ANNO QUINQUAGESIMO

GEORGII III. REGIS.

CAP. CVIII.

An Act to amend and enlarge the Powers of an Act, paſſed in the Second Year of His preſent Majeſty, for the Encouragement of the Fiſheries of this Kingdom, and the Protection of the Perſons employed therein. [20th *June* 1810.]

WHEREAS by an Act made in the Second Year of the Reign of His preſent Majeſty, intituled, *An Act for the better ſupplying the Cities of* London *and* Weſtminſter *with Fiſh, and to reduce the preſent exorbitant Price thereof, and to protect and encourage Fiſhermen*, certain Perſons therein deſcribed, being the Maſters of Fiſhing Ships, Smacks, Veſſels, or Boats employed in the Fiſhery on any of the Sea Coaſts of *Great Britain*, or in any of the navigable Rivers within *Great Britain*, and Apprentices, Mariners, and Landmen employed in ſuch Veſſels, to a limited Number, according to the Tonnage of ſuch Veſſels, were protected from being impreſſed into the Naval Service of His Majeſty, His Heirs and Succeſſors; and the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any Three or more of them, were thereby empowered to grant ſuch Protections: And whereas it hath been found ſince the paſſing of the ſaid Act that various Sorts of Fiſh retire in the Winter Seaſon into deeper Water, and it has therefore become neceſſary, for the Supply of the Metropolis and other Parts of the Kingdom with ſuch Fiſh at all Seaſons of the Year, to build and uſe much larger Claſſes of Fiſhing Veſſels, which cannot with Safety or Profit be navigated without a greater Number of Men and Boys than are allowed to be exempt from being impreſſed under the ſaid Act: And whereas the encouraging the taking

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taking of Apprentices on such Voyages is highly beneficial, in establishing a Nursery for Seamen for His Majesty's Navy; and it is therefore expedient that the Provisions of the said Act, as to exempting Persons employed in the Vessels therein described, should be amended, and should, as to all Fishing Vessels, be extended to Fishing in the deep Seas beyond the Coasts, and to a greater Number of Apprentices: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, so much of the said recited Act as relates to the exempting the Persons employed in Vessels in the Fisheries from being impressed shall be and the same is hereby repealed; save and except as to any Protections from being impressed to which any Person may be entitled under the said Act, which shall remain in full force for their full Period as if the said Act had remained in full force.

Recited Act repealed.

Masters and Apprentices and Mariners and Landmen, employed in Fishing Vessels limited in Number according to Tonnage, to be protected from being impressed.

II. And be it also enacted, That from and after the passing of this Act, every Person herein-after specified who shall be employed in the Fisheries of these Kingdoms, shall be freed and exempted from being impressed into the Service of His Majesty, His Heirs or Successors, other than and except in the Cases herein-after excepted, that is to say, First, every Master who shall have the Care or Conduct of any Fishing Vessel or Boat which shall be employed in the Fisheries of this Kingdom, and who or some Owner of which Fishing Vessel or Boat shall have or within Six Calendar Months before the applying for any Protection as herein-after is allowed, shall have had One or more Apprentice or Apprentices under the Age of Sixteen Years, each bound to him or to any such Owner as aforesaid, for a Term not less than Five Years, and which Apprentice or Apprentices in pursuance of such binding actually shall be or have been in the Service of such Master or Owner in the Business of a Fisherman: Secondly, every such Apprentice, not exceeding the Number of Eight Apprentices to every Master or Owner as aforesaid of any Fishing Vessel of the Burthen of Fifty Tons and upwards, and not exceeding Seven Apprentices to every Master or Owner as aforesaid of every Fishing Vessel of the Burthen of Thirty-five Tons and upwards, and under Fifty Tons and not exceeding Six Apprentices to every such Master or Owner as aforesaid of any Fishing Vessel of or above the Burthen of Thirty Tons and under Thirty-five Tons, and not exceeding the Number of Four Apprentices to every such Master or Owner as aforesaid of any Fishing Vessel or Boat under the said Burthen of Thirty Tons, during the Time every such respective Apprentice as aforesaid shall continue as an Apprentice in the actual Service of such his Master only, or of his Representatives or Assigns, in the Business of a Fisherman, and in no other Service, and until the respective Age of Twenty Years of every such Apprentice who shall so long continue in the Fishing Trade: Thirdly, One Mariner for every such Vessel or Boat of Ten Tons Burthen and upwards, besides the Master and his Apprentice or Apprentices as aforesaid, who shall be employed to navigate or fish in any Fishing Vessel or Boat of the Burthen of Ten Tons or upwards during the Time such Mariner shall continue and be so actually and truly employed in the said Fishing Service: and, Fourthly, any Landman above the Age of Eighteen Years and under Thirty Years, who shall enter on board any such Fishing Vessel or Boat of the Burthen of Ten Tons or upwards, and be actually employed in navigating or fishing therein,

