

RIVERDALE ELECTION MANUAL

(Revised March 1995)

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I. GENERAL PROVISIONS

A. Authority; Definitions.

1. Authority.

The provisions contained in this manual set forth the procedures to be followed by the town judges of election with respect to voting, ballot handling and tallying procedures, and administration and operation of the polling place. This manual is promulgated pursuant to the authority of the Charter (charter) of the Town of Riverdale (town) and appropriate ordinances contained in Chapter 29 of the Riverdale Code (code). General reference should be made to sections 202 and 402 and Article 5 of the charter and Chapter 29 of the code. Specific reference should be made to the following code sections:

- (1) Qualifications to vote in town elections: § 29-1.
- (2) Removal of voters from one ward to another: § 29-2.
- (3) Election officials, removal, and compensation: §§ 29-3, 29-4, and 29-6.
- (4) Candidates for election: §§ 29-5 and 29-11 through 29-13.
- (5) Sample or specimen ballots: §§ 29-14.
- (6) Use of paper ballots or voting machines: §§ 29-15.
- (7) Police powers and offenses: §§ 29-16 through 29-19.
- (8) Recounts and contested elections: §§ 29-20 through 29-22.
- (9) Absentee voting: § 29-23.

2. Definitions.

- (1) "At large" means within the incorporated town in its entirety without regard to ward boundaries.
- (2) "Ballot" or "ballots" means paper ballots or the labels which appear on the face of voting machines, whichever context is appropriate.
- (3) "Candidate" means any person whose qualifications for candidacy for any town public office are verified by the judges in accordance with code §§ 29-11 and 29-12.
- (4) "Elections" means the process by which the voters of the town vote for any town public offices pursuant to state or federal laws, any constitutional amendment, public law or proposition.
- (5) "Judge" means any person designated as judge of election.
- (6) "Ward" means an election district in the town.
- (7) "Write-in vote" means a name of a candidate written in on the ballot and voted upon as if it had been printed thereon.

B. Election Officials.

1. Absences; substitution.

If any judge is not present at the expiration of 15 minutes after the time for the opening of the polls, the chief judge or acting chief judge present shall fill the place of the absent judge by appointing in his stead an alternate or substitute as provided in code § 29-3(d). The chief judge or acting chief judge present shall administer the oath specified in code § 29-3(f) to such alternate or substitute.

2. Emergency absences.

After the opening of the polls, no judge shall absent himself therefrom until all the votes cast have been counted or tabulated and the returns completed. If in case of an emergency or illness any judge in attendance is compelled to absent himself, the chief judge or acting chief judge present shall appoint a qualified alternate or substitute to act in his stead as provided above until he can return.

3. Forms.

Blank forms for the appointment of substitute judges and the oath aforesaid shall be supplied to the judges. The oath, when administered, as well as the appointment and swearing in of all substitutes, the reasons therefor, and the time when such substitutions began and ended shall be preserved and kept with all the other records of the day.

C. Record of Persons Voting.

1. Errors in registration.

No one who is not registered as a qualified voter of the ward shall be entitled to vote or to receive a ballot, but no vote shall be rejected because of an error in the spelling of a voter's name or because of the wrongful omission or addition of one or more initials of his middle name or names, or because the voter gives the initials of one or more of his given name or names, instead of his full name, or one or more of his given name or names, instead of the initial or initials thereof, or because of an error in the number of his residence on the register, provided a majority of the judges are satisfied that the person offering to vote is the identical person who is registered and that he intended to register his true name and residence.

2. Identification of voters by voting authority cards.

(a) A registered voter offering to vote at any election, before being permitted to vote, shall identify himself by giving his name and address and signing a voting authority card in the presence of the judges.

(b) If the applicant cannot sign, then the applicant shall state his age so that it can be compared with the age on the voting authority card. If no age is entered, then the applicant shall identify himself by such other means as are referred to in the listed information, so that the judges are assured that he is the same person as the one who registered. Then he shall be allowed to vote.

3. Disposition of voting authority cards.

At the close of the polls the judges shall account for all voting authority cards. The unused and spoiled voting authority cards shall be wrapped and sealed in a separate package marked "unused" and "spoiled" voting authority cards. The used voting authority cards shall be kept to themselves and used as a check against the number of people voting. They shall be kept by the judges until such time as there appears to be no contest over the election.

