

ANNO SEPTIMO & OCTAVO

VICTORIÆ REGINÆ.

****

CAP. XXIV.

An Act for abolishing the Offences of forestalling, regrating, and engrossing, and for repealing certain Statutes passed in restraint of Trade.

[4th *July* 1844.]

WHEREAS divers Statutes have been from Time to Time made in the Parliaments of *England*, *Scotland*, *Great Britain*, and *Ireland* respectively prohibiting certain Dealings in Wares, Victuals, Merchandize, and various Commodities by the Names of badgering, forestalling, regrating, and engrossing, and subjecting to divers Punishments, Penalties, and Forfeitures Persons so dealing: And whereas it is expedient that such Statutes, as well as certain other Statutes made in hindrance and in restraint of Trade, be repealed: And whereas an Act of the Parliament of *Great Britain* was passed in the Twelfth Year of the Reign of King *George* the Third, intituled *An Act for repealing several Laws therein mentioned against Badgers, Engrossers, Forestallers, and Regraters, and for indemnifying Persons against Prosecutions for Offences committed against the said Acts*, whereby, after reciting that it had been found by Experience that the Restraint laid by several Statutes upon the dealing in Corn, Meal, Flour, Cattle, and sundry other Sorts of Victuals, by preventing a free Trade in the said Commodities, have a Tendency 12 G. 3. c. 71.

a Tendency to discourage the Growth and to enhance the Price of the same, which Statutes, if put in execution, would bring great Distress upon the Inhabitants of many Parts of this Kingdom, and in particular upon those of the Cities of *London* and *Westminster*, sundry Acts therein mentioned, and all the Acts made for the better Enforcement of the same, were repealed, as being detrimental to the Supply of the labouring and manufacturing Poor of this Kingdom: And whereas, notwithstanding the making of the first-recited Act, Persons are still liable to be prosecuted for badgering, engrossing, forestalling, and regrating, as being Offences at Common Law, and also forbidden by divers Statutes made before the earliest of the Statutes thereby repealed: For Remedy thereof, and for the Extension of the same Remedy to *Scotland* and to *Ireland*, be it enacted by the Queen's most Excellent Majesty, by and with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 after the passing of this Act the several Offences of badgering, engrossing, forestalling, and regrating be utterly taken away and abolished, and that no Information, Indictment, Suit, or Prosecution shall lie either at Common Law or by virtue of any Statute, or be commenced or prosecuted against any Person for or by reason of any of the said Offences or supposed Offences.

Offences of badgering, engrossing, forestalling, and regrating abolished.

Repeal of certain Acts and Parts of Acts.

II. And be it enacted, That the several Acts and Parts of Acts made in the Parliaments of *England* and *Scotland*, *Great Britain* and *Ireland* herein-after mentioned, shall be repealed, but not so as to revive any Act repealed by any of the Acts hereby repealed; (that is to say,)

The following Acts and Parts of Acts of the Parliament of *England;* to wit,

51 Hen. 3. Judicium Pilloriæ.

So much of an Act passed in the Fifty-first Year of the Reign of King *Henry* the Third, intituled *A Statute of the Pillory and Tumbrel, and of the Assize of Bread and Ale*, as is now in force:

12 Edw. 2. c. 6.

So much of an Act passed in the Twelfth Year of the Reign of King *Edward* the Second, intituled *No Officer of a City or Borough shall sell Wine or Victual during his Office*, as is now in force:

Temp. Hen. 3. Edw. 1. Edw. 2. c. 7.

So much of an Act passed in the Reign of King *Henry* the Third, King *Edward* the First, or King *Edward* the Second, intituled *The Punishment of a Butcher selling unwholesome Flesh*, as provides Punishment for a Butcher or Cook that buyeth Flesh of Jews and selleth the same unto Christians:

c. 10.

The whole of an Act passed in One of the Three last-mentioned Reigns, intituled *No Forestaller shall be suffered to dwell in any Town:*

23 Edw. 3. c. 6.

The whole of an Act passed in the Twenty-third Year of the Reign of King *Edward* the Third, intituled *Victuals shall be sold at reasonable Prices:*

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The whole of an Act passed in the Twenty-fifth Year of the same Reign, intituled *The Penalty of him that doth forestall Wares, Merchandize, or Victual:* — 25 Edw. 3. Stat. 4. c. 3.