therein, for and during the Space of Two Years, to be computed from the Time of his firſt going to Sea, employed as aforeſaid in any ſuch Fiſhing Veſſel or Boat of the Burthen of Ten Tons or upwards as aforeſaid, and to the End of any Fiſhing Voyage he may then be engaged in, and if he ſhall continue and be ſo long really and truly employed in ſuch Service.

Affidavit to be made and ſent to the Admiralty, deſcribing Veſſels, and Perſons to be protected, and Protections to be granted.

III. And be it further enacted, That on an Affidavit ſworn before ſome Juſtice or Juſtices of the Peace, that the Perſon or Perſons named and deſcribed in ſuch Affidavit is or are within ſome or one of the Deſcriptions herein-before ſpecified, and inſerting therein the Tonnage of every ſuch Fiſhing Veſſel or Boat, and the Port or Place to which ſhe belongs, and the Name and Deſcription of every ſuch Maſter, and the Age of every ſuch Apprentice and the Term for which every ſuch Apprentice ſhall be bound and the Date of his Indenture, and the Name, Age, and Deſcription of every ſuch Mariner and Landman reſpectively, and the Time of every ſuch Landman's firſt going to Sea, being offered to the Lord High Admiral of *Great Britain*, or to the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any Three or more of them, or left at the Office of Admiralty, the ſaid Lord High Admiral or Commiſſioners of the Admiralty for the Time being is and are hereby directed and required, with all convenient Speed after every ſuch Affidavit ſhall be tendered to him or them or left at the Admiralty Office (unleſs he or they ſhall have reaſonable Cauſe to ſuſpect the Truth of any ſuch Affidavit, and in every ſuch Caſe he and they is and are hereby directed to cauſe Enquiry to be made into the Truth of the Matters contained in every ſuch Affidavit) from Time to Time to grant a ſeparate Protection to every ſuch Perſon as aforeſaid reſpectively, during the Time he is allowed by this Act to be protected, and without any Fee or Reward to be paid or taken for the ſame; and every Perſon who ſhall be impreſſed contrary to the Intent of this Act ſhall on producing the Protection which ſhall have been granted to him in purſuance of this Act, to the Commanding Officer who ſhall have in his Cuſtody or under his Care any ſuch impreſſed Perſon as aforeſaid, be forthwith diſcharged and releaſed by ſuch Commanding Officer.

Remedy for protected Perſons if impreſſed.

IV. And be it further enacted, That if during the Continuance of any Protection which ſhall be granted under this Act, any Perſon who ſhall be thereby protected ſhall be impreſſed to ſerve His Majeſty, His Heirs or Succeſſors (other than and except in the Caſe of an actual Invaſion of theſe Kingdoms, or imminent Danger thereof) and ſignified by ſome Order of His Majeſty, or His Heirs, or of His or their Privy Council, to the Lord High Admiral, or to the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, and on producing the Protection which ſhall have been ſo granted to him to the Commanding Officer of the Party or Gang who ſhall impreſs any ſuch Perſon protected as aforeſaid, or if offering to produce the ſame for the Inſpection of ſuch the Commanding Officer, any ſuch Commanding Officer ſhall refuſe or neglect to ſee or examine ſuch Protection, or ſhall detain the ſame Protection from the Party entitled thereto, and ſhall not forthwith diſcharge the Party who ſhall be ſo impreſſed; or if the Party ſo impreſſed ſhall be carried on board any Ship or Veſſel of or in the Service of His Majeſty, His Heirs or Succeſſors, and the Captain or any Officer who ſhall have the Command on board any ſuch Ship or Veſſel of or in the Service of His Majeſty, His Heirs or Succeſſors, ſhall not on any ſuch Protection granted as aforeſaid being

produced or tendered to him; or if ſuch Protection ſhall have been taken away from the Party to whom it was ſo granted, at or after his having been ſo impreſſed, then if on an Affidavit being made before ſome Juſtice or Juſtices of the Peace that ſuch Protection was ſo granted and continues in force, and was taken away from the Party to whom the ſame was ſo granted, either at or after the Time he was impreſſed, and being tendered to the Captain or Officer who ſhall have the Command on board any ſuch Ship or Veſſel as aforeſaid, ſuch Captain or Officer having the Command as aforeſaid ſhall not forthwith diſcharge the Party who ſhall have been ſo impreſſed and brought on ſhipboard as aforeſaid, or if any Captain or Officer having Command as aforeſaid, or any of the Crew or Company under him ſhall take away or detain any ſuch Protection granted as aforeſaid, then every Perſon who in any of the ſaid Caſes ſhall ſo offend, except in the Caſes herein-before excepted, ſhall reſpectively forfeit and pay to the Party impreſſed, if not an Apprentice, and if an Apprentice, then to the reſpective Maſter of every ſuch Apprentice, the Sum of Twenty Pounds, to be recovered and levied in like Manner as other Forfeitures incurred by this Act are herein-after directed to be recovered and levied.

Puniſhment for Seamen refuſing to fulfil Agreement.

V. And be it further enacted, That in caſe any Seaman or Mariner after he ſhall have entered into any Agreement or taken any Earneſt for the Performance of any Fiſhing Voyage or for any ſtipulated Time of any Fiſhing Seaſon, ſhall neglect or refuſe to proceed on the intended Voyage or Voyages for which he ſhall have engaged or taken Earneſt, every ſuch Seaman or Mariner ſhall forfeit for every ſuch Offence the Sum of Five Pounds, and it ſhall and may be lawful, upon Complaint made thereof to any of His Majeſty's Juſtices of the Peace within their reſpective Juriſdictions by the Maſter or Owner or Owners, or any other Perſon having Charge or Command of the Veſſel or Boat in which ſuch Seaman or Mariner engaged to go, for ſuch Juſtice, and he is hereby required to iſſue his Warrant to apprehend ſuch Seaman or Mariner, and in caſe ſuch Seaman or Mariner ſhall not pay ſuch Penalty, or give ſufficient Reaſon for ſuch Refuſal to the Satisfaction of ſuch Juſtice, then to commit ſuch Seaman or Mariner to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding Thirty Days, nor leſs than Fourteen Days.

Penalty on hiring or enticing Apprentices or Perſons employed in Fiſhing Veſſels.

VI. And be it further enacted, That if any Maſter or Owner of any Ship, Veſſel, or Boat, ſhall hire, entice, harbour, entertain, or employ in any ſuch Ship, Veſſel, or Boat, any Apprentice, Seaman, or Landman, belonging to any Fiſhing Veſſel or Boat, or who ſhall have engaged to go on any Fiſhing Voyage, knowing that ſuch Apprentice, Seaman, or Landman does belong to ſuch Fiſhing Veſſel, or has engaged to go on a Fiſhing Voyage, or after Notice given thereof, every ſuch Maſter or Owner as aforeſaid, on being convicted of any ſuch Offence, ſhall for every ſuch Offence forfeit and pay the Sum of Twenty Pounds, to be levied, recovered, and applied in Manner herein-after ſpecified.

Juſtices to determine Differences.

