

C H A P.
LXVIII.
Polls to be
kept open one
day, &c.

V. And be it enacted, That the polls in each ward shall be kept open one day, from eight o'clock in the morning till six o'clock at night, and no longer, and when closed, the several judges shall; within three days after such election, notify to the persons having the greatest number of legal votes in their respective wards that they are duly elected; and they shall make their return, and deposite their polls, in the first instance with the present clerk of the commissioners of Baltimore-town, and thereafter as shall be directed by ordinance; any vacancy happening in the first branch of the city council shall be filled up without delay from the ward where such vacancy happened, in such manner as shall be hereafter directed by ordinance:

Second
branch to
consist of
eight mem-
bers, &c.

VI. And be it enacted, That the second branch shall consist of eight members, who shall be chosen from the several wards, and no person shall be eligible as a member of the second branch, who is not of the full age of twenty-five years, a citizen of the United States, and a resident of the said town four years previous to his election, and assessed on the books of the assessor to the amount of two thousand dollars; and the members of the second branch shall continue in office for the term of two years next succeeding the time of their election.

How the
mayor, and
members of
the second
branch, are
to be chosen,
&c.

VII. And be it enacted, That the mayor of the said city, and the members of the second branch of the city council, shall be chosen in the following manner, to wit: That each ward, at the time and place of electing the first branch of the city council, shall elect, *viva voce*, one person qualified to be a member of the first branch, as elector of the mayor and of the members of the second branch of the city council, on the third Monday in January next, and on the same day every second year thereafter, who shall, on the third Monday of February, one thousand seven hundred and ninety-seven, and on the same day every second year thereafter, meet at the court-house, or some other convenient place in the said city, and elect, by ballot, a mayor, and eight members of the second branch, to serve for two years thereafter; no person shall be eligible for mayor who is not of known integrity, experience and sound judgment, twenty-five years of age, ten years a citizen of the United States, and five years a resident of Baltimore-town, or city, next preceding the election; and in case two or more persons shall have an equal number of votes for mayor, or members of the second branch, the said electors shall determine, by lot, which of the persons, so having an equal number of votes, shall be appointed to the office of mayor, or second branch of the city council, as the case may require; the said electors of the mayor and of the members of the second branch, before they proceed to elect, shall swear, or affirm, as the case may be, that they will elect, without favour, partiality or prejudice, such person for mayor, and such persons as members of the second branch of the city council, as they in their judgment and conscience believe best qualified for the said offices, and having the other qualifications required by this act; that the said electors shall be judges of the elections, returns and qualifications, of their members, but no person shall be elector of the mayor and member of the first branch of the city council at the same time; any vacancy happening in the electors of the mayor, shall be filled up from the ward where such vacancy happened, without delay, in such manner as shall be hereafter directed by ordinance, and any vacancy of the mayoralty happening, the same shall be filled up without delay by the electors of the mayor for the time being, for the remainder of the term; and all vacancies happening in the said second branch shall be filled up by the electors aforesaid.

First session to
be held, &c.

VIII. And be it enacted, That the city council shall hold their first session at the court-house in Baltimore, or at any other place within said city, on the second Monday in February, one thousand seven hundred and ninety-seven, and they shall meet on the second Monday of February in every year thereafter, but the mayor may summon them to convene whenever and as often as it may appear to him that the public good may require their deliberations; three fourths of the city council shall be a quorum to do business, but a smaller number may adjourn from day to day; they may compel the attendance of absent members, in such manner, and under such penalties, as they may by ordinance provide; they