

qualify or be present at the opening or to open the polls, then the Mayor shall at once appoint another person or persons to act in place of the one (or of those) not qualified or being present, and if the Mayor shall fail to appoint a new judge or judges as aforesaid, then the judge or judges who is or are present shall appoint from the qualified voters who are present some qualified judge or judges in lieu of the one or more failing to be present or to qualify or to act as aforesaid, and the judge or judges present may administer the required oath to the judge or judges so appointed. And in case that none of the judges are present at the time for the opening of the polls at such election, then the qualified voters who are present shall select three of their number, who shall qualify before a Justice of the Peace or one of the Justices of the Peace (or one of the judges of the election), and act as judges of said election, subject to all the provisions and penalties herein. The judges shall appoint one of their number as clerk to the election; they shall keep the polls open from eight o'clock A. M., to six o'clock P. M.; they shall within two days of the election return under their hands and seals the number of votes cast for each person and for what object or office, together with the ballots, taken in sealed packages to the Clerk of the Circuit Court for Somerset County, who shall record said returns and preserve said ballots for at least two months; the Clerk shall issue certificates of election to the persons appearing by said return to have received the largest number of votes, or to the answer of the voters to any question submitted to them at the election; said certificate shall be recorded in the proceedings of said Council. Should the Mayor wilfully fail to perform any of the duties devolving upon him under the provisions of this section, he shall be deemed guilty of a misdemeanor, and, on conviction, be fined not less than \$25.00 and costs and be committed to the County Jail until fine and costs are paid, or shall be both fined and imprisoned, at the discretion of the Court. All the judges of election and other officers under this act, whether appointed by the Mayor or otherwise, are hereby declared to be subject to the provisions and penalties of this section. All offenses hereunder shall be prosecuted by indictment in the Circuit Court of Somerset County, the fines to be paid to the City Treasurer for the improvement of the streets of said City.

1910, ch. 529, sec. 60 (p. 1032).

57. In case the Mayor shall fail, neglect or refuse to give notice of any election to be held under this Act, as hereinbefore provided, any five qualified voters of the City of Crisfield may give such notice in such manner as they deem best, and any election held under such notice, or under these circumstances, shall be as legal and binding as if held under the notice of said Mayor, and shall be held and returned in the same manner as if held under notice of the Mayor, and the judges thereof shall proceed in the same manner as if appointed by the Mayor, and shall be liable to the same penalties as judges acting at an election held under the authority of the Mayor.