

II. From and immediately after the passing of this act, any 1 of the judges of the court of common pleas, or a majority of the county court justices, shall and may, and they are hereby authorized and empowered, upon the application of any person or persons whatsoever, interested in any suit depending in the court of common pleas or county courts, to grant a commission under his or their hand and seal of the court, directed to 3 commissioners, or any 2 of them, authorising and empowering the said commissioners to examine and cross-examine the witnesses therein mentioned, and who are without the limits of this State, on oath, touching such matters or things as they may have in charge by the aforesaid commission; and also in like manner all such witnesses whose attendance to give their testimony in court cannot be procured either by reason of such sickness or infirmity, as totally incapacitates such witnesses from travelling, in order to appear and give evidence in court, when requisite; and that such sickness or infirmity shall be proved before 1 of the judges of the court of common pleas, or a majority of the county court justices, by a certificate on oath of some disinterested person of reputable character. *Provided*, That the person or persons making such application shall give to the plaintiff or defendant, as the case may be, 10 days notice of such application.

A. D. 1787.  
N<sup>o</sup>. 1495.  
Act for the entry of vessels, repealed.  
Judge of court of common pleas, or county court justices, empowered, upon application of any person interested in any suit to grant a commission to 3 commissioners to examine witnesses, &c.

III. No testimonial, probate, certificate, or other instrument, under the seal of any foreign court of law, notary public, or other magistrates or persons qualified and empowered to give the same shall in future received in the courts of this State as evidence of any debt, due or demand, owing by any person or persons resident within the limits of this State, any law, usage or custom to the contrary notwithstanding. *Provided*, That if it shall appear to the court that the testimonials, probates, certificates or other instrument of writing for the purposes aforesaid, which have been or shall be hereafter issued from any of the courts of this State, or by any of the officers thereof, authorized and empowered to give the same, are received and allowed as evidence in the courts of such foreign country; then and in such case the courts of this State shall receive and allow the testimonials, probates, certificates or other instruments of such foreign country alone as good and sufficient evidence of any debt, due or demand, which may be owing by any person or persons residing within the limits of this State.

*Proviso*.  
No testimonial of any foreign court to be received in courts of this State as evidence of debt, &c.  
*Proviso*.

IV. *And be it further enacted*, That the 36th clause of an act, entitled, "An act confirming and establishing the ancient and approved method of drawing juries by ballot in this province, and for the better administration of justice in criminal causes, and for appointing of special courts for the trial of causes of transient persons, declaring the power of the provost-marshal, for allowing the proof of deeds beyond the seas as evidence, and for repealing the several acts of the General Assembly therein mentioned," passed the 20th day of August, 1781; also the 1st clause of an act, entitled, "An act for regulating trials in courts of justice in this State between the subjects of foreign nations in alliance or neutrality with the United States and the citizens thereof, and for other purposes therein mentioned," passed the 16th day of March, 1783; also the 1st and 2d clauses of an act, entitled, "An act to alter and amend the 36th clause of an act of this State, commonly called the jury law, and for altering the time of holding the courts of sessions and common pleas," passed the 26th day of March, 1784; also, "An act for repealing the 36th clause of the jury law, and for other purposes therein mentioned," passed the 22d day of March, 1786, be and the same are hereby repealed.

Repealing acts and clauses

28th March, 1787.

JOHN LELOYD,  
President of the Senate.

JOHN JULIUS PRINGLE,  
Speaker of the House of Representatives.

**An Act declaring the Powers and Duties of the Enquirers, Assessors and Collectors of the Taxes, and other Persons concerned therein.**

A. D. 1788.  
No. 1496.

**B**E it enacted, That every assessor and collector appointed by any tax act which may hereafter be passed for raising supplies for the support of government of this State, shall, before he enters upon the execution of his said office, take the following oath before some justice of the peace:—"I, A. B. do solemnly promise and swear, that I will, to the best of my knowledge, skill and judgment, ascertain the several qualities of the lands lying and being within the—where  
I am.

Oath of enquirer, &c. before he enters upon the execution of his office.

A. D. 1788. *I am appointed assessor, and where no return of the qualities of the same shall have been made, and that I will not for any fee or reward, favor, partiality, self-interest, malice, or hatred, in favor of or against any person or persons whatsoever, assign any other quality to such lands, than in truth and good conscience they appear to me to deserve, and that I will impartially assess all other property and professions by law directed to be assessed, to the best of my judgment, according to the true intent and meaning thereof. So help me God.*—And if any assessor shall presume to execute the said office without having taken the said oath, such assessor shall forfeit and pay the sum of fifty pounds, to be recovered by any person who shall inform and sue for the same, by action of debt in the court of common pleas.—**That enquirers, assessors and collectors** of the parishes of St. Philip and St. Michael, or any one or more of them, are hereby ordered and directed, on or before the 1st Monday in September next, and on or before the 1st Monday in September of each and every year thereafter, to go once to the several houses of the inhabitants of the said parishes, of which they shall give previous notice in the Gazette 3 weeks before they shall go to the said houses, and **enquire into and take an account of all the real estates, and particularly in what parts of the said parishes the lands are situated, and of the slaves and other taxable property of the inhabitants** which they shall be possessed of, interested in, or entitled unto, in their own right, or in the right of any other person whatsoever; and the enquirers in the other parishes and counties shall fix on convenient places to receive returns and payments, of which places they shall give at least 3 weeks public notice, at 3 several times, and 3 several public places, and that no person be obliged to attend them more than fifteen miles distance from his house.—That the assessors respectively appointed in the parishes of Saint Philip and Saint Michael shall complete their calculations of the value of estates in the said parishes on or before the first day of November, and within seven days after, they shall cause a duplicate thereof to be posted at the Exchange at Charleston for ten days, of which they shall give previous notice in the Gazette.—**That all persons living within this State, who are possessed of any lands, slaves, or carriages,** (waggons, carts and drays excepted, lands whereon any churches or other buildings for divine worship, or free schools are erected and built, and all slaves appurtenant to, or going with said churches and lands, and all monies appropriated for charitable uses always excepted) either in their own right or in the right of any other person or persons who are liable to pay any other tax by virtue of any law, shall return a particular account thereof in writing to the enquirers, at such time and place as the said enquirers or any of them shall appoint for the doing thereof, so that the same be done on or before the first Monday in October next, and on or before the first Monday in October of each and every year thereafter, which shall contain an enumeration of each lot of land, with the dimensions of and improvements thereon, and of his lands, with a particular account of the situation, quantity and quality of the same, and also the number of slaves, and the number of wheels of every taxable carriage belonging to the person making the returns, which shall be attested in the words following:—“*I, A. B. do swear or affirm (as the case may be) that the account which I now give in is a just and true account of the quality and quantity of the lands, slaves and carriages as are directed to be taxed by law which I am possessed of, interested in or entitled unto, either in my own right, or in the right of any other person or persons whatsoever as guardian, executor, attorney, agent or trustee, or in any other manner whatever, according to the best of my knowledge and belief; and that I will give a just and true answer according to the best of my knowledge to all questions that may be asked me touching the same; and this I declare without any equivocation or mental reservation whatsoever. So help me God.*”—Which oath or affirmation the several enquirers and collectors appointed by this act are hereby duly authorized, enjoined and required to administer, which returns shall be made to the enquirers and collectors for the parish or county respectively where the person making the return lives the greatest part of the year.—That where enquirers receive returns of lands without specification of the parish or county in which they lie, or of lands lying in the parish or county of which the person who receives the return is the assessor, and the qualities of which are unknown to the person making the return, the enquirers who receive such return shall in both cases value the lands so returned at not less than 1s. nor more than £6, per acre, according to the best information they can get of the quality and situation of the land so returned.—That every person who shall have reason to believe he or she is over-rated, or whose attorney or attornies shall have reason to believe he or she is over-rated by such assessor, shall at the time of payment of his or her tax be allowed to swear off so much as he, she or they, or his or their attorney or attornies shall think they are over-rated before the assessors or collectors as aforesaid; and the said

N<sup>o</sup>. 1496.

Penalty.

Enquirers &c. to take an account of real and personal estates in the parishes of St. Philip and St. Michael.

Enquirers of other parishes to fix on places to receive returns. Assessors for Charleston to complete their calculations by 1st November.

Persons possessed of lands, &c. to make a return to the enquirers by 1st October.

Oath to be administered on making such return.

Enquirers, &c. to administer said oath.

And receive returns, &c.

