

direction of the Burgess and Commissioners aforesaid, it shall and may be lawful for the Burgess and Commissioners aforesaid, to contract and agree with some person or persons, on reasonable terms, to level, pave, amend or repair such foot-way, and to charge the expense thereof to the owners or owners of the property in front of which such work may be done, and shall recover the same by distress on such property with costs; provided, that the Burgess and Commissioners aforesaid, shall not have power to pass an ordinance requiring the paving of sidewalks, repairing, &c., to be done as provided for in this section without having first submitted the question whether the said paving, repairing, &c., shall be done, to the inhabitants of said town, and obtained a vote of two thirds of the property holders thereof in favor of said paving, repairing, &c.

Section 10. And be it enacted, That the said Burgess and Commissioners shall have power to make all such by-laws, regulations and ordinances as from time to time they may deem wise, equitable and expedient for the comfort, health, convenience and prosperity of the said town and its inhabitants, for the prevention or removal of nuisances, preservation of health and suppression of vice and immorality within the limits of the said town, and shall have power to lay an equal tax on the property within the limits of the said town, to such amount as may from time to time, be deemed necessary to accomplish the purposes aforesaid, which tax shall be collected and paid to the said Burgess and Commissioners by a collector by them appointed, who shall have the same power to distrain therefor as the collector of the public county assessment has to distrain for the same, and the said Burgess and Commissioners shall fix the term of office, responsibility and compensation of such collector.

Section 11. And be it enacted, That at all elections for Burgess, Assistant Burgess and Commissioners, those persons who shall receive the highest number of votes for the respective offices, shall be duly elected, and shall qualify as such before a Justice of the Peace of the county, that they will discharge the duties of their respective offices, according to the best of their skill and judgment, without fear, favor, affection or partiality to any, a copy of which oath shall be entered on the journal of said corporation with the certificate of the Justice administering the same, and if at any election for Burgess, Assistant Burgess and Commissioners, any two or more persons shall have an equality of votes, by which no choice shall be made, a second election shall be held, after not less than ten days notice, and so until a choice shall be made.

Section 12. And be it enacted, That the said Burgess shall