

person so elected as Mayor or City Councilman shall refuse to serve as such, or if his place shall become vacant by death, resignation or disqualification or otherwise, the remaining Councilmen shall fill the vacancy as early as possible from among the qualified voters of said town, and the person appointed to fill the vacancy, shall hold his office till the next election; and in case of a tie between any person voted for at any election under this section of this Act, the clerk of the election shall immediately certify to the Councilmen elected, that the fact of there being a tie, and the said Council shall at their first meeting as a board designate one of the said persons who have received a tie vote to be Mayor or Councilman, as the case may be, and the said Mayor or Councilman, as the case may be, shall hold his office as fully as if he had received the highest number of votes, provided that the Mayor and City Council who shall be in office at the time this Act shall take effect shall hold their respective offices until their successors shall be elected and shall qualify under the provisions of this Act.

SEC. 4. *And be it enacted*, That the Mayor and each of the members of the City Council, before entering upon the duties of his office, shall make oath before a justice of the peace, in and for said county, that he will diligently and faithfully, to the best of his skill and judgment, perform the duties imposed by law without favor, partiality or prejudice, and a certificate of such qualification shall be made by the said justice of the peace, and shall be filed and recorded among the records of the proceedings of said Council.

Make oath.

SEC. 5. *And be it enacted*, That the Mayor shall before the hour of opening the polls for any election in said city for the election of Mayor or City Councilmen or for any other purpose, appoint three persons, qualified voters of said city, to act as judges of election, who before entering upon the discharge of their duties, shall make oath before the Mayor or any justice of the peace of Worcester county, to act fairly and impartially as judges of election; and in case of failure of any person or all of said persons so appointed, to appear and qualify, the Mayor shall appoint another or others to act as such judge or judges, who shall qualify in manner aforesaid; they shall appoint one of their own number to act as clerk; they shall keep the polls open from two o'clock P. M. to six o'clock P. M., and they shall within two days after the election return under their hands the number of votes cast, and for whom cast, to the clerk of the City Council, who shall file the

Appoint
three judges
of election.