D. Operation of Polling Place.

1. Hours for voting.

The hours for voting shall be determined biennially by the mayor and council at a February legislative meeting next preceding the town election in May.

2. Policing.

Each of the judges has the authority to keep the peace and to cause any person to be arrested for any breach of the peace, or for any breach of the election laws, or any interference with the progress of an election, the canvass of the ballots or the ascertainment and transcription of the votes recorded on the voting machines. It shall be the duty of all officers of the law to obey the order of any judge and an officer making an arrest at the direction of the judges shall be protected in so doing as fully as if a warrant had been issued to him to make such arrest.

3. Watchers and challengers.

(a) Authorized. Each candidate shall have the right to designate a registered voter as a watcher and challenger at election. Said persons shall be assigned to such position near the judges inside the polling room as to enable them to see each person as he offers to vote. They shall be protected in the discharge of their duty by the judges and the police.

(b) Certificate as evidence of right to be present. A certificate signed by a candidate shall be sufficient evidence of the right of such watcher and challenger to be present in the registration or polling room.

(c) Rights; unlawful acts. Watchers and challengers shall have the right to remain in the polling place from the time the polls are opened until the returns are completed. However, after the polls are closed, any watcher or challenger present shall be required to remain until the returns are completed and presented to the Mayor and Council. It shall be unlawful for any challenger to inquire or ascertain for which candidate or candidates a voter intends to vote, or has voted, or to converse in the polling place with any voter or to assist any voter in the preparation of his ballot or in the operation of the voting machine. Any challenger who violates these restrictions may lawfully be ejected by the judges and is subject to the penalties provided in code Chapter 29.

(d) Removal. A watcher or challenger may be removed at any time by the same entity who appointed him pursuant to the method in code § 29-17(d).

(e) Other persons allowed in polling place. Persons other than accredited watchers or challengers who desire to challenge the vote of any person shall be permitted to enter the polling place for that purpose, but a majority of the judges may limit the number of persons to be allowed in the polling place at any one time for such purpose; and all such persons shall leave the polling place as soon as the right to vote of the persons challenged by them has been decided.

(f) Form of certificate. The form for the certificate of a challenger and watcher shall be supplied by the candidate and shall be substantially like the sample form found in the Appendix of Forms.

II. SPECIFIC PROCEDURES

A. When Paper Ballots Are Authorized.

1. Type, form, arrangement.

(a) Ballots shall be printed in black ink, in uniform type, upon paper of various colors to distinguish the different wards, as may apply. The heading shall be "Official Ballot". The name of the candidate or candidates and the office or offices to which they are seeking to be elected shall be printed in plain, clear, bold and legible Roman Capitals, 1/8 inch in height or depth. See sample in the Appendix of Forms.

(b) The names of the candidates for every town elective office shall be printed upon the ballot alphabetically according to their surnames opposite a square in which the voter may place his cross (X) mark indicating the candidate for whom he votes.

(c) A printed line shall be provided in connection with each office to be filled on which the voter may write in the name of the individual for whom he desires to vote for such office by placing his cross (X) mark in the square printed opposite thereto.

2. Number to be printed; surplus ballots.

The judges shall cause to be printed and have in their possession at least five (5) days before an election a number of ballots equal to 110% of the number of registered voters. The judges shall keep a record of the number of ballots printed until such time as the other records of the election are destroyed. All surplus ballots are to be destroyed within ten (10) days after an election.

3. Ballot boxes.

The ballot box shall be of sufficient capacity to hold the ballots to be deposited therein, shall have an opening in the top large enough to allow a single folded ballot to be passed easily through the opening, but no larger, and shall be supplied with a seal or sufficient lock and key.

4. Voting booths.

The judges shall provide a sufficient number of voting booths, equipped with tables or shelves, on which voters may conveniently mark their ballots. Each voting booth shall be at least three feet square and six feet high, shall contain three sides with a door or curtain on the fourth side, which door or curtain shall extend within two feet of the floor and shall be so

arranged that it shall be impossible for anyone outside the voting booth to observe a voter in the act of marking his ballot. Each voting booth shall be kept properly lighted and provided with all the supplies and conveniences necessary for marking ballots. The ballot boxes and voting booths shall be arranged in plain view of the judges.