Persons thinking themselves over-rated may swear off.

said assessors and collectors, or any of them, are hereby empowered and required to administer such oath, and shall allow an abatement accordingly.—That all persons whosoever any-ways liable to pay tax, shall pay in their taxes to the several persons hereby appointed to receive the same, on or before the 1st day of June, 1789; and all persons liable to pay taxes by virtue of an act entitled, “An act for raising supplies for the year 1787,” passed the 28th day of March, 1787; shall pay in the same to the persons appointed to collect the same on or before the 1st day of June, 1788, and the collectors shall give a receipt to the person paying the same any law to the contrary notwithstanding; and the said enquirers, assessors and collectors for the several parishes and counties respectively within this State, shall close their accounts with the treasurers on or before the 1st day of November, 1789, and at the closing of their accounts they shall exhibit 2 lists, 1 containing all the taxable property returned to them, annexed to the names of the persons who returned the same, with the sums paid by them respectively; a 2d, all the taxable property lying and being in the parish or county which has come to their knowledge, and has not been returned, which lists shall be given to the treasurers, and their accounts closed on oath in the following words:

“I A. B. do swear or affirm (as the case may be) that the accounts I now give in and the lists I now return, are just and true, according to the best of my knowledge, and that I have used all legal means in my power to obtain payment of the taxes imposed by this law, in the parish or county in which I have been appointed enquirer, assessor or collector.”—Which oath the treasurers or either of them are hereby empowered and required to administer; and the collector for each parish or county shall give an account in writing upon oath as aforesaid of their own lands, slaves and other taxable property, to the commissioners of the treasury, and pay the taxes thereon according to the rates appointed by the tax act for such year respectively.—That if any person or persons in giving in or rendering his or her account of taxable property, shall wilfully conceal any part thereof, all such persons shall forfeit five times the value of the tax of what they have so concealed.—That any person neglecting or refusing to give in his or her account of the lands and slaves, or other taxable property, to the enquirers, assessors and collectors aforesaid respectively, at such time and place as they shall appoint, on or before the first Monday in September next for Charleston, and the first Monday in October next, and on or before the aforesaid days in each and every year thereafter for all other parts of the State, he or she shall be deemed a defaulter, and shall be by the enquirers and collectors doubly taxed for all his or her lands or slaves or other taxable property, according to the best information the enquirers can get of his or her taxable property.—That in case any person or persons whosoever shall neglect or refuse to pay in his, her or their tax at the days and times herein before mentioned and appointed for the payment thereof, the enquirers and collectors respectively shall immediately hang up for ten days a list of defaulters at the Exchange in Charleston, and some public place in the respective parishes or counties, and if the taxes are not paid within these ten days, they shall without farther delay levy the same by virtue of a warrant by them respectively to be signed and sealed for that purpose, which warrant shall be directed to the constable or constables living nearest to the place where such defaulter lives or resides, or to the sheriff of the city of Charleston, if such defaulter lives or if the property of such defaulter lies within the limits of the said city, requiring him or them to levy the same by distress and sale of the defaulters estate real or personal, to be paid in special indents, specie or the paper medium, returning the overplus, if any there be, to the defaulter, upon deducting the reasonable charges; and if no such distress can be found, and the defaulter shall neglect or refuse to point out lands, or to produce goods or effects whereon the monies so assessed may be forthwith levied, then the said constable or constables, or sheriff of the city of Charleston, by virtue of the said warrant, shall take the body of such defaulter and convey him to the common gaol in the county or district where such defaulter resides, which warrant shall run in these words (making the proper alteration.)”

A. D. 1788.  
N<sup>o</sup>. 1496.  
Taxes to be paid by June 1, 1789.  
Taxes for 1787 to be paid by June 1, 1788.

Enquirers to close accounts with treasurer on oath, by Nov. 1, 1789.

The oath.

Treasurers to administer the same.  
Collectors to give account of their taxable property, and pay taxes.  
Forfeiture for property concealed.  
Taxable property not given in by 1st Monday in September for Charleston, and 1st Monday in Oct. for other parts of the State doubly taxed.  
Persons neglecting to pay their tax, collectors to levy by warrant.

Collector of the general tax for the parish or district of  
Constable for the county or district (or to the sheriff for

To The form of the warrant.

district or county, or sheriff of the city of Charleston in the State of South-Carolina, or to his lawful deputy.) Whereas hath been duly assessed by me the subscriber, collector of the tax for the parish or county of the sum of for defraying the charges of the which hath neglected to pay; these are therefore in the name of the State strictly to charge and command you to levy by distress and sale of the lands, goods and chattels of the said the sum of together with the costs and charges thereof, and in case the

A. D. 1788. *the said* shall refuse or neglect to point out lands, or produce goods and chattels  
 N<sup>o</sup>. 1495. *sufficient to levy the said distress and the charges thereon, that then you take the body of the said*  
*and convey* to the common gaol in the district or county, commanding  
*you the keeper of the said gaol to detain the body of the said* in his custody until  
*shall pay the sum of* together with the charges of keeping and detaining as afore-  
*said, and for so doing this shall be your sufficient warrant. Given under my hand and seal this*  
*day of* anno domini.

