

**CHAP. 158.**

Election of successors.

Qualification of commissioners.

Qualification of voters.

Term of office.

Judges of election.

Oath required.

Vacancy of commissioners.

Case of neglect to hold elections.

missioners of the third class, at the expiration of three years, and the vacancy thus successively occasioned by the determination of their respective offices, shall be supplied by an election, to be made at the court house in the said village, or at such other public place within the said village as the commissioners shall appoint, on the second Monday of April in every year, of three judicious and discreet persons, residing in the said village, or within five miles thereof, and possessed of landed property within the said village, in his own right, or in right of his wife, of the value of one hundred dollars; and every free white male inhabitant of the said village, above the age of twenty one years, and having resided within the limits of the said village for the space of six months next preceding the election, and twelve months in this state, shall have a right to vote in the election of the said commissioners; and the persons so elected shall remain in office for the term of three years, and the succession of the said commissioners to be so continued that three commissioners shall be elected annually.

Sec. 4. *And be it enacted*, That the commissioners of the said village, 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, to be administered by some justice of the peace, that he will faithfully and impartially permit every person to vote at their election, who shall be qualified to vote for a commissioner of the said village, 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.

Sec. 5. *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 such public place as they shall appoint, within the said village, by the inhabitants thereof, and others qualified to vote as aforesaid, of one or more judicious and discreet persons, resident, and qualified as aforesaid, to supply 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.

Sec. 6. *And be it enacted*, That if, at any time, an election shall not be had at the times prescribed and directed by the preceding sections of this act, that an election, in such case shall or may be made at any time after ten days