

electd and qualified. At the same time and in the same manner there shall also be elected five persons having the same qualifications herein prescribed for the office of Burgess to be Councilmen of Boonsboro, and also one person of like qualification to be Assistant Burgess. The Burgess, Assistant Burgess and Councilmen of Boonsboro who shall have been elected on the first Monday in March, 1904, shall respectively be the Burgess, Assistant Burgess and Councilmen of the town of Boonsboro until the second Monday in May in the year 1905, and shall exercise all the powers and perform all the functions upon them, respectively, by this Act conferred.

1904, ch. 219, sec. 39.

45. All elections shall be held and conducted as shall from time to time be directed by the ordinances of the Burgess and Council not inconsistent with the provisions of this charter.

1904, ch. 219, sec. 40.

46. In case of a vacancy in the office of Burgess, by death or otherwise, or in case any person who may have been elected as Burgess at any general election, shall fail or refuse to qualify as Burgess within three days after service of notice of such election, as hereinafter provided, the Council, at any regular or special meeting, shall elect some legally qualified person to fill the office of Burgess for any unexpired term of any vacancy caused by death or otherwise, or for the term of any person who may have refused to qualify; and in case of any election of Burgess by the Council the person receiving a majority of the whole number of members of the Council shall be declared elected as Burgess of said town for any unexpired term. In case of a vacancy caused by death or otherwise, or for any term for which any person previously elected may have refused to qualify, and the clerk of the Burgess and Council shall immediately certify the vote so taken to elect any such successor or to elect any person for any term so as aforesaid, and record the same amongst the minutes of the Burgess and Council, and the said clerk shall forthwith notify the person so elected, who shall, within three days after the service of such notice, qualify by taking the oath hereinafter prescribed for town officers; and if such person elected shall fail to qualify as hereinafter provided, another election shall be held by the Council to fill the vacancy; and until such vacancy is filled the Assistant Burgess shall discharge the duties of the office *pro tempore*.

1904, ch. 219, sec. 41. 1914, ch. 137, sec. 41. 1929, ch. 300, sec. 41.

47. The Burgess, by virtue of his office, shall preside at all meetings of the Council, and in case of a tie, except in the passage of ordinances, shall have the deciding vote. He shall see that the ordinances of the town are faithfully executed, and shall report to the Council at its first meeting after each annual election the condition of municipal affairs; he shall have the power of vetoing any ordinance, as hereinafter provided in Section 64. The Burgess shall issue all licenses provided by ordinance