Gaoler to de-  
 tain defaulter  
 until the debt  
 be satisfied.

Fees allowed.

Taxable persons  
 neglecting to  
 give account of  
 their estate to  
 enquirers, dou-  
 bly taxed.

Taxes imposed  
 preferred to se-  
 curities, and  
 persons dying  
 executors to pay  
 the same.

Commissioners  
 of the treasury,  
 &c. for neglect  
 of duty, forfeit  
 £100.

And assessors,  
 &c. £300.

Assessors ne-  
 glecting to give  
 account of mo-  
 nies received, to  
 be committed,  
 &c.

And the sheriff or other officer keeping such gaol, shall detain such person in the gaol with-  
 out bail or mainprize, until the debt and charges aforesaid shall be satisfied; and the constable  
 and constables to whom such warrant shall be directed, shall take from such defaulter the fol-  
 lowing fees in the execution of their office, to be paid in the current money of the State, viz.,  
 For serving every execution, 4s. and 8d. and for all sums to be levied as aforesaid 5 per centum,  
 and no mileage or any other fee whatever; and the assessors and collectors respectively for  
 every such warrant he or they shall issue, shall also have from such defaulter 2s. and 6d.—  
 That if any taxable person shall neglect to give an account as aforesaid of his or her estate to  
 the said enquirers and collectors by the time limited by any tax act hereafter to be passed, or  
 shall omit or neglect to pay his or her own tax, or the tax to be assessed by virtue of any tax act  
 hereafter to be passed on any person for whom he or she is guardian, executor, attorney or trustee,  
 by the time limited, the said collectors respectively, where such taxable person lives, are hereby  
 empowered and required to issue their warrant in the same manner as above directed; and in case  
 the said assessors and collectors shall not have just information what such person's tax doth amount  
 to, the said warrants shall run for double what they shall judge such persons ought to be rated,  
 and such persons shall be dealt with in all other respects as defaulters.—That the taxes im-  
 posed by any tax act shall be preferred to all securities and incumbrances whatsoever; and  
 that in case any person shall happen to die between the time of giving in his or her account of  
 his or her tax, and any goods and chattels of the deceased to the value of the sum he or she  
 was assessed at, shall come into the hands of his or her executors or administrators, they shall  
 pay the same by the time before limited prior to all judgments, mortgages and debts whatsoever,  
 or otherwise a warrant of execution shall issue against the proper lands, goods and chattels of  
 such executors and administrators; and if any person between the time of rendering the ac-  
 count of his or her estate to the enquirers or collectors as aforesaid, and the time of paying his  
 or her tax, shall be about to depart this State, the said assessors and collectors are hereby di-  
 rected and required forthwith to levy the same, notwithstanding the day of payment is not al-  
 ready come, unless such persons shall find securities to be approved of by the assessors and  
 collectors for the payment thereof at the time appointed.—That the commissioners of the trea-  
 sury, enquirers, sheriffs, constables, and every other magistrate and officer, or any or either of  
 them, who shall neglect or refuse to do and perform the several matters hereby, or any of the  
 tax acts in which such treasurer, enquirer, sheriff, constable, and every other magistrate and  
 officer shall be concerned or made liable to any duties required of them respectively to be done  
 within the time prescribed by this act or any of the tax acts in which such treasurer, enquirer,  
 sheriff, constable, and every other officer, or any or either of them shall be concerned or made  
 liable to any duties, shall for every such neglect or refusal forfeit the sum of £100; and the  
 several assessors and collectors, or any or either of them, who shall neglect or refuse to do and  
 perform the several matters hereby required of them respectively to be done within the time  
 prescribed by this act or any of the tax acts in which such assessors and collectors shall be con-  
 cerned or made liable to any duties, shall for every such neglect or refusal forfeit the sum of  
 £300, to be sued for by the commissioners of the treasury for the use of this State, or by any  
 other person or persons who shall sue for and recover the same.—That in case any assessor or  
 collector of the present, or any former or any future taxes, shall neglect or refuse to give in  
 upon oath to the commissioners of the treasury a just and true account of all monies received  
 by him or them, or due to the State on account of the tax herein imposed, or on account of  
 any former tax, or which shall be hereafter received by him or them, or which shall become  
 due to the State on account of any future tax within their several and respective districts by  
 the time herein limited, that then it shall be lawful for the commissioners of the treasury for  
 the time being, or any one of them, by warrant under his or their hand and seal, to commit  
 such assessors or collectors to the common gaol in the district wherein he resides, there to re-  
 main without bail or mainprize until he or they shall have rendered upon oath, to be taken be-  
 fore one of the justices of the peace, a full and satisfactory account of, and shall have paid all  
 such sums as aforesaid by him or them collected during the time he or they were collectors,  
 and