5. Procedure for casting paper ballots.

(a) At every election each qualified voter shall be entitled to receive one official ballot. In applying therefor to the judge holding the ballots, the applicant shall give his name and residence and the judge shall repeat the same in a loud and distinct voice. If such name is found upon the registry by the judges having custody thereof they shall repeat the said name and give to the voter the ballot for his ward.

(b) Upon receipt of the ballot the voter shall forthwith retire alone to one of the booths or compartments and prepare his ballot. No voter shall remain in or occupy a booth or compartment longer than may be necessary to prepare his ballot.

(c) Before leaving the voting booth or compartment the voter shall fold his ballot without displaying the manner in which he has voted and so fold it that it can be deposited by him in the box provided.

6. "Spoiled" and "not voted" paper ballots.

Any voter who by accident or mistake spoils his ballot so that he cannot conveniently vote the same may on returning said ballot to the judge receive another in place of it. No voter shall receive more than three (3) ballots from said judge for the reason aforesaid. The ballots thus returned shall be immediately canceled by endorsing the word "spoiled" on the folded ballot or on the back thereof so that it is not obvious as to how the voter intended to vote. The spoiled ballots shall be enclosed in a package to themselves and marked "spoiled" thereon. Every voter who received a paper ballot and does not vote shall either put it in the ballot box or return it to the judge who shall place it in a pile marked "not voted" and counted at the end of the day with all ballots in the ballot box.

7. Other ballots; write-ins.

(a) Rules on a write-in vote are applicable to voting machine ballots as well as to paper ballots.

(b) Ballots other than those printed by the judges and marked "official" shall not be cast or counted in any election. This subsection shall not prevent any voter from writing on his ballot and marking in the proper place the name of any person other than those already printed for whom

he may desire to vote. Such votes shall be counted the same as if the name of such person had been printed upon the ballot and marked by the voter.

(c) In determining the identity of the candidate for whom a write-in vote is cast, where the voter's identification can be determined, such vote shall be valid and shall not be invalidated or voided by the fact that the name of such candidate is misspelled, the wrong initials employed, the middle name of the candidate is wrong, or if only the candidate's surname is written, providing that in the case of a ballot with only the candidate's surname written in, such ballot will be considered valid only if there is no other candidate by that surname competing for the office for which said write-in vote is cast.

8. Procedure for canvass generally.

As soon as the election polls have been closed, the judges shall immediately and at the place of polling proceed to canvass the vote cast as follows:

(a) The judges shall first seal up the unused ballots and endorse the same with their signatures as "unused ballots."

(b) The canvass shall not be adjourned or postponed until it shall have been fully completed or until several statements and tally sheets hereinafter required to be made by the judges shall have been made out, signed and sealed by them. The judges shall have the right to station police officers within the room wherein such canvass is made in order to keep the peace. The challengers and watchers shall be allowed to be present sufficiently near so that they can see that the judges are faithfully performing their duties.

9. Rejection of defective ballots.

(a) The judges shall open the ballot box, open up the ballots and count and announce the whole number of ballots in the box.

(b) No ballot shall be counted that is marked other than with the indelible pencil supplied by the judges of election, or that contains any marking or writing other than the cross (X) mark in the square opposite the name of a candidate or write-in line, or other than the name or names of any candidate written by the voter on the ballot.

(c) Ballots not counted for such defect shall be set aside in a separate pile and shall be wrapped and sealed and marked "void."

(d) No vote shall be counted for any candidate opposite whose name no cross mark is placed.

(e) No ballot shall be rejected solely because any part or portion of the cross mark extends beyond the square if the point of intersection of the cross mark is within the square.

(f) No ballot shall be rejected solely because the voter has marked more names than there are persons to be elected to an office, but such ballots shall not be counted for any candidate in the group of names so marked.

(g) A discrepancy in one part of the ballot shall not disqualify other parts thereof.

(h) That part of the ballot which because of a discrepancy or irregularity cannot be counted shall be "X'd" out with a cross mark from the four corners thereof. The ballot shall be retained in the pile of ballots to be counted.

