ANNO TRICESIMO SEXTO

Georgii III. Regis.

CAP. IX.

An Act to prevent Obſtructions to the free Paſſage of Grain within the Kingdom. [18th *December* 1795.]



WHEREAS divers Perſons have aſſembled themſelves in great Numbers, and committed great Violences, with Intent to hinder the Paſſage of Corn and Grain from Place to Place, whereby the neceſſary Circulation of Corn and Grain within the Kingdom may be prevented: 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 if any Perſon or Perſons ſhall, from and after the paſſing of this Act, wilfully and maliciouſly beat, wound, or uſe any other Violence to or upon any Perſon or Perſons, with Intent to deter or hinder him or them from buying of Corn or Grain in any Market, or other Place within this Kingdom, or ſhall unlawfully ſtop or ſeize any Wheat, Flour, Meal, Malt, or other Grain, in or on the Way to or from any City, Market Town, or Place, in this Kingdom, or ſhall wilfully and maliciouſly break, cut, or deſtroy, any Waggon, Cart, or other Carriage, wherein any ſuch Wheat, Flour, Meal, Malt, or other Grain, ſhall be loaded, or the Harneſs of any Horſe or Horſes,

Preamble.

Perſons hindering the buying of Corn, or ſeizing it on its Paſſage, &c. to be committed to hard Labour for a limited Time.

Horſes, drawing or carrying the ſame, or ſhall unlawfully take off from any ſuch Carriage, or drive away, kill, or wound, any ſuch Horſe or Horſes, or unlawfully beat or wound the Driver or Drivers of any ſuch Waggon, Cart, or other Carriage, or Horſe, ſo loaded, with Intent to ſtop ſuch Wheat, Flour, Meal, Malt, or other Grain, or ſhall, by cutting of the Sacks, or otherwiſe, ſcatter or throw abroad any ſuch Wheat, Flour, Meal, Malt, or other Grain, or ſhall take or carry away, deſtroy, ſpoil, or damage the ſame, or any Part thereof, every and all ſuch Perſon or Perſons, being thereof lawfully convicted before any Two or more Juſtices of the Peace of the County, Shire, Stewartry, Riding, Diviſion, Town, or Place Corporate, wherein ſuch Offence or Offences ſhall be committed, or before the Juſtices of the Peace in open Seſſions, (who are hereby authorized and empowered, ſummarily and finally, to hear and determine the ſame), ſhall be ſent to the Common Gaol or Houſe of Correction, there to continue and be kept to hard Labour for any Time not exceeding the Space of Three Months nor leſs than One Month.

Perſons convicted of ſuch Offences a Second Time, or deſtroying Storehouſes, or carrying Corn therefrom, *etc.* to be tranſported for Seven Years, *etc.*

II. And be it further enacted by the Authority aforeſaid, That if any ſuch Perſon or Perſons ſo convicted ſhall commit any of the Offences aforeſaid a Second Time, or if, from and after the paſſing of this Act, any Perſon or Perſons, with Intent to prevent or hinder any Corn, Meal, Flour Malt, or Grain, from being lawfully carried or removed from any Place whatſoever, ſhall wilfully and maliciouſly pull, throw down, or otherwiſe deſtroy, any Storehouſe or Granary, or other Place in which Corn, Meal, Flour, Malt, or Grain, ſhall be then kept, or ſhall unlawfully enter any ſuch Storehouſe, Granary, or other Place, and take and carry away any Corn, Flour, Meal, Malt, or Grain, therefrom, or ſhall throw abroad or ſpoil the ſame, or any Part thereof, or ſhall unlawfully enter on board any Ship, Barge, Boat, or Veſſel, and wilfully and maliciouſly take and carry away, caſt or throw out therefrom, or otherwiſe ſpoil or damage any Corn, Flour, Meal, Malt, or Grain therein, every Perſon ſo offending, and being thereof lawfully convicted, ſhall be adjudged Guilty of Felony, and ſhall be tranſported for the Space of Seven Years, in like Manner as other Felons are directed to be tranſported by the Laws and Statutes of this Realm; and if any ſuch Offender ſo tranſported ſhall return into this Kingdom before the Expiration of the ſaid Seven Years, he or ſhe ſhall ſuffer Death as a Felon, without Benefit of Clergy: Provided always that no Attainder for any Offence made Felony by virtue of this Act ſhall make or work any Corruption of Blood, Loſs of Dower, or Diſinheritance of Heir or Heirs.

