

be nonsuit, and the Defendant recover his Cost of Suit. And in case any Action or Demand be brought by any Ordinary-Keeper or Inn-Holder, on any Obligation under the Hand and Seal, or upon any Note or Writing under the Hand only of such Defendant or Debtor; or if 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, Accommodations or Tavern Expences trusted or credited as aforesaid, the Plaintiff shall be nonsuit, and the Defendant shall recover his Cost of Suit.

It is declared the Duty of the several Constables in their respective Hundreds, upon View or Information given them of any Breach of this Act, to apprehend the Offender, and carry him before some Justice of the Peace, where the Offence was committed, to be dealt with according to Law, and the Directions of this Act; and if any Constable on View or Information of any Breach of this Act shall refuse or neglect to do his Duty therein, he shall forfeit for every such Refusal or Neglect, the Sum of *Five Pounds* current Money, to be recovered with Costs in the County Court, where such Offence shall be committed. The Constable, in any Conviction for any Breach of this Act, shall have awarded to him *Two Shillings and Six Pence* of Fee, and no more.

ALL and every of the Fines, Forfeitures and Penalties by this Act imposed, shall be recovered as before directed and applied, one half to the Informer or the Person who shall sue for the same, and the other half paid into the Commissioners or Trustees of the Loan Office, and applied to the same Purpose that the Ordinary Licence Money is directed to be applied.

EVERY Justice before whom any such Conviction shall be as aforesaid, shall upon the Receipt of one half of such Forfeiture, forthwith pay the same to the Sheriff of the County, and at each November Court deliver to the Clerk of Court an Account of every such Conviction, Receipt and Payment, on pain of forfeiting for every Neglect thereof, the Sum of *Ten Pounds* current Money, to be recovered with Costs in the County Court, and applied as before directed: And the Clerk of Court is by this Act required by the Twenty Fifth of December yearly, to transmit to the Commissioners aforesaid, a true List and Account of all such Forfeitures; and every Sheriff who shall receive the same, is directed to pay them into the Loan Office by the Twenty Fifth Day of December yearly. Provided always, that if any Justice or Constable shall be sued or prosecuted for any thing done in pursuance of this Act, he or they may plead the General Issue, and give this Act and the special Matter in Evidence for their Justification; and if the Plaintiff or Prosecutor become nonsuit or forbear Prosecution, or suffer

Discontinuance