

the Burgess to appoint, the duty shall devolve upon the assistant Burgess, and in case of his death, absence, inability or refusal, the like duty shall devolve upon one of the Commissioners chosen by a majority of that body; and upon failure of the Burgess, assistant Burgess or Commissioners to perform the duties imposed by this section, they shall be subject to indictment in the Circuit Court for Washington county, and to a fine of twenty-five dollars upon conviction. The said judge shall be a conservator of the peace during the election and until the ballots shall be counted and the returns made out, and shall have the authority to commit offenders for any breach of the peace, or interference with the election, for a period of not over twenty days, and to administer oaths or affirmation to any person touching his qualification as a voter. The said judge shall appoint a clerk of election from the qualified voters of said town, who, before acting as such, shall take the following oath or affirmation, to be administered by the judge:

Oath to be taken.

I will well and faithfully keep a true record of all the votes cast at the municipal election to be held in the town of Sharpsburg, on the        day of September, A. D.       , according to the best of my ability. A box shall be kept, in which all the ballots received shall be deposited by the judge, and the names of all persons voting shall be written on a list by the clerk. The polls shall be kept open from nine o'clock A. M. until four o'clock P. M. Any person not possessing the necessary qualification of a voter at such election, who shall vote thereat, shall, upon indictment and conviction thereof in the Circuit Court for Washington county, pay a fine of fifty dollars, or in default of payment thereof be imprisoned in the county jail for sixty days.

Notify persons of their election.

SEC. 10. At the close of the polls the judge shall immediately count the ballots, cast up the vote and return under his hand and seal to the Burgess and Commissioners the number of votes cast for each candidate, or for and against any measure voted for, and at the same time return the ballots and all records of said election, and the Burgess and Commissioners shall file the same and immediately notify the person or persons chosen of their election, in accordance with the return of the judge. Before entering upon their duties, the Burgess, assistant Burgess and Commissioners elect shall each take and subscribe the following oath or affirmation before the retiring Burgess or any justice of the peace in and for Washington county: I will discharge the duties of the office to which I have been elected in the town of Sharpsburg to the best of my ability, without

Oath to be taken.