

them, and three judges thereof shall be designated and appointed by them ten days prior thereto, who shall appoint one clerk, all of whom shall serve without pay; and at said election the polls shall be kept open from two o'clock P.M. to six o'clock P.M., when they shall be closed, and the ballots publicly counted, and the said judges shall, within two days after the election, make a true and correct return of the same under their hands, to be addressed and transmitted to the Mayor, who shall convene the Common Council on the second Monday in May after each election to receive the returns of the same.

SEC. 28. *And be it enacted*, That at such meeting the Mayor and Common Council shall receive the returns and determine all questions arising thereon, and certificates of election shall forthwith be issued by the clerk to the persons appearing to be elected as Mayor and Councilmen by having received the highest number of votes, and the said certificate shall be recorded among the proceedings; and if at any election it shall appear from the returns of the judges of election that there has been no election of any two or more persons voted for as Mayor or Common Council by reason of a tie vote, disqualification or any other cause, a new election shall be immediately proclaimed by the Mayor to fill the vacancy, which election shall be held, on ten days notice, and in all respects as aforesaid provided for the regular elections.

Receiving
election re-
turns.

SEC. 29. *And be it enacted*, That W. H. D. Warfield, W. M. Chipley and E. M. Mellor be and they are hereby appointed judges of election to hold the first election under this Act on the first Monday of May, 1904, between the hours of two and six o'clock P.M. They may appoint a clerk, and ten days before the first Monday in May, 1904, they shall give notice that the election will be held, designating the place which shall be selected by them, at which election all persons qualified as prescribed in this Act shall be entitled to vote for one person for Mayor and six persons for Common Councilmen, and said judges of election, before opening the polls, shall make oath before some justice of the peace of said town to permit every qualified person to vote, and none other; and a majority of the said three judges shall have power to do all things under this section in case one of them dies or refuses to act. At such election each voter shall have written or printed on his ticket "For incorporation" or "Against incorporation," and if a majority of the qualified voters in said town shall vote in favor of incorporation, then the provisions of this Act shall take effect, and the election thereunder shall be valid; but if a majority of

Judges of
election.