

1812.

missioners shall appoint in the said town, by the inhabitants and others qualified to vote as aforesaid, on the second Monday of March in every year; and the persons so elected shall remain in office for the term of five years; and the succession of the said commissioners be so continued as that two commissioners shall be chosen annually.

Judges of elections - who shall be - they shall take an oath before acting.

3. AND BE IT ENACTED, That any justice of the peace for Worcester county, shall in the first instance be the judge of the said election, and shall return his certificate thereof, to the said commissioners, on the day first appointed for their meeting; and the same shall be filed and recorded among their proceedings; and at every subsequent election, the commissioners of the said town, or the major part of them, shall be judges of such election, and the proceedings thereof shall be recorded under their direction; and every commissioner before he shall proceed to open an election, shall take an oath or affirmation that he will faithfully and impartially permit every person to vote at such election, who shall be qualified to vote for a commissioner of said town, according to the directions of this act; and that he will not suffer any person to vote at such election who shall not, in his judgment, be qualified to vote as aforesaid.

Vacancies by death, &c. - how to be supplied.

4. AND BE IT ENACTED, That if any vacancy shall happen in the office of one or more of the commissioners, by death, resignation, removal or otherwise, it shall be lawful for the remaining commissioners, and they are hereby required to cause an election to be made at such place as they shall appoint in the said town, by the inhabitants thereof, and others qualified to vote as aforesaid, of one or more judicious and discreet persons, resident and qualified as aforesaid, to supply such vacancy during the remainder of the term; and the time of holding such intervening election shall be previously notified for the space of ten days preceeding the election.

Commissioners shall take an oath - oath shall be recorded.

5. AND BE IT ENACTED, That every commissioner to be appointed in pursuance of this act, before he shall proceed to execute his office, shall take an oath or affirmation before some justice of the peace that he will diligently and faithfully, according to the best of his judgment, perform the duties of a commissioner of the said town, according to the directions of this act, without favour, partiality or prejudice; and a certificate of such qualification shall be made and returned by such justice of the peace, to the said commissioners, to be filed and recorded among their proceedings.