

80 § 13 in regard such Corn or Barley is not to be sold again in the same Nature, but only after it is altered by Trade or Science. But it is Manifest forstalling and Retaining to buy Victual and sell it again in the same kind without Altering it by the Buyers Industry 12 July 1591 John Thoreson & Colford. Any person may Import Victual or other Merchandise from Abroad, and sell the same in Grose: but the Buyer cannot sell the same Again in Grose, because the More hