ANNO TRICESIMO NONO & QUADRAGESIMO

GEORGII III. REGIS.

CAP. XXV.

An Act to prohibit, until the First Day of *October* One thousand eight hundred, the Use of Wheat in making Starch. [25th *March* 1800.]

Preamble.

WHEREAS it is expedient that the making of Starch, from Wheat, should be prohibited for a limited Time: 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, during the Continuance of this Act, no Starch shall be made or prepared from any Wheat, Wheat Flour, or Wheat Meal, or any Mixture with Wheat, Wheat Flour, or Wheat Meal.

No Starch to be made from Wheat or Flour, or any Mixture therewith.

II. And be it further enacted, That if, during the Continuance of this Act, any Maker or Makers of Starch, or other Person or Persons whatever, shall make, or begin to make Starch from any Wheat, Wheat Flour, or Wheat Meal, or any Mixture with Wheat, Wheat Flour, or Wheat Meal, or shall put or lay, or cause or procure to be put or laid, in any Fat, Trough, or other Utensil or Vessel, any Wheat,

Penalty for making Starch from Wheat, *etc.*:

Wheat Flour, or Wheat Meal, or any Mixture with Wheat, Wheat Flour, or Wheat Meal, for the Purpoſe of making Starch, then, and in each and every ſuch Caſe, ſuch Maker or Makers of Starch, or other Perſon or Perſons ſo offending; and the Perſon or Perſons in whoſe Cuſtody or Poſſeſſion any Fat, Trough, or other Utenſil, or Veſſel, which ſhall be made uſe of contrary to the Intention of this Act, ſhall be found, ſhall, ſeverally and reſpectively (over and above all other Penalties impoſed by any Act or Acts of Parliament already in force), forfeit and pay the Sum of Two hundred Pounds; and all ſuch Wheat, Wheat Flour, or Wheat Meal, together with every ſuch Fat, Trough, or other Utenſil or Veſſel, ſhall be forfeited, and the ſame reſpectively ſhall and may be ſeized by any Officer or Officers of Exciſe:

But not to extend to competing Wheat, *etc.* put in Fermentation on or before *March* 20, 1800.

Provided always nevertheleſs, That nothing in this Act contained ſhall extend, or be deemed or conſtrued to extend, to ſubject any Starch Maker to the ſaid Penalty of Two hundred Pounds, for or by reaſon of his completing or finiſhing any Operation of Starch-making, from any Wheat, Wheat Flour, or Wheat Meal, openly put in Fermentation in his entered Starch Houſe, on or before the Twentieth Day of *March* One thouſand eight hundred, ſo that ſuch Operation ſhall be continued without wilful Delay; any Thing in this Act contained to the contrary in anywiſe notwithſtanding.

Wheat, *etc.* found in Starch Houſes forfeited, and the Perſons in whoſe Poſſeſſion found to forfeit 200 *l.*

III. And be it further enacted, That if any Wheat, Wheat Flour, or Wheat Meal, ſhall, during the Continuance of this Act, be found in any Starch Houſe, or in any Place wherein Starch ſhall be preparing or making, or wherein any Starch ſhall have been prepared or made, or which ſhall have been, or ſhall be, entered for making or preparing of Starch, all ſuch Wheat, Wheat Flour, or Wheat Meal, ſhall be forfeited, together with the Veſſels, Sacks, Bags, and other Things containing the ſame, and the ſame ſhall and may be ſeized by any Officer or Officers of Exciſe; and the Perſon or Perſons in whoſe Poſſeſſion ſuch Starch Houſe or Place ſhall be, ſhall for every ſuch Offence forfeit the Sum of Two hundred Pounds.

