

the one receiving the highest number of votes shall be the bailiff of said town for the ensuing year, and until his successor is duly elected and qualified; and if at said election there shall be a tie between any two or more persons receiving the highest number of votes, so that there shall be no election of town bailiffs, the said commissioners may order a new election of town bailiff at such time, and after such notice, as they may deem proper; and if a vacancy should occur in said office of town bailiff, the said commissioners shall fill said vacancy by the appointment of some person to act as town bailiff for the remainder of the unexpired term.

Vacancy—
how filled.

SEC. 21. *And be it enacted*, That the said bailiff shall give bond, to be approved by the county commissioners, as other constables, for the faithful performance of his duty as constable, and also bond to the said president and commissioners for the faithful performance of his duty as town bailiff and as collector of the town tax; and the faithful performance of such duties as shall be imposed on him by the ordinances of said president and commissioners.

Bond to be
approved.

SEC. 22. *And be it enacted*, That the said bailiff may enforce the payment of town taxes in the same manner and with the like effect as collectors of State and county taxes may enforce the payment of State and county taxes.

Enforce pay-
ment.

SEC. 23. *And be it enacted*, That the said commissioners, and all other officers of said town, shall, before they enter upon the duties of their respective offices, severally take the following oath: I do solemnly swear that I will faithfully execute the office of to the best of my knowledge and ability, without favor, affection or partiality."

Oath to be
taken.

SEC. 24. *And be it enacted*, That the president of the said commissioners shall, in virtue of his office, have and exercise within the limits of said town all the jurisdiction and power of a justice of the peace, except as to the recovery of small debts; he may call on any officer of the town entrusted with the receipt and expenditure of public money, for a statement of his accounts as often as he shall see proper; he shall see that the ordinances are faithfully executed and report to the town commissioners at their stated meeting the general state of the town, and may call special meetings of the commissioners

Power of
president.