

said commissioners, and in case of a tie between any persons voted for at any election under this Act, the clerk of said court shall issue a certificate only to the persons receiving the highest number of votes, and if there be less than five elected, shall certify to the said persons so elected the fact of there being such a tie; and the said commissioners, at their first meeting as a board, shall designate one of the said persons so voted for who have received a tie vote to be commissioner, and he shall hold his office for the same time as he would had he received the highest number of votes.

SEC. 6. *And be it enacted,* That every commissioner before he proceeds to act as such shall make oath, before the Clerk of the Circuit Court for said county, that he will diligently and faithfully, according to the best of his skill and judgment, perform the duties of commissioner without favor, partiality or prejudice, and a certificate of such qualifications shall be returned by the clerk aforesaid to the commissioner to be filed and recorded among the proceedings, said qualifications to take place within two weeks after the election, and said commissioners shall receive no compensation for their services.

SEC. 7. *And be it enacted,* That if any vacancy shall occur by the death, resignation or refusal to act of one or more of the commissioners elected as aforesaid, the remaining commissioners, or a majority of them, shall elect a proper person or persons to fill such vacancy or vacancies.

SEC. 8. *And be it enacted,* That the said commissioners shall meet annually on the third Monday of April, and on the third Monday of every month thereafter, and as much oftener as they may deem necessary; not less than a majority shall constitute a board for the transaction of any business except an adjournment; they may appoint a clerk, who shall keep the minutes of their proceedings in a well bound book to be provided by them for that purpose; they may also appoint a bailiff, and prescribe his duties in addition to those imposed by this Act, and shall pay the said clerk and bailiff such com-