So much of an Act passed in the Twenty-seventh of the same Reign, intituled *A Statute of Provisors*, as provides that Commissions shall be granted to inquire of Offenders contrary to the Statute of 23 *Edw.* 3. c. 6., and as enacts, "The Penalty "for forestalling of Merchandizes before they come to the "Staple:" — 27 Edw. 3. Stat. 1. c. 3. Stat. 2. c. 11.

The whole of Two Acts passed in the Thirty-first Year of the same Reign, respectively intituled *The Statute of Herrings* and *Another Statute of Salt Fish:* — 31 Edw. 3. Stat. 2. Stat. 3.

The whole of an Act passed in the Thirty-fifth Year of the same Reign, intituled *An Ordinance of Herring:* — 35 Edw. 3.

So much of an Act passed in the Thirty-seventh Year of the same Reign, intituled *Merchants shall not ingross Merchandizes to inhance the Prices of them, nor use but one Sort of Merchandize*, as is now in force: — 37 Edw. 3. c. 5.

The whole of an Act passed in the same Year, intituled *Clothiers shall make Cloths sufficient for the foresaid Prices, so that this Statute for default of such Cloths be in nowise infringed:* — 37 Edw. 3. c. 15.

The whole of an Act passed in the Second Year of the Reign of King *Richard* the Second, intituled *A Confirmation of the Statute of* 25 Edw. 3. *St.* 4. *c.* 3. *against Forestallers:* — 2 Rich. 2. Stat. 1. c. 2.

So much of an Act passed in the Thirteenth Year of the same Reign, intituled *The Rates of Labourers Wages shall be assessed and proclaimed by the Justices of the Peace, and they shall assess the Gains of Victuallers; who shall make Home Bread, and the Weight and Price thereof*, as is now in force: — 13 Rich. 2. Stat. 1. c. 8.

So much of an Act passed in the Fourth Year of the Reign of King *Henry* the Fourth, intituled *An Hostler shall not make Horse Bread; how much he may take for Oats*, as is now in force: — 4 Hen. 4. c. 25.

So much of an Act passed in the Twenty-fifth Year of the Reign of King *Henry* the Eighth, intituled *Proclamations for the Prices of Victuals*, viz. *the pricing of them and proclaiming the Prices*, as is now in force: — 25 Hen. 8. c. 2.

So much of an Act passed in the Twenty-eighth Year of the same Reign, intituled *For Prices of Wines*, as is now in force, not relating to the gauging and measuring of Wine, Oils, Honey, or any other Liquors or Things: — 28 Hen. 8. c. 14.

So much of Two Acts passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of King *Edward* the Sixth, respectively intituled *An Act for buying and selling of* — 3 & 4 Edw. 6. c. 19.

3 & 4 Edw. 6. c. 21. *of rother Beasts and Cattle*, and *An Act for the buying and selling of Butter and Cheese*, as is now in force:

5 & 6 Edw. 6. c. 15. The whole of an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the same Reign, intituled *An Act against Regraters and Ingrossers of tanned Leather*, except the Prohibition of currying or dressing tanned Leather within the City of *London* and the Suburbs thereof as provided by the last-mentioned Act:

Also the following Acts of the Parliament of *Scotland*; to wit,

1503. c. 38. An Act passed in the Year One thousand five hundred and three, intituled *Of Malt Makaris in Burrow Touns*:

1535. c. 26. An Act passed in the Year One thousand five hundred and thirty-five, intituled *Off Forstallaris*:

1540. c. 16. An Act passed in the Year One thousand five hundred and forty, intituled *For eschewing of Derth of Wittalis, Flesche, and Fysche*:

c. 18. Also an Act of the same Year, intituled *For stanching of Derth and Prices of Wyne, Salt, and Tymmer*:

c. 32. Also an Act of the same Year, intituled *Anentis Forstallaris*:

1555. c. 35. An Act passed in the Year One thousand five hundred and fifty-five, intituled *Anent the Disposition of Wyne, Salt, and Tymmer brocht into the Realme*:

1579. c. 26. An Act passed in the Year One thousand five hundred and seventy-nine, intituled *For Punishment of Regrataris and Forstallaris*:

1592. c. 70. An Act passed in the Year One thousand five hundred and ninety-two, intituled *Aganis Foirstallaris and Regraittaris*:

