

ceding said election, and be the owner of real estate or leasehold property within the corporate limits of said town, members of the council.

SEC. 43. The mayor shall give at least two weeks' notice of the election by hand-bills posted in not less than five public places in said town, and shall appoint three persons who are qualified at such election judges of election, and the said judges shall appoint a clerk, who shall record the names of the persons voting as they vote; and each of said judges, before holding any elections, shall swear or affirm before a justice of the peace of said Carroll county, that he will fairly and impartially discharge the duty of judge of such election; and immediately after the close of the election said judges shall, in the presence of such persons as may desire to witness the same, count the ballots; and the persons having the highest number of votes for the several offices of mayor and members of the council, shall be declared duly elected, and said judges shall then and there make and sign a certificate of the result of said election, showing the number of votes cast for each person voted for, and shall deliver said certificate to the clerk of said town, who shall notify to the persons elected their election, and the persons so elected shall severally hold their respective offices from the third Monday of May next ensuing their election, for and during one year, and until their successors shall be duly elected and qualified.

SEC. 44. If notice of such election shall not be given as hereinbefore required, or if the judges of election shall not be appointed or shall refuse to act, five or more voters of said town may call an election for said offices by notices set up in the most public places in said town, not less than one week previous to such election therein, naming the time and place of holding such election, and naming three judges thereof, who, or any two of whom, may hold such election.

SEC. 45. If at any election there shall be a tie between any two persons voted for, for the said offices, or if any person elected as a member of the council shall die, resign, remove from the town, be disqualified or refuse to act, a new election shall be held in two weeks after such fact shall have become known, after at least one week's notice given by the mayor, or one or more of the council, or five or more of the voters, as directed in the preceding section, and such election shall be held by three judges or any two of them, appointed by the mayor, or one or more of the council, or five or more of the