

How Penalties shall be sued for and recovered

X. And be it further enacted, That any penalty or forfeiture inflicted by this Act, may be prosecuted, sued for, and recovered, by action of debt, bill, plaint, or information, in any of His Majesty's Courts of Record at Westminster or Dublin, or in the Court of Exchequer, or in the Court of Session in Scotland, in the name of His Majesty's Attorney General for England or Ireland, or His Majesty's Advocate for Scotland respectively, or in the name of any person or persons whatsoever; wherein no essoign, protection, privilege, wager of Law, nor more than one imparlance shall be allowed; and in every action or suit the person against whom judgment shall be given for any penalty or forfeiture under this Act, shall pay double costs of suit; and every such action or suit shall and may be brought at any time within twelve months after the offence committed, and not afterwards; and one moiety of every penalty to be recovered by virtue of this Act shall go and be applied to His Majesty, His Heirs or Successors, and the other moiety to the use of such person or persons as shall first sue for the same, after deducting the charges of prosecution from the whole.

Double costs.

Limitation of actions

Former rules established by Law to be applied to actions commenced in pursuance of this Act.

XI. And be it further enacted, That if any action or suit shall be commenced, either in Great Britain or elsewhere, against any person or persons for any thing done in pursuance of this Act, all rules and regulations, privileges and protections, as to maintaining or defending any suit or action, and pleading therein, or any costs thereon, in relation to any acts, matters, or things done, or that may be done, by any Officer of Customs or Excise, or by any Officer of His Majesty's Navy, under any Act of the Parliament in force on or immediately before the passing of this Act, for the protection of the Revenues of Customs and Excise, or Prevention of Smuggling, shall apply and be in full force in any such action or suit as shall be brought for any thing done in pursuance of this Act, in as full and ample a manner, to all intents and purposes, as if the same privileges and protections were repeated and re-enacted in this Act.

Penalties not to extend to persons entering into Military Service in Asia.

XII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to subject to any penalty any person who shall enter into the Military Service of any Prince, State, or Potentate, in Asia, with leave or licence, signified in the usual manner, from the Governor General in Council, or Vice President in Council, of Fort William, in Bengal, or in conformity with any orders or regulations issued or sanctioned by such Governor General or Vice President in Council.