

of Chestertown," are hereby declared to be a body politic, with power to sue and be sued, and to have and use a common seal and the same to alter at their pleasure.

36. The said commissioners shall annually, five days before the day of election, appoint some justice residing in said town a judge of election, and the said justice shall appoint a clerk to take down the votes for said commissioners, and the said clerk, before he shall proceed to act as such, shall take an oath before the said justice that he will truly, faithfully and impartially take down the names of all such persons as shall be permitted by the said judge to vote at said election.

37. The polls for the election of said commissioners shall be opened at the court-house, in said town, at the hour of nine o'clock in the morning, and shall be closed at the hour of six o'clock in the afternoon, and no vote shall be taken before or after said hours respectively.

38. After the polls are closed the judge shall proceed forthwith, in the presence of such persons as may attend, to count the ballots, and shall publicly declare the persons having the highest number of votes duly elected commissioners of Chestertown for the ensuing year; and if any two or more shall have an equal number of ballots in their favor, the said judge shall immediately determine the choice by lot between those having an equal number of votes.

39. If any commissioner so elected shall die, refuse to act, resign or remove out of said town, his place shall be filled for the residue of the term by the remaining commissioners.

40. Each commissioner shall, before some justice of the peace for Kent county, take an oath that he will diligently, faithfully and impartially, to the best of his judgment, perform the duties of a commissioner of said town, without favor to or resentment against any.

41. The said commissioners shall meet on the first Monday in every month, and as much oftener as the case may require, for the transaction of business, and shall appoint a clerk, whose duty it shall be to keep fair and faithful minutes of their proceedings in well bound books to be provided by them for that purpose, and they may dismiss said clerk at pleasure.