

C H A P.
XXXV.Commission-
ers, &c. ex-
empt from
military duty.

XL I. 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, &c.

XL II. 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 five hundred pounds current money.

In what man-
ner vacancies
are to be filled
up.

XL III. 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.

XL IV. 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 costs of suit in other cases at law.

F. Green to
print 750 co-
pies, &c.

XL V. And be it enacted, That Mr. Frederick Green printer, according to his agreement with the house of delegates, shall print and stitch in blue paper covers, seven hundred and fifty copies of this act, and make up into eighteen parcels of thirty-six copies each, directed to the commissioners named in this act for the several counties, and each commissioner shall keep one of the said copies for his own use, and the others shall by the said commissioners be distributed to the assessors that shall be appointed for the several hundreds in the respective counties; which parcels the said printer shall endorse for the public service, and deliver to the sheriff of Anne-Arundel county, on or before the tenth day of January next, under the penalty of one hundred pounds current money, and the several sheriffs are hereby required to forward them in the same manner as public letters; and the printer