

An. Code, sec. 84. 1904, sec. 82. 1896, ch. 202, sec. 77.

92. In the canvass of votes by the canvassing board for the city or county herein provided said board shall, unless otherwise provided in the constitution of this State, declare who is elected to any city or county office or to any office voted for only within the territory of such city or county.

For a case in which mandamus to direct the Governor to issue a commission under art. 33, sec. 70, of the 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. 237.

An. Code, sec. 85. 1904, sec. 83. 1896, ch. 202, sec. 78. 1906, ch. 544, sec. 83.

93. If, upon proceeding to canvass the votes, it shall clearly appear to the canvassing board for the city or county that in any statement or tally sheet produced to them certain matters are omitted which should have been inserted, or that any mistakes exist, they shall immediately issue a subpoena to the judges and clerks who made said return, and said judges and clerks shall forthwith attend and shall make such corrections as the facts of the case require, but such changes shall not alter any decision before duly made by them, but shall cause the canvass to be correctly stated; and the said board of canvassers are authorized to adjourn from day to day for the purpose of obtaining and receiving such corrected statements, such adjournment not to extend beyond three days.

This section does not authorize canvassers to correct mistakes. No mistake held to have been made. Intention of this section is that such corrections as are authorized by it should be *promptly* made. See notes to sec. 80. *Canvassers of Election v. Noll*, 127 Md. 306.

This section referred to in construing section 83; see notes thereto. *Price v. Ashburn*, 122 Md. 524.

An. Code, sec. 86. 1904, sec. 84. 1896, ch. 202, sec. 79.

94. Whenever it shall be made to appear by affidavit that errors have occurred in the determination of the board of canvassers of any county or city in the State, the circuit court of the county or the superior court of Baltimore city may by order require said board to correct such errors or show cause why such corrections should not be made; and in event of the failure of said board to make such corrections, or show cause aforesaid, said court may compel said board by writ of mandamus to correct such errors, and if said board of canvassers shall have made its determination and dissolved, said court may compel it to convene for the purpose of making such corrections. For the purpose of making such corrections as the court shall order, the meeting of the board of canvassers shall be deemed a continuation of its regular session, and the statements and certificates shall be made and filed as the court shall direct, and so far as the same shall vary from the original statements and certificates, the statements and certificates made under the order of court shall stand in lieu thereof, and shall in all cases have the same effect as if such corrected statements had been a part of the original statement required by law. The practice in said cases shall be as in mandamus proceedings, and the court shall determine the time for the speedy hearing thereof, in its discretion; and for the purpose of service