

court-house door, declaring the five persons having a plurality of legal votes and the requisite qualifications, as duly elected members of the levy court of Kent county, and in the event of a tie between two or more persons, the same shall be decided by ballot at the first regular meeting of said levy court.

Case of a tie.

SEC. 4. *And be it enacted,* That the members of the levy court, who shall be elected in October next, shall at their first regular meeting, or as soon thereafter as may be, proceed to classify themselves as follows: they shall write the number 'one' on two ballots, the number 'two' on two ballots, and the number 'three' on one ballot, and deposite the same in a hat, and shall proceed alphabetically, each member to draw from the hat one ticket, and the seats of the members drawing the tickets having on them the number 'one' shall be vacated on the first Wednesday in October, eighteen hundred and forty, the seats of the members drawing the tickets having on them the number 'two' shall be vacated on the first Wednesday in October, eighteen hundred and forty-one, and the seat of the member drawing the ticket having on it the number 'three' shall be vacated on the first Wednesday in October, eighteen hundred and forty-two; *Provided,* nothing herein contained shall prevent the re-election of any member of said court.

Classification directed.

Terms of service.

SEC. 5. *And be it enacted,* That on the first Wednesday of October, eighteen hundred and forty, and in every third year thereafter, the legal voters of Kent county shall proceed to elect two members of the levy court to fill the vacancies which may be created by the places of number 'one' in the same manner as herein before provided for; and on the first Wednesday in October, eighteen hundred and forty-one, and in every third year thereafter, the legal voters of Kent county shall proceed to elect two members of the levy court to fill the vacancies which may be created by the places of numbers 'two' in the same manner as herein before provided for; and on the first Wednesday in October, eighteen hundred and forty-two, and in every third year thereafter, the legal voters of Kent county shall proceed to elect one member of the levy court to fill the vacancy created by the place of number 'three' in the same manner as herein before provided for, which persons or person so elected shall hold their office for three years from their election aforesaid, and the sheriff of Kent county shall give public notice that a member or members of the levy court, in the place of those whose terms are about expiring, is to be elected, and if any member or members of said levy court shall die, resign, refuse to act, the other members of the court shall proceed to fill the vacancy, which appointment shall only be in force until the next regular October election, when an election shall be held for a member or members of said court, to serve

Election of 1840, and every third years thereafter, to elect two commissioners. 1841, &c. two commissioners.

1842, &c. one commissioner.

Term three years each.

Case of vacancy.