

## CHAP. 305

Case of vacancy

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 the unexpired term of the vacancy, or vacancies, which may be created.

Commissioners of tax abolished, and their powers transferred

Sec. 6. *And be it enacted*, That upon the election and qualification of the members of the levy court under this act, the board of commissioners of tax for Kent county, shall be abolished, and their powers and duties forever cease, and the clerk of the said board of commissioners shall deliver up and hand over to the clerk of the levy court, all the books and papers appertaining, or in any manner belonging to the said board of commissioners of the tax; and the said levy court, in addition to the powers and duties now exercised by them, shall exercise and discharge all the powers and duties which have heretofore in any manner appertained to the commissioners of tax for Kent county.

Annual meetings

Sec. 7. *And be it enacted*, That the levy court elected under the provisions of this act, shall qualify and enter upon the discharge of their duties on the third Monday in April of the year 1840, and the same day in every succeeding year shall be allotted for the qualification of members elected at the preceding October election, and the first regular day of meeting of the levy court; and at that time in each and every year, or as soon thereafter as a full court can be obtained, the levy court, elected under the provisions of this act, shall appoint some suitable and well qualified person, a resident of the county, to act as clerk to the said court, who shall qualify according to the laws of this State, and shall receive for his services, such sum as the levy court may deem equitable and just.

Appointment of clerk

His compensation

Present court until successors qualify

Sec. 8. *And be it enacted*, That Thomas B. Hynson, Thomas Miller, John E. Cacey, Daniel Collins, Thomas D. Burgess, John Frazier and Richard Lynch, the present members of the levy court of Kent county shall continue to act until the election and qualification of their successors, under this act.

Acts inconsistent, herewith repealed

Sec. 9. *And be it enacted*, That all acts or parts of acts, inconsistent with this act, be, and the same are hereby repealed.