

The Petition of the Planters
of the Province of Carolina
for an Act against
the false packing of Tobacco
made in 1715
has been presented

An Act against false packing of tobacco

Forasmuch as the false and fraudulent practices used
in packing tobacco in hogsheads 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 highly timely 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 Majesty by
and with the advice and Consent of her most Excellent High Court of
Assembly of this province and the authority of the same that if any
person or persons having the possession property rule direction or
or governance of any plantation or place where tobacco is or shall
be made shall use any fallacious fraudulent or deceitfull means
or practice to conceal or hide any peevish trashy ground leaves
or small dull scrubs or any stalks stems wood stones dirt or any other
manner of trash or old decayed tobacco in the inward parts of such
hogshead 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 whom such matter shall
be tried 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 hogshead or cask of tobacco pay or offer or
tender to pay away on any account whatsoever that then the
person or persons that shall pack or cause to be packed any such
Tobacco in such manner as aforesaid or wittingly suffer the same so to
be shall for every hogshead that they shall so pack or cause or
wittingly suffer to be so packed and paid or offered or tendered
to be paid away forfeit and pay the quantity of one thousand
pounds of good sound merchantable tobacco in cask the one
half thereof to our sovereign lady the Queen towards the defraying
the Charge of the Family where such fact shall be committed the other
half to the party grieved or in default of prosecution by the
party grieved within three months after notice of such fact committed
to the Informer or to him or them that shall sue for the same
to be recovered in any Court of record within this province by
action