ANNO TRICESIMO SEXTO

Georgii III. Regis.

CAP. LXXXV.

An Act for the better Regulation of Mills.

[14th *May* 1796.]



WHEREAS the Laws now in being for the Regulation of Mills have been found deficient and ineffectual: 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, from and after the Firſt Day of *July* One thouſand ſeven hundred and ninety-ſix, every Miller or other Perſon keeping a Mill for the grinding of Corn, ſhall have in ſuch Mill a true and equal Balance, with proper Weights, according to the Standard of the Exchequer; and any Perſon or Perſons appointed by virtue of an Act, paſſed in the laſt Seſſion of Parliament, intituled, *An Act for the more effectual Prevention of the Uſe of defective Weights, and of falſe and unequal Balances*, to examine the Weights and Balances within his or their reſpective Counties, Ridings, Liberties, and Diviſions, ſhall be, and he and they is and are hereby authorized and required to examine ſuch Balances and Weights, and to proceed with reſpect to them in the ſame Manner as is provided in the ſaid Act with reſpect to Weights and Balances; and every Miller, or other Perſon as aforeſaid, in whoſe Mill ſhall be found no Balance or Weights, ſhall forfeit and pay a Sum not exceeding Twenty Shillings; and every Miller, or other Perſon as aforeſaid, in whoſe Mill

Preamble.

From *July* 1, 1796, a Balance and Weights to be kept in every Corn Mill, (which may be examined by the Perſons appointed under 35 *Geo.* III, Cap. 102), on Penalty of 20*s.*

Provisions of 35 *Geo* III, Cap. 102, to extend to this Act.

ſhall be found any Weight or Weights not being according to the Standard in the Exchequer, or any falſe or unequal Balance or Balances, and all Perſons obſtructing, hindering, or reſiſting ſuch Perſons in viewing and examining the ſame, ſhall be liable to be proceeded againſt, and ſhall forfeit and pay the like Penalties, as any Perſon committing the like Offences againſt the Proviſions of the ſaid Act would be reſpectively liable to.

Millers to weigh Corn, if required, before and after ground, on Penalty of 40*s*.

II. And be it further enacted, That every Perſon or Perſons who ſhall bring or cauſe to be brought any Corn to any Mill to be ground, may require the Miller or other Perſon acting for him, or keeping the Mill, to weigh, in his or her Preſence, ſuch Corn before it ſhall be ground, and after it ſhall be ground may requi e the Miller or other Perſon as aforeſaid to weigh, in his or her Preſence, the Produce of the Corn ſo ground; and if any Miller or other Perſon as aforeſaid ſhall refuſe ſo to weigh the ſaid Corn, he ſhall be liable to forfeit and pay any Sum not exceeding Forty Shillings.

Millers to deliver the whole Produce of Corn when ground, if required, allowing for Waſte and Toll, on Penalty of 1*s*. *per* Buſhel for the Deficiency, and Treble the Value.

III. And be it further enacted, That every Miller, or other Perſon keeping a Mill for grinding Corn, ſhall, after grinding any Corn, deliver to the Perſon who brought or cauſed ſuch Corn to be brought, if ſuch Perſon ſhall require the ſame, the whole Produce of ſuch Corn in Weight, allowing for the Diminution in Weight that ſhall have been cauſed by the Waſte in Grinding, and by taking Toll, in Caſes where Toll is herein-after allowed to be taken; and if ſuch Corn ſhall be dreſſed into Flour, then the whole Produce in Weight, allowing for the Diminution in Weight that ſhall have been cauſed by the Waſte in Grinding and Dreſſing, and by taking Toll as aforeſaid; and if ſuch Corn, on being weighed after Grinding, or, after Grinding and Dreſſing, ſhall appear to weigh leſs than ſuch full Weight, after allowing for the Diminution aforeſaid, as the Caſe may be, ſuch Miller ſhall, for every Buſhel of Corn ſo deficient in Weight, forfeit and pay a Sum not exceeding One Shilling, and alſo Treble the Value of ſuch Deficiency.

Toll to be deducted from Corn before it be put into the Mill.

IV. And be it further enacted, That in Caſes where Toll is herein-after allowed to be taken, ſuch Quantity of Corn as the Miller ſhall be lawfully entitled to deduct by Way of Toll for grinding the ſame, ſhall be deducted before the ſaid Corn ſhall be put into the Mill.

From *June* 1, 1796, no Corn, but Money, to be taken for Toll, on Penalty of 5 *l*. except where the Party has no Money.

V. And be it further enacted, That, from and after the Firſt Day of *June* One thouſand ſeven hundred and ninety-ſix, no Miller, or other Perſon keeping a Mill for grinding Corn, ſhall demand or take any Part of the Corn brought to be ground, or of the Produce of ſuch Corn when ground, by Way of Toll for Payment, but in lieu thereof he ſhall be entitled to demand Payment in lawful Money of *Great Britain*; and every Miller or other Perſon as aforeſaid who ſhall demand or take any Part of the Corn brought to be ground, or of the Produce of ſuch Corn when ground, by Way of Toll for Payment, ſhall for every ſuch Offence be liable to forfeit and pay any Sum not exceeding Five Pounds: Provided always, that where any Perſon who has brought or cauſed to be brought any Corn to be ground ſhall not have Money to pay for grinding the ſame, it ſhall be lawful for the Miller or other Perſon as aforeſaid, with the Conſent of the Perſon bringing

bringing the ſame, or cauſing it to be brought, to take ſuch Part of the Produce of ſuch Corn as will be equal to the Money Price expreſſed in the Table of Prices for grinding ſuch Corn, as herein-after required: Provided alſo, that nothing in this Clauſe contained ſhall extend, or be conſtrued to extend, to the ancient Mills, commonly called *Soke Mills*, or to ſuch other ancient Mills where the Right and Obligation of the Poſſeſſors of the ſame to grind Corn for particular Perſons, or within particular Diſtricts, and to take a fixed and certain Toll for grinding, have been eſtabliſhed by ancient Cuſtom, and the Law of the Land, but that ſuch Mills ſhall continue to take Toll in the ſame Quantity, and in the ſame Manner, as they have been uſed and accuſtomed to do under the Authority aforeſaid.

