ANNO TRICESIMO SEXTO

Georgii III. Regis.

CAP. LXXXVIII.

An Act to regulate the Buying and Selling of Hay and Straw; and for repealing ſo much of Two Acts, made in the Second Year of the Reign of King *William* and Queen *Mary*, and in the Thirty-firſt Year of the Reign of King *George* the Second, as relate to the Buying and Selling of Hay and Straw, within the Limits therein mentioned.

[14th *May* 1796.]

WHEREAS many and great Abuſes are committed by Saleſmen, and other Perſons ſelling Hay and Straw in the City of *London* and within the Limits of the Weekly Bills of Mortality, and other Places within the Vicinity thereof: And whereas the Laws now in being are not ſufficient to prevent the ſame; for Remedy whereof, 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 ſo much of an Act, made in the Second Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act for paving and cleanſing the Streets in the Cities of* London *and* Weſtminſter, *and Suburbs and Liberties thereof, and Out Pariſhes in the County of* Middleſex, *and in the Borough of* Southwark, Preamble.

So much of 2 *Will.* and *Mary*, Seſſ. 2, Cap. 8,

and of 31 *Geo.* II, Cap. 40, as relates to Hay and Straw, repealed from 24th. *June* 1796.

wark, *and other Places within the Weekly Bills of Mortality, in the County of* Surrey, *and for regulating the Markets therein mentioned*; and alſo ſo much of an Act, made in the Thirty-firſt Year of the Reign of King *George* the Second, intituled, *An Act to aſcertain the Weight of Truſſes of Straw, and to puniſh Deceit in the Sale of Hay and Straw in Truſſes, in* London, *and within the Weekly Bills of Mortality, and within the Diſtance of Thirty Miles thereof; and to prevent Common Saleſmen of Hay and Straw from buying the ſame on their own Account, to ſell again; and alſo to reſtrain Saleſmen, Brokers, or Factors in Cattle, from buying on their own Account, to ſell again, any live Cattle in* London, *or within the Weekly Bills of Mortality, or which are driving up thereto*, as relates to Hay and Straw, ſhall, from and after the Twenty-fourth Day of *June* One thouſand ſeven hundred and ninety-ſix, be, and the ſame are hereby repealed.

No Hay or Straw to be ſold within certain Limits, except in Truſſes, on Penalty of 20*s*

II. And be it further enacted, That no Hay or Straw whatever ſhall be ſold in any Market or Place within the Cities of *London* or *Weſtminſter*, or the Weekly Bills of Mortality, or within Thirty Miles thereof, other than what is made up in Bundles or Truſſes; and if any Perſon ſhall ſell any Hay or Straw, other than what is made up in Bundles or Truſſes, within the Cities or Limits aforeſaid, every Perſon ſo offending, and being convicted thereof, ſhall for every ſuch Offence forfeit and pay the Sum of Twenty Shillings.

Weight of Truſſes.

III. And be it further enacted, That each and every Bundle or Truſs of Hay ſold in any Market or Place within the Cities or Limits aforeſaid, between the laſt Day of *Auguſt* in any Year and the Firſt Day of *June* in the ſucceeding Year, ſhall contain and be of the full Weight of Fifty-ſix Pounds at leaſt; and that every Bundle or Truſs of Hay ſold within the Cities or Limits aforeſaid, between the Firſt Day of *June* and the laſt Day of *Auguſt* in any Year, being new Hay, of the Summer's Growth of that Year, ſhall be and contain the full Weight of Sixty Pounds, and being old Hay of any former Year's Growth, the Weight of Fifty ſix Pounds, as aforeſaid; and that each and every Bundle or Truſs of Straw ſold within the Cities or Limits aforeſaid, ſhall contain and be of the full Weight of Thirty-ſix Pounds; and that every Load of Hay or Straw ſhall contain Thirty-ſix Bundles or Truſſes; and if any Hay ſhall be ſold within the Cities or Limits aforeſaid, whereof any Bundle or Truſs ſhall be of leſs Weight than aforeſaid, every Perſon ſo ſelling ſhall forfeit for every ſuch Truſs or Bundle of Hay, not being the full Weight aforeſaid, any Sum not exceeding the Sum of Five Shillings, nor leſs than Two Shillings and Sixpence, and for every ſuch Truſs or Bundle of Straw the Sum of One Shilling: Provided always, that no Perſon ſhall be convicted in the Penalty aforeſaid, for ſelling any Bundle or Truſs of Hay or Straw deficient in Weight as aforeſaid, where a Load or any other or leſs Quantity is ſold at the ſame Time to the ſame Perſon, if the Number of Bundles or Truſſes ſo ſold ſhall amount upon the Whole to the Average Weight required as aforeſaid.

Penalty for Selling Truſſes ſhort of Weight,

but not to extend to a deficient Truſs of a Quantity ſold to the ſame Perſon, if the Whole amount to the Average Weight.

Penalty for ſelling new for old Hay.