VII. And be it further enacted, That all Juſtices of the Peace within their reſpective Juriſdictions ſhall hear and determine all Offences committed againſt the true Intent of this Act, and that all pecuniary Penalties and Forfeitures inflicted and made payable by this Act, whereof the Time of Payment is not herein-before directed, ſhall be paid within Twenty-four Hours after the Conviction of the Offender, either by his or her Confeſſion, or by the

the Oath of One or more credible Witneſs or Witneſſes, which Oath every Juſtice within his reſpective Juriſdiction is hereby authorized and required to adminiſter, and that any Juſtice or Juſtices within his or their reſpective Juriſdiction may iſſue a Warrant under his Hand and Seal or their Hands and Seals reſpectively, directed to any Peace Officer within their reſpective Juriſdiction, to levy the ſame by Diſtreſs of Goods and Chattels of the reſpective Perſon and Perſons who ſhall be ſo convicted, and which ſhall be found within the reſpective Juriſdiction of any ſuch Juſtice or Juſtices; and if within Five Days from any ſuch Diſtreſs being taken the Money forfeited ſhall not be paid, together with the Coſts of ſuch Diſtreſs, the Goods ſo diſtrained ſhall be appraiſed and ſold, rendering the Overplus (if any), after deducting the Penalty or Forfeiture, and the Coſts and Charges of the Diſtreſs and Sale to the Owner or Owners thereof, which Charges ſhall be aſcertained by ſome Juſtice or Juſtices of the County, City, Riding, Diviſion, or Place in which the Offender or Offenders ſhall have been convicted, and if ſufficient Diſtreſs cannot at any Time be found whereby the Money which ſhall be forfeited by any Offender or Offenders againſt this Act can be levied on his, her, or their Goods and Chattels, then and in every ſuch Caſe, upon Proof thereof upon Oath before ſome Juſtice or Juſtices within whoſe reſpective Juriſdiction any ſuch Offender or Offenders ſhall reſide or be, ſuch Juſtice or Juſtices ſhall on the Application of any Proſecutor or Proſecutors of any ſuch Offender or Offenders, iſſue a Warrant under the Hand and Seal or Hands and Seals of any ſuch Juſtice or Juſtices, directed to ſome Peace Officer or Officers to apprehend every ſuch Offender or Offenders, if he, ſhe, or they can be found, and to convey and commit every ſuch Offender and Offenders to the Houſe of Correction of the County, City, or Place where any ſuch Offender or Offenders ſhall be found and apprehended, there to remain and be kept to hard Labour for any Time not exceeding One Month, as any ſuch Juſtice or Juſtices ſhall order, unleſs the Money which ſhall be forfeited by ſuch Offender or Offenders ſhall be ſooner paid.

Proſecutions to be commenced within Three Calendar Months.

VIII. Provided always, and it is hereby enacted, That no Perſon ſhall ſuffer any Puniſhment for any Offence committed againſt this Act, unleſs the Proſecution for the ſame be commenced within Three Calendar Months after ſuch Offence committed; and that where any Perſon ſhall ſuffer Impriſonment purſuant to this Act for any Offence contrary thereto, in Default of Payment of any Penalty hereby impoſed, ſuch Perſon ſhall not be liable afterwards to pay ſuch Penalty.

Power to Juſtices to ſummon Witneſſes, and puniſh them for Non-attendance.

IX. And be it further enacted, That if it ſhall be made out by the Oath of any credible Perſon or Perſons to the Satisfaction of any Juſtice or Juſtices of the Peace, that any one within the Juriſdiction of any ſuch Juſtice or Juſtices is likely to give or offer material Evidence on Behalf of the Proſecutor or any Offender or Offenders againſt the true Intent and Meaning of this Act, or on Behalf of the Perſon or Perſons accuſed, and will not voluntarily appear before ſuch Juſtice or Juſtices, and be examined and give his, her, or their Evidence concerning the Premiſes, every ſuch Juſtice or Juſtices is and are hereby authorized and required to iſſue his or their Summons, to convene every ſuch Witneſs and Witneſſes before any ſuch Juſtice or Juſtices at ſuch ſeaſonable Time as in ſuch Summons ſhall be fixed; and if any Perſon ſo ſummoned ſhall neglect or refuſe to appear

