

C H A P.  
XXI.  
Commission-  
ers, &c. to  
be exempt  
from military  
Duty.

Penalty on  
Commission-  
ers refusing  
to act.

In what Man-  
ner Vacan-  
cies are to be  
filled up.

Suits to be  
commenced  
within six  
Months, &c.

Persons ad-  
vancing Mo-  
ney to be al-  
lowed six per  
Cent.

**XXXIV.** And be it enacted, That every Commissioner and Assessor, who shall take upon himself the Execution of this Act, shall, for and during the Time he shall continue to act as Commissioner or Assessor, be entirely exempt and free from all military Duty.

**XXXV.** And be it enacted, That if any Commissioner by this Act appointed, shall refuse to serve, not having a lawful Excuse, in the Opinion and Judgment of the County Court of his County, such Commissioner, for every such Refusal, shall forfeit the Sum of two hundred Pounds current Money.

**XXXVI.** And be it enacted, That if any two of the Persons appointed Commissioners for any of the Counties aforesaid, should die, refuse, or be otherwise rendered incapable to discharge the Duties enjoined by this Act, that a Majority of the three remaining Commissioners may nominate and appoint some other in the Place of the Person who shall die, refuse, or be incapable to act; and if any three or more of the said Commissioners should die, refuse, or be incapable to act, the Governor with the Advice of the Council, may nominate and appoint some Person or Persons in his or their Place, so as to make up the Number of three Commissioners, and a Majority of such three shall fill up the remaining Vacancies in Manner aforesaid.

**XXXVII.** And be it enacted, That if any Suit or Action shall be brought or prosecuted against any Person or Persons, for any Thing done or to be done in Pursuance of this Act, that in every such Case the Action or Suit shall be commenced within six Months after the Fact committed, and not afterwards; and the Defendant or Defendants, in any such Action or Suit, may plead the general Issue, and give this Act and the special Matter in Evidence, and that the same was done in Pursuance and by Authority of this Act; and if it shall appear so to be done, or if any such Action or Suit shall be brought after the Time limited for bringing the same, then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuit, or suffer a Discontinuance of his, her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have for Cost of Suit in other Cases at Law.

**XXXVIII.** And, Whereas several of the good People of this State may be able and desirous to assist their Country, and support the Credit of its Paper Money, by advancing Sums of Money to be applied in Payment of their Taxes as they arise, if properly encouraged;

**XXXIX.** Be it enacted, That if any Person will pay to either of the Treasurers of this State, any Sum of Money in Advance as aforesaid (not less than fifty Pounds) he shall receive a Certificate from such Treasurer therefor, under his Hand and Seal, attested by two Witnesses, and on producing the same to the Collector of his County, he shall credit such Person thereon for the Amount of his Tax for that Year, and he shall be entitled to receive from the Treasurer giving such Certificate at the Rate of six per Cent. per Annum, from the Date