and shall have given in to the commissioners of the treasury an account of all monies received by him or them, which are or shall become due to this State by virtue of this or any former or any future tax act, and the reasonable charges of such commitment.—That in case any of the enquirers, assessors and collectors appointed by any tax act should happen to die, refuse to act or depart this State, or remove out of the parish or district for which he is by any tax act appointed before he shall have qualified as is herein directed, then his excellency the Governor or commander in chief for the time being, is hereby empowered from time to time, so often as occasion shall require, to nominate and appoint one or more fit person or persons in the room of him or them so dying, refusing to act, or departing this State, or removing out of the parish or district; and the person or persons so appointed shall have the same powers and be under the same penalties as the enquirers, assessors and collectors nominated by any tax act.—That the commissioners of the treasury for the time being, or either of them, be and they are hereby empowered and required to issue executions against all former constables, sheriffs and collectors of taxes, and all persons in arrear for taxes, and against all assessors and collectors of the present or future tax. If the same shall not be paid on or before the time is elapsed for paying the same; and he or they, is and are hereby directed and required to prosecute all and every person or persons whatsoever neglecting or refusing to do and perform the several matters required by this act for the recovery of the penalties inflicted by the same for any refusal or neglect.—That every person shall be liable to pay taxes for the property real and personal of which he or she shall stand seized, or having the custody of, either as attorney, or agent, or guardian or executor, or in his or her own right as tenant in fee simple, or by courtesy, or for life, or in right of his wife, on the 1st day of October next ensuing, and on the 1st day of every October in each and every year thereafter; and **all taxes on real or personal property** which shall be sold and conveyed on the said 1st of October next, and after the aforesaid 1st day of October in each and every year thereafter shall be returned and paid by the seller thereof; any law, usage or custom to the contrary notwithstanding.—That all and every person or persons heretofore acting or who may hereafter act as an attorney or attorneys, trustee or trustees for any person or persons not residents within this State, shall make oath before the collectors respectively that he hath *bona fide* renounced his power and attorneyship before the payment of the said tax becomes due, without having done it with an intention to avoid the payment of the said tax. *Provided always*, That if such attorney shall within 1 year next after such oath made, again become attorney or trustee for such absent person, or act as such, every such attorney or trustee shall be liable to pay the said tax, as is herein before directed, any thing herein before contained to the contrary notwithstanding; and for levying whereof, the same remedies shall be and they are hereby given as for levying the tax to become due by virtue of any tax on the proper estate of such attorney or trustee.—That in case any tract or tracts of land, negroes or other taxable property, shall be found by the enquirers or collectors to belong to any person or persons living or residing out of the limits of this State, and who have no attorney or attorneys, trustee or trustees legally constituted in this State, or which have not been returned to any of the enquirers, assessors or collectors appointed by any tax act, then and in such case the enquirers, assessors or collectors shall be and they are hereby authorized and required to charge the said **lands, negroes or any other taxable property** for the payment of all taxes due by virtue of any former or future tax act, rateably and proportionably, according to the quantity and quality of the lands, negroes and other taxable property, as if the same were in the actual possession of some person or persons living and residing in this State; and forthwith to publish and give notice of such their charge and assessment in the several Gazettes of this State; and in case the sum or sums of money with which such lands, negroes or any other taxable property shall be so charged as aforesaid, and the lawful interest from time to time of the assessment made, shall not be paid to the enquirers, assessors and collectors within 1 year next after notice shall be given as aforesaid, that then such lands, negroes or other taxable property shall be forfeited to this State, and shall be sold at public vendue by the commissioners of the treasury for the time being for general indents of this State. *Provided*, That nothing in this act contained shall extend to prejudice the rights of infants or feme-coverts, who shall be entitled to their lands, negroes, or any other taxable property, upon claiming the same within 2 years after they come in age, or become dis-coverts, upon their paying and discharging all taxes and arrears of taxes that shall and may be due and unpaid thereon, and satisfying the lessee of such lands for all improvements made thereon.—That the commissioners of the treasury are hereafter required to furnish copies of any tax act to each of the assessors or collectors hereafter appointed within 3 months after the passing of any tax act, and their reasonable expences incurred thereby shall be reimbursed.

