

CHAP. 795

meetings not held in due time may be held as soon thereafter as practicable. A majority of the Council shall constitute a quorum for the transaction of business.

Judges of
election
appointed.

SEC. 6. *And be it enacted*, That the Council shall annually, on or before the first Monday in April appoint three judges of election, who shall appoint a clerk, and said judges shall conduct an election by ballot, in accordance with the provisions of Section 3 of this Act, the polls to be opened at five o'clock P. M. and closed at nine o'clock P. M., or at such other hours as the people at any election may determine upon for the future. The Mayor and other members of the Council shall be liable to presentment and indictment in the Circuit Court of Montgomery county for wilful failure to do any act or to perform any duty required by this Act or by the ordinances or by-laws that shall be passed relating to the holding of town elections, and, upon conviction, shall be liable to fine or imprisonment, or both, in the discretion of the court. The judges and clerk shall make their returns to the Council, and also, in the case of election of Mayor, to the clerk of the Circuit Court for Montgomery county, but said judge and clerk shall receive no compensation for their services. Not more than two of said judges of election shall be of the same 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.

Appointment
of town
marshal,
health
officer, clerk
and treasurer,
and
duties of
each.

SEC. 7. *And be it enacted*, That 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 enforce-