

action, by leave of the Court where such action shall depend, at any time before issue joined, to pay into Court, such sum of money as he or they see fit, whereupon such proceedings, orders and judgment shall be had, made and given in and by such Court, as in any other actions where the defendant is allowed to pay money into the Court.

60. *And be it further enacted by the authority aforesaid,*—That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this Act, then and in every such case, such action or suit, shall be commenced or prosecuted within three months after the fact committed and not afterwards—and the same or every such action or suit shall be brought in the District and not elsewhere, and the defendant in every such action or suit shall and may plead the general issue, and at the trial thereof give this Act and the special matter in evidence; and if the matter or thing complained of shall appear to have been done under the authority and in the execution of this Act; or if any such action or suit shall have been brought after the time limited for bringing the same,—or be brought and had in any other District or place, than as aforementioned—then the Jury shall find for the defendant or defendants, and if the plaintiff shall become nonsuit or discontinue his action, after the defendant shall have appeared or have a verdict against him; or if, upon demurrer, judgment shall be given against the plaintiff, the defendant shall and may recover treble costs, and have the like remedy for recovery thereof as any defendant or defendants hath or have in any cases by Law.

Any action or suit to be commenced within three months after wrong committed.

If judgment be given against plaintiff, defendant shall recover treble costs.

61. *And be it further enacted by the authority aforesaid,*—That all penalties and forfeitures and fines by this Act inflicted or authorised to be imposed, not exceeding Five Pounds, (the manner of levying and recovering of which is not herein

Fines and forfeitures, not exceeding five pounds, to be levied with costs by distress and sale of goods of parties offend-