IV. And be it further enacted, That every Perſon who ſhall ſell, within the Cities or Limits aforeſaid, between the Firſt Day of *June* and the laſt Day of *December* in any Year, any Hay of the Growth of that Year as or for Hay of the Growth of any former Year, ſhall forfeit and pay for each

each and every Bundle or Truſs of Hay ſo ſold, the Sum of Two Shillings and Sixpence.

V. And be it further enacted, That each and every Load, Bundle, or Truſs of Hay or Straw, which ſhall be ſold in the Cities or Limits aforeſaid, ſhall be made up with ſuch Hay or Straw only as the ſame appears to be by the Outſide of every ſuch Load, Bundle, or Truſs; and that ſuch Hay or Straw only, and not any inferior Hay or Straw, ſhall be deemed and taken to be the Hay or Straw which is to make up the Weight of every Bundle or Truſs; and every Perſon who ſhall ſell within the Cities or Limits aforeſaid any Load, Bundle, or Truſs of Hay or Straw, which ſhall in the Inſide thereof be of inferior Goodneſs from what the Outſide ſhall appear to be, ſhall forfeit and pay any Sum not exceeding Five Shillings, nor leſs than Two Shillings and Sixpence, for every ſuch Bundle or Truſs of Hay, and the Sum of One Shilling for every ſuch Bundle or Truſs of Straw.

Hay or Straw to be of one Quality.

Penalty for ſelling it mixed.

VI. And be it further enacted, That the Pair of Bands with which any Bundle or Truſs of Hay ſhall be bound ſhall not exceed the Weight of Five Pounds, upon Pain that every Perſon who ſhall ſell any Bundle or Truſs of Hay with Bands of a greater Weight, ſhall for every ſuch Offence forfeit and pay the Sum of One Shilling, and alſo the further Sum of One Shilling for each and every Pound Weight that every ſuch Pair of Bands ſhall weigh over and above the Weight of Five Pounds.

Penalty for ſelling Hay with Bands exceeding 5 *lb.* Weight.

VII. And be it further enacted, That if any Perſon employed to bind Hay or Straw, ſhall not bind up and make the ſame into Bundles or Truſſes of ſuch Weight as is directed by this Act, every Perſon ſo offending ſhall forfeit and pay the Sum of Sixpence for every Bundle or Truſs of Hay or Straw not being of ſuch Weight.

Penalty on Perſons binding Hay or Straw in light Truſſes.

VIII. And be it further enacted, That no Common Saleſman, Factor, or Agent, within the Cities or Limits aforeſaid, ſhall buy and ſell, on his own Account, or of any Perſon or Perſons in Truſt for him, any Hay or Straw whatſoever, or any Graſs of any Kind or Deſcription, growing or making into Hay, on Pain of forfeiting for each and every Fifty-ſix Pounds Weight of Hay ſo bought and ſold Five Shillings, and for each and every Thirty-ſix Pounds Weight of Straw ſo bought and ſold Two Shillings; and alſo for each and every Acre of ſuch Graſs growing or making into Hay, ſo bought and ſold, a Sum of Money not exceeding Five Pounds, nor leſs than Fifty Shillings.

Penalty on Saleſmen buying and ſelling, on their own Account, Hay or Straw, or Graſs for Hay.

IX. And be it further enacted, That every Common Saleſman, Factor, or Agent, for the Sale of Hay or Straw, within the Cities or Limits aforeſaid, ſhall, within Seven Days next after the Sale of every Load or other Quantity of Hay or Straw, ſend to the Perſon or Perſons on whoſe Account the ſame ſhall have been ſold, a juſt and true Account under his Hand, of the Place where, Time when, and the Price for which the ſame was ſold, and alſo the Name and Place of Abode of the Purchaſers thereof, on Pain of forfeiting for every Neglect or Omiſſion a Sum of Money not exceeding Twenty Shillings, nor leſs than Ten Shillings.

Saleſmen within 7 Days to ſend to the Owner an Account of the Place, Time, and Price of Hay or Straw ſold, and of the Purchaſer, on Penalty.

A Regiſter to be kept in Markets for entering Sales of Hay and Straw, which ſhall be open for Inſpection.

