

take and subscribe such oath or affirmation as is now CHAP. 128. required by law to be made and subscribed by the justices of the levy court and commissioners of the tax of said county, which oaths shall be kept among the records of Montgomery county court.

Sec. 3. *And be it enacted,* That the commissioners Board incorporated appointed as aforesaid, and their successors, shall be, and they are hereby constituted a body politic and corporate, by the name and title of the Commissioners Name and style for Montgomery County, and by that name shall have continual and perpetual succession, and be capable in Powers and duties law of suing and being sued, of making and using a corporate seal, and of altering the same, and of doing all such acts as may be necessary to the exercise of all the powers and duties which are required by law to be done and performed by the levy court and commissioners of the tax of said county, respectively.

Sec. 4. *And be it enacted,* That the commissioners Their clerk shall, at their annual meeting, appoint a clerk, who shall discharge all the duties appertaining to the respective offices of clerk of the levy court and commissioners of the tax; and the said clerk when appointed shall take and subscribe the following oath or affirmation, as the case may be. to wit: I, A. B. do swear, Oath required or affirm, that, as clerk of the commissioners for Montgomery county, I will honestly and faithfully, to the best of my skill and judgment, execute the duties of said office without favor, affection or prejudice, so help me God: which oath, or affirmation, any one of said commissioners is hereby authorized to administer, and said oath shall be recorded in the clerk's office of Recorded Montgomery county court, and the said clerk shall also be subjected to the same penalties and forfeitures for non-performance, or neglect of official duty, as are prescribed by the existing laws in relation to the respective offices of clerk of the levy court and commissioners of the tax.

Sec. 5. *And be it enacted,* That in case of a vacancy Case of vacancy of clerk in the office of clerk to the commissioners, as created by this act, by death, resignation, removal or disqualification, the same shall be supplied by the said commissioners as soon thereafter as may be practicable.

Sec. 6. *And be it enacted,* That the said clerk shall His compensation \$100 receive three dollars for every day he shall attend the