

And be it Enacted by the Authority aforesaid, That in any Action in a Court of Justice, 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 enquire, 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, that then the Plaintiff shall be Non-suit, and the Defendant recover his Cost of Suit: And that in case any Action or Demand shall be brought on any Obligation under the Hand and Seal of any such Person, or upon any Note or 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 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 past, and if such Plaintiff does not prove the same not to have been past for some other Consideration than Liquor, or other Accommodations sold or lost as aforesaid, or prove that such Liquor or Accommodations was absolutely necessary, and not sold or furnished contrary to the true intent and meaning of this Act, the Plaintiff shall be Non-suit, and the Defendant shall recover the Cost of Suit.

And be it further Enacted by the Authority aforesaid, That 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 past, shall be for Liquors or Accommodations supplied or sold, or any Money, Tobacco, or Liquor, won at Gaming contrary to this Act, that 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 the full Cost of Suit; any Law, Usage, or Custom to the contrary notwithstanding.

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 Transferr, That 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 aforesaid; and the other half to him or them who will sue for the same, to be recovered in the Names of the Lord Proprietary and such Informer, by Action of Debt, Bill, Plaint, or Information, wherein no Effoyn, Protection, or Wager of Law shall be allowed. And for the better discovery of such Trusts,

Be it Enacted, That every Trustee or suspected Trustee as aforesaid, shall be obliged by virtue of this Act, to answer Interrogatories upon Oath, or Affirmation if a Quaker, concerning such Trust, which Examination shall be received as Evidence in any Trial concerning such Trust, and if any such Trustee or suspected Trustee, shall refuse to be so examined, such Refusal shall be deemed and taken to be sufficient Evidence to prove the Fact, and that every Trustee or suspected Trustee submitting to be and being so examined, and not Answering truly to such Interrogatories, and being thereof legally Convict by Confession, or Verdict of a Jury, shall suffer as in case of wilful and corrupt Perjury.

And be it further Enacted, That the Justices of the respective County Courts, shall give such part of this Act as relates to Ordinary-keepers and Innholders in Charge to the several Grand Jurors, and to their several and respective Constables, in their said County, to enquire into the Breach of this Act, and into all Disorders committed in the said Ordinaries, and Present the same, if any be, to the several Courts, to be Examined and Punished according to Law.

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 Twenty Eighth Day of October, One Thousand Seven Hundred and Twelve, entitled, *An Act Restraining Victuallers and Keepers of Publick Houses from entertaining of Sailors to the Prejudice of Trade and Commerce*, be, and is hereby Repealed, Abrogated and made Null and Void.

And further for the Replacing of the said Sum of Three Thousand Pounds, Be it likewise Enacted by the Authority, Advice, and Consent aforesaid, That from and after the End of this Session of Assembly, the Sum of Forty Shillings Current Money shall be paid for every Horse, Mare, or Gelding, brought into this Province for Sale, either by Land or Water, by the Person or Persons bringing in or importing the same.

And be it further Enacted, That any Person or Persons bringing in or importing any Horse, Mare, or Gelding, or Horses, Mares, or Geldings, by Land or Water, shall immediately, and before exposing such Horse, Mare, or Gelding, or Horses, Mares, or Geldings, to Sale, enter the same with the Clerk of the County-Court where such Horse, Mare, or Gelding, or Horses, Mares, or Geldings, shall be imported by Water, or the first or second County through which they shall be brought by Land; and immediately upon such Entry pay unto the Clerk with whom such Entry shall be made, the said Duty or Sum of Forty Shillings, for every such Horse, Mare, or Gelding, or Horses, Mares, or Geldings, so imported or brought in as aforesaid.

And be it further Enacted, That such Entry shall contain the Colour, natural and artificial Marks, of every such Horse, Mare, or Gelding, or Horses, Mares, or Geldings, so as aforesaid imported and entered: And, that upon the Payment of the Duty and Entry being made as aforesaid, such County Clerk shall, and he is hereby directed to give to such Bringer in, or Importer, so paying and entering as aforesaid, a Copy of such Entry, with a Receipt for the Duty aforesaid, signed with such Clerk's proper Name, and under the Seal of the same County, for which Entry, Copy and Seal, the said Importer shall pay unto such Clerk, in full of all Fees, the Sum of One Shilling Current Money, for each Horse, Mare, or Gelding, so entered and certified as aforesaid.

And be it further Enacted, That every County Clerk within this Province, with whom such Entry shall be made, as is by this Act directed, shall, and he is hereby obliged to pay the said Duty, so by him or them received, at the next Sitting of the County-Court, in open Court, to the Sheriff of the same County, and an Entry thereof make in the Records or Proceedings of the same Court, on pain of forfeiting and paying the Sum of Five Pounds like Money, for each Horse, Mare, or Gelding, so entered, and Duty omitted by him to be paid as aforesaid, to be recovered and applied to the Uses herein mentioned.

And be it likewise Enacted, That the Justices of every County-Court, where such Entries and Duties have been made and paid, shall, and they are hereby directed to order the Clerk of the same County to return