

CHAP. 87

Judges of elec-
tion.

SEC. 6. *And be it enacted*, That the commissioners, or a majority of them, shall be judges of said election, or they may appoint any three voters to act as judges, and the proceedings shall be recorded under their direction; and every commissioner or person so appointed, before he opens an election, shall make oath before a justice of the peace for Caroline county that he will faithfully and impartially permit every person to vote at such election who shall be qualified to vote for commissioners of said town, and that he will not suffer any person to vote at such election who shall not be legally qualified to vote, and the five persons having the highest number of votes shall be declared elected.

Ten days'
notice given
for an elec-
tion for com-
missioners.

SEC. 7. *And be it enacted*, That if at any time an election shall not be held for commissioners on the day mentioned in this Act, an election may be held at any time after ten days' notice thereof shall have been given by the commissioners, or a majority of them, and in the event that a majority of the said commissioners shall become disqualified to act, or shall have failed, or shall fail to hold an election for the space of thirty days from the first Saturday in May in any year, then it shall be lawful for any three or more qualified voters of said town to give notice, either by written ——— or printed handbills, or by publication in some newspaper, of an election to be held on a certain date, at least ten days from the date of publication or posting of such notice for commissioners under this Act, and a majority of voters present at the hour fixed by said notice for the commencement of said election shall select three judges to hold said election.

Duties of
judges in
case of the
vote.

SEC. 8. *And be it enacted*, That if any election held under this Act two or more persons shall receive the same number of votes for commissioner of said town, the judges of said election shall, after having given five days' notice of the time and place, proceed to hold another election to fill up said board of commissioners, and the person or persons receiving the highest number of votes at said election shall, with those previously chosen, if any, constitute the commissioners of Goldsboro.

Vacancy to be
filled.

SEC. 9. *And be it enacted*, That if any vacancy shall occur by death, resignation, removal or failure to act of one or more of the commissioners elected as aforesaid, the remaining commissioners, or a majority of them, shall elect a proper person to fill said vacancy.