

cil of the town of Capitol Heights shall designate, and a copy of such designation shall be posted in at least three prominent places in said town at least three days before each election. Said elections shall be conducted by such judges of election and such clerks thereof as shall be appointed by said Mayor and Common Council. Said elections shall be held from seven o'clock A. M. to eight o'clock P. M., when the polls shall be closed, and the ballots publicly counted, and the said judges shall within two days after each election make a true and correct return of the same under their hands to be addressed and transmitted to the Mayor and Common Council.

9. At a meeting of the said Mayor and Common Council held on the second day after the election the returns shall be opened by the presiding officer, and certificates of election shall forthwith be issued by the town clerk to the persons appearing to be elected as Mayor and Treasurer, respectively, and to each person appearing to be elected as Councilman by having received the highest number of votes, and the said certificates shall be recorded among the proceedings.

10. If at any election it shall appear from the returns of the Judges of Election, that any two or more persons voted for as Mayor, Treasurer or Common Councilman have received the same number of votes, so that there is no choice for the office, a new election shall be immediately proclaimed by the Mayor and Common Council to fill the vacancy, from **among such tie** candidates, which election shall be held on ten days' notice and in all respects as aforesaid, except as to day of election.

11. In case of failure to elect a Mayor and at least six Councilmen, those in office shall continue to perform the duties pending an election which shall be held in the manner and upon the notice prescribed in Sections 8 and 10. Every Judge of Election before he proceeds with the discharge of his duty shall take an oath that he will permit every duly qualified person to vote and none other to vote at the election; every clerk before he enters any votes on the polls shall take an oath that he will diligently and faithfully without favor, affection, or partiality execute the office of clerk of election; said oath shall be taken before any Justice of the Peace or Mayor of the town and posted in a prominent place in said town on the day of election. The Mayor and Common Council are vested with power and authority to pass all ordinances necessary and proper in respect to the manner of holding elections and making returns and the manner and time of destroying election returns.