

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed, shall, if incurred in Great Britain, be applied, One Moiety to the Use of His Majesty, His Heirs and Successors, and the other Moiety to such Person or Persons as shall sue for the same; and all such Penalties and Forfeitures as shall be incurred in any of the said Colonies or Plantations, shall be applied, One-third Part thereof to the Use of His Majesty, His Heirs and Successors, One-third Part to the Use of the Governour of the Colony or Plantation where such Penalty and Forfeiture is incurred, and the remaining Third Part to such Person or Persons as shall sue for the same.

Application of Penalties.

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, every such Action or Suit, if in Great Britain, shall be commenced within Six Calendar Months next after the Fact committed, and if in any of the said Colonies or Plantations, within Eighteen Calendar Months next after the Fact committed, and not afterwards; and the Defendant or Defendants, in any such Action or Suit, may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; And if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared; or if Judgement shall be given upon any Verdict, or Demurrer, against the Plaintiff, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

And be it further enacted by the Authority aforesaid, That if any Doubt or Dispute shall arise, whether the Staves and Heading, or any Part thereof, so to be imported or exported as aforesaid, are of the Growth or Produce of any of the said Colonies or Plantations, or of any other Growth or Produce; or if any Action shall be brought by the Owner or Claimer of such Goods, against any Officer of the Customs, or any other Person, for any Thing done in pursuance of this Act, and any Doubt or Question, shall thereupon arise concerning the Place of the Growth or Product of such Goods, the

Disputes how to be determined.