1661. c. 280. An Act passed in the Year One thousand six hundred and sixty-one, intituled *An Act for erecting of Manufactories*:

Also the following Acts and Parts of Acts of the Parliament of *Ireland*; to wit,

4 Edw. 4. c. 2. The whole of an Act passed in the Fourth Year of the Reign of King *Edward* the Fourth, intituled *An Act against Engrossers and Regraters of Corn*;

37 Hen. 8. c. 2. 11 Eliz. c. 4. The whole of an Act passed in the Thirty-third Year of the Reign of King *Henry* the Eighth, intituled *An Act for Grey Merchants*, as revived and perpetuated by a subsequent Act passed in the Eleventh Year of the Reign of Queen *Elizabeth*, intituled *An Act for reviving the Statute against Grey Merchants, the Statute for Servants Wages, and the Statute of Jeofails*:

2 Ann. c. 15. 9 Ann. c. 7. So much of an Act passed in the Second Year of the Reign of Queen *Anne*, intituled *An Act to prohibit Butchers from being Grazers, and to redress several Abuses in buying and selling of Cattle*, which Act is perpetuated by another Act made in the Ninth Year of the Reign of Queen *Anne*, as prohibits any Butcher

Butcher from being a Grazier, or keeping in his Possession, or in trust for him, above Twenty Acres of Land, or from selling any Cattle to any other Butcher in *Dublin*, or within Five Miles thereof, or from keeping at Hay or Feed Oxen or other Cattle for above Ten Days, or from exposing for sale any Oxen or other Cattle within Twenty Miles of the Place where bought; and which prohibits any Person from selling or exposing for sale any Cattle or Sheep on the same Day when bought:

So much of an Act passed in the Tenth Year of the Reign of King *George* the First, intituled *An Act for regulating Abuses committed in buying and selling Cattle and Sheep in the several Markets of this Kingdom*, as prohibits Cattle from being bought within Six Miles of any Market: 10 G. 1. c. 10. s. 1.

The whole of an Act passed in the Fifteenth Year of the Reign of King *George* the Second, intituled *An Act to explain and amend a Clause in an Act passed in the Second Year of the Reign of Queen* Anne, *intituled* '*An Act to prohibit Butchers from being* '*Grazers, and to redress several Abuses in buying and selling* '*of Cattle, and in slaughtering, and packing of Beef, Tallow,* '*and Hides:*' 15 G. 2. c. 9.

The whole of an Act passed in the Thirty-first Year of the Reign of King *George* the Second, intituled *An Act to prohibit Salesmen from being Grazers, and to redress several Abuses in buying and selling Cattle or Meat:* 31 G. 2. c. 8.

So much of an Act passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of the Reign of King *George* the Third, intituled *An Act for paving Streets within the City and County of the City of* Dublin, as authorizes a Market Jury to seize Provisions or Victuals in the Hands of any Forestaller, Regrater, or Engrosser: 13 & 14 G. 3. c. 22. s. 73.

So much of an Act passed in the Twenty-seventh Year of the Reign of King *George* the Third, intituled *An Act for establishing Market Juries in Cities*, as authorizes and empowers certain Market Juries to seize Provisions or Victuals found in the Hands of Forestallers, Regraters, and Engrossers. 27 G. 3. c. 46. s. 3.

Acts repealed as to Great Britain by 12 G. 3. c. 71. to be repealed as to Great Britain and Ireland.

III. And be it enacted, That the several Acts and Parts of Acts which were repealed, as to *Great Britain*, by the first-recited Act of the Twelfth Year of the Reign of King *George* the Third shall be taken, after the passing of this Act, to be repealed as to the United Kingdom of *Great Britain* and *Ireland*.

Nothing in this Act to apply to spreading false Rumours.

IV. Provided always, and be it enacted, That nothing in this Act contained shall be construed to apply to the Offence of knowingly and fraudulently spreading or conspiring to spread any false Rumour, with Intent to enhance or decry the Price of any Goods or Merchandize, or to the Offence of preventing or endeavouring to prevent by Force or Threats any Goods, Wares, or Merchandize being brought to any Fair or Market, but that every such Offence may

may be inquired of, tried, and punished as if this Act had not been made.

Act may be amended this Session.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

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