Perſons authorized, and Officers of Exciſe, may enter Starch Houſes, and inſpect Materials;

IV. And be it further enacted, That, during the Continuance of this Act, it ſhall and may be lawful to and for any Perſon or Perſons who ſhall be authorized for that Purpoſe by the Commiſſioners of Exciſe for the Time being, or any Two or more of them, within the Limits of the Chief Office of Exciſe, in *London*, or by One or more Juſtice or Juſtices of the Peace in any other Part of *Great Britain*, at any Time or Times, with any Officer or Officers of Exciſe, or for any Officer or Officers of Exciſe, to enter into any Starch Houſe, or any other Place whatever, wherein any Starch ſhall be, or ſhall be ſuſpected to be, preparing or making, or prepared or made, and every ſuch Officer of Exciſe, and Perſon ſo authorized as aforeſaid, ſhall have free Admittance into, and may inſpect all the Materials, Veſſels, and Utenſils, contained in any ſuch Starch Houſe or other Place (giving thereby as little Interruption as may be to the lawful Buſineſs which ſhall be there carrying on);

and Officers may take Samples of Mixtures, paying for the

and in caſe any ſuch Officer of Exciſe ſhall have reaſon to ſuſpect that any Wheat, Wheat Flour, or Wheat Meal, is mixed in any Waters or Liquids, or with any other Materials or Preparations whatſoever, or is otherwiſe

otherwiſe in Operation for preparing or making Starch, it ſhall be lawful for ſuch Officer, at any Time or Times during the Continuance of this Act, upon Payment of Three-pence *per* Pound Weight, (if demanded), to take a Sample, not exceeding Fifty Pounds Weight, of any ſuch Mixtures in Waters or Liquids, or other Materials or Preparations, which ſhall be found in any ſuch Starch Houſe or other Place aforeſaid; and in caſe any Maker of Starch, or the Owner or Occupier of any ſuch Starch Houſe or Place, or any Workman or Servant belonging to any ſuch Maker or Makers, or Owner or Occupier, ſhall refuſe to admit ſuch Perſon or Perſons as ſhall be ſo authorized, or any Officer or Officers of Exciſe, into any ſuch Starch Houſe or Place, or ſhall obſtruct or hinder any ſuch Officer, or Perſon or Perſons, in making ſuch Inſpection as aforeſaid, or ſhall not allow any ſuch Officer to take ſuch Sample, after the ſaid Sum of Three-pence *per* Pound Weight ſhall be paid or tendered for the ſame, every ſuch Maker, Owner, or Occupier ſhall for every ſuch Offence reſpectively forfeit the Sum of Two hundred Pounds; and it ſhall be lawful for any ſuch Officer of Exciſe, or other Perſon or Perſons authorized as aforeſaid, having a Warrant for that Purpoſe from any Two or more of the Commiſſioners of Exciſe, or any Juſtice or Juſtices reſpectively, as aforeſaid, to ſeize, take, and carry away, all ſuch Wheat, Wheat Flour, or Wheat Meal, and alſo all ſuch Mixtures, or Waters, or Liquids, or other Materials or Preparations, as ſhall be found in any ſuch Starch Houſe, or other Place, together with all the Veſſels, Sacks, Bags, and other Things in which the ſaid Commodities, or any of them, ſhall be contained.

ſame, if they ſuſpect Wheat, *etc.* to be mixed therein.

Penalty of 200*l.* for refuſing Admiſſion, or preventing the Inſpection of Materials, *etc.*

Wheat, *etc.* ſo found may be ſeized.

V. Provided always, and be it further enacted, That it ſhall and may be lawful for any Maker or Makers of Starch, to have or keep, for his, her, or their neceſſary Uſe in any Dwelling Houſe, Room, or Place, (not being an entered Houſe, Room, or Place, for making or preparing of Starch), any Quantity of Wheat, Wheat Flour, or Wheat Meal, not exceeding at any One Time the Quantity of Eight Buſhels; and that if any ſuch Maker or Makers ſhall, during the Continuance of this Act, be poſſeſſed of, or have in his, her, or their Cuſtody or Poſſeſſion, or in the Cuſtody or Poſſeſſion of any Perſon or Perſons in Truſt or for the Uſe or Benefit of ſuch Maker, more than Eight Buſhels of Wheat, Wheat Flour, or Wheat Meal, at any One Time, in any One or more Place or Places, every ſuch Maker or Makers ſhall for every ſuch Offence reſpectively forfeit all ſuch Wheat, Wheat Flour, or Wheat Meal, exceeding the ſaid Quantity of Eight Buſhels, and alſo the Sum of Five Pounds for every Buſhel ſo forfeited: Provided always nevertheleſs, That this Act ſhall not extend to inflict the ſaid laſt-mentioned Forfeiture or Penalty, or either of them, upon any Maker of Starch who ſhall be the actual Grower of Wheat, and ſhall be poſſeſſed of any Quantity of ſuch Wheat, in the Straw, grown by him, or after ſuch Wheat is threſhed out or ſeparated from the Straw; provided that ſuch Wheat ſhall not be kept in his Poſſeſſion, or in the Poſſeſſion of any other Perſon or Perſons in Truſt for him, for a greater Space of Time than Twenty Days after the ſame ſhall be threſhed or ſeparated from the Straw, and ſo as ſuch Wheat be not kept in any Place uſed for making, preparing, or keeping Starch:

