

CHAPTER 37.

An Act to amend the Law respecting the obtaining of Corn Returns. [10th August 1882.]

A.D. 1882.

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, as follows:

Short title.

1. This Act may be cited as the Corn Returns Act, 1882.

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

Commencement of Act.

3. This Act shall come into operation on the first day of January one thousand eight hundred and eighty-three, which day is in this Act referred to as the commencement of this Act.

Return from towns of purchases of British corn, and publication of average price. See 5 & 6 Vict. c. 14. s. 19. and Schedule. 27 & 28 Vict. c. 87.

4. Weekly returns of the purchases of British corn shall be made, under the direction of the Board of Trade, in manner provided by this Act from such towns, not less than one hundred and fifty and not more than two hundred in number, as may be from time to time fixed by Her Majesty in Council, and the average price of British corn shall be from time to time ascertained from those returns, and published by the Board of Trade in manner provided by this Act.

Weekly returns of purchases of British corn.

5. Every such buyer of corn as is herein-after mentioned in any town from which corn returns are for the time being required by this Act to be made, shall, weekly, on the last market day in the week in that town, or on such other day as may be from time to time fixed by Her Majesty in Council, make to the inspector of corn returns for that town, at the place fixed, as in this Act mentioned, a return in writing signed by him, specifying, with respect to the seven days ending on and including the day on which the return is made, the amount of every parcel of each sort of British corn bought by him in the town, whether from the

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producer or otherwise, and the price thereof, and the weight or measure by which the same was bought, the name of the seller, and if the same was sold or bought on account of any other person the name of that person, and if an inspector of corn returns delivers to a buyer of corn required under this Act to make returns a notice in writing requiring him to declare where and by whom and in what manner any British corn was delivered to him, such buyer shall make a return of the particulars so required in a separate statement in writing signed by him.

Buyers of corn bound to make returns of purchases of corn. See 5 & 6 Vict. c. 14. ss. 17, 18, 23, 25.

6. The following persons shall make the returns required by this Act, and are in this Act referred to as buyers of corn in a town; that is to say,

(1.) Every person who deals in British corn in such town; also

(2.) Every person who in any such town engages in or carries on the trade of a cornfactor, miller, maltster, brewer, or distiller; also

(3.) Every person who is the owner or part owner of any carriages carrying goods or passengers for hire to and from or within any such town; also

(4.) Every person who as a merchant, clerk, agent, or otherwise, purchases in any such town any British corn for sale, or for the sale of meal, flour, malt, or bread made or to be made thereof.

Weekly summary of quantities and prices by inspectors to the Board of Trade.

7. Every inspector of corn returns shall record in the prescribed manner the returns made to him under this Act in any town, and in every week shall ascertain from those returns the total quantity with the total and average price of each sort of British corn returned to him in that town during that week, and shall on the next Monday, or such other day as may be prescribed, send to the Board of Trade in the prescribed manner and form a summary of such total quantities and total and average prices for the said week.

A copy of the weekly summary from any town shall, together with the prescribed details (exclusive of the names of persons), be made public there in the prescribed manner.

Computing of corn according to the bushel. 41 & 42 Vict. c. 49.

8. In the weekly summary of quantities and prices each sort of British corn shall be computed with reference to the imperial bushel. An inspector of corn returns shall convert into such imperial bushel all returns made to him in any other measure or by weight or by a weighed measure, and in the case of weight or weighed measure shall convert the same at the rate of sixty imperial pounds for every bushel of wheat, fifty imperial pounds for every bushel of barley, and thirty-nine imperial pounds for every bushel of oats.

Computation and publication of averages by Board of Trade.

9. The Board of Trade shall cause the average prices of each sort of British corn to be computed from the summaries sent by the inspectors of corn returns in pursuance of this Act, as follows:

(1.) In each week the average price during the next preceding week of each sort of British corn for the whole of the towns and for each town from which a summary is obtained, shall be computed, and shall be published in the London Gazette:

(2.) After each of the quarter days, the twenty-fifth day of March, the twenty-fourth day of June, the twenty-ninth day of September, and the twenty-fifth day of December, the average price of each sort of British corn during the quarter ending on that quarter day shall be forthwith computed and published in the London Gazette:

(3.) After the twenty-fifth day of December in every year the average price of each sort of British corn shall be computed for the year, and the seven years ending on that day, and shall be published in the London Gazette in the month of January next following:

(4.) The average price of any sort of British corn for any week shall be ascertained by adding together the total quantities of that sort of British corn appearing from the summaries of the inspectors of corn returns to have been bought during such week, and the total prices for those quantities as appearing from the said summaries, and by dividing the total prices by the total quantities as so ascertained. The quarterly or yearly average prices shall be ascertained by adding together the weekly averages of the weeks included in such quarter or year, and dividing the total by the number of weeks in such quarter or year respectively:

(5.) The septennial average price shall be ascertained by adding together the average annual prices for the seven years, and dividing the total by seven:

(6.) The annual and septennial average shall state the average for the imperial bushel.

Application of septennial average to Tithe Commutation Acts.

10. The statement of the septennial average price referring to the imperial bushel published under this Act in the London Gazette shall be substituted for the advertisement referred to in such portion of the Act of the session of the sixth and seventh years of the reign of King William the Fourth, chapter seventy-one, intituled

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"An Act for the Commutation of Tithes in England and Wales," as is repealed by this Act, and shall be deemed for the purposes of the Acts relating to the commutation of tithes to be an advertisement of the average price published under the said Act.

