

1878, ch. 443

241. The judges of election, before proceeding to hold an election, shall take an oath before some justice of the peace for said county, to allow all persons to vote who are qualified under this sub-title of this article, and to allow none to vote unless so qualified.

Ibid.

242. If any person so 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 said 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 said persons so voted for, who has received a tie vote, to be commissioner, and the said commissioner shall hold his office as fully as if he had received the highest number of votes.

Ibid.

243. If, at any time, for any reason, no judges of election shall be appointed under this sub-title of this article, or if the said judges, upon the morning of the election, shall refuse to act as such, the voters of the said town, who shall have assembled at the place of voting upon the morning of the day of election, within an hour after the time for opening the polls has arrived, shall select two of their number to act as judges of election, and such election shall be as valid as if they had been originally appointed; provided, that before acting as such judges they shall each take the oath prescribed in section 241.

Ibid.

244. Each commissioner, before he acts as such, shall make oath before a justice of the peace in and for said county, that he