

C H A P.
XCVII.

such of them as shall attend, shall be conservators of the peace during the continuance of the election, and until the ballots shall be counted, and the necessary certificates required by this act shall be made out and subscribed by the said judges and clerks, and shall be vested, and hereby are vested, with the power and authority to commit offenders for any breach of the peace, in like manner as any justice of the peace for such county; and in case any of the said judges shall die, resign, remove out of the district, or become otherwise, in the opinion of the court, disqualified to act as judge, the said court shall, at any meeting thereafter, appoint a person as judge in his place; and at every appointment of judge or judges as aforesaid, the clerk of the county court shall record the same, and make out a warrant therefor; and the clerk shall, within five days thereafter, deliver every such warrant to the sheriff of the county, and it shall be the duty of the sheriff, within ten days after receiving the same, to deliver the same to the person or persons so appointed, or leave it at his or their last place of abode, under the penalty of fifty dollars on the clerk or sheriff respectively who shall neglect his duty aforesaid.

VII. AND BE IT ENACTED, That any judge so appointed, who shall not attend at the time appointed for holding any election in his district, shall forfeit fifty dollars for every such neglect, unless prevented by sickness, or other sufficient cause in the opinion of the court and jury before whom the prosecution therefor shall be heard, tried and determined.

VIII. AND BE IT ENACTED, That in case neither of the judges aforesaid shall attend as aforesaid for the space of one hour after the time herein directed for opening the election, it shall and may be lawful for the justices of the peace for the said county then present at said place of election, or the majority of them, or for one justice of the peace, in the event of but one being present, or in case no justice of the peace shall be present, for the voters then present, or a majority of them, to choose, by ballot, three persons to be judges of said election, which said persons shall be and are hereby vested with, for that election, the same powers and authorities, as if such persons had been chosen as judges by the levy court aforesaid.

IX. AND BE IT ENACTED, That the next election of electors of president and vice-president of the United States shall be on the second Monday of November, eighteen hundred and eight, and on the same day in every fourth year thereafter; the next election of representatives of this state in the congress of the United States shall be on the first Monday of October, eighteen hundred and six, and on the same day in every second year thereafter; the next election of electors of the senate on the first Monday of September, eighteen hundred and six, and on the same day in every fifth year thereafter; the next election of delegates to the general assembly on the first Monday of October next, and on the same day in every year thereafter; the next election of sheriffs on the first Monday of October, eighteen hundred and six, and on the same day in every third year thereafter, in the several districts, and at the several places, established for the holding of elections by the commissioners appointed under the act, entitled, An act to regulate elections, passed at November session seventeen hundred and ninety-nine, chapter fifty, except in Saint-Mary's, Cæcil, Washington, Allegany and Prince-George's counties, where they shall be held as established under the act of November session, eighteen hundred and one, chapter fifty-nine, except only in the second district in the aforesaid county of Allegany, where, instead of being held at John Simkins's tavern as formerly, it shall in future be held at some house in Selby's Port in said second district, except also in the fourth district in Montgomery, where they shall in future be held as directed by an act passed at the present session, in Frederick county, where they shall be held as established under the act of November session, eighteen hundred and three, chapter forty-six, and except in the third district of Caroline county, where they shall hereafter be held at the place called and known by the name of The Walnut Trees, in said district.

X. AND BE IT ENACTED, That the judges aforesaid shall appoint two clerks, being above the age of twenty-one years, to enter the names of the voters, separately and plainly, on the books provided for that purpose, and if any clerk, so appointed, shall neglect or refuse to act, he shall forfeit and pay the sum of ten dollars.

XI. AND BE IT ENACTED, That every judge of an election, before he proceeds to take or receive any vote, shall take the following oath, or affirmation, to wit: I, A. B. do swear, or affirm, that I will permit all persons to vote who shall offer to poll at the election now to be held for _____ county, or _____ city, who in my judgment shall, according to the directions contained in this law, and the constitution and form of government, be entitled to poll at the same election, and that I will not permit any person to poll at the same election who is not in my judgment qualified to vote as aforesaid, and will in all things execute the office of judge of the said elections, according to the