Makers of Starch may keep in their Houſes Wheat or Flour not exceeding Eight Buſhels.

Penalty for having more than the Quantity;

but not to extend to Starch Makers being Growers of Wheat, or Millers, in certain Caſes.

Provided alſo, That this Act ſhall not extend to inflict the ſaid laſt-mentioned Forfeiture and Penalty, or either of them, upon any Maker of Starch who practiſes the Trade of a Miller, and who was poſſeſſed of, and as a Miller worked, any Mill or Mills for the grinding of Wheat, Barley, or other Grain, on or before the paſſing of this Act, for or upon Account of any Quantity of Wheat, Wheat Flour, or Wheat Meal, which ſhall, during the Time herein-before limited, be found not wetted or ſteeped in any ſuch Mill or Mills; any Thing herein contained to the contrary notwithſtanding.

On Oath of Ground of Suſpicion that more than Eight Buſhels of Wheat or Flour is kept in any Storehouſe, *etc.* Officers of Exciſe and other Perſons may be authorized to ſearch, and may ſeize the Surplus, and the Perſons in whoſe Cuſtody found, to forfeit 5*l.* *per* Buſhel.

VI. And be it further enacted, That in caſe any Officer or Officers of Exciſe, or any other Perſon or Perſons, ſhall at any Time or Times have Cauſe to ſuſpect that any Wheat, Wheat Flour, or Wheat Meal, exceeding the Quantity of Eight Buſhels, belonging to any Maker or Makers of Starch, ſhall be laid or kept in any Storehouſe, Warehouſe, Granary, or other Place or Places, contrary to the true Intent and Meaning of this Act, then, and in every ſuch Caſe, upon Oath made by ſuch Officer or Officers, or other Perſon or Perſons, before the Commiſſioners of Exciſe, or any Two or more of them, in *England*, for the Time being, or before One or more Juſtice or Juſtices of the Peace reſiding near the Place where ſuch Officer or Officers, or other Perſon or Perſons, ſhall ſuſpect the ſame to be laid or kept, ſetting forth the Ground of his or their Suſpicion, it ſhall and may be lawful to or for the ſaid Commiſſioners, or Juſtice or Juſtices of the Peace reſpectively, before whom ſuch Officer or Officers, or other Perſon or Perſons, ſhall make Oath as aforeſaid, (if he or they ſhall judge it reaſonable), by Special Warrant under his or their reſpective Hands and Seals, to authorize and empower ſuch Officer or Officers, or other Perſon or Perſons authorized as aforeſaid, by Day or by Night, (but if in the Night, then in the Preſence of a Conſtable or other lawful Officer of the Peace), to enter into all and every Storehouſe, Warehouſe, Granary, or other Place or Places, where he or they ſhall ſo ſuſpect that any Wheat, Wheat Flour, or Wheat Meal, exceeding the Quantity of Eight Buſhels, belonging to any ſuch Maker or Makers, ſhall be laid or kept, and to ſeize, take, and carry away, all ſuch Wheat, Wheat Flour, or Wheat Meal, as he or they ſhall ſo find, (over and above the ſaid Quantity of Eight Buſhels), together with all the Veſſels, Sacks, Bags, or other Things, wherein the ſame ſhall be contained; and ſuch Maker or Makers, or the Perſon or Perſons in whoſe Cuſtody or Poſſeſſion ſuch Wheat, Wheat Flour, or Wheat Meal, belonging to ſuch Maker or Makers as aforeſaid, ſhall be found, ſhall for every ſuch Offence reſpectively forfeit and pay the ſaid Penalty of Five Pounds for every Buſhel exceeding the ſaid Quantity of Eight Buſhels; and the ſaid Officer or Officers, and other Perſon or Perſons, is or are hereby empowered by ſuch Warrant, together with ſuch other Perſon or Perſons as he or they ſhall take to his or their Aſſiſtance, to enter ſuch Storehouſes, Warehouſes, Granaries, or other Place or Places, and break open the Doors thereof, in caſe they be not forthwith opened on Demand.

