

Prince George's County, Calvert County, Charles County, St. Mary's County, Cecil County, Kent County, Queen Anne's County, Talbot County, Caroline County, Dorchester County, Wicomico County, Somerset County and Worcester County.

This section and secs. 78, 82, 83, 84 and 85 referred to as showing the care taken by legislature to secure honest counts and returns and in deciding that canvassers may not give a candidate more votes than the four certificates signed by six election officials show he had, merely because they find three more marks on one of two tally sheets. Presumption is that clerks performed duty required of them by this section, *i. e.*, compared their tallies and ascertained total number of votes for each candidate. *Canvassers of Election v. Noll*, 127 Md. 305.

The words "deceitfully folded," construed. Clause with reference to marking more names than there are persons to be elected, applied. *Duvall v. Miller*, 94 Md. 697.

As to when ballots were properly marked and when improperly, and when they are valid and when invalid under act of 1896, ch. 202, sec. 66, as amended by act of 1901, ch. 2, see *Coulehan v. White*, 95 Md. 703.

This section referred to in discussing question of whether a bill proposing an amendment to Constitution, contained distinct legislation requiring signature of Governor. *Warfield v. Vandiver*, 101 Md. 131 (dissenting opinion).

See notes to secs. 75 and 83.

An. Code, sec. 73A. 1912, ch. 492. 1914, ch. 225, sec. 71A.

81. *This section shall apply only to Anne Arundel County*, in which county the judges shall open the ballot-box and count and announce the whole number of ballots in the box, they shall reject any ballots which are deceitfully folded together, and any ballots which do not have endorsed thereon the name or initial of the Judge who held the ballots; if the voter has marked more names than there are persons to be elected to any office, or if there shall be any mark on the ballot other than the cross-mark in a square opposite the name of a candidate, or other than the name or names of any candidate written by the voter on the ballot as provided in Section 62, his ballot shall not be counted. Ballots not counted for such defects shall be marked "defective" on the back thereof and shall be wrapped in a separate package and returned to the ballot-box as hereinafter directed. No vote shall be counted for any candidate opposite whose name no cross-mark shall be placed, and no ballot shall be rejected solely because any part or portions of the cross-mark extends beyond the square, if the point of intersection of the cross-mark is within the square. They shall open the ballots and all of them shall be canvassed separately by one of the judges sitting between two other judges, which judge shall call out each name and the office for which it is designated and the other judges looking at the ballot at the same time, and the clerks making tally of the same. When all the ballots have been canvassed in this manner, the election clerks shall compare their tallies together and ascertain the total number of votes received by each candidate, and when they agree upon the numbers one of them shall announce in a loud voice to the judges the aggregate number of votes received by each candidate. If requested by any watcher or challenger present at any canvass, it shall be the duty of the judges and each of them to exhibit to such watcher or challenger any ballot cast, fully opened or in such condition and manner that he may fully read and examine the same, but the judges shall not allow any ballot to be taken from their hands. As the ballots are counted they shall be strung upon a strong twine.