X. And be it further enacted, That in every Market for the Sale of Hay or Straw within the Cities or Limits aforeſaid, there ſhall be kept a publick Book or Regiſter for entering and regiſtering therein an Account of all Hay and Straw which ſhall be, from Time to Time, ſold in any ſuch Market; and that in and for the City of *London*, ſuch Book or Regiſter ſhall be kept by the Clerk or Toll Gatherer for the Time being, appointed by the Lord Mayor, Commonalty, and Citizens in the ſaid City; and that in and for every other ſuch Market within the City of *Weſtminſter* and Limits aforeſaid, ſuch Book or Regiſter ſhall be kept by the Clerk or Toll Gatherer appointed within their ſeveral Juriſdictions, and that before Six of the Clock in the Evening on the Day of the Sale of any Hay or Straw, exceeding Four Truſſes in One Quantity, within the Cities or Limits aforeſaid in any Market, and within Seven Days after any ſuch Sale in the ſaid Cities and Limits out of any Market, there ſhall be made by the Seller thereof, a true and faithful Entry in the Book or Regiſter of the Market in which ſuch Hay or Straw ſhall be ſold, or where the ſame ſhall be ſold out of any Market, in the Book or Regiſter of the Market neareſt to the Place of Sale, diſtinguiſhing the true Names and Places of Abode of the Perſons ſo ſelling, and for whom ſold, and by whom and on whoſe Account the ſame ſhall have been bought, and the Place where ſold, and the true Price paid or agreed to be paid for the ſame, which Entry ſhall be ſubſcribed by each Seller of Hay or Straw, for which Entry ſhall be paid to the Keeper of the Book or Regiſter the Sum of One Penny; and that every ſuch Book or Regiſter ſhall be kept at ſome convenient Place in every ſuch Market for the Sale of Hay and Straw within the Cities and Limits aforeſaid, and ſhall at all Times between the Hours of Nine of the Clock in the Morning and Six of the Clock in the Evening of each and every Day (*Sunday* excepted) be open for the Inſpection of every Perſon applying to inſpect the ſame, paying for every ſuch Inſpection the Sum of One Penny; and in caſe any Seller of Hay or Straw ſhall omit to make the proper Entry required by this Act, or the Keeper of any Book or Regiſter for the Purpoſes aforeſaid, ſhall knowingly ſuffer any untrue Entry to be made or ſigned therein, or ſhall refuſe to permit ſuch Book or Regiſter to be inſpected by any Perſon applying, and tendering Payment of the Fee for ſuch Inſpection, every ſuch Seller of Hay or Straw, or Keeper of ſuch Book or Regiſter, ſo offending, ſhall on Conviction for every ſuch Offence forfeit and pay a Sum of Money not exceeding Five Pounds, nor leſs than Ten Shillings.

Penalty for not making due, or making untrue Entry, or for refuſing Inſpection of Regiſter.

Act not to extend to Hay or Straw delivered on ſpecial Contract.

XI. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall oblige any Perſon to regiſter any Hay or Straw which he ſhall deliver in the Cities or Limits aforeſaid, on ſpecial Contract or Agreement, but ſuch Hay and Straw only which ſhall be ſent to any Market or Place within the ſaid Cities and Limits to be there ſold, and which ſhall be accordingly there ſold, ſhall be regiſtered as before is directed; any Thing in this Act before contained to the contrary thereof in anywiſe notwithſtanding.

Penalty on Clerk or Toll Gatherer buying or ſelling Hay or Straw.

XII. Provided always, and be it enacted, That no Clerk or Toll Gatherer, or his Deputy, within the Cities and Limits aforeſaid, ſhall buy or ſell, or be concerned in the buying or ſelling of Hay or Straw within the Cities or Limits aforeſaid, under the Penalty of Two Shillings and Sixpence

Sixpence for every Bundle or Truſs of Hay ſo bought or ſold by him, or in the buying or ſelling of which he ſhall be ſo concerned, and of One Shilling for every ſuch Bundle or Truſs of Straw.

Scales and Weights to be kept at the Clerk of the Market's Office, and at the Pariſh Watch Houſe.

Hay Weighers.

Buyer of Hay or Straw may cauſe it to be weighed on Delivery.

Directions for weighing it in caſe of Diſſatisfaction.

Penalty for not providing Scales and Weights, or for neglecting to weigh Hay or Straw.

