

dead and has not left personall Estate Sufficient to pay said debt nor hath left any person as his heir at law to represent him that may be liable to an Action on said bond within this province. Liber LL, 4  
Acts

It is therefore humbly prayed that it may be Enacted.

And be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the advice and Consent of her Maj<sup>ty</sup>s president Councill and Assembly of this province and the Authority of the same that the same land be deemed taken and adjudged to be as Effectually mortgaged by the said Sam<sup>l</sup> Withers to the said Robert Smith his heirs Execut<sup>rs</sup> and adm<sup>rs</sup> for the Security of the debt af<sup>d</sup> to all Intents and purposes whatsoever as if the same had been mortgaged to the said Robert Smith Esq<sup>r</sup> his heirs and Assignes for the debt af<sup>d</sup> by a firm deed thereof duly Executed acknowledged and recorded according to the directions of the aforementioned act, and that the said Bond by Vertue of this Act be deemed taken and reputed to be an Effectuall mortgage thereof accordingly Subject nevertheless to the allowance of any payments that shall appear to have been made in Satisfaction of the said debt and Subject also to the redemption of any that right have to redeem the same and that the same bond be in all respects deemed to be an Effectuall Mortgage as af<sup>d</sup> any law Statute usage or Custome to the Contrary notwithstanding.

An Act against false packing of tobacco

Forasmuch as the false and fraudulent practices used in packing tobacco in hoggsheads have not hitherto been Sufficiently provided against, the Common law not being Severe Enough in the Punishment thereof, and for that it is found by Experience of late that such frauds and falsities are more frequently Committed than heretofore they have been and that it is high time they should be prevented for the future by some Speedy remedy to be in that behalf Provided

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the advice and Consent of her Maj<sup>ty</sup>s president Councill and Assembly of this province and the authority of the same that if any person or persons haveing the possession property rule directions Overseeing or governance of any plantation or place where tobacco is or shall be made shall use any fallacious fraudulent or deceitfull means or practices to Conceal or hide any frost bitten Trashy ground Leaves or small dull Scrubbs or any Stalks Stems wood stones dirt or any other manner of trash or old decayed tobacco in the inward parts of such hoggshead when the generality of such tobacco as shall be packed in the outward parts is good sound & merchantable or that it shall be deemed or adjudged by the Court or the Jury before whome Such matter shall be tryed or Called in question that such packing falls within the ancient Common received notion of what false packing has been hitherto reputed to be and any such hoggshead or Cask of tobacco pay or offer or tender to pay away on any account whatsoever that then the person

Acts of  
Oct. 1713.  
ch. 8  
p. 88