

Counties aforesaid, should die, refuse, or be otherwise rendered incapable to discharge the Duties enjoined them by this Act, then the other Commissioner shall, and he is hereby authorized and required to execute the Duties aforesaid; and the Transactions of such Commissioner shall be as valid, to all Intents and Purposes, as if no such Refusal, Death, or Incapacity, had happened; any Thing in this Act, to the contrary, notwithstanding.

XC. *And be it further Enacted by the Authority aforesaid,* 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 such Action or Suit, may plead the General Issue *Not Guilty*, and give this Act and the special Matter in Evidence, at the Trial to be had thereupon, 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.

XCI. *And be it further Enacted,* That the several Fines and Forfeitures herein before mentioned; except where it is otherwise directed by this Act, shall and may be recovered by Action of Debt, Bill, Plaint or Information, with Costs, in any Court of Record within this Province, where in no Essoin, Protection or Wager of Law, shall be allowed; one Half thereof to the Informer, or him, her or them, that shall sue for the same, the other Half thereof to be paid to the Commissioners or Trustees aforesaid, to be by them applied to the replacing and sinking the several Sums of Money granted by this Act.

XCII. And whereas the frequent Use of Carriages may be necessary; *Be it Enacted,* That from and after the End of this Session of Assembly until the Thirtieth Day of September, Seventeen Hundred and Fifty-eight, when and as often as the Service may require the carrying of Gunpowder,