

CHAP. 556. elected on general ticket, in the same manner as the delegates to the General Assembly from said county, and who shall possess the same qualifications as required for delegates to the General Assembly, to be commissioners for said county, and whose duties shall be the same as those now imposed by law on the levy court of said county.

Judges of election to make a return in the usual manner

SEC. 3. *And be it enacted,* That the judges of the elections in said county, shall at the time and in the manner now prescribed by law, for returning the ballots given for governor, make a return of the votes or ballots given in their respective districts for commissioners as aforesaid, and the presiding or returning judges, when assembled at the court house in said county, shall in like manner ascertain the vote for each person in the election for commissioners, and shall make return thereof to the clerk of said county court, in which return, the eight persons receiving the majority or largest number of the votes given, shall be declared duly elected, and shall constitute the board of commissioners of said county, with all the privileges, rights and powers now possessed by the levy court of said county, and to serve for three years from the time of their election, or until their successors, or a majority of them, shall have qualified, and shall meet at the times now fixed by law for the meeting of the levy court of said county.

Vacancies—how supplied

SEC. 4. *And be it enacted,* That the persons elected as commissioners as aforesaid, shall elect one of their body as president, and if any commissioner or commissioners so elected, shall die, resign, refuse or neglect to qualify, within sixty days, as commissioners under this act, or shall remove from the county, within the period for which he or they shall have been elected, the remaining commissioners having properly qualified, or a majority of them, shall appoint a person qualified as hereinbefore provided in case of an original election, to fill his or their place or places, until the next gubernatorial or delegate election, which may first thereafter take place, when a person or persons shall be elected, in the manner hereinbefore directed, to fill the vacancy or vacancies so occasioned by death, resignation, refusal to act, or other cause, to serve for the residue of his or their terms.

Tie vote

SEC. 5. *And be it enacted,* That in case of a failure to elect eight commissioners as aforesaid, by reason of a tie between any of them, that it shall be determined by lots, prepared and presented by the clerk of the county, and drawn in his presence, by the persons thus receiving the tie vote, who shall be the commissioner or com-