

ter, on the first Monday in May, elect 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.

Election—
where held.

SEC. 4. *And be it enacted*, That the first election shall be held at the "Excursion House" in said town, and the judges thereof shall be two in number, and shall be two of the justices of the peace in Berlin election district number three; the said judges shall appoint a clerk, and shall keep the polls open from two o'clock P. M. until five o'clock P. M. They shall carefully count, after closing of the polls, the ballots taken by them, and within two days after said election shall make a true and correct return of the same, under their hands, to the clerk of Circuit Court of Worcester county, who shall forthwith issue certificates of election to the three persons appearing from the said returns to have received the highest number of votes; and the said certificates shall be recorded among the records of proceedings of the said commissioners.

Take oath.

SEC. 5. *And be it enacted*, That the judges of election shall, before proceeding to hold an election, take an oath before some justice of the peace for Worcester county, to allow all persons to vote who are qualified under this act, and to allow none to vote unless so qualified.

Failure to
serve

SEC. 6. *And be it enacted*, That if any person so elected as commissioner shall refuse to serve as such, or his place shall become vacant by death, resignation or 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 act, the clerk of the Circuit Court for Worcester county

Vacancy—
how filled.