Doors may be broke open.

Contracts for Delivery of Starch or

VII. And whereas there may have been Contracts made by Makers of Starch with ſeveral Perſons for Starch or Hair Powder to be delivered

vered and received at future Times after the passing of this Act; be it therefore further enacted, That all Contracts or Bargains made by any Maker or Makers of Starch, with any Person or Persons whatever, for any Starch or Hair Powder to be delivered at any Time during the Continuance of this Act, shall be, and are hereby declared to be null and void. Hair Powder during the Continuance of this Act, void.

VIII. And be it further enacted, That if any Person or Persons shall obstruct or hinder any Officer or Officers of Excise in the Execution of any of the Powers and Authorities to him or them given by this Act, the Person or Persons offending therein shall, for every such Offence, forfeit and lose the Sum of Two hundred Pounds. Penalty of 200*l.* for obstructing Officers.

IX. And be it further enacted, That all Fines, Penalties, and Forfeitures, imposed by this Act, and which shall be prosecuted or sued for by Order of the Commissioners of Excise in *England* or *Scotland* respectively, or by any Officer or Officers of Excise, shall be sued for, recovered, levied, or mitigated, by such Ways, Means, or Methods, as any Fine, Penalty or Forfeiture may be sued for, recovered, levied, or mitigated, by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer in *Scotland*, respectively; and that One Moiety of every such Fine, Penalty, or Forfeiture, shall be to His Majesty, His Heirs and Successors, and the other Moiety to him, her, or them, who shall inform, discover, or sue for the same. Recovery and Application of Penalties.

X. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, such Action or Suit shall be commenced within the Space of One Calendar Month next after the Offence shall be committed; and if such Action or Suit shall be commenced or prosecuted in that Part of *Great Britain* called *England*, the Defendant or Defendants in any such Action or 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 it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgement shall be given upon any Verdict or Demurrer against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law; and if such Action or Suit be commenced or prosecuted in that Part of *Great Britain* called *Scotland*, the Court before whom such Action or Suit shall be brought shall allow the Defender to plead this Act in his Defence, and the Pursuer shall not insist on his Action; or if Judgement shall be given against such Pursuer, the Defender shall and may recover the full and real Expences he may have been put to by any such Action or Suit. Limitation of Actions. General Issue. Treble Costs.

XI. Provided always, and be it enacted, That in case His Majesty, at any Time or Times after the passing of this Act, shall, in His Royal Discretion, His Majesty may permit the making of Starch from Wheat.

cretion, judge it to be moſt for the Benefit and Advantage of this Kingdom to permit the making of Starch from Wheat, Wheat Flour, or Wheat Meal, that then it ſhall and may be lawful to and for His Majeſty, by His Royal Proclamation or Proclamations, to be iſſued by and with the Advice of His Privy Council, or by His Majeſty's Order in Council, to be publiſhed in the *London Gazette*, from Time to Time to permit and ſuffer all and every Perſon and Perſons, Natives and Foreigners, (but not any particular Perſon or Perſons), at any Time or Times after the paſſing of this Act, to make Starch from Wheat, Wheat Flour, or Wheat Meal, any Thing herein contained to the contrary notwithſtanding.

Commencement and Continuance of Act.

XII. And be it further enacted, That this Act ſhall commence and take Effect as to all ſuch Matters and Things therein contained, in reſpect whereof no ſpecial Commencement is hereby directed or provided, from and immediately after the paſſing of this Act, and ſhall be and remain in force until and upon the Firſt Day of *October* One thouſand eight hundred.

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