

political party. In case of a tie vote for any official or officials at any election the council shall order a new election, upon giving ten days' notice thereof, by posting a copy of said notice in not less than three conspicuous places in said town and by publication of the same in the official journal of the town or in some newspaper published in Montgomery County.

1906, ch. 795, sec. 7. 1912, ch. 790, sec. 541.

917. The Mayor, by and with the consent of the council, shall appoint one person to be town marshal, one to be health officer and one to be clerk and treasurer, to hold office for one year, or until their successors are appointed and qualified; and the council shall fix the compensation of each of said officers and of all subordinates under them, and shall prescribe their duties except as herein otherwise provided. The marshal shall have power to appoint with the approval of the Mayor, or in case of emergency, but not to exceed for any one appointment the period of forty-eight hours, such deputy marshal or marshals as the council shall by law allow. The marshal shall be held responsible under the Mayor for the enforcement of all ordinances of the town relating to public safety and order, and shall perform such other duties as the council may prescribe. The health officer shall have the power to appoint, with the approval of the Mayor, such assistants and officers under him as the council may by law allow, and shall be held responsible under the Mayor for the enforcement of all ordinances relating to the health and sanitary condition of the town. The clerk shall keep the minutes of the proceedings of the council in a bound book, which shall be open to all persons interested. He shall collect and receive the taxes and other monies due the town, and shall keep and disburse the same in the manner prescribed by the council, and shall perform such other duties as the council may prescribe, but shall make no disbursements except by or upon written order or check countersigned by the Mayor.

1906, ch. 795, sec. 8. 1912, ch. 790, sec. 542.

918. The Mayor shall have all the powers of a justice of the peace in criminal cases where the Town of Somerset is a party, and shall receive the same fees allowed the justices of the peace in similar cases, and an appeal from his judgment may be taken to the Circuit Court for the county, which shall hear and determine the matter as upon appeal from a justice of the peace. The Mayor shall have power to summon witnesses, to administer oaths, and to certify the same in all matters properly pertaining to said corporation of the Town of Somerset.

1906, ch. 795, sec. 9. 1912, ch. 790, sec. 543.

919. The marshal and the health officer shall attend the meetings of the Council when so required. The marshal shall preserve the peace and good order of the town, and for this purpose he is hereby invested with the same power and authority and shall receive the same fees as any constable under the laws of the State, within the limits of said town. He, as well