XIII. And be it further enacted, That there ſhall be provided by every Clerk or Toll Gatherer within the Cities or Limits aforeſaid, and kept at the Office of the Clerk of every Hay Market within the ſaid Cities or Limits, as alſo at the Watch Houſe of each and every Pariſh within the Limits thereof, by the Churchwardens and Overſeers of ſuch Pariſhes reſpectively, proper Scales and Weights, or Engines for the weighing all Hay and Straw which ſhall be required to be weighed; and ſuch Clerk or Toll Gatherer of the Hay Market, or his Deputy, and the Conſtable or Headborough of the Pariſh or Place where ſuch Scales, Weights, and Engines ſhall be kept, are hereby appointed Hay Weighers within their reſpective Pariſhes and Places; and if any Doubt ſhall at any Time ariſe, whether any Hay or Straw ſold in the Cities or Limits aforeſaid, is not of the Weight the ſame ought to be, then it ſhall be lawful for the Buyer thereof, his Servant or Agent, on the Delivery of any ſuch Hay or Straw at the Abode, Yard, or Loft of the Buyer, or other Place where the ſame ſhall be agreed by the Seller to be delivered, to cauſe the ſame to be weighed in the Preſence of the Seller, or his Servant or Agent; and if, on the ſame being ſo weighed, the Buyer or Seller of any ſuch Hay or Straw, his Servant or Agent, ſhall be diſſatisfied with any ſuch weighing, it ſhall be lawful for any ſuch Buyer, his Servant or Agent, if the Hay be delivered within a Pariſh where there is any Hay Market, with all convenient Speed, to apply to the Clerk or Toll Gatherer, or his Deputy, of ſuch Market, and if the Hay be delivered in any other Pariſh within the Cities or Limits aforeſaid, to apply to the Hay Weigher neareſt to the Place where any ſuch Hay or Straw ſhall be delivered to weigh the ſame, and on any ſuch Application being made, ſuch Clerk or Toll Gatherer, or his Deputy, or other Hay Weigher who ſhall be applied to, ſhall with all convenient Speed come to the Place where ſuch Hay or Straw ſhall be within the Limits aforeſaid, and ſhall there weigh ſuch Hay or Straw as ſhall be complained of, and the Weight thereof, which ſhall be aſcertained by any ſuch Clerk or Toll Gatherer, or his Deputy, or other Hay Weigher, ſhall be concluſive to all Parties; but in caſe the Clerk or Toll Gatherer of any Market, or his Deputy, ſhall not, upon ſuch Application as aforeſaid, come with all convenient Speed to the Place where ſuch Hay or Straw ſhall be delivered, it ſhall be lawful for the Buyer, his Servant or Agent, to apply for the Purpoſes aforeſaid to ſuch other Hay Weigher as ſhall be neareſt to the Place where any ſuch Hay or Straw ſhall be delivered; and the Perſon who ſhall require any ſuch Clerk, Toll Gatherer, or his Deputy, or other Hay Weigher, to attend and weigh any ſuch Hay or Straw, ſhall pay or tender to ſuch Hay Weigher the Sum of Three Shillings for a Load, or in Proportion for a greater or leſs Quantity, before he ſhall be obliged to go to weigh any ſuch Hay or Straw; and if the Hay or Straw which ſhall be ſo weighed ſhall not be of the due Weight the ſame ought to be, then the Sum ſo paid ſhall be forthwith repaid to him by the Seller of ſuch Hay or Straw; and if any Clerk or Toll Gatherer, Churchwarden or Overſeer, within the Limits aforeſaid, ſhall omit to provide and keep proper Scales and Weights, or Engines, for the weighing of Hay or Straw, or if any Clerk, Toll Gatherer, or his Deputy, or other Hay Weigher, ſhall neglect or refuſe to weigh any Hay

or Straw when required, at any ſeaſonable Time in the Day Time, and ſo as the Sum aforeſaid ſhall have been paid or tendered, every ſuch Perſon offending therein, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, nor leſs than Ten Shillings.

No Penalty to be incurred for ſelling Hay or Straw, not Weight, or of bad Quality, unleſs weighed at or before Delivery, &c.

XIV. Provided always, and be it further enacted, That no Perſon ſhall incur any Penalty for ſelling any Hay or Straw of leſs Weight or worſe Quality than the ſame ought to be, unleſs ſuch Hay or Straw ſhall be weighed either at or before the Delivery, with the Privity of the Buyer, his Servant or Agent, or complained of in reſpect of the Quality thereof at the Time and Place at which the ſame ſhall be agreed to be delivered by the Seller, in the Preſence of ſuch Seller, his Servant or Agent, unleſs ſuch Seller, his Servant or Agent, on Requeſt made, or on Notice given to him or them to attend to ſee ſuch Hay or Straw ſo weighed, ſhall refuſe or neglect to attend to ſee the ſame ſo weighed; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Hours at which Markets ſhall end, of which Notice ſhall be given by ringing a Bell, on Penalty.

XV. And be it further enacted, That the Markets for Sale of Hay and Straw, within the Cities and Limits aforeſaid, ſhall end at Three of the Clock in the Afternoon of every Market Day between *Lady Day* and *Michaelmas*, and at Two of the Clock in the Afternoon of every Market Day between *Michaelmas* and *Lady Day*, and that Notices thereof ſhall be given by the Clerk or Toll Gatherer, or his Deputy, in the ſeveral Markets or Places for the Sale of Hay and Straw within the Cities and Limits aforeſaid, by ringing on the uſual Market Days a large Hand Bell round each reſpective Market or Place for the Sale of Hay or Straw, One Hour before the Expiration of the Times above-mentioned, and again at the Expiration of the Hours above-mentioned, on Pain of forfeiting for every ſuch Offence a Sum of Money not exceeding Ten Shillings, nor leſs than Five Shillings; and every Perſon who ſhall ſell any Hay or Straw in any Market within the Cities or Limits aforeſaid, after the Hours aforeſaid, ſhall forfeit for every Bundle or Truſs of Hay ſo ſold the Sum of Sixpence, and for every Bundle or Truſs of Straw ſo ſold the Sum of Three-pence.

Penalty for ſelling after Market Hours.

Penalty for letting Hay Carts remain in Hay Markets after certain Hours.

