

such Action or Demand, it shall and may be lawful for the Defendant, or Debtor, in every such Action or Demand, to plead the general Issue; and that then, and in every such Case, Action, or Demand, it shall be incumbent on the Plaintiff, to prove for what Consideration such Obligation, Note, or Writing, was passed; and, if such Plaintiff does not prove the same to have been passed for some other Consideration, than for Liquor, or other Accommodations, sold or lost as aforesaid, or prove that such Liquors or Accommodations, were absolutely necessary, and not sold or furnished, contrary to the true Intent and Meaning of this Act, the Plaintiff shall be non-lit, and the Defendant shall recover his Cost of Suit.

C H A P.
XXVII.

XXX. And be it further Enacted, That if 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 Accommodations, supplied or provided contrary to this Act, and the Defendant shall be discharged from the Residue, and recover his full Cost of Suit; any Law, Usage, or Custom to the contrary, notwithstanding.

Debts for Li-
quor, or
Gaming, not
recoverable.

XXXI. And be it further Enacted, That 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, that such Trustee shall forfeit and pay double the Principal Sum mentioned in such Mortgage, Obligation, or other Security.

Obligations
taken in
Trust, for Or-
dinary-Keeper-
s, to be
void.

XXXII. And be it further Enacted, That an Act of Assembly, made at a Session of Assembly, begun and held at the City of Annapolis, the Twentieth Day of October, One Thousand Seven Hundred and Twelve, entitled, *An Act restraining Victuallers and Keepers of Public-Houses, from entertaining of Sailors, to the Prejudice of Trade and Commerce*, be, and is hereby repealed.

An Act made
in 1712, Re-
pealed.

XXXIII. Provided also, and be it Enacted, That it shall and may be lawful for the Justices of Anne-Arundel, Kent, Baltimore, and Frederick County Courts, respectively, to license any Person within the City of Annapolis, Chester-Town, Baltimore-Town, or Frederick-Town, to keep one Coffee-House within the said City, and each of the said Towns, for the Entertainment of Company; and that such Person, so licensed as aforesaid, shall not be obliged to find and provide Beds for lodging Company, or Stabling and Provender for Horses; any Thing herein before contained to the contrary thereof, in any wise, notwithstanding.

Four Coffee-
Houses may be
licensed, and
the Owners
not obliged to
provide Beds,
or Stabling.

XXXIV. And be it further Enacted, That in all Cases, where no different Mode of Recovery or Application is appointed by this Act, all and every Fine and Forfeiture imposed by this Act, shall and may be recovered in Manner following: *To wit*, where the Sum doth not exceed Fifty Shillings Current Money, the same shall and may be recovered, on the Application or Information of any Person or Persons, whatsoever, before any one Justice of the Peace, as in the Case of Small Debts, with Costs; and where the Sum exceeds Fifty Shillings Current Money, the same shall, and may be recovered in any Court of Record, by Action of Debt, Bill of Indictment, or Information, with Costs, by him, her, or them, who will sue or prosecute to Effect for the same; and that One Half of all Fines and Forfeitures to be incurred

Where the
mode of Re-
covery is not
pointed out
by this Act,
and the Debt
does not ex-
ceed 50s. to
be recoverable
before a single
Magistrate; if
a greater Sum,
in any Court
of Record.

ended