

dant of the military district in which said company is raised, and it shall be immediately his duty to give the notice of election as required in the preceding section, and to attend at the time and place appointed for said election, and hold the same, and to receive and count the ballots cast at said election, and as soon thereafter as practicable make a return of the number of votes cast at said election, and the number given for each officer voted for, to the adjutant general; and whenever afterwards vacancies occur in the company the ranking officer thereof shall give the notice of an election to fill said vacancy, preside at said election and make the return thereof to the officer commanding the regiment to which said company is attached, or where it is not attached to any regiment, then to the commandant of the district to which it belongs.

*Company Roll to be Produced.*

SECT. 98.—At such elections the original roll or enlistment book of the company, carefully revised, shall be produced by the person having the legal custody thereof, as evidence of the right to vote.

*Record of Proceedings.*

SECT. 99.—At all elections the presiding officer shall keep a record of the proceedings, and make return thereof to the adjutant general, the commanding officer of the regiment or battalion, or to the district commandant, as the case may be.

*Elected persons to be notified.*

SECT. 100.—The person who has a majority of the ballots of the electors present shall be deemed elected, and the presiding officer shall forthwith notify him of his election; and the person so elected shall within ten days thereafter accept, otherwise he shall be taken to have refused.

*Appeal.*

SECT. 101.—Every person aggrieved by the proceedings at the election for a commissioned officer may appeal, if the election be for a field officer, to the commander-in-chief, or for a company officer, to the commanding officer of the regiment or battalion, or if for an officer of an independent company, to the commandant of the military district to which such company belongs. The officer appealed to shall have power to summon witnesses and to administer oaths, and shall hear and determine the appeal, and if, in his opinion, the proceedings at such election were illegal or unfair, he shall declare the election void, and shall order a new election to be held.

SECT. 102.—Any person concerned may appeal from the