XVI. And be it further enacted, That if any Perſon having the Care or Direction of any Waggon, Wain, or Cart, uſed for the Purpoſe of bringing Hay or Straw, ſhall ſuffer the ſame to remain in any Market or Place for the Sale of Hay and Straw within the Cities and Limits aforeſaid, on the uſual Market Days from *Lady Day* to *Michaelmas*, after Five of the Clock in the Afternoon, and from *Michaelmas* to *Lady Day* after Three of the Clock in the Afternoon, in any Year, every Perſon ſo offending ſhall forfeit for every ſuch Waggon, Wain, or Cart, ſo left as aforeſaid, a Sum of Money not exceeding Twenty Shillings, nor leſs than Five Shillings.

Penalty for permitting Horſes drawing Hay or Straw to remain in a Market 15 Minutes during Market Hours.

XVII. And be it further enacted, That if any Perſon having the Care or Direction of any Waggon, Wain, or Cart, in any Market or Place for the Sale of Hay or Straw within the Cities or Limits aforeſaid, ſhall permit or ſuffer the Horſe or Horſes drawing the ſame to feed and remain in any ſuch Market or Place for the Space of Fifteen Minutes, during the Hours allowed for Sale of Hay or Straw, under any Pretence whatſoever,

whatſoever, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay a Sum of Money not exceeding Twenty Shillings, nor leſs than Five Shillings.

Penalty for buying and ſelling again Hay or Straw, conveying to be ſold within the Limits of the Act, or buying in a Market Place to ſell it again therein.

XVIII. And be it further enacted, That no Perſon whatſoever ſhall buy and ſell again any Hay or Straw, that ſhall or may be conveying by Land or Water Carriage for the Purpoſe of ſelling within the Cities or Limits aforeſaid, and that every Perſon ſo offending ſhall forfeit for every Truſs of Hay or Straw ſo bought and ſold the Sum of Five Shillings; and no Perſon ſhall buy any Hay or Straw in any Market or Place for the Sale of Hay or Straw, for the Purpoſe of ſelling again in any ſuch Market or other Place within the Cities or Limits aforeſaid; and every Perſon ſo offending ſhall, for every Truſs of Hay or Straw ſo bought, forfeit and pay the Sum of Five Shillings: Provided always, that no Perſon ſelling Hay or Straw by Retail at their own Premiſes, in any leſs Quantity than Five Truſſes as aforeſaid, ſhall be liable to ſuch laſt mentioned Penalty.

Penalty for charging more than actually paid.

XIX. And be it further enacted, That if any Perſon within the Cities or Limits aforeſaid ſhall, after having purchaſed for, or ſent in or delivered to any Perſon, by whom or on whoſe Account he may have been ſo employed to purchaſe any Hay or Straw, charge or demand a greater Price than what was really and truly paid or agreed to be paid for any ſuch Hay or Straw, every Perſon ſo offending ſhall forfeit and pay the Sum of Five Shillings for every Bundle or Truſs of Hay or Straw ſo purchaſed, ſent in, or delivered.

Penalty for delivering other than the Commodity ſold.

XX. And be it further enacted, That if any Perſon ſhall ſell any Quantity of Hay or Straw within the Cities or Limits aforeſaid, and ſhall afterwards ſend in or deliver, or tender to the Buyer thereof, as and for the Hay or Straw ſo ſold, any other Hay or Straw in Part or in Whole, every Perſon ſo offending ſhall forfeit and pay the Sum of Ten Shillings for every Bundle or Truſs of Hay, and the Sum of Five Shillings for every Bundle or Truſs of Straw ſo ſent in, delivered, or tendered as aforeſaid.

Penalty for fraudulently increaſing Weight.

XXI. And be it further enacted, That if any Perſon ſhall knowingly and fraudulently mix, or put, or cauſe to be mixed, or put, any Water, or any Sand, Earth, or any other Matter or Thing, in any Bundle or Truſs of Hay or Straw, with an Intent to increaſe the Weight thereof, and ſhall afterwards ſell, ſend in, and deliver the ſame, or any Part thereof, within the Cities or Limits aforeſaid; or if any Perſon ſhall ſell any Quantity of Hay or Straw, within the Cities or Limits aforeſaid, and ſhall afterwards mix, or put, or cauſe to be mixed, or put, in the Bundles or Truſſes of ſuch Hay or Straw, Water, Sand, Earth, or any other Matter or Thing, with an Intent to increaſe the Weight thereof, or any Part thereof, and ſhall afterwards ſend in, or deliver, or tender to the Buyer thereof, any ſuch Hay or Straw, every Perſon ſo offending ſhall forfeit and pay the Sum of Ten Shillings for every Bundle or Truſs of Hay, and the Sum of Five Shillings for every Bundle or Truſs of Straw ſo ſent in, delivered, or tendered as aforeſaid.

Penalty for delivering leſs than the Number of Truſſes ſold.