at the Time by ſuch Summons appointed, and no juſt Cauſe ſhall be offered for ſuch Neglect or Refuſal, then after Proof by Oath of ſuch Summons having been duly ſerved upon the Party or Parties ſo ſummoned, every ſuch Juſtice and Juſtices is and are hereby authorized and required to iſſue his or their Warrant under his Hand and Seal or their Hands and Seals, to bring every ſuch Witneſs or Witneſſes before any ſuch Juſtice or Juſtices; and on the Appearance of any ſuch Witneſs or Witneſſes before any ſuch Juſtice or Juſtices, every ſuch Juſtice or Juſtices is and are hereby authorized and empowered to examine upon Oath every ſuch Witneſs, and if any ſuch Witneſs on his or her Appearance, or on being brought before ſuch Juſtice or Juſtices ſhall refuſe to be examined on Oath concerning the Premiſes, without offering any juſt Cauſe for ſuch Refuſal, any ſuch Juſtice or Juſtices within the Limits of his or their Juriſdiction, may by Warrant under his Hand and Seal or their Hands and Seals, commit any Perſon or Perſons ſo refuſing to be examined to the public Priſon of the County, Riding, Diviſion, City, Liberty, or Place in which the Perſon or Perſons ſo refuſing to be examined ſhall be, there to remain for any Time not exceeding Fourteen Days nor leſs than Three Days, as any ſuch Juſtice or Juſtices ſhall direct.

Offenders going to reſide in other Counties, Juſtices of ſuch other County may back Warrant, and apprehend.

X. And be it alſo enacted, That in caſe any Perſon againſt whom a Warrant ſhall be iſſued by any Juſtice or Juſtices of the Peace for any Offence againſt this Act ſhall go into, reſide, or be in any other County, Riding, Diviſion, City, Liberty, Town, or Place out of the Juriſdiction of the Juſtice or Juſtices who ſhall have granted any ſuch Warrant or Warrants as aforeſaid, it ſhall and may be lawful for any Juſtice or Juſtices of the Peace of the County, Riding, Diviſion, City, Liberty, Town, or Place into which ſuch Offender or Offenders againſt this Act, ſhall go or be, to indorſe his or their Name or Names on ſuch Warrant, (Proof being firſt made on Oath of ſuch Warrant having been ſigned by ſuch other Juſtice or Juſtices), and every Warrant ſo indorſed ſhall be ſufficient Authority to all Perſons to execute ſuch Warrant in ſuch other County, Riding, Diviſion, City, Liberty, Town, or Place out of the Juriſdiction of the Juſtice or Juſtices who firſt granted ſuch Warrant, and every ſuch Juſtice and Juſtices reſpectively, as the Caſe ſhall happen, after indorſing any ſuch Warrant as aforeſaid, may on the Offender or Offenders therein named, being apprehended and brought before any ſuch Juſtice or Juſtices within his or their reſpective Juriſdictions, hear and determine the Matter of the Complaint contained in every ſuch Warrant, in the ſame Manner as if ſuch Complaint had originally aroſe within the Juriſdiction of ſuch Juſtice or Juſtices who ſhall have ſo backed any ſuch Warrant, or may direct the Offender or Offenders to be carried before a Juſtice or Juſtices within whoſe Juriſdiction the Offence was committed, there to be dealt with according to Law.

Application of Penalties.

XI. And be it further enacted, That One Moiety of all Money which ſhall be forfeited for any Offence which ſhall be committed againſt this Act (and not herein otherwiſe appropriated), ſhall, when recovered, go and be paid to the Perſon or Perſons who ſhall proſecute to Conviction any ſuch Offender or Offenders, and the other Moiety thereof ſhall go and be paid to the Treaſurer of *Greenwich* Hoſpital for the Time being, for the Benefit of the ſame Hoſpital.

