

knowing the same to be false, or who shall wilfully 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.

See sec. 162.

1904, art. 33, sec. 93. 1896, ch. 202, sec. 87.

**95.** If any person other than a judge of election shall at any election, knowingly and wilfully 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 wilfully 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, wilfully or fraudulently put any ballot or other paper having the semblance thereof in 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.

See sec. 162.

*Ibid.* sec. 94. 1896, ch. 202, sec. 88.

**96.** 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 wilful 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 (\$1,000) dollars, or by both such fine and imprisonment.

If there be a remedy under this section, it does not necessarily depend upon the construction of section 45, but upon the question of whether the officers mentioned were guilty of corrupt or fraudulent conduct or practice in the performance of their duties, or, in some cases, of wilful neglect of duty. *Thom v. Cook*, 113 Md. 92.

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.

As to the indictment of an officer of registration under the act of 1882, ch. 22, see *Mincher v. State*, 66 Md. 230.

See sec. 162.