XXII. And be it further enacted, That if any Perſon ſelling any Hay or Straw, in any Market or Place within the Cities or Limits aforeſaid, ſhall deliver to, or tender to or for, or on Account of, the Buyer thereof, a leſs Number of Bundles and Truſſes of Hay or Straw, as or for the true Number bought and ſold, or if the Driver of the Waggon, Wain, or Cart, in which ſuch Hay or Straw ſhall be, for the Purpoſe of being delivered according to ſuch Sale, ſhall ſecrete, keep back, or withhold, any Part of the ſaid Hay or Straw, or ſhall deliver a leſs Number of Bundles or Truſſes to the Buyer, ſuch Driver or Perſon ſelling, knowing the ſame ſo delivered not to be the true Number bought, or which ought to be delivered according to ſuch Sale, every Driver or Perſon ſelling ſo offending, ſhall forfeit and pay the Sum of Five Pounds for every Bundle or Truſs of Hay or Straw ſo ſecreted, kept back, withheld, or not delivered; and in Default of immediate Payment of any ſuch Penalty by any ſuch Driver, on Conviction before any Juſtice of the Peace in whoſe Juriſdiction the Offence ſhall have been committed, ſuch Driver or Perſon ſelling, ſhall be forthwith ſent, by Warrant under the Hand and Seal of ſuch Juſtice, to the Houſe of Correction, or other Priſon within the Juriſdiction of ſuch Juſtice, there to remain and be kept to hard Labour, without Bail or Mainprize, for any Space of Time not exceeding Three Months, nor leſs than One Month, unleſs the ſaid Penalty ſhould be ſooner paid; any Thing herein-after contained to the contrary thereof in anywiſe notwithſtanding.

Penalty for not bringing Hay or Straw, expoſed and not ſold, to the Market Place on the enſuing Market Day, &c.

XXIII. And be it further enacted, That if any Perſon or Perſons, after having brought or received any Hay or Straw for Sale, or expoſed any Hay or Straw to Sale on a Market Day, in any Market or Place for Sale of Hay or Straw within the Cities or Limits aforeſaid, which ſhall not be ſold, ſhall thereupon lodge the ſame in any Place near to ſuch Market or Place as aforeſaid, and ſhall not, if the ſame be not before that Time ſold, bring and expoſe the ſaid Hay or Straw for Sale in ſuch Market or Place, by Eleven of the Clock in the Forenoon of the next enſuing Market Day, or if any Perſon lodging any Hay or Straw as aforeſaid, which ſhall be brought to any Place for the Purpoſe of Sale on a Bye Day or a Day between the uſual Market Days, ſhall not, if the ſame be not before that Time ſold, bring and expoſe all ſuch Hay or Straw for Sale in ſuch Market near to where the ſame was lodged, on the following Market Day by the ſame Hour as aforeſaid, or as ſoon after as the Weather will permit without endangering the ſpoiling or injuring the ſame, every Perſon ſo offending ſhall forfeit and pay for every ſuch Offence any Sum of Money not exceeding Five Pounds, nor leſs than Forty Shillings.

Penalty for giving or receiving falſe Receipts of the Price of Hay or Straw ſold.

XXIV. And be it further enacted, That if any Perſon who ſhall have been concerned in buying or ſelling any Hay or Straw within the Cities or Limits aforeſaid, ſhall give, take, or receive, any falſe or untrue Receipt, Ticket, or Memorandum, of the Price of any Hay or Straw ſo ſold or bought as aforeſaid, expreſſive of a greater or leſs Price than what the ſame was really and truly ſold for or bought, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Pounds, nor leſs than Five Pounds, upon Complaint being made to any Juſtice of the Peace within whoſe Juriſdiction the Offence ſhall have been committed, at any Time within Six Calendar Months after

ſuch Offence committed, any Thing herein-after contained to the contrary thereof in anywiſe notwithſtanding: Provided always, that if any Perſon offending in either of the Caſes aforeſaid ſhall, within the ſaid Space of Six Calendar Months, give Information of and proſecute to Conviction any other Perſon ſo offending, ſuch Informer ſhall be indemnified from the Penalty herein-before mentioned.

Limitation of Proſecutions.

XXV. Provided always, and be it further enacted, That no Perſon ſhall be proſecuted for any of the before-mentioned Offences, except where it has been or ſhall be herein otherwiſe expreſſed, unleſs Information of any ſuch Offence be given to the proper Magiſtrate, within Fourteen Days next after the Commiſſion of ſuch Offence.

Recovery of Forfeitures.

