

judges shall fail to appear and qualify or to open the polls at the hour when same should be opened, or to perform any of the duties required of them as such judges, unless excused before time of opening the polls by the Mayor, then the judge or judges so failing to qualify or open the polls as aforesaid, or to perform any of the duties required of them as such judges or as clerk, unless incapacitated by sickness, shall be deemed guilty of a misdemeanor, and on conviction after indictment shall be fined not less than fifty dollars nor more than five hundred dollars and be committed to the County Jail until the fine and costs are paid, or both fined and sentenced to the House of Correction for not less than three nor more than twelve months, at the discretion of the Court.

In case any or all of the judges so appointed shall fail to qualify or be present at the opening of the polls at any such election, then the mayor may at once appoint another person or persons to act in the place of the one or ones not qualifying or present, then the judge or judges present shall appoint from the voters present at the opening hour at the poll room some qualified person or persons to act as judge in the place of the one or ones not qualified or present, and the judges present or one of them may administer the other required to the one or ones so appointed. And in case that none of the judges are present at the time for the opening of the polls at such election, then the qualified voters who are present shall select six of their number who shall qualify and act as judges of said election, subject to all the provisions and penalties herein. The judges shall keep the polls open from 7 o'clock A. M. to 7 o'clock P. M.; they shall within two days of the election return under their hands and seals the number of votes cast for each person and for what office or object, together with the ballots, taken in sealed packages to the Clerk of the Circuit Court for Wicomico County, who shall record said returns and preserve said ballots for at least two months; the Clerk shall issue certificates of election to the persons appearing by said return to have received the largest number of votes; said certificates shall be recorded in the proceedings of said Council. Should the Mayor wilfully fail to perform any of his duties under this section he shall be deemed guilty of a misdemeanor, and on conviction be fined not less than twenty-five dollars and costs, and be committed to the County Jail until paid, or both, at the discretion of the Court. All the judges of election under this Act, whether appointed by the Mayor or otherwise, are hereby declared subject to the provisions and penalties of this section. All offenses hereunder to be prosecuted under indictment in the Circuit Court for Wicomico County, the fines to