10. Guidance concerning irregularity in marking the ballot.

The test for determining the validity of a ballot is that, when an irregularity in the marking of a cross mark apparently occurred accidentally and in pursuance of the voter's purpose to make a cross mark as provided above, the vote on the ballot should be counted; but when the irregularity was apparently placed on the ballot intentionally and constituted a means of identifying the ballot, the ballot should be rejected. See Mahoney v. Board of Supervisors of Elections, 105 Md. 325, 106 A.2d 927, 108 A.2d 143 (1954) (Tick marks or other irregularities included).

11. Tallying votes.

(a) The judges shall open the ballots, and all of them shall be canvassed separately by one of the judges sitting beside one other judge, which judge shall call out each name and the office for which it is designated with the other judge looking at the ballot at the same time. The other judges shall be making tally at the same time. When all the ballots have been canvassed in this manner, the judges shall compare their tallies together and ascertain the number of votes received by each candidate. When they agree upon the number, one of them shall announce in a loud voice the aggregate number of votes received by each candidate.

(b) If requested by any watcher or challenger present at the 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.

12. Packing voting materials for safe keeping.

(a) The "spoiled" ballots as defined in II, A, 6, above, shall be enclosed in a package to themselves and kept with the unused ballots and sealed at the close of day by the chief judge and shall be so marked, "spoiled" and "unused".

(b) The rejected ballots which are packaged and marked

"void" shall be kept by the chief judge, together with all the ballots cast and counted, including those partially rejected because of irregularities, and sealed by packaging and a seal over which all the judges have written their signatures so that any tampering will be noted if the seal is broken.

13. Report of the election to officials.

(a) As soon as all tallying and records are completed and the voting material properly packaged and sealed, the chief judge shall immediately present the record of votes cast for each candidate to the mayor and council as prescribed in § 511 of the town charter.

(b) The mayor and council and the chief judge shall determine who shall be further responsible for the safe keeping of the ballots and the records.

B. When Voting Machines Are Authorized.

1. Procuring voting machines.

(a) The chief judge shall make arrangements for the procurement of voting machines from whatever source voting machines may be obtained. When procured, the chief judge shall make arrangements for a custodian to set up the voting machine panels or face thereof for the placing of the names of the candidates and/or questions to be voted upon and any other details that are needed.

(b) The chief judge shall make arrangements for the printing of the names on the ballots.

(c) The chief judge shall arrange for transportation of the voting machines and all necessary equipment to the town. If the town is responsible for the transportation of the machines, and the voting panels are in place and set up ready for election, then the police shall accompany and guard the voting machines and equipment and shall personally take charge of and be responsible for the sealed envelopes containing the keys to unlock the machines. These sealed envelopes, with the seal unbroken, shall be then personally delivered to the safe keeping of the chief judge, upon their arrival in the town.

(d) The chief judge may make arrangements with the custodian for the safe delivery of the sealed envelopes with the keys to the chief judge's safe keeping.

(e) The mayor and council shall provide a place for safe keeping of the machines until the day of election when they shall be set up at the place of voting.

2. Arrangement; ballot data.

(a) The names of candidates for any office shall be arranged alphabetically on the ballots according to their surnames under the designation of their offices.

(b) The titles of offices may be arranged horizontally or vertically on the ballots with the names of candidates opposite the title of the office. The titles of offices shall be so arranged that: (i) there shall first appear those titles of offices for which the voters of the entire town may vote; (ii) there shall next appear those titles of offices for which voters may vote only for the candidates of their respective wards.

(c) Above the group of the names of candidates for each office and upon a separate line immediately underneath the designation of the office, there shall be printed an appropriate direction or instruction to the voter informing him of the number of persons for whom he may lawfully vote for that particular office mentioned, as: "Vote for one," etc.

(d) An amendment to the charter, or any question to be submitted to the popular vote, shall be printed on the ballots following the names of the candidates for office and, in the absence of some other provision, shall be accompanied by the words "for" and "against." If the statement is too long to be printed conveniently on the ballot, then a condensed statement in understandable language may be used.