XXVI. And, for the more ſpeedy Recovery of all and every Forfeiture which ſhall be incurred under this Act, and for the diſpoſing thereof, be it further enacted, That on Complaint or Information being made to any Juſtice of the Peace of any Offence committed againſt this Act within the Juriſdiction of ſuch Juſtice, ſuch Juſtice is hereby required and authorized to ſummon the Perſon or Perſons charged with any ſuch Offence, and alſo any Witneſs or Witneſſes for the ſame, at a certain Time and Place in ſuch Summons to be ſpecified, and in Default of Appearance of the Party ſo ſummoned, on its being made appear to the ſaid Juſtice upon Oath, that ſuch Summons was duly ſerved upon or left at the uſual Place of Abode of the Party ſummoned, then every ſuch Juſtice is hereby authorized and required to proceed to hear and determine the Matter of the ſaid Complaint, by the Oath or Oaths of any One or more credible Witneſs or Witneſſes, and to convict the reſpective Offender, and to award and adjudge the reſpective Penalties impoſed by this Act to be paid by ſuch Offender, together with the reaſonable Coſts and Charges attending ſuch Conviction, to be aſcertained and allowed by ſuch Juſtice, and by Warrant under the Hand and Seal of ſuch Juſtice, to cauſe the ſame to be levied by Diſtreſs and Sale of the Goods and Chattels of every ſuch Offender, unleſs within Five Days from the Day of making ſuch Diſtreſs, the Party or Parties offending ſhall pay the Penalty and Coſts to be incurred in ſuch Warrant, and likewiſe the Coſts and Charges of ſuch Diſtreſs, rendering the Overplus (if any) to the ſaid Offender; and if any Offender againſt this Act ſhall not have any Goods or Chattels within the Juriſdiction of ſuch Juſtice whereon ſuch Levy can be made, ſuch Juſtice before whom ſuch Conviction ſhall be had, is hereby empowered and authorized to iſſue his Warrant for apprehending ſuch Offender; and in caſe ſuch Offender ſhall eſcape or go out of the Juriſdiction of ſuch Juſtice, it ſhall and may be lawful for any other Juſtice of the Peace of the County or Place where ſuch Offender ſhall be found, by Indorſement of ſuch Warrant, to authorize the Execution thereof within the Juriſdiction of ſuch Juſtice, as well as to convey the Offender before the Juſtice who granted ſuch Warrant, who may commit him to ſome publick Priſon or Houſe of Correction of the County or Place in which ſuch Offence ſhall have been committed, there to remain, without Bail or Mainprize, for any Term not exceeding Three Calendar Months, nor leſs than Fourteen Days, from the Time of every ſuch Commitment, unleſs in Caſes otherwiſe provided for by this Act, and unleſs ſuch Offender ſhall ſooner pay the Sum to be mentioned on every ſuch Warrant of Commitment; and in all Caſes where any Perſon

Offenders may be committed for Want of Diſtreſs.

Witneſſes refuſing to be examined may be committed.

ſon ſhall be brought as a Witneſs touching any Matter contained in this Act, by any Summons or Warrant, before any Juſtice, and ſhall refuſe to be examined, ſuch Juſtice may commit any ſuch Perſon to ſome Priſon of the County or Place within the Juriſdiction of ſuch Juſtice, for any Time not exceeding Fourteen Days from the Time of every ſuch Commitment.

Saleſmen convicted of Offences, may exhibit Complaint againſt Employer before a Juſtice, who may determine the Matter.

XXVII. Provided always, and be it further enacted, That when and as often as it ſhall happen that any Saleſman or Saleſmen ſhall in Manner aforeſaid be convicted of any Offence againſt this Act, and thereby become ſubject to the Payment of any of the Penalties before mentioned, it ſhall be lawful for any ſuch Saleſman to exhibit his Complaint or Information againſt the Farmer or other Perſon, for whom or on whoſe account he ſhall have ſold the Hay or Straw, (on account of which ſuch Saleſman or Saleſmen ſhall have been ſo convicted), before ſome Juſtice of the Peace within the Juriſdiction in which ſuch Hay or Straw ſhall have been ſo ſold; and ſuch Juſtice is hereby required to ſummon ſuch Farmer or other Perſon, and alſo any Witneſs or Witneſſes, to appear before him the ſaid Juſtice, on a Day to be appointed and named in the ſaid Summons, (not leſs than Seven Days after the iſſuing of ſuch Summons), although ſuch Farmer or other Perſon againſt whom ſuch Information ſhall be laid, may happen to reſide out of the County, City, Borough, Diviſion, or Liberty, in which ſuch Hay or Straw may have been ſo ſold; and on its being made appear to the ſaid Juſtice on Oath, that ſuch Summons was duly ſerved upon, or left at the uſual Place of Abode of the Party ſummoned, then every ſuch Juſtice is hereby authorized and required to proceed to hear and determine the Matter of the ſaid Complaint or Information, in like Manner as is herein-before provided and directed, for hearing of Complaints againſt Saleſmen; and if it ſhall appear to the Satisfaction of ſuch Juſtice that ſuch Saleſman ſhall not have been guilty of or privy to any Fraud or Deceit in the Premiſes, but that ſuch Fraud or Deceit was imputable to ſuch Farmer or other Perſon ſo complained againſt as aforeſaid, then ſuch Juſtice is hereby authorized and required to award to ſuch Saleſman, the Amount of the Penalty ſo by him paid as aforeſaid, together with full Coſts and Charges, as well thoſe occaſioned by the Complaint againſt him, as by ſuch ſubſequent Complaint againſt ſuch Farmer or other Perſon; ſuch Coſts and Charges to be firſt aſcertained and allowed by ſuch Juſtice, and to adjudge the ſaid Farmer or other Perſon, the Owner of the ſaid Hay or Straw, to pay the ſame; and the ſaid Juſtice is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe the ſame to be levied in like Manner as Penalties and Forfeitures are by this Act directed to be levied and recovered.

