

to the board of supervisors of election 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.

Where there are four judges and two clerks and the return is signed by only one judge and one clerk, the others stating their reasons for not signing, the ballots may be counted in a proceeding to determine result of election. *Coulehan v. White*, 95 Md. 704.

For a case in which mandamus to direct Governor to issue a commission under art. 33, sec. 70, of Code of 1888, was refused because of imperfections in election judges' certificates as to number of votes cast, etc., see *Brown v. Bragunier*, 79 Md. 236.

The refusal of two judges and one clerk to sign usual return, does not invalidate returns when such judges and clerk sign an alternative return which is authenticated in accordance with this section. Purpose of portion of this section providing for alternative return. When statutory provisions relating to elections are mandatory and when directory. See notes to sec. 90. *Price v. Ashburn*, 122 Md. 522.

See notes to sec. 80.

An. Code, sec. 76. 1904, sec. 74. 1896, ch. 202, sec. 69.

84. The "spoiled" and "not voted" ballots, as defined in section 77, 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 80, 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 election 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 signatures 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 in the box with sealing wax or some other adhesive material.

See notes to sec. 80.

An. Code, sec. 77. 1904, sec. 75. 1896, ch. 202, sec. 70.

85. 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 78; 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