

1. **I**T shall not be lawful for any person whatsoever to cause any inhabitant of this state to be arrested out of the county where he or she doth reside, by virtue of any *capias ad respondendum*, or *capias ad satisfaciendum*, for any debt, damages or cost, until the sheriff or coroner of the county where such defendant shall reside, shall have returned a *non est inventus* or a *capias ad respondendum*, &c. issued at the request of the said person against the defendant. 1796, c. 43, §. 14.

2. If any person be arrested upon a *capias ad respondendum*, contrary to the intent of this act, the plaintiff in the said action shall suffer a non-suit, and pay the defendant his or her reasonable costs and charges, to be adjudged him or her by the court from whence such process issued; and if any person be taken in execution, contrary to the directions hereof, the court from whence such execution issued shall discharge him or her from his or her imprisonment, but nothing in this act contained shall extend to the benefit or advantage of any person who shall fly from justice in the county where they live, but such persons may be arrested in any county wherever they may be found. *Ibid.* §. 15.

See *Capias ad satisfaciendum*, 1.—*Insolvent debtors*, 9.—*Militia*, 26, 30. *Pardons*, 3.

### ASSESSORS OF REAL AND PERSONAL PROPERTY.

1. **I**F any person appointed an assessor in virtue of this act, and who shall accept of said appointment, shall neglect to return to the commissioners certificates for such valuation of the real and personal property in his district, agreeably to this act, and the instructions given to him, he shall, for every such neglect, forfeit a sum not exceeding 50l. current money; and if any person appointed an assessor shall not appear at the time appointed, or shall appear and refuse to serve, the said commissioners, or a majority of them, shall appoint, by warrant under their hands, some other person, qualified as aforesaid, as an assessor, in the room of the person so making default or refusing to serve; and if such person shall also make default, or refuse to act, they may proceed to a new appointment, in like manner, and as often as necessary, until the vacancy be supplied; and if any assessor shall die, or be rendered incapable to act, before he shall have fully completed his valuation, the said commissioners shall, by warrant under their hands, nominate some person, qualified as aforesaid, to be assessor in the room of the assessor so dying, &c. and the said commissioners, or a majority of them, shall, immediately thereafter, send such warrant to the person so nominated assessor. 1797. c. 89. §. 10.

2. For