

as aforesaid, and the meeting of said judges shall then be dissolved. Thereupon the said judges shall forthwith deliver the said registers or the said binder (containing said cards) to the Board of Supervisors of Elections, and the said statements to the respective officers to whom they are addressed, as aforesaid, and shall take receipts therefor. No judge shall receive pay for his services unless he produces the receipt herein provided for. The officers to whom the statements are so delivered shall securely keep the same with the seals unbroken.

In those precincts of the counties in which voting machines shall be used, after the proceedings set forth in the preceding section in each precinct, the judges who are also officers of registration, who shall be designated beforehand by the Supervisors of Elections, shall each 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 the meeting of the judges and clerks shall then be dissolved; before 12 o'clock noon of the second day after said election, the two judges so having custody thereof shall deliver said registers and statements of votes cast to the proper officers in their respective counties, as hereinbefore prescribed for the City of Baltimore, and shall take similar receipts for the same.

It shall be the duty of the Supervisors of Elections in the several counties and in said city to attend at their respective offices on the days named for the purpose of carrying out the provisions of this section.

See notes to secs. 116 and 126.

An. Code, 1924, sec. 86. 1912, sec. 78. 1904, sec. 76. 1896, ch. 202, sec. 71. 1906, ch. 544, sec. 76. 1916, ch. 116.

122. The Board of Supervisors of Election, upon receiving a ballot box and the key thereof, shall note the condition of the seal or stamp on each box, and make an entry of the facts touching the same, in a book to be kept by them, together with the name of the officer who delivered the box. They shall deliver all the ballot boxes so sealed, as aforesaid, to the clerk of the Circuit Court for their respective counties, or to the Board of Police Commissioners of Baltimore City, as the case may be, who shall put them in a secure place to which the public shall in no case have access, and shall safely keep them for the space of four months from the date of such delivery, at which time, unless previously notified to produce the same to be used in evidence in some contested election or judicial or legislative investigation then pending, said Board of Supervisors shall destroy, or cause to be destroyed said ballots and poll books, also all of the said tallies and statements or returns, and shall record in the same book a certificate of the fact.

While ballot boxes are not to be opened so as to permit acts of sworn officers to be enquired into without an adequate and well-defined cause, yet when an indictment has been returned by a grand jury, a sufficient *prima facie* case has been made out for opening boxes. Inspection and count of the ballots held proper in a criminal case. Grand jury held to have had right to have ballot box and ballots before them, and that presence of police commissioner and supervisor of elections in grand jury room for purpose and in manner testified to by them, did not prejudice traverser. *Cochran v. State*, 119 Md. 550.

Where boxes have been kept as required, ballots may be examined by the court in case of a contest. *Leonard v. Woolford*, 91 Md. 627.

See notes to sec. 126.