(e) Ten (10) days before an election the form and arrangement of the ballots to be used in the election, showing offices, names of candidates, amendments and/or questions therein shall be prepared by the judges and made available for inspection by any candidate named thereon. If any error is discovered it shall be the duty of the judges to correct the error.

(f) The judges shall prepare or have prepared a sufficient number of copies of the form and arrangement of the ballots which shall be called "Specimen Ballots" that there may be sufficient number of copies posted in various conspicuous places in the town ten (10) days before the election so that the voters may be made aware of the candidates and questions to be voted upon at the election.

(g) "Specimen Ballots" shall also be posted on the morning of the election at various places within and without the polling place, where the voters may easily see for whom they are to vote. One shall be posted inside the curtain of each of the voting machines.

3. Other equipment.

The chief judge shall arrange to have furnished and delivered with the voting machines:

(a) Diagrams of sample ballots, of suitable size, representing such part of the face of the voting machine as will be in use in the election and accompanied by illustrated directions for voting on the machine. Such diagram shall be posted in a prominent position within the polling place.

(b) A mechanically operated model of a portion of the face of a voting machine for instruction of the voters. Such model shall be placed in a prominent position within the polling place.

(c) A seal for sealing the machine after the polls are closed unless the construction of the machine is such that the machine is automatically locked and sealed when the results are exposed; and any other election material and supplies as may be necessary.

4. Operation of machines.

(a) Keys. The keys shall be enclosed in a sealed envelope on which shall be written: (i) the number of the voting machine; (ii) the number of the seal; and (iii) the number registered on the protective counter or device as reported by the custodian.

(b) Inspection of Machine. The judges shall meet at the polling place on the day of election at least on-half (1/2) hour before the opening of the polls and shall then inspect the equipment furnished. If at least two judges are present:

(1) They shall open the envelope containing the keys to each voting machine and shall, except in the case of machines so constructed as to furnish a printed or photographic record of the setting of the counters and the numbers registered thereon by voting, unlock the counter compartment to ascertain whether the tabulating devices are all set at zero (000), whether the numbered seal on the operating level is unbroken and that the number thereon is identical with the number certified on the envelope containing said keys.

(2) They shall also compare the number appearing on the dials of the exposed counter designed to register every consecutive operation of the machine with the reading thereof noted on the envelope containing the keys. If the machine is so constructed as to furnish a printed or photographic record of setting of the vote-registering counters as they appear prior to the opening of the polls, the counter compartment shall not be opened nor shall the counters be exposed to view and such printed or photographic record shall be examined in the same manner as provided herein for the examination of counters to ascertain that they are all set at zero (000).

(3) The judges shall also inspect the face of every machine to make sure the proper ballot labels are in proper place and that the machine is otherwise ready for

use.

(c) Certificate of judges; removal of seal on operating lever. If after such an inspection the judges shall find the machine in proper order, they shall sign a certificate to that effect, and after signing such certificate they shall remove the metal seal on the operating lever at the time set for the opening of the polls, and said lever shall then be operated only by duly qualified voters for the purpose of registering their respective votes.

(d) Machines to remain locked until polls opened. The machines shall remain locked against voting until the polls are opened and shall not be operated except by voters in voting.

(e) Counters to be adjusted. If any counter is found not to register zero (000), the judges shall immediately notify the custodian, who shall, if practicable, adjust or cause the counters to be adjusted at zero (000); but if it shall be found impracticable for the custodian or other person authorized to arrive in time so as to adjust such counter before the time set for opening the polls, the judges shall immediately make a written record of the designation or designating letter or number of each counter, together with the numbers registered thereon, hereinbelow called the initial numbers, and shall sign and post the same upon the wall of the polling place, where it shall remain until the polls are closed; if the machine is so constructed as to furnish a printed or photographic record of the setting of the counters and the numbers registered thereon by voting and if it shall be found impracticable for the custodian or other person authorized by the board to arrive in time so as to adjust such counter before the time set for opening the polls, there shall be posted as above provided in lieu of the written record of the judges the printed or photographic record of the counter setting furnished by the machine. In filling out the return of the election, if the final number of such counter is greater than the initial number, the judges shall subtract the initial number from the final number and enter the difference on the returns as the vote for the candidate or on the question represented by such counter; if the final number of such counter is less than the initial number, the judges shall add one thousand (1,000) to the final number and shall subtract the initial number from the sum so ascertained, and shall enter upon the returns, as the vote for the candidate or on the question represented by such counter the final number plus one thousand (1,000) less the initial number.

