

county taxation upon real or personal property located in said town, for the year in which they may offer to vote, and who have also resided in said town for one year next preceding the election, and also all untaxed male inhabitants of said town possessing the qualification of residence above set forth, whose wives are assessed as aforesaid, shall elect by ballot on the fourth Monday of April in each year, at the court-house in said town, one judicious and discreet person, being the holder of assessed real or leasehold estate in said town in his own right, or in right of his wife, at least thirty years of age, and residing in said town, commissioner of said town.

P. L. L., (1860,) art. 14, sec. 36.

53. Five days before the day of election, the said commissioners shall annually 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 commissioner; 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.

Ibid. sec. 37.

54. The polls for the election of said commissioner 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.

Ibid. sec. 38.

55. 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 person having the highest number of votes duly elected commissioner of Chestertown for the ensuing three years; and if any two or more persons 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.