

C H A P.
VII.

performance of the several services required of them by this act; and shall also pay to the said commissioners, for the use of their clerk, fifteen shillings per day for every day he shall be necessarily employed in the performance of his duty, and for the use of the said assessors, for the full and faithful performance of their duty under this act, any sum not under ten pounds nor exceeding thirty pounds current money for each assessor, which the said commissioners shall adjudge an adequate reward for the service of each assessor. And the amount of all the sums so paid shall, by the said commissioners, be allowed to the said collector, on settlement of his account as aforesaid; in which accounts shall be expressed the name of the clerk, and the names of the assessors for each hundred, and the sum of money to them respectively allowed. And the said commissioners shall, after receipt of the said sums, for the use of their clerk and of the said assessors, pay the same to them, or their orders respectively, on demand, under the penalty of forty pounds current money to the party grieved.

Commissioners, &c. exempt from military duty.

XXXII. 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.

Penalty on commissioners refusing to serve.

XXXIII. 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.

In what manner vacancies are to be filled up.

XXXIV. 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.

Suits to be commenced within six months, &c.

XXXV. 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

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