

in manner and form aforesaid; and the said justices shall give public notice, by advertisement, of such places and days of meeting as aforesaid.

“ *And be it enacted,* That every constable of every hundred shall, before the first day of March next, make out a fair alphabetical list of all the free male inhabitants, residents in his hundred, and not out of the state, or hereafter not exempted from taking the said oath, or affirmation, who shall be of the age of eighteen years, on or before the aforesaid first day of March, and a copy of the said list, with all convenient dispatch, transmit to the governor and council, and the original list shall deliver to the next county court of his county which shall happen after the aforesaid first day of March next, there to be recorded.

“ *And be it enacted,* That every magistrate shall be allowed, in the county levy, the same per diem allowance, for every day he shall attend, in pursuance of this act, to take the oath or affirmation aforesaid, as is allowed the justices for their attendance in the county court: And the several county courts are hereby empowered and directed to make the several constables in their counties such allowance, for their trouble in making and returning the lists aforesaid, in their next county levy as to them shall appear reasonable.

“ *And be it enacted,* That if any magistrate shall neglect to keep such books, or shall neglect to make copies and transmit them to the governor and council, or shall neglect to deliver the original books, as respectively required by this act, he shall forfeit and pay the sum of five hundred pounds current money: And every constable, who shall neglect to make out the list, or neglect to transmit the copy of such list, or shall neglect to return the original list, as respectively required by this act, shall forfeit and pay the sum of two hundred pounds current money.

“ *And be it enacted,* That every person, required by this act to take the oath or affirmation aforesaid, and whose name or mark shall not appear on one of the magistrates books aforesaid, in manner and form prescribed as aforesaid, shall, for and during the life of such person, in all public and county assessments, pay a tax treble the tax which by such public or county assessments shall be imposed upon every hundred pounds worth of real or personal property within this state, and so pro rata; which said tax shall be paid, collected and levied as the said public and county taxes are respectively paid, collected and levied.

“ *And be it enacted,* That the worth in real and personal property, of every such person chargeable as aforesaid with the said treble tax, shall be deemed and taken for and during the continuance of the said treble tax, of such amount as shall be ascertained on the final assessment and valuation of all property within this state, which shall be made, on or before the first day of March next.

*Provided nevertheless,* If such worth shall, on any future public assessment, be augmented, the treble tax shall be rated on that worth so augmented.

“ *And be it enacted,* That the said treble tax, rateable according to the amount of such worth, as aforesaid, shall be and is hereby imposed as a charge and burthen on all such real and personal estate of such person, chargeable with the said treble tax, as such person was possessed of at the time of the valuation of his property by the assessors, under the act, entitled, An act to assess and impose an equal tax on all property within this state.

*Provided nevertheless, and be it enacted,* That no such property shall be chargeable with the said treble tax, which has been *bona fide* disposed of after such valuation aforesaid, and before the making of this act; and that no such property, *bona fide* disposed of after the making of this act, shall be subject to a distress for the said treble tax, before default of payment of the said tax, by the person, chargeable with the same, or default of property in his possession, whereby the said tax may be levied.

“ *And,* whereas persons, chargeable with the said treble tax, may have property in different counties in this state: And whereas it is necessary that the commissioners should be informed of all persons so chargeable,

*Be it enacted,* That the governor and the council shall annually, before the first day of May, cause a list to be made out of all free male persons, of the age of eighteen years, whose names, or marks, by comparing the constables lists aforesaid, with the magistrates books aforesaid, shall not appear in any of the magistrates books aforesaid, and of all persons, any otherwise ascertained to be chargeable with the said treble tax; and the said list shall annually, before the first day of May, cause to be delivered to the commissioners of every county in this state, who shall, on receipt thereof, communicate the same to the collectors respectively; and the said collectors are hereby respectively enjoined to levy and collect the said treble tax on, of, and from, all such persons, according to the value of such persons property in their respective counties.

“ *And be it enacted,* That every person chargeable with the treble tax as aforesaid, shall be disabled from commencing or prosecuting any suit, in any court of this state, for the recovery of any debt, or damages, for any money or tobacco due or owing to him in his own right, or from exercising and practising the trade of merchandise, unless, previous to such suit or merchandising, he shall take the oath or affirmation as aforesaid; and in case of neglect thereof, the court before whom such suit shall be brought, shall, *ex officio,* enter judgment of nonsuit; and if