

ed as to render illegitimate any child or children born of the body of the said Elizabeth during her coverture.

JOHN GILMORE, *Speaker*  
of the *House of Representatives.*

WILLIAM MARKS, Junior,  
*Speaker of the Senate.*

APPROVED—January the sixth, one thousand eight hundred and twenty-one.

JOSEPH HIESTER.

## CHAPTER V.

### *AN ACT*

To provide for the enumeration of the taxable inhabitants and slaves within this Commonwealth.

Duties of the  
commission-  
ers and as-  
sessors.

SECT. 1. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the several counties of this commonwealth, shall on or before the first day of November next, and on or before the first day of November in every seventh year thereafter, issue their precepts to the respective township, ward or district assessors, requiring them within thirty days after the date of such precept, to make out two complete lists in alphabetical order, containing a just and true account of the names, surnames and occupations of every taxable person of the age of twenty-one years and upwards, whether male or female, resident within their respective township, ward or district. And it shall also be the duty of the said commissioners and assessors to cause the number of all negroes, mulattoes and people of colour held as slaves within their respective counties, to be carefully and accurately taken in a separate list, distinguishing their sexes, and as near as may be their several ages. And the commissioners and assessors shall respectively take an oath or affirmation before some judge or justice of the peace of their respective city or county, who is hereby empowered and required to administer the same previous to their entering on the duties by this act required. The oath or affirmation of the commissioners shall be "I, A. B. do solemnly swear or affirm, as the case may be,

that I will well and truly make, or cause to be made, a care-<sup>Form of the</sup>ful and accurate return of all the taxable inhabitants and <sup>oath of the</sup>slaves actually residing within <sup>commission-</sup>county, and return <sup>ers.</sup>the same to the Governor of this commonwealth, agreeably to the directions of an act of the General Assembly of this commonwealth, entitled "An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth," according to the best of my ability." The oath or affirmation of the assessor shall be "I, A. B. do solemnly <sup>Form of the</sup>swear or affirm, as the case may be, that I will make a care-<sup>oath of the</sup>ful and accurate enumeration of all the taxable inhabitants and <sup>assessor.</sup>slaves actually residing within the district assigned to me, and make due return thereof to the commissioners of the said county, agreeably to the directions of the act of the General Assembly of this commonwealth, entitled "An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth," according to the best of my ability." And in case of the absence or inability of the person or persons authorised by this act to take the enumeration aforesaid, the commissioners of the proper county shall appoint a suitable person or persons for that <sup>When the</sup>purpose. <sup>commission-</sup> <sup>ers shall ap-</sup> <sup>point assess-</sup> <sup>ors.</sup>

SECT. 2. *And be it further enacted by the authority aforesaid,* That the commissioners respectively on their receiving the returns of their respective assessors or other person appointed and authorised to do the duty of assessor, are hereby required carefully to examine said lists, comparing them with former duplicate lists of the respective townships, wards or district, or any other means by which they may ascertain their correctness, and on the discovery of any error or omission <sup>Errors to be</sup>they are hereby required to certify the nature and extent of <sup>corrected by</sup>the same with the probable cause thereof under their hands <sup>the commis-</sup>and seals of office, and on or before the first Tuesday in <sup>sioners.</sup>December next ensuing, transmit to the Governor under their respective hands and seals of office duplicates of the several returns received by them as aforesaid with the said certificates, which returns and certificates the Governor shall lay <sup>Returns to</sup>before the General Assembly then in session; and the said <sup>be laid be-</sup>commissioners wilfully or negligently failing to file the <sup>fore the le-</sup>returns, or knowingly making a false return of his or their <sup>gisature.</sup>assessors or any of them, or other person by them appointed to perform the duties enjoined upon the assessors, or wilfully or negligently failing to return under their respective hands and seals of office the duplicates and certificates aforesaid, with the aggregate amount of the taxable inhabitants and slaves as aforesaid actually resident within their respective counties, and the city of Philadelphia, to the Governor within <sup>Penalty for</sup>the time limited by this act, shall for every such <sup>not making</sup>offence <sup>regular re-</sup>forfeit the sum of three hundred dollars, all which forfeitures <sup>turns, &c.</sup>shall be recoverable in the proper courts of the respective counties where the offences shall have been committed by ac-

tion of debt or by indictment, the one half thereof to the use of the commonwealth, and the other half to the prosecutor or person who shall sue for the same, but where the prosecution shall be first instituted in behalf of the commonwealth, the whole forfeiture shall accrue to its use.

**RETURNS TO BE FILED IN THE CLERKS OFFICE OF THE DIFFERENT COUNTIES.**  
SECT. 3. *And be it further enacted by the authority aforesaid,* That the said commissioners as soon as the township or ward returns have been made to them, shall deliver one copy of all such returns to the clerks of the quarter sessions of their respective counties, who shall receive and file them in their offices respectively for the use of the court or grand jury on any trial for delinquency in any duty enjoined by this act.

**ADDITIONAL DUTIES HOW PAID.**  
SECT. 4. *And be it further enacted by the authority aforesaid,* That for any duties the assessors or other person authorised to do the duties of assessor may be subjected to, in addition to the duties enjoined upon them by the law, entitled "An act to raise and collect county rates and levies," the commissioners shall make such compensation as to them may appear reasonable, which shall be paid out of the county stock of the respective counties.

**PENALTY FOR MAKING FALSE RETURNS.**  
SECT. 5. *And be it further enacted by the authority aforesaid,* That if any assessor or other person appointed to perform the duties of assessor, shall wilfully or negligently fail in performing the duties enjoined upon him by this act, or under colour of performing such duties shall make a false return to the commissioners, he shall forfeit and pay the sum of one hundred dollars, to be recovered and applied agreeably to the provisions contained in the second section of this act.

**WHEN PROSECUTIONS SHALL COMMENCE.**  
SECT. 6. *And be it further enacted by the authority aforesaid,* That no prosecution for any delinquency or offence against this act shall be instituted after twelve months from and after the cause thereof shall have happened.

JOHN GILMORE, *Speaker*  
*of the House of Representatives.*

WILLIAM MARKS, Junior,  
*Speaker of the Senate.*

APPROVED—January the sixth, one thousand eight hundred and twenty-one.

JOSEPH HIESTER.