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STATUTES

Made at WESTMINSTER, Anno Regni JACOBI Regis Angliæ, &c. quarto, & Scotiæ quadragesimo and A. D. 1606.

CAP. III.

An Act to give Costs to the Defendant upon a Nonsuit of the Plaintiff, or Verdict against him.

Whereas in the three and twentieth Year of the Reign of King *Henry* the Eighth of famous Memory, a good and profitable Law was made, whereby it was enacted, That in Cases where the Plaintiff in any Action, Bill or Plaint of Debt, Trespass upon the Case, Detinue, Account, and in some other Actions therein especially mentioned, should become nonsuit, or a Verdict should be had against the said Plaintiff; that then in such Cases the Defendant should have Judgment to recover his Costs against every such Plaintiff, as by the said Law appeareth: (2) Which Law hath been found to be very good and beneficial for the Commonwealth, and thereby many have been discouraged from bringing frivolous and unjust Suits, because such Parties are to make Recompence to the Parties unjustly vexed, for the said unjust Vexations:

II. And forasmuch as Actions of Trespass, and Actions of *Ejectione firmæ*, and many other Actions Real and Personal, are within the same Mischief, as the said other Actions were at the Common Law, and yet were omitted out of the Provision of the said Law: (2) For Remedy whereof, Be it enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons at any Time after the End of this present Session of Parliament, shall commence or sue in any Court of Record, or in any other Court, any Action, Bill, or Plaint of Trespass, or *Ejectione firmæ*, or any other Action whatsoever, wherein the Plaintiff or Defendant might have Costs (if in case Judgment should be given for him) and the Plaintiff or Plaintiffs, De-