

13-2. Affidavit ~~or~~ AND bond.

The petition shall be filed with A BOND AND an affidavit or affidavits, made by officers of election or by watchers, challengers or other persons, setting forth acts of fraud, mistake, error or irregularity in making the count or returns by the judges, or setting forth that some of the returns and tally sheets of the primary election show on their faces ambiguity, error, fraud, or mistake or miscalculation by the judges. ~~If no affidavit is filed with any petition, the petitioner in lieu thereof may elect to give bond in an amount to be fixed in each instance and approved by a~~ A judge of the Supreme Bench of Baltimore City or of the circuit court for the county, as the case may be, SHALL DETERMINE AND SET BOND TO BE FILED BY THE PETITIONER SUFFICIENT to pay the reasonable costs of said appeal, recount, review and recanvass.

13-3. Powers of supervisors.

The boards shall have jurisdiction and power to hear and determine any appeals, to review and correct the action of the judges in their respective jurisdictions and to recanvass, recount and certify the result of any primary election. For all the purposes of the review, recount and recanvass, the board shall act as and be judges for the counting of ballots, within their respective geographical jurisdictions.

13-4. Procedure for recount.

(a) The Board after receiving such petition shall ascertain the votes recorded on the voting machines in the manner provided in Sec. 17-8 of this Article; or, if paper ballots were used, the board shall collect the ballot boxes, returns, tally sheets and paraphernalia of said election. It shall proceed forthwith in a summary way without answer, pleading or technicality and without requiring any evidence to be taken or proof submitted, to recount the ballots in those precincts named in said petition in any county, city, legislative district, ward or other political subdivision thereof, as the case may be.

(1) The review, recount and recanvass of voting machines shall be conducted by the board in the manner provided in Section 17-4 of this Article on the days and within the hours provided in paragraph (2) of this subsection.

(2) The review, recount and recanvass of paper ballots shall be conducted with all possible expedition and dispatch and in preference to all other business, under such mode of procedure as the board shall prescribe by means of tellers approved by them on the recommendation of and with equal representation to the opposing candidates. The board shall pass upon and decide whether any ballot contested by the teller for either side shall be rejected or counted. The members of the board shall sit for said purpose in the office of the board in Baltimore City or in the court room of the circuit court for the county, as the case may be, every day, excepting Sunday at least from 9 o'clock A.M. to 5 o'clock P.M., with one hour's intermission for lunch, until the review, recount and recanvass is completed.

(b) The recount shall be conducted in the presence of the candidates or their representatives and of the press and general public.