

1884, ch. 70.

62. The legal voters of the said town who have resided within its corporate limits six months preceding the election, of the age of twenty-one years and upwards, shall elect by ballot, on the first Monday in May in every second year, accounting from the year eighteen hundred and eighty-four, three persons who are owners of real estate in said town, to be commissioners of said town, to serve for two years from the date of their election and until their successors are elected and qualified; and the services rendered by the said commissioners shall be gratuitous and without pay.

Ibid.

63. The judges of election, before proceeding to hold an election, shall take an oath before some justice of the peace for Worcester county, to allow all persons to vote who are qualified under the preceding section, and to allow none to vote unless so qualified.

Ibid.

64. If any person elected as commissioner shall refuse to serve as such, or if his place shall become vacant by death, resignation, disqualification or otherwise, the remaining commissioners shall fill the vacancy as early thereafter as possible from among the qualified voters of the said town, and a failure to qualify within two weeks after election shall be conclusive evidence of a refusal to act as commissioner; and the person appointed to fill said vacancy shall hold his office till the next election; and in case of a tie between any persons voted for at any election under this sub-title of this article, the clerk of the circuit court for Worcester county shall issue certificates only to the persons receiving the highest number of votes, and if there be less than three elected, shall immediately certify to the said persons so elected the fact of there being such a tie; and the said commissioners shall, at their first meeting as a board, designate one of the persons so voted for, who has received a tie vote, to be commissioner, and shall notify the clerk of the circuit court of said county, of their selection, and the said clerk shall issue, immediately, a certificate to said commissioner, which certificate shall set forth the manner of his election; and the said commissioner shall hold his office as fully as if he had received the highest number of votes.