Warrant of Diſtreſs to be indorſed by a Juſtice of the Peace where the Party reſides.

XXVIII. Provided always, and be it enacted, That whenever the Party againſt whom ſuch Warrant of Diſtreſs ſhall be granted, ſhall happen to reſide in another County, City, Borough, Diviſion, or Liberty, out of the Juriſdiction of ſuch Juſtice, that then, and in ſuch Caſe, ſuch Warrant ſhall not be executed or put in force until after it ſhall be endorſed by ſome Juſtice of the County, City, Borough, Diviſion, or Liberty, to which ſuch Summons ſhall be directed; and all and every the Juſtice and Juſtices of ſuch County, City, Borough, Diviſion, or Liberty, are hereby required to endorſe the ſame, on due Proof of the

Hand Writing of the Juſtice by whom ſuch Warrant was iſſued, and ſuch Warrant, when ſo endorſed, ſhall and may be executed in like Manner as if the ſame had been originally granted by a Juſtice of that City, Borough, Diviſion, or Liberty, in which ſuch Farmer or other Perſon ſhall reſide: Provided nevertheleſs, that every ſuch Complaint or Information ſhall be made within Fourteen Days after the Conviction of ſuch Saleſman as aforeſaid, and not afterwards; and if it ſhall appear to the ſaid Juſtice, on hearing the Caſe, that ſuch Complaint ſo made by the Saleſman as aforeſaid, is frivolous and unfounded, it ſhall be lawful for ſuch Juſtice to award all reaſonable Charges and Expences by Way of Coſts, to be paid to the ſaid Farmer or other Perſon, provided he ſhall attend the ſaid Summons as the ſaid Juſtice ſhall think right, according to the Circumſtances of the Caſe; ſuch Coſts to be levied on the Saleſman ſo complaining, in like Manner as is herein-before directed.

Complaint to be made within 14 Days after Conviction of a Saleſman; and if frivolous, the Juſtice may award Coſts to the Employer.

XXIX. Provided always, and be it enacted, That if any Perſon convicted of any Offence puniſhable by this Act, ſhall think him, her, or themſelves aggrieved by the Judgement or Determination of any ſuch Juſtice as aforeſaid, ſuch Perſon may appeal againſt the ſame to the Juſtices at the General or General Quarter Seſſions of the Peace of the County or Place in which any ſuch Conviction ſhall have been made, which ſhall be held next after any ſuch Conviction, unleſs ſuch next General or General Quarter Seſſions of the Peace for any ſuch County or Place ſhall happen to be held within Six Days next after any ſuch Conviction; and if any ſuch General or General Quarter Seſſion of the Peace ſhall happen to be ſo held within the ſaid Space of Six Days next after any ſuch Conviction, then it ſhall be lawful for any ſuch Perſon, at the Second General or General Quarter Seſſions of the Peace which ſhall be held for any ſuch County or Place next after any ſuch Conviction, ſo that the Party appearing before any ſuch Appeal ſhall be received, immediately upon ſuch Conviction enter into a Recognizance with Two ſufficient Sureties, before ſuch Juſtice ſo convicting as aforeſaid, in the Sum of Ten Pounds each, to appear and proſecute every ſuch Appeal with Effect; and the Juſtices of the Peace at ſuch General or General Quarter Seſſion of the Peace, are hereby authorized and required, on every ſuch Appeal being made, finally to hear and determine the Matter of every ſuch Appeal, and to make ſuch Order, and to award ſuch Coſts therein, as they in their Diſcretion ſhall ſeem meet; and which ſaid Order and Determination ſhall be final and concluſive to all Parties, and no *Certiorari* ſhall be allowed to remove any ſuch Proceedings or Determination.

Appeal may be made to the Quarter Seſſions.

XXX. And be it further enacted, That every Penalty and Forfeiture by this Act impoſed ſhall, when recovered, go and be paid to the Perſon or Perſons who ſhall proſecute to Conviction any Offender or Offenders againſt this Act.

Penalties to go to the Proſecutor.

XXXI. And be it enacted, That no Perſon ſhall be ſued or proſecuted for any Thing done in purſuance or in Execution of this Act, after the Expiration of Six Months from the Offence committed; and every ſuch Suit or Proſecution ſhall be brought in the County or Place where ſuch Offence ſhall have been committed; and every Perſon ſo ſued ſhall and may plead the General Iſſue, Not Guilty, and may give this Act, and

Limitation of Actions.

General Iſſue.

and the Special Matter in Evidence at any Trial to be had thereupon; and if a Verdict ſhall be found for the Defendant or Defendants, or if the Plaintiff ſhall become Nonſuit, or diſcontinue his Action after the Defendant ſhall have appeared, or if Judgement ſhall be given upon a Demurrer againſt the Plaintiff or Plaintiffs, the Defendant or Defendants in every ſuch Action ſhall recover Double Coſts, and have the like Remedy for the ſame as Defendants have in other Caſes for Recovery of their Coſts.

Double Coſts.

FINIS.