

to the measures usually used to constrain the voter, as it could never be ascertained whether the voter carried out his promise. To this end most of the States have adopted various modifications of what is known as the "Australian Ballot Law." Maryland, by the Act of 1890, chapter 538, adopted such a law.

The rule of law heretofore has been to pass over all irregularities which might occur in the holding of elections and give effect if possible to the intention of the voter if it can be ascertained. This rule of law still has force and should be observed.

Under our present system, there is another rule of law of equal importance and of equal binding force, and that is, the secrecy of the ballot must be preserved, and every section of the law relating to the preservation of this secrecy must be mandatory and the violations of any of such provisions must destroy the legal effect of the ballot cast or the election held, otherwise the great object to be attained by the new system of voting, to wit: "Secrecy," is destroyed. To ensure this secrecy the Maryland law, Act of 1890, chapter 538, has the following provisions:

1. Section 128 provides that all ballots to be used and cast in any elections to be held in this State under the Constitution and laws thereof, shall be printed and distributed at the public expense.

2. Section 137 provides that all ballots for use at any election shall be prepared, printed and furnished by the Supervisors of Election and on the back and outside shall be printed the words "Official Ballot For," followed by the designation of the polling place for which it is prepared, the date of the election and a fac-simile of the signature of the President of the Board of Supervisors of Election, by whom the ballot has been prepared.

3. Section 158 provides that "no ballot without the official endorsement and the initials of one of the Ballot Clerks shall be allowed to be deposited in the ballot box or counted.

These provisions have as their sole object the secrecy of the ballot. The effort is to provide a ballot of uniform size and similar in every respect, so that it will be impossible to detect the ballot cast by any voter. These requirements are not mere details, but