

judges of said elections that any two or more persons voted for as commissioners have received the same number of votes, so that there is no choice for the entire number required, but a vacancy in a seat; if there should be as many as two elected, said two having qualified as commissioners upon entering upon the duties of their offices shall immediately proclaim a new election to supply such vacancy; if it shall appear that two of the persons voted for have not been returned as elected, the commissioners then in office shall forthwith proclaim a new election to supply the vacancy occasioned by the failure to elect. Every judge of election, before he proceeds to take or receive any vote, shall take an oath that he will permit every qualified voter, and none other, to vote at the election; every clerk, before he enters any vote on the polls, shall take an oath that he will well and faithfully, without favor, affection or partiality, execute the office of clerk of the election; the several judges may administer the oath to each other or take the same before a justice of the peace, resident of the town, and the clerks may be sworn by one of the justices of the peace resident of the town, or may have the oath administered by one of the judges of election, and a certificate of every such oath, signed by the person administering the same, respectively, shall be annexed to the tally sheets; and the Commissioners of Upper Marlboro are vested with power and authority to pass all ordinances necessary and proper for the making of election returns, and failure of the judges of election to attend at the time appointed for holding any election on and the manner and time destroying said returns, but any qualified voter in said town feeling himself aggrieved by any decision of said town commissioners or the judges of election in regard to any town election, may appeal therefrom to the Circuit Court of Prince George's County, which Court shall hear and determine such an appeal, and decide who shall pay the costs thereof; if during the term for which they may be elected any of the said commissioners shall die, resign or remove from the town or be otherwise disqualified, a special election to fill the vacancy on ten days' notice thereof being given by the president of the commissioners shall be held, at which all persons qualified as specified in Section 992 shall be entitled to vote.

1902, ch. 123, sec. 316. 1912 Code, sec. 600.

995. Fredrick Sasser, John H. Traband and Solomon M. Sweeney, hereinbefore appointed commissioners of the said town, shall meet within two weeks within the passage of this act and shall take the oath of office described above before a justice of the peace of Prince George's county and organize a board by the election of one of their number as president, one secretary and the remaining member as treasurer, and they shall from time to time appoint a chief bailiff and under bailiff, and such other officers as may be found necessary to do and perform all things required and allowed to be done by the Commissioners of Upper Marlboro under the provisions of this act and of the provisions of Article 17 of the Code of Public Local Laws, subtitle "Upper Marlboro," and they and their appointees are hereby invested with all the powers and are required to per-