

the said judges shall also state in said certificate the number of votes given for each one of the commissioners elected; of whom the three receiving the highest number of votes shall serve three years; the two receiving the next highest number of votes shall serve two years; and the two receiving the lowest number of votes shall serve one year; and in the event of a tie between any of the commissioners elected as aforesaid, they shall determine by lot the length of time that each shall serve, and their places shall be supplied by the annual election in said county, of two, or three commissioners, as the case may be, in like manner, with the same qualifications, to serve three years.

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Number of votes

Three highest serve three years

Two next 2 years

Two lowest 1 year

Case of a tie

Elections there-after

Case of vacancy

Sec. 2. *And be it enacted*, That if any commissioner shall die, resign, refuse or neglect, for thirty days to qualify as commissioner, or remove from the county, or in case of a tie, the remaining commissioners, shall, so soon as they have qualified, choose a properly qualified person from the district unrepresented, to fill the vacancy until the next annual election, when a person shall be elected to serve the residue of the term of the commissioner so dying, resigning, refusing or neglecting to qualify, or removing from the county, or to supply any vacancy arising from a tie, in addition to the commissioners to be annually elected.

Sec. 3. *And be it enacted*, That so soon as the commissioners to be elected under the provisions of this act, shall qualify as aforesaid, all the powers, rights, and privileges lawfully exercised by, and all the property, estate, and effects vested in the present commissioners, shall be transferred to and vested in the commissioners who shall be elected as aforesaid, who, or any four of them, shall exercise all the powers, rights and privileges, and shall perform all the duties required to be performed by the act to which this is a supplement.

Powers, rights and duties

Sec. 4. *And be it enacted*, That all suits at law, or in equity, which shall be pending by or against the present commissioners, shall be carried on in like manner, and have the same legal effect either in favor or against the commissioners to be elected as aforesaid, as if such suit or suits had been instituted by or against the said commissioners.

Pending suits