A. D. 1788.  
No. 1496.  
In case of the death, refusal to act, &c. of assessors, Governor or to appoint others.

Executions to be issued against persons in arrear for taxes.

Taxes for real property to be paid by 1st October.

Acting attorneys, &c. to make oath they renounced their attorneyship before payment of the tax.  
*Proviso.*

Taxable property belonging to persons out of the State having no attorneys to be charged by collectors for payment of taxes, and to give notice in the gazettes, which tax, if not paid within a year, property forfeited.

*Proviso.*

Commissioners of the treasury to furnish collectors with copies,  
II. That

A. D. 1788.

N<sup>o</sup>. 1496.Collectors to  
give bond.

II. That the enquirers, assessors and collectors of the taxes, shall give bond before the justices of the county courts, where county courts are established, in the sum of £ 1000, with security to be approved of by the said justices, for the faithful discharge of the duties of their offices, and which said bond shall be lodged by the said justices in the treasury of this State.

III. The enquirers, assessors and collectors of the taxes for the parishes and counties where no county courts are established, shall be obliged to give bond before 2 or more justices of the said parish or country, with security to be by them approved in the like sum of £ 1000 for the purposes aforesaid. *Provided*, That the enquirers, assessors and collectors of the taxes for the parishes of St. Philip and St. Michael, Charleston, shall be obliged to give bond to the commissioners of the treasury in the sum of £ 10,000 with security to be by them approved for the purposes aforesaid.

To continue in  
office during  
good behaviour.  
And liable to be  
prosecuted for  
losses.

IV. The enquirers, assessors and collectors shall continue in their respective offices during good behaviour, and be accountable for all monies received for taxes by them respectively.

V. The several enquirers, assessors and collectors of the taxes shall be liable to be prosecuted by the attorney-general on behalf of the State, for all losses and damages that may be sustained by any omission or breach of duty.

VI. And whereas doubts have arisen with respect to the limits of St. George's parish, Dorchester, *Be it therefore enacted*, That the inhabitants residing on the north-east side of Edisto river from the mouth of the Four-Hole creek to the Orangeburgh district line, and also the inhabitants on the north-east side of the Four-Hole swamp, from the mouth of Dean swamp, on a direct line to Iazard's cowpen, shall be considered as belonging to the parish of St. George, Dorchester; and the enquirers and collectors of the parish of St. George, Dorchester, are hereby required and authorized to demand and recover the taxes from the inhabitants residing within the limits aforesaid imposed by the tax law of this year, and also all arrears of taxes that may be due from them for the years 1783, 1784, 1785, 1786, and 1787.

Penalties sued  
for.

VII. *And be it further enacted*, That all penalties may be sued for under this act by any person or persons whatsoever, which upon recovery thereof shall go one-half to such person informing or suing for the same, and the other half to the State.

Persons sued  
may plead the  
general issue.

VIII. *And be it further enacted*, That if any of the assessors, enquirers, collectors, commissioners of the treasury, sheriffs, constables, or other persons, shall be sued for any matter or thing by him or them done in the execution of this act, it shall and may be lawful for such person or persons to plead the general issue, and give this act and the special matter in evidence; and in case judgment shall be given for the defendant or defendants, or the plaintiff shall suffer a non-suit, or discontinue his action, the said defendant or defendants shall recover treble costs of suit.

JOHN LLOYD,  
*President of the Senate.*

JOHN JULIUS PRINGLE,  
*Speaker of the House of Representatives.*

## An Act to alter the Place of holding the Elections for Members of the Legislature, and Parish Officers for the Parish of Saint John, Colleton County.

No. 1498.

Preamble.

Elections to be  
at the Rock  
landing.

House to be  
erected.

WHEREAS the place of holding of the elections for the members of the legislature and parish officers, for the parish of St. John, Colleton county, is inconvenient and partial, inasmuch as the parish church is not centrally situated; *Be it therefore enacted*, That all elections in future for members of the legislature and parish officers, which shall hereafter be held in the parish of St. John, Colleton county, shall be at the Rock landing at the end of the public road on Wadmelow island.

II. The commissioners of the high roads shall have full power and are hereby authorized to erect a small building at the end of the public road at the Rock landing on Wadmelow

island