act faithfully, without favor, partiality or prejudice, in all things appertaining to their respective offices; the mayor shall qualify as directed by section 6 of article sixty-eight of the code, and a failure to take such oath, and so qualify within two weeks after their election, shall be deemed a refusal on the part of the party failing to accept the office to which he has been elected.

103. The common council shall be judges of the qualifications of the mayor and of their own members.

104. The mayor and common council shall meet on the first Monday of each month, at such place and hour as shall be fixed by the mayor, and at such other times as they shall adjourn to; they shall elect one of their number president, who, in the absence or sickness of the mayor, shall be clothed with all his power and authority.

105. Three members of the council shall constitute a quorum for the transaction of business, and the council shall pass rules and by-laws for their own government while in session.

106. Neglect or *non-user* shall not work a forfeiture of this charter.

107. The mayor and common council may pass ordinances to preserve the health of the city; to prevent and remove nuisances; to regulate negroes; to suppress gambling; to license public amusements not taxed by the State; to open and keep open streets, lanes and alleys, with the consent of the owners of the land through which the same may pass, or upon paying damages therefor, to be assessed by three disinterested persons, to be by them appointed.

108. They may grade and pave streets, and lay flag stones across the same, and require the owners of lots, in front of which such grading or paving is to be done, to do the same at their own expense.

109. If any owner of a lot shall neglect to pave the same for the space of two months after notice has been given by the mayor, the common council may direct the mayor to cause the same to be done, and the expense thereof shall be a lien on such lot, and may be recovered as other debts of like amount.