

Cases as before mentioned, to be judged by any Judicature, having Cognizance of any dispute concerning such Expences.

IN any Action in a Court of Judicature or Dispute before a single Magistrate, between any Ordinary-Keeper and any Person in this Act described, such Court and the Jury in any trial by a Jury or single Magistrate, shall by Virtue of this Act, consider and inquire whether any Debt so sued for or claimed before a single Magistrate, be contracted contrary to the true Intent and Meaning of this Act; and if it shall appear to such Court, Jury or Magistrate, that such Debt was contracted contrary to this Act, then the Plaintiff shall be nonsuit, and the Defendant recover his Costs of Suit: And in case any Action or Suit shall be brought on any Obligation under the Hand and Seal of any such Person, or upon any Note in Writing under the Hand only of the Defendant or Debtor, or if any such Obligation, Note or Writing shall be given in Evidence to support such Action or Demand, it shall and may be lawful for the Defendant to plead the General Issue; and then it shall be incumbent on the Plaintiff to prove for what Consideration such Obligation, Note or Writing was passed; and if the Plaintiff does not prove the same to have been passed for some other Consideration than Liquor or other Accommodations sold or lost as aforesaid, or prove that such Accommodations or Liquor was absolutely necessary, and not sold or furnished contrary to the true Intent and Meaning of this Act, the Plaintiff shall be Nonsuit, and the Defendant shall recover the Costs of Suit.

IN Case it shall appear to any Court or Magistrate that any part of any Account to be sued for or demanded, or any part of the Consideration for which any Obligation or Note shall be taken or passed, shall be for Liquors or Accommodations supplied or sold, or any Tobacco, Money or Liquor won at gaming, contrary to this Act; then and in every such Case, the Plaintiff shall recover only what shall appear to be due, exclusive of any Liquor or other Accommodation supplied or provided contrary to this Act; and the Defendant shall be discharged from the Residue, and recover the full Costs of Suit.

ALL Mortgages, Obligations or other Securities which shall be taken in trust, for any Ordinary-Keeper, shall be absolutely void, unless such Mortgage, Obligation or other Security shall be assigned or transferred to any other Person, being a Stranger to such Trust, for a valuable Consideration; and in case of such Assignment or Transfer, such Trustee shall forfeit and pay double the principal Sum mentioned in such Mortgage, Obligation or Security, one half to the Commissioners aforesaid, to be collected, paid and applied as above, and the other half to the Person who will sue for the same,

AND for the better Discovery of such Trusts, every Trustee or suspected Person as above, shall be obliged by Virtue of this Act, to answer, Interrogatories upon Oath, or Affirmation if a Quaker, which
Examination