XII. Provided

XII. Provided alſo, and be it further enacted, That it ſhall be lawful for any Perſon or Perſons who ſhall think him, her, or themſelves aggrieved by any Order or Determination of any Juſtice or Juſtices of the Peace upon Account of any Offence committed or ſuppoſed to be committed againſt this Act, to appeal to the General or Quarter Seſſions of the Peace which ſhall be held for the County, City, Riding, Diviſion, or Place where any ſuch Offence ſhall have been committed next after the Conviction of any Offender or Offenders for any Offence committed againſt this Act, the Perſon or Perſons ſo appealing, firſt giving Security in double the Sum forfeited before ſuch Juſtice or Juſtices to proſecute ſuch Appeal with Effect, and to abide by the Order or Orders which ſhall be made on ſuch Appeal, and giving Eight Days Notice in Writing, of his, her, or their Intention to appeal to the Party or Parties on whoſe Proſecution any ſuch Conviction ſhall be made, if there ſhall be ſo many Days within the Time of ſuch Conviction and ſuch General or Quarter Seſſion, and if not then the Party or Parties who ſhall deem him, her, or themſelves aggrieved by any ſuch Conviction, ſhall and may be at Liberty to appeal to the next General or Quarter Seſſion but one which ſhall be held next after any ſuch Conviction for the County, City, or Place where any ſuch Conviction ſhall be made, and the Juſtices in their ſaid General or Quarter Seſſion are hereby authorized and required to hear and determine the Matter of every ſuch Appeal, and to make ſuch Order therein, and to award ſuch Coſts as to them ſhall appear juſt, and to cauſe to be levied under the Order of any ſuch Seſſion, the Coſts which ſhall be awarded, together with ſuch Money as any ſuch Court of Seſſion on the hearing of any ſuch Appeal ſhall adjudge to be forfeited, by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons who ſhall refuſe to pay ſuch Coſts and Money forfeited, and if ſufficient Goods or Chattels of any ſuch Offender or Offenders cannot be met with to ſatisfy ſuch Coſts and Money forfeited, then by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons who ſhall have become Surety or Sureties as aforeſaid, for the Party or Parties who ſhall have ſo appealed. Allowing an Appeal to the Quarter Seſſions.

XIII. And, for the more eaſy Conviction of Offenders; be it further enacted, That the Juſtice or Juſtices of the Peace, before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, or in other to the ſame Effect; (*videlicet*), Form of Conviction.

'BE it remembered, That on the Day of in the Year of the Reign of His Majeſty King is [*or*, are] convicted before one or more of His Majeſty's Juſtices of the Peace for by virtue of an Act paſſed in the Fiftieth Year of the Reign of His Majeſty King *George* the Third, intituled, [*here inſert the Title of this Act, ſpecifying the Offence and the Time and Place when and where the ſame was committed, as the Caſe ſhall be*] contrary to the ſaid Act, [*or, as the Caſe ſhall be*] for which Offence, we [*or*, I] adjudge Given under our [*or*, my] Hands and Seals [*or*, Hand and Seal] the Day and Year firſt above written.'

XIV. Provided likewiſe, and be it alſo enacted, That no Order or Proceedings to be made or had by or before any Juſtice of the Peace in Relation to the Premiſes ſhall be quaſhed or vacated for want of Form only, and that the Order which ſhall be made in the Premiſes by the Juſtices at Order or Proceedings not to be quaſhed for want of Form.

their General or Quarter Seſſion of the Peace as aforeſaid, ſhall be final, and that no Proceedings of any ſuch Juſtice or Juſtices out of Seſſion, or in their ſaid General or Quarter Seſſion in purſuance of this Act, ſhall be removeable by *Certiorari*, Letters of Advocation, or of Suſpenſion or otherwiſe.

Limitation of Actions.

XV. And be it enacted, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons for any Thing which ſhall be done in purſuance of this Act, every ſuch Action or Suit ſhall be brought and commenced within the Space of Six Calendar Months next after any ſuch Cauſe of Action ſhall have accrued, and not afterwards, and ſhall be brought, laid, and tried in the County, City, or Place in which the Cauſe of Action ſhall have ariſen, and not elſewhere, and that the Defendant and Defendants in every ſuch Action and 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 the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall not be commenced within the Time before limited, or ſhall be laid or brought in any other County, City, or Place than where the Cauſe of Action ſhall have ariſen, then and in any of ſuch Caſes the Jury ſhall find a Verdict for the Defendant or Defendants, and upon ſuch Verdict, or if the Plaintiff or Plaintiffs in any ſuch Action or Suit ſhall become Nonſuit or diſcontinue his, her, or their Action, after the Defendant or Defendants therein ſhall have appeared, or if on any Demurrer Judgement ſhall be given for the Defendant or Defendants, then and in any of the ſaid Caſes, every ſuch Defendant or Defendants ſhall have and recover Treble Coſts, and ſhall be entitled to purſue and take ſuch Remedy for recovering of the ſame as any Defendant or Defendants hath or have to recover his or their Coſts in other Caſes by Law.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1810.