

**Generally.**

The petition under this section being in the nature of an appeal, can not be filed until after the board of registry has acted upon the application. When an appeal lies from the action of the board of registry. *Collier v. Carter*, 100 Md. 384; *Smith v. McCormick*, 105 Md. 225; *Wilson v. Carter*, 103 Md. 130.

The portion of this section relative to the presumption that a person continues to reside where he is shown to have once resided, and that if it is shown that he does not reside at the residence given upon the registration books, he is presumed not to reside in the precinct applied. *Turner v. Crosby*, 85 Md. 180; *Howard v. Skinner*, 87 Md. 558; *Ritter v. Etchison*, 86 Md. 209; *Turner v. Crosby*, 85 Md. 688; *Chew v. Wilson*, 93 Md. 198.

In case of a suspected voter, the statute provides for constructive notice of the petition to strike his name off, and leaving the summons at his residence as given in the registry is equivalent to service of the summons at such place, although the voter has moved. *Carter v. Applegarth*, 102 Md. 338. See also, *Applegarth v. Carter*, 102 Md. 342.

On appeal under this section, the court of appeals is not limited to a review of matters passed on below—see art. 5, section 9, and notes. Sufficiency of exception to bring case up in court of appeals. *Shaeffer v. Gilbert*, 73 Md. 72.

If the order of appeal is filed within five days, the bill of exceptions may be signed within the time allowed in other cases. *Ritter v. Etchison*, 86 Md. 207.

Legal services rendered in the trial of appeals in accordance with this section must be paid for under section 125. *Anne Arundel County v. Melvin*, 107 Md. 535.

As to the civil liability of judges of election for fraudulently and maliciously refusing to register a voter, see *Friend v. Hamill*, 34 Md. 298; *Elbin v. Wilson*, 33 Md. 142. See also, *Hardesty v. Taft*, 23 Md. 530.

Under the act of 1890, ch. 573, an appeal could only be taken to the circuit court after the final sitting of the officers of registration. *Ticer v. Thomas*, 74 Md. 343.

See notes to sec. 21.

1904, art. 33, sec. 25. 1896, ch. 202, sec. 24. 1904, ch. 254. 1906, ch. 703. 1910, ch. 236 (p. 108).

**26.** In the counties a new general registration shall be made by each board of registry in the year 1914; 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 election 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 super-