Act not to extend to Mills where a Right to take Toll has been eſtabliſhed by Cuſtom and Law.

VI. And be it further enacted, That, from and after the Firſt Day of *June* One thouſand ſeven hundred and ninety-ſix, every Miller, or other Perſon, who ſhall grind for Hire or Toll, ſhall cauſe to be put up in ſome conſpicuous Place in his Mill, and renew when neceſſary, in fair and legible Characters, a Table of the Prices in Money, or of the Amount of Toll or Multure, for which the ſeveral Operations of his Mill are to be performed reſpectively; and every Miller, or other Perſon, as aforeſaid, who ſhall omit to ſet up and keep fair and legible ſuch a Table, ſhall be liable to forfeit and pay any Sum not exceeding Twenty Shillings for every ſuch Offence.

Millers to put up in their Mills a Table of Prices, on Penalty of 20s.

VII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to any Mills kept for the private Uſe of the Proprietor or Occupier only.

Act not to extend to private Mills.

VIII. And be it further enacted, That every Penalty and Forfeiture impoſed by this Act ſhall and may be recoverable before any One or more Juſtice or Juſtices of the Peace for the County, Riding, Diviſion, or Place, where the Offence ſhall be committed, upon Conviction, or Confeſſion of the Party, or on the Oath of One or more credible Witneſs or Witneſſes; and ſuch Penalty and Forfeiture ſhall be levied by Warrant under the Hand and Seal, or Hands and Seals, of ſuch Juſtice or Juſtices, by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo offending; and the Penalty and Forfeiture, when ſo levied, ſhall be paid One Moiety to the Informer, and the other Moiety to the Poor of the Pariſh where the Offence ſhall be committed, and the Overplus (if any), after the Coſts of ſuch Conviction and Diſtreſs and Sale are deducted, ſhall be returned to the Party or Parties offending; and in caſe ſuch Diſtreſs cannot be found, and ſuch Penalty and Forfeiture, and the ſaid Coſts and Charges, ſhall not be forthwith paid, it ſhall and may be lawful for ſuch Juſtice or Juſtices, and he and they is and are hereby authorized and required, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit ſuch Offender or Offenders to the Common Gaol or Houſe of Correction of the County or Place where the Offence ſhall be committed, for any Time not exceeding One Month, unleſs the ſaid Penalty and Forfeiture, and Coſts and Charges, ſhall reſpectively be ſooner paid and ſatisfied: Provided always, that in caſe any Perſon or Perſons ſhall find himſelf or themſelves aggrieved by the Judgement of any ſuch Juſtice or Juſtices, then he or they ſhall or may, upon giving Security to the Amount of the Value of

Recovery and Application of Penalties.

Appeal may be made to the Quarter Seſſions.

ſuch Penalty and Forfeiture, together with ſuch Coſts as ſhall be awarded, in caſe ſuch Judgement ſhall be affirmed, appeal to the Juſtices of the Peace at the next General Quarter Seſſions for the County, Riding, Diviſion, or Place as aforeſaid, who are hereby empowered finally to hear and determine the ſame; and in caſe the Judgement of ſuch Juſtice or Juſtices ſhall be affirmed, it ſhall be lawful for ſuch Juſtices, at their Quarter Seſſions as aforeſaid, to award the Perſon or Perſons to pay ſuch Coſts, occaſioned by ſuch Appeal, as to themſelves ſhall ſeem meet, and no ſuch Judgement or Conviction ſhall be removeable by *Certiorari* into any Court whatſoever.

Judgements not removeable.

Limitation of Informations.

IX. And be it further enacted, That any Information for any Offence committed againſt this Act ſhall be laid before One or more Juſtice or Juſtices of the Peace, within Ten Days after the ſaid Offence has been committed, and that otherwiſe ſuch Information ſhall be of no Effect.

X. And be it further enacted, That every ſuch Conviction before One or more Juſtice or Juſtices may be made in the following Form:

Form of Conviction.

" to wit. { BE it remembered, That on the Day of in the Year
" *A. B.* was, upon the Complaint of *C. D.*
" convicted before of the Juſtices of the
" Peace for in purſuance of an Act paſſed in the
" Thirty-ſixth Year of the Reign of His Majeſty King *George* the Third,
" for [*or as the Caſe may be*]. Given under Hand and Seal,
" the Day and Year above written."

Which Conviction ſhall be certified to the next General Quarter Seſſions, there to be filed amongſt the Records of the County, Riding, or Diviſion.

Publick Act.

XI. And be it further enacted, That this Act ſhall be deemed and taken to be a Publick Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and all other Perſons whomſoever, without ſpecially pleading the ſame.

FINIS.