

and commissioners, any two or more persons shall have an equal number of votes, another election shall be held after not less than ten days' notice, and so on, until a choice is made.

P. L. L., (1860,) art. 7, sec. 129.

103. The burgess and commissioners shall qualify as such, by taking an oath before some justice of the peace for said county, to discharge the duties of their respective offices, according to the best of their skill and judgment, without fear, favor, partiality or prejudice; and a copy of such oath shall be recorded by their clerk.

Ibid. sec. 130.

104. They shall meet as often as the business of the town may require, and not less than once in three months, and the burgess shall preside at all meetings, and have the privilege of the casting vote only; in his absence the oldest commissioner present shall preside, subject to the same restrictions.

Ibid. sec. 131.

105. If any vacancy occur by any means in the office of burgess or commissioners, the same shall be filled by a new election, of which at least ten days' notice shall be given, and all persons qualified to vote at the regular may vote at such special election.

Ibid. sec. 132.

106. The burgess and commissioners may appoint a clerk, and assign his duties, and allow him such compensation as they may think right; and any commissioner, except the oldest, may be such clerk.

Ibid. sec. 133.

107. The clerk shall enter all ordinances passed by the commissioners and signed by the burgess, and all other papers they may direct, in a book of records, to be kept by him for that purpose, which shall be open at all times for the inspection of persons interested; and copies of all ordinances shall be put up at the most public places in said town.

Ibid. sec. 134.

108. The burgess and commissioners may direct, by ordinance, all or any of the footways in said town to be laid off, levelled