

C H A P. LXVI.

expiration of two years, the office of the commissioner of the third class at the expiration of three years, the office of the commissioner of the fourth class at the expiration of four years, and the office of the commissioner of the fifth class at the expiration of five years; and the vacancy thus successively occasioned by the determination of their respective offices shall be supplied by an election of a judicious and discreet person, resident and qualified as aforesaid, to be made at the court-house in the said town, by the inhabitants and others, qualified to vote as aforesaid, on the second Monday of March in every year, and the person so elected shall remain in office for the term of five years, and the succession of the said commissioners be so continued as that one commissioner shall be chosen annually.

Justice to be judge, &c.

IV. And be it enacted, That any justice of the peace for the county aforesaid, shall, in the first instance, be the judge of the said election, and shall return his certificate thereof to the said commissioners on the day first appointed for their meeting, and the same shall be filed and recorded among their proceedings, and at every subsequent election the commissioners of the town, or the major part of them, shall be judges of such election, and the proceedings thereof shall be recorded under their direction; and every commissioner, before he shall proceed to open an election, shall take an oath, or affirmation, that he will faithfully and impartially permit every person to vote at such election, who shall be qualified to vote for a commissioner of the said town, according to the directions of this act, and that he will not suffer any person to vote at such election, who shall not, in his judgment, be qualified to vote as aforesaid.

How vacancies are to be filled.

V. And be it enacted, That if any vacancy shall happen in the office of one or more of the commissioners by death, resignation, removal, or otherwise, it shall be lawful for the remaining commissioners, and they are hereby required, to cause an election to be made at the court-house in the said town, by the inhabitants thereof, and others qualified to vote as aforesaid, of one or more judicious and discreet persons, residents and qualified as aforesaid, to supply every such vacancy, during the remainder of the term, and the time of holding such intervening election shall be previously notified for the space of ten days preceding the election.

Commissioners to take an oath, &c.

VI. And be it enacted, That every commissioner, to be appointed in pursuance of this act, before he shall proceed to execute his office, shall take an oath, or affirmation, before some justice of the peace, that he will diligently and faithfully, according to the best of his judgment, perform the duties of a commissioner of the said town, according to the directions of this act, without favour, partiality or prejudice, and a certificate of such qualification shall be made and returned by such justice of the peace to the said commissioners, to be filed and recorded among their proceedings.

To meet in April, &c.

VII. And be it enacted, That the said commissioners, or the major part of them, shall meet together at the court-house in the said town, or at such other public place within the limits thereof as shall be previously notified, on the first Monday in April in the ensuing year, and stately on the first Monday in every third month thereafter, and as much oftener, by adjournment, as they shall judge to be necessary, and when so assembled, the said commissioners, or the major part of them, shall proceed to execute the several powers and authorities vested in them by this act, from time to time, as occasion shall require.

And recommend plans, &c.

VIII. And be it enacted, That the said commissioners shall be and they are hereby authorized, empowered and required, to meet as aforesaid, and from time to time to recommend such plans and regulations as they shall judge beneficial to the town, or the inhabitants thereof; to cause to be removed all nuisances and obstructions that may interrupt the passage of the said inhabitants, or others, in the streets, lanes and alleys, of the said town; to cause the principal or other streets to be repaired, improved or paved, whenever a majority of the said inhabitants shall reasonably require the same to be done, and sufficient sums of money can