

Acts of Assembly passed in May, 1751.

An Act to prevent the Sale of Trashy Tobacco.

WHEREAS it appears to this General Assembly, that the Laws heretofore made, relating to Tobacco, have proved ineffectual to prevent the Sale of trashy and unmerchantable Tobacco: *Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same,* That from and after the thirtieth Day of May Instant, it shall not be lawful for any Person or Persons, on any Pretence whatsoever, to buy, barter for, purchase, or take into his, her, or their Possession, or to sell, or even offer to Sale, either directly or indirectly, any trashy or unmerchantable Tobacco, either loose or in Hands, in Bundle, Bulk, Parcel, Case, Hogshead, or other Package whatsoever; except such Tobacco as hath been heretofore lodged in any Inspecting House (or House or Houses used by Inspectors), in Pursuance of any former Law; under the Penalty of Six Pence Current Money, for every Pound of Tobacco so bought, bartered for, purchased, taken into his, her, or their Possession, sold, or offered to Sale, as aforesaid, to be recovered, where the Penalty shall not exceed fifty Shillings Current Money, before a single Magistrate, as in Case of small Debts; and where such Penalty shall exceed the said Sum, then and in such Case to be recovered in the County Court where such Offence shall happen, or the Party resides, by Action of Debt, Bill, Complaint, or Information, wherein no Essoyn, Protection, Wager of Law, or more than one Imparlance shall be allowed; one Moiety of such Penalty to the Informer, or him, her, or them, that shall sue for the same, together with his, her, or their legal Allowance for Attendance as an Evidence; and the other Moiety to and for the Use of the County where such Offence shall be committed, towards defraying the Charge of such County in the Execution of the Inspection-Laws: And where such Penalty shall arise by Prosecution upon Indictment, if the Informer shall not, upon Conviction, make his Claim (and which Claim, when made, shall be entered upon the Clerk's Docket) to the Moiety in open Court, then and in such Case, the whole of such Penalty shall be to and for the Use of the County where such Offence shall be committed, to be applied towards defraying the Charge of Inspection as aforesaid.

And for the further discovering and punishing so pernicious a Practice, *Be it likewise Enacted,* That if either of the Parties, Offenders as aforesaid, shall make such Information against the other Party or Parties so as aforesaid offending, and shall prosecute such other Party or Parties, so that he, she, or they be of the Offences aforesaid, or either of them, lawfully convicted (to which Purpose any or either of the Parties aforesaid are hereby enacted and declared to be good and sufficient Evidence), such Person so as aforesaid informing and prosecuting, shall not only be indemnified and saved harmless from any Prosecution for the said Offence, but shall also be intitled to have and receive the same Rewards allowed as aforesaid; and shall have and receive, as a further Encouragement, the further Sum of Three Pence Current Money for every Pound of such Tobacco, to his sole and separate Use; to be recovered, where the Penalty shall not exceed fifty Shillings Current Money, before a single Magistrate, as in Case of small Debts, to be made a Part of the Judgment of such Magistrate; and where such Penalty shall exceed the said Sum, then and in such Case to be recovered in the County Court where such Offence shall so happen, or the Party resides,

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by

Preamble.

No Persons to buy or sell trashy Tobacco after the 30th Day of May, 1751.

Penalty in case of Default, how to be recovered.

Either of the Parties offending against this Act, to be indemnified and intitled to the Reward, on informing against, and prosecuting the other Party.