(f) Location of machine. The exterior of the voting machine, and every part of the polling place, shall be in plain view of the judges and watchers. Every voting machine shall be located in the polling place, in such a position that, unless its construction shall require otherwise, the ballot can be seen plainly by the judges and watchers when

the machine is not occupied by a voter. The judges shall not themselves be, nor allow any other person to be, in any position that will permit one to see or ascertain how a voter votes, or how he has voted. The said judges, or one of them, shall inspect the face of the machine at frequent intervals, to see that the ballot labels are in their proper places, and that the machine has not been damaged or tampered with.

(g) Counters not to be exposed; repairs and adjustments. During an election, the door or other covering of the compartment containing the counters of the machine shall not be unlocked or opened, or the counters exposed, except by the action of the proper custodian of voting machines for good and sufficient reason, statement of which shall be made in writing and signed by him and attested by the signatures of the judges. No repairs or adjustments shall be made to any voting machine during an election unless made by a custodian or deputy custodian for good and sufficient reason and a complete statement shall be prepared for each repair or adjustment made. Such statement shall contain information as to the repairs made, the reason for the malfunction of the machine, the duration of the period of time that the machine is out of order and shall be filed as a permanent record.

5. Instruction and assistance in voting.

(a) Instruction. With the aid of diagrams or "Specimen Ballots" or a mechanically operated model, the judges if requested by the voter shall instruct each such voter, before he enters the voting machine booth, regarding the operation of the machine and shall give the voter opportunity personally to operate the model.

(b) Assistance to disable persons only. No assistance in marking ballots or operating a voting machine shall be given except to voters who are blind, have impaired vision or otherwise incapable from physical disability from marking the ballot or operating the voting machine.

(c) Manner of giving assistance; further instructions.

(1) Assistance in marking their ballots or operating a voting machine shall be given to voters who shall declare under oath to the judges that by reason of blindness, impaired vision or other physical disability they are unable without assistance to mark their ballots or operate the voting machine. No ballot shall be marked under this section or voting machine operated until a majority of the judges shall be satisfied of the truth of the facts stated in such affidavit. Upon making and filing with the judges such affidavit, the voter shall retire to one of said booths or voting machines with any person whom the voter may select or with two judges. Then and there the person whom the voter has selected, or in case the voter has selected no one, one of said judges in the presence of the other,

shall mark the ballot or operate the voting machine as such voter shall direct. The only assistance which it shall be lawful for said person or for the said judges to give the voter is to mark the ballot or operate the voting machine, as the voter shall direct, without prompting or suggestion from them, or either of them.

(2) If, however, any voter, after entering the voting machine booth, shall ask for further instructions concerning the manner of voting, then two of the judges shall give him such instructions, but no such judge shall, in any manner, request, or suggest, or seek to persuade or induce any such voter to vote any particular ticket, or for any particular candidate, or for or against any particular question. After giving such instructions, the judges shall retire, and the voter shall forthwith vote.

6. Closing of polls.

(a) Time of closing. The polls shall be officially closed at whatever time has been set by the mayor and council, except that all qualified voters who are then waiting in line shall be permitted to vote by the judges.

(b) Locking and sealing of machines. When the last such voter in the polling place has voted, the judges shall immediately lock and seal the operating lever or mechanism of each machine, so that the voting and counting mechanism will be prevented from operation and they shall then sign a certificate stating:

(1) That the machine has been locked against voting and sealed;

(2) The number of voters, as shown on public counters;

(3) The number on the seal which they have placed on the machine;

(4) The number registered on the protective counter or device; and

(5) The number or other designation of the voting machine.

(c) Comparison of numbers of voters shown. The judges shall then compare the number of voters as shown by the counter of the machine with the number of those who have voted as shown by the voting authority cards.