The Hundred where any ſuch Offence is committed, may be ſued for Damages, not exceeding 100*l.*

III. And be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, the Inhabitants of every Hundred, in that Part of *Great Britain* called *England*, wherein any ſuch Offence as aforeſaid ſhall be committed, ſhall make full Satisfaction and Amends to all and every the Perſon and Perſons, their Executors and Adminiſtrators, for the Damage they ſhall have ſuſtained or ſuffered by any Injury or Violence done to their Properties by any Offender or Offenders againſt this Act; and that every Perſon and Perſons who ſhall ſuſtain Damages in their Properties by any of the ſaid Offences, ſhall and are hereby enabled to ſue for and recover ſuch his or their Damages (the Sum to be recovered not exceeding One hundred Pounds)

Pounds) againſt the ſaid Hundred, who by this Act ſhall be made liable to anſwer all or any Part thereof; ſuch Damages to be ſued for, levied, and raiſed, in ſuch Manner and Form, and by and under the like Methods and Directions, as are preſcribed and mentioned in Caſes of Actions of Robberies on the Highway in and by an Act, made in the Seven-and-twentieth Year of the Reign of Queen *Elizabeth*, intituled, *An Act for the following Hue and Cry*; and by One other Act, made in the Eighth Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act for the Amendment of the Law relating to Actions on the Statute of Hue and Cry*, except ſo much thereof as relates to giving, leaving, or publiſhing Notice, or making freſh Suit and Hue and Cry, or any other Matter otherwiſe provided for by this Act.

No Perſon to recover ſuch Damages, unleſs Notice be given of the Offence, &c. and Recognizance entered into to proſecute known Offenders.

IV. Provided nevertheleſs, and be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall be enabled to recover any Damages by virtue of this Act, unleſs he or they, by themſelves or by their Servants, within Two Days after ſuch Damage or Injury done him or them, by any ſuch Offender or Offenders as aforeſaid, ſhall give Notice of ſuch Offence done and committed to One of the Conſtables of the Hundred, or to the Conſtable, Borſholder, Headborough, or Tithingman, of the Town, Pariſh, Village, Hamlet, or Tithing, in or near which ſuch Fact ſhall be committed, and ſhall, within Ten Days after ſuch Notice, give in his or their Examinations upon Oath, or the Examination of his or their Servants, being preſent at the Time of the Fact being committed, or having the Care of ſuch his or their Properties to which ſuch Damage or Injury ſhall be done, before any Juſtice of the Peace of the County, Liberty, or Diviſion, where ſuch Fact ſhall be committed, whether he or they do know the Perſon or Perſons that committed ſuch Fact, or any of them; and if upon ſuch Examination it be confeſſed that he or they do know that the Perſon or Perſons that committed the ſaid Fact, or any of them, that then he or they ſo confeſſing ſhall be bound by Recognizance to proſecute ſuch Offender or Offenders according to this Act, or otherwiſe according to the Laws of the Realm.

If any Offender be convicted within a Year after the Offence, the Hundred not liable to make Satisfaction for Damages.

No Action for Damages to be brought till after a Year, nor unleſs commenced within Two Years after the Offence.

V. Provided alſo, and be it enacted by the Authority aforeſaid, That where any Offence ſhall be committed againſt this Act, and any One of the ſaid Offenders ſhall be apprehended, and lawfully convicted of ſuch Offence, within the Space of Twelve Months after the Offence committed, no Hundred or Franchiſe therein ſhall in anywiſe be ſubject or liable to make any Satisfaction to the Party or Parties injured for the Damages he or they ſhall have ſuſtained; any Thing in this Act contained to the contrary notwithſtanding: Provided alſo, that no Perſon who ſhall ſuſtain any Damage by reaſon of any Offence to be committed by any Offender contrary to this Act, ſhall be enabled hereby to ſue or bring any Action againſt any Hundred where ſuch Offence ſhall be committed till after the Expiration of One Year, nor unleſs the Party or Parties ſuſtaining ſuch Damage ſhall commence his, her, or their, Action or Suit, within Two Years next after the Offence committed.

Act not to abridge any Law for the Puniſhment of

VI. Provided always, and be it further enacted, That nothing in this Act contained ſhall be deemed or taken to abridge or take away any Proviſion already made by the Law of this Realm, or any Part thereof,

Suppreſſion of Offences mentioned herein.

thereof, for the Suppreſſion or Puniſhment of any Offence whatſoever mentioned or deſcribed in this Act: Provided alſo, that no Perſon who ſhall be puniſhed by virtue of this Act, ſhall be puniſhed for the ſame Offence by virtue of any other Law or Statute whatſoever.

FINIS.