

he makes a selection, the selection of these names must be by agreement and by joint act of majority supervisors. *Election Supervisors v. Loden*, 129 Md. 280.

Under act of 1890, ch. 538, and act of 1892, ch. 701, if all the supervisors do not agree as to the appointment of a ballot clerk, then the representative of the party entitled to name such clerk may name three eligibles, and the supervisors must select one of the three. If they fail to do so, mandamus lies. *Sudler v. Lankford*, 82 Md. 146; *Election Supervisors v. Loden*, 129 Md. 284.

An. Code, 1924, sec. 10. 1912, sec. 9. 1904, sec. 9. 1896, ch. 202, sec. 9. 1924, ch. 426, sec. 9. 1931, ch. 273. 1937, ch. 95, sec. 10.

11. Each person selected as judge or clerk by the Board of Supervisors shall be promptly notified of the fact of his selection, with directions to appear within the time fixed in the notice before the board for the purpose of examination; and if, upon examination, he is found qualified, he shall, unless excused by the supervisors for good cause, be appointed by the supervisors and shall be bound to serve as such officer for the term of two years, except as otherwise provided in Section 9 hereof. The supervisor shall keep books in which shall be written down the names of all the judges and clerks so appointed, the date and manner of notice to them to appear and whether or not they appear, and, if appearing, whether they were appointed, rejected or excused, and if rejected or excused, the reasons therefor. No person shall be compelled to serve as judge or clerk for one year after the expiration of his term of service, and all persons so serving shall be exempt from jury duty during the term of their service and for one year thereafter. Any person so selected and notified to appear for examination who shall not appear before the board as required or shall refuse to serve, shall be fined not less than one hundred dollars nor more than three hundred dollars, unless it shall appear that he was not qualified for such service by reason of ill health, infirmity or old age. It shall be the duty of the supervisors to notify the State's Attorney of the county or City of Baltimore of the failure, refusal or neglect of any person, and to require the State's Attorney to institute proceedings for such penalty at the next term of court.

An. Code, 1924, sec. 11. 1912, sec. 10. 1904, sec. 10. 1898, ch. 385. 1902, chs. 290, 343, 539. 1904, ch. 325, secs. 9A-9E. 1908, ch. 492. 1910, ch. 291 (p. 100). 1914, ch. 205. 1918, ch. 120, sec. 10. 1922, ch. 195, sec. 10.

12. The judges and clerks appointed by the Board of Supervisors of Elections for the several counties of the State shall not be required to appear before the said Board of Supervisors of Election for the purpose of examination as required by Section 11 of this Article, but the said Boards of Supervisors of Election for the several counties, before making appointments of any such judges or clerks, shall thoroughly inform themselves as to the qualifications of the parties appointed, and shall not require their attendance before the said board for such examination, and they shall appoint only such persons as are known to them to possess the proper qualifications for the position to which they are severally appointed, and the said persons shall be sworn in as provided in Section 13 of this Article, and shall file with said Board of Supervisors a certificate of qualification.

An. Code, 1924, sec. 12. 1912, sec. 11. 1904, sec. 11. 1896, ch. 202, sec. 10. 1898, ch. 142. 1900, ch. 464. 1910, ch. 456 (p. 101). 1914, ch. 727. 1922, ch. 195, sec. 11. 1924, ch. 422. 1937, ch. 95, sec. 12.

13. In appointing the judges and clerks of election, the Boards of Supervisors of Elections shall designate the persons intended by them to