

shall be subject to pay all Costs, if the Verdict therein given be against him or them. the Verdict be given against them.

XXX. *And be it further enacted*, That all and singular the Monies arising from such Penalties and Forfeitures, after deducting all expenses of Prosecution taxed against the Defendant or Defendants, shall be one Half to His Majesty, to and for the Uses for which the said Duties are granted, and the other Half to him or them who shall seize, inform, and sue for the same; and that all Prosecutions in Pursuance of this Act shall be commenced within the space of *Twelve Months* from the time of the Offence committed. Application of Penalties, &c.

XXXI. *And be it further enacted*, That in case it shall happen that any of the Witnesses for supporting any Information or Suit which shall or may be so brought are obliged to leave this Island before the Day appointed for the Trial of the Cause, that then, and in such case, it shall and may be lawful for any one of the Justices of the said Courts, upon Notice given to the above Party to be present, to take the Depositions of the said Witnesses, *de bene esse*, in Writing; which Depositions, being so taken, and also subscribed by the said Justice or Justices, and by the said Witnesses, may be admitted as Evidence to the Jury, upon Trial of such Cause or Suit. Depositions of Witnesses, *de bene esse*, taken before a Justice, shall be admitted as Evidence on the Trial.

XXXII. *And be it further enacted*, That the Monies arising from the Duties imposed by this Act shall be applied and laid out in making and repairing public Roads and the further establishing Ferries within this Island, and such other Uses to and for His Majesty's Government, as the Governor, Lieutenant Governor, or Commander in Chief for the time being, with the advice of His Majesty's Council, shall, from time to time, order and direct, (the said Sums, so to be appropriated, to be issued according to His Majesty's Instructions, by Warrant from the Governor, Lieutenant Governor, or Commander in Chief for the time being, by and with the advice aforesaid, for the purposes of the said appropriation :) And if the Application of the Monies received in Pursuance of this Act.

Sums appropriated, to be issued, according to His Majesty's Instructions, by Warrant.