Violent profits

2.

Of Engrossing, Regrating, & Ingrossing

Albeit it is Generally lawfull for every man to sell his Commodities where and to whom he pleases, Yet that liberty which prejudicial to the publick is Restrained. All Endeavors to Inhance the price of any Merchandize, and all kinds of Practices, which have an Apparent tendency thereto are so upon as high offences against the Publick in so far as they tend to give a Check to trade to the General Incommodity of the people, by putting it out of their power to supply their selves with a Commodity except at an Unreasonable Expense which often proves Extremely Oppressive to the poor, and cannot but give Just cause of Complaint to the Richer.

By the Civil law those who abuse the Markets by raising the price of Corn or Victuals called Dardanarij, Stipulatores Annonae, and Pantapolae were fined in 20 Aurei and subjected to farther punishment According to the quality of the offence, Pt. Pd. Lege Julia de Annona l. 6 pr. Pd. Extraordinem.

By the law of England, those who buy or Contract any thing Coming by land or water to be sold in a Market or port in the way before it is in the place of sale, or a door to Inhance the price thereof, or Influence persons Coming to a Market or port for sale to go back with their ware are forestallers 5 & 6 Edw. 6 cap. 14 §1 from the Saxon word fore away, and stal a hinderance or Interception. 2. He that buys in a Market grain, Wine, fish, butter, cheese, Candle tallow, sheep, lambs, calves, swine, pigs, Geese, Capons hens, Chickens, Pigeons, Conies or other dead Victuals brought there to be sold, and sells the same again in the same Market or in some other Market within 4 Miles is a Regrater Ibid. §2 from the French Regrater to draw

a huckster trade. By which Regrating the goods are made dearer, for every one might gain some thing. 3. He that gets into his hand by buying Contract or promise Collor than grant or Lease of land or tithes any corn or grain, butter cheese or other dead Victuals in order to sell the same, is an Ingrosser Ibid. §3, from Grosse, great or whole, importing a seller by great. An offender by any of those three Crimes of Forestalling, Regrating or Ingrossing being prosecuted within two Years after the offence and Convicted shall for the first fault be imprisoned two Months without Bail, and forfeit the value of the thing so bought by him; for the second shall lose the value of those goods, and suffer half a Year Imprisonment without Bail; and for the third offence shall forfeit all his own goods, and be set on the Pillory, 5 & 6 Edw. 6 cap. 14 §4. 5. 6. Which forfeitures only go to the Kings use, if there be no informer; and if there be informer those get one Moiety and the King the other, Ibid. §10.

The law of Scotland Confirmeth with the same Notions of forestalling, Regrating, and Ingrossing that they have in England. But those Crimes are Generally Confounded by our Buchan, and go promiscuously for one and the same; where of those are the following Several kinds. 1. He Buying up Corns or other Commodities to Dearth act 22 Parl. 6 J. 2. McKenzie observes on d. act 22 & Crim. part 1, Tit. 23 §3. A practice justly punishable as tending to Abridge people of the Conveniences of life. Which evil Design of buying in order to Exact Excorbitant Rates from others, being a secret act of the Mind hard to be proved, may be Inferred from presumptions, as a person offering to buy all the goods of a kind, and Dealing with the sellers, not to let others have any of them; or from such an Universal buyer giving Extraordinary prices; or his boasting, that he himself only had such Commodities to sell McKenzie Crim. Ibid. 2. It is lawfull to buy Barley in order to Convert it into Malt or to buy oats to Make Meal of for Sale Hawkins pl. Cr. lib. i. cap. 80