

may have and use a common seal, which may be broken or altered at pleasure.

37. All free white male citizens above the age of twenty-one years who shall have bona fide resided in said town for the space of six months, and twelve months in this State, next preceding the election, shall, on the first Monday of May annually, at such place as shall be designated by the president and commissioners of said town, elect five judicious and discreet persons who shall have resided in said town twelve months next preceding the election, commissioners of said town.

38. Every commissioner so elected, before he acts as such, shall take an oath before some justice of the peace of the county that he will diligently and faithfully, according to the best of his judgment, perform the duties of commissioner of said town without favor, partiality or prejudice, and a certificate of such qualification shall be returned by the said justice to the said commissioners, to be filed among their proceedings.

39. If any of the commissioners, during the year for which he was elected, shall die, resign, remove from said town or be otherwise disqualified, an election to fill the vacancy shall be held.

40. If the inhabitants of said town shall at any time neglect to make an election at the time herein directed, the power of electing commissioners shall not therefore cease, but the right and power of said inhabitants in that respect shall continue the same as though such election had been made, and the president and commissioners for the time being shall remain in office until such election shall be held.

41. The commissioners so elected may meet and adjourn from time to time as they shall see fit, and shall, at the first meeting after an election, choose from their own body a president, who shall preside at all meetings of the commissioners, vote on all questions before them, and remain in office until superseded by the appointment of a new president after a new election of commissioners.

42. The said commissioners, or a majority of them, may appoint a clerk and prescribe his duties, and allow him such compensation as they may think proper; and all ordinances passed by the said commissioners, or a majority of them, shall