

who has been duly challenged in relation to his right to vote at such election without exacting from such person such oath or other proof of qualification as may be required by law; or shall wilfully omit to challenge any person offering to vote whom he knows or suspects to be not entitled to vote, and who has not been challenged; or shall wilfully refuse to open and show the ballot-box to be empty prior to the opening of the polls; or shall permit any barricade or obstruction of any kind to be interposed, so that all who desire can not constantly see such ballot-box, shall upon conviction thereof be punished by imprisonment in jail or in the penitentiary for not less than three months, nor more than two years.

As to civil liability of judges of election for fraudulently and maliciously refusing to register a voter, see *Friend v. Hamill*, 34 Md. 298; *Elbin v. Wilson*, 33 Md. 142. See also *Hardesty v. Taft*, 23 Md. 530.

See sec. 173.

An. Code, sec. 94. 1904, sec. 92. 1896, ch. 202, sec. 86.

**102.** Every judge or clerk of election or other officer or person who shall make, sign, publish or deliver any false tally or return of an election, or any false certificate or statement of the result of an election, knowing the same to be false, or who shall wilfully deface, destroy or conceal any statement, tally or certificate entrusted to his care and custody, shall on conviction thereof be adjudged guilty of a felony, and shall be punished by imprisonment in the penitentiary for not less than one nor more than ten years.

See sec. 173.

An. Code, sec. 95. 1904, sec. 93. 1896, ch. 202, sec. 87.

**103.** If any person other than a judge of election shall at any election, knowingly and wilfully put, or cause to be put any ballot or ballots, or other paper having the semblance thereof into any box used at such election for the reception of votes; or if any judge of election knowingly or wilfully cause or permit any ballot or ballots to be in said box at the opening of the polls, and before the voting shall have begun; or shall knowingly, wilfully or fraudulently put any ballot or other paper having the semblance thereof in any such box at any election, unless the same shall be offered by a voter whose name shall have been found and kept upon the registry, as hereinbefore provided, or who shall be entitled to vote under this article; or if any judge of election or other officer or person shall fraudulently during the canvass of ballots in any manner change, substitute or alter any ballot taken from the ballot box then being canvassed, or from any ballot box which has not been canvassed, or shall remove any ballot or semblance thereof from or add any ballot or semblance thereof to the ballots taken from the ballot box then being canvassed, or from any ballot-box which has not been canvassed, every such person shall upon conviction thereof be adjudged guilty of a felony, and shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

See sec. 173.