding the several elections aforesaid. CHAP. 97.

5. AND BE IT ENACTED, That the respective sheriffs shall, under the penalty of five hundred dollars, provide, or cause to be provided, and delivered to the judge or judges of the election in each district, previous to, or at the commencement of, each election, a box for receiving the ballots, and two separate books, for the purpose of entering the voters names. Sheriff to provide ballot boxes, &c.

6. AND BE IT ENACTED, That the justices of the levy courts respectively shall, between the first Monday of April and the first Monday of August next, appoint three persons for each election district, resident therein, who, or a majority or any one of whom, in case of the nonattendance of the other two, shall be judges or judge of the election for such district, from the time of their appointment until a new appointment; and the said court shall, every year thereafter, between the first Monday of April and the first Monday of August (a), appoint judges as aforesaid in each election district, for holding elections therein until displaced by a new appointment; and the said judges, or such of them as shall attend, shall be conservators of the peace during the continuance of the election (b), and until the ballots shall be counted, and the necessary certificates required by this act shall be made out and subscribed by the said judges and clerks, and shall be vested, and hereby are vested, with the power and authority to commit offenders for any breach of the peace, in like manner as any justice of the peace for such county; and in case any of the said judges shall die, resign, remove out of the district, or become otherwise, in the opinion of the court, disqualified to act as judge, the said court shall, at any meeting thereafter, appoint a person as judge in his place; and at every appointment of judge or judges as aforesaid, the clerk of the county court shall record the same, and make out a warrant therefor; and the clerk shall, within five days thereafter, deliver every such warrant to the sheriff of the county, and it shall be the duty of the sheriff, within ten days after receiving the same, to deliver the same to the person or persons so appointed, or leave it at his or their last place of abode, under the penalty of fifty dollars on the clerk or sheriff respectively who shall neglect his duty aforesaid. Levy courts to appoint judges of elections.

(a) By 1807, ch. 23, the levy court of Saint Mary's county shall, some time in the month of August, annually, appoint judges of elections for each election district in the county.

(b) By November 1812, ch. 19, the judges of election in each election district in Cecil county, shall appoint two constables of their respective districts, to attend on the days of election, for the preservation of peace, &c.

7. AND BE IT ENACTED, That any judge so appointed, who shall not attend at the time appointed for holding any election in his district, shall forfeit fifty dollars for every such neglect, unless prevented by sickness, or other sufficient cause in the opinion of the court and jury before whom the prosecution therefor shall be heard, tried and determined. Penalty on judges for non-attendance.

8. AND BE IT ENACTED, That in case neither of the judges aforesaid shall attend as aforesaid for the space of one hour after the time herein directed for opening the election, it shall and may be lawful for the justices of the peace for the said county then present at said place of election, or the majority of them, or for one justice of the peace, in the event of but one being present, or in In case all judges are absent, how others are to be appointed.