7. Tabulation of votes.

(a) Manner of tabulating. The judges, in the presence of any candidate, the duly accredited watcher, and all other persons who may be lawfully within the polling place, shall then proceed as follows to tabulate the votes case:

(1) (i) On machines that do not furnish a printed or photographic record of the setting of the counters

and the numbers registered thereon by voting, the judges shall make visible the registering counter; and, for that purpose, shall unlock and open the doors or other cover concealing the same, giving full view of all the counter numbers. The judges, under the scrutiny of the watchers, and in the order of the offices as their titles are arranged on the machine, shall read and announce, in distinct tones, the designation or designating number and letter of each counter for each candidate's name, the result as shown by the counter number, and/or the designation or designating numbers or letters on each counter, and the result as shown by the counter numbers for and against each question voted on.

(ii) The counter shall not be read consecutively along the rows or columns, but shall always be read along the office columns or rows, completing the canvass on each machine for each office or question before proceeding to the next.

(iii) The vote as registered shall be entered by the judges, in ink, on duplicate statements of votes cast, or tally sheets, which, after the canvass is complete, shall be signed by the judges.

(iv) If more than one voting machine is used, the votes registered on each machine shall be ascertained in like manner, and separately entered in appropriate spaces on the duplicate statements of votes cast, or tally sheets.

(v) The total vote cast for each candidate, and for and against each question, shall then be computed and entered on the duplicate statements of votes cast, or tally sheets.

(2) (i) In the case of all machines so constructed as to furnish a printed or photographic record of the total vote registered on the various counter, it shall not be required that the counter compartment be opened and the counters exposed to view but the printed or photographic record shall be considered as the official tally sheets for that machine. In the case of such machines, immediately following the closing of the polls and after the last voter has voted the judges shall immediately lock and seal each machine as hereinbefore provided and shall then cause the machine to produce the printed or photographic records thereon and shall thereupon proceed as in the case of ordinary voting machines, except to the extent to which the furnishing of the printed or photographic record makes such steps unnecessary.

(ii) In the event of a mechanical failure of the printing or photographic mechanism in any machine equipped with such mechanism for recording the setting of the counters and the numbers registered thereon, the procedure to be followed from and after such failure, whenever such failure occurs, shall be the same as in the case of machines not equipped with such mechanism.

(b) Preparation of tally sheets.

(1) When the canvass of all voting machines in the polling place has been completed, the judges shall then prepare in ink an original and a duplicate tally sheet reporting the vote registered on each machine, the vote cast for each candidate, the votes cast for and against each question or referendum, the number of voters who have voted, as shown by the list of voters, and the number who have voted on each machine as shown by the public counters, and also the number registered on the protective counter or device on each machine immediately prior to the opening of the polls and immediately after the closing thereof and the sealing of the machine. The number or other designation of each machine used shall be entered thereon, whereupon the tally sheets shall be signed by all judges.

(2) The registering counters of the voting machine shall remain fully exposed to view until the said tally sheets and all other reports have been fully completed.

(c) Proclamation of result of votes cast.

(1) The proclamation of the result of the votes cast shall be announced distinctly and audibly by one of the judges, who shall read the names of each candidate, the designation or designating numbers and letters of his counters and the vote registered on each counter, and also the votes cast for and against each question or referendum submitted.

(2) During such proclamation ample opportunity shall be given to any person lawfully present to compare the results as announced with the counter dials of the machines or the printed or photographic record thereof in the case of machines so constructed as to furnish a printed or photographic record of the setting of the counters and the numbers registered thereon by voting which have furnished the same, and any necessary corrections shall then and there be made by the judges, after which the doors or other cover of the voting machine shall be closed and locked.

(d) Signing and sealing of tally sheets; disposition thereof.

(1) The tally sheets, in duplicate, shall be signed by each of the judges. If any judge shall decline to sign such tally sheets, he shall state his reason therefor in writing, and a copy thereof signed by

himself shall be enclosed with such tally sheet.

(2) One tally sheet shall be directed to the mayor and council and shall be immediately presented to them at a public meeting of the mayor and council.

(3) A duplicate tally sheet shall be retained by the chief judge for safe keeping.

8. Return of keys and machine to proper authorities.

(a) The judges shall seal the keys each in the envelope in which they were received.

(b) As soon as possible after completion of the count, the judges shall have the voting machine properly boxed or securely covered and return the same with the voting equipment and the keys in their envelopes to the source from which they were obtained.