Penalty for failure to make return. 5 & 6 Vict. c. 14. s. 39.

11. Every person who fails to make to an inspector of corn returns any return which he is required by this Act to make, or to include in any such return any purchase of British corn or any material particular, shall be liable on summary conviction to a fine not exceeding twenty pounds.

Penalty for false return.

12. Any person who in any return made in pursuance of this Act to an inspector of corn returns makes any false or fraudulent statement, also any person who includes or procures to be included in any such return any British corn not bonâ fide bought as specified in the return, or any corn which is not British corn, shall be guilty of a misdemeanour.

Where the Board of Trade have reason to believe that a return or any particular in a return is false in any particular, they may cause that return, or so much as relates to that particular, to be omitted in the computation of the average prices in pursuance of this Act.

Inspectors of corn returns.

13. Such officers of Inland Revenue as the Commissioners of Inland Revenue from time to time appoint shall be inspectors of corn returns.

In every town from which corn returns are required for the time being under this Act to be made, a proper place shall be fixed for the delivery of those returns, and an inspector of corn returns shall attend there to receive the returns on the days on which the returns are required to be made; and the Commissioners of Inland Revenue shall from time to time provide the said place and publicly notify it in such manner as they think sufficient for giving notice thereof to all persons interested.

Regulations as to execution of Act and supply of books, &c.

14. The Board of Trade may from time to time make, and when made revoke, vary, and add to, regulations respecting the execution of this Act and the duties of inspectors of corn returns, and such regulations shall be duly observed by all persons to whom they relate, and such regulations may refer to all the inspectors or all the towns from which returns are required, or to some one or more of them.

The Board of Trade shall supply inspectors of corn returns with proper books, forms, and documents for the performance of their duties, which shall be the property of the Board of Trade.

The regulations may provide for the inspection, by order of the Board of Trade, and under proper control, of the books and papers kept by inspectors of corn returns for the purposes of this Act.

Expenses.

15. The expenses incurred by the Commissioners of Inland Revenue or the Board of Trade in the execution of this Act shall, subject to the approval of the Lords Commissioners of Her Majesty's Treasury, be paid out of moneys provided by Parliament.

Application of Act to London.

16. This Act shall apply to the City of London and the area within five miles from the Royal Exchange in that city in like manner as it applies to a town, subject to the following modifications; that is to say,

(1.) The return shall be made on Wednesday in every week or on such other day as may be prescribed:

(2.) The buyers of corn required to make the return shall be every person who within the said city and area deals in British corn, or carries on business as a cornfactor, or who buys any British corn within the Corn Exchange in Mark Lane in the said city, or within any other building or place which is or may hereafter be used within the said city or area for the like purposes as the said Corn Exchange, and not any other person:

(3.) The inspector of corn returns, when any vacancy takes place in the office, shall be appointed by the Board of Trade, at such salary or remuneration, payable out of moneys provided by Parliament, as they may with the approval of the Commissioners of Her Majesty's Treasury from time to time determine, and the place for the delivery of the returns shall be provided and notified either by the inspector or the Board of Trade, as determined by the Board of Trade.

Recovery of fines. 42 & 43 Vict. c. 49, &c.

17. Any fine under this Act may be recovered in manner provided by the Summary Jurisdiction (England) Acts, and shall be paid into Her Majesty's Exchequer in such manner as the Lords Commissioners of Her Majesty's Treasury may direct.

Definitions.

18. In this Act, unless the context otherwise requires,—

The expression "British corn" means wheat, barley, and oats, the produce of the United Kingdom, the Channel Islands, or the Isle of Man, and any such wheat, barley, or oats is in this Act referred to as a sort of British corn:

The expression "prescribed" means prescribed by regulations of the Board of Trade under this Act for the time being in force:

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The expression "person" includes a body of persons, corporate or unincorporate:

The expression "bought" means the agreement to buy, whether made by sale-note, or otherwise, and irrespective of actual delivery in pursuance thereof.

Repeal of Acts.

19. The Acts set forth in the schedule to this Act are hereby repealed as from the commencement of this Act to the extent in the third column of that schedule mentioned; provided that—

(1.) This repeal shall not affect anything duly done or suffered in pursuance of the Acts hereby repealed;

(2.) This repeal shall not affect any returns made or average of prices published before the commencement of this Act, and such returns and average prices shall be dealt with in like manner as if they had been made and published in pursuance of this Act;

(3.) This repeal shall not affect the persons who at the commencement of this Act hold the offices of inspectors of corn returns mentioned in sections twelve, fourteen, and twenty-two of the first Act mentioned in the said schedule, and those persons, while they continue to hold office, shall be inspectors of corn returns under this Act; and the above-mentioned sections, and also sections thirteen, thirty-six, thirty-seven, and thirty-eight of the said Act, shall continue in force so far as regards the persons aforesaid respectively.

SCHEDULE.

REPEAL OF ACTS.

Session and Chapter.	Title.	Extent of Repeal.
5 & 6 Vict. c. 14.	An Act to amend the laws for the importation of corn.	The whole Act.
27 & 28 Vict. c. 87.	An Act to amend the law relating to publication of accounts of corn imported, and to returns of purchases and sales of corn.	The whole Act.
6 & 7 Will. 4. c. 71.	An Act for the Commutation of Tithes in England and Wales.	Section fifty-six.

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