

43. The Mayor shall give at least two weeks' notice of the election by handbills 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 person 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 the term of two years, and until their successors shall be duly elected and qualified.

45. If at any election there shall be a tie between any two persons voted for for the same offices, 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, 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 voters, as the case may be; and the person elected shall serve until a new election; and if any person elected as a member of the council shall die, resign, remove from the town, be disqualified or refuse to act, the vacancy caused in the council by reason of any of the causes mentioned in this section, a majority of the qualified members of the council shall elect members of the council to fill such vacancy for the remainder of the term, and until a successor shall be elected by the qualified voters of the said town, and shall have qualified; and if a vacancy shall occur in the office of the Mayor by any of the causes of vacancy mentioned in this section, the chairman of the council shall act as Mayor for the unexpired term.

SEC. 2. *And be it enacted*, That this Act shall take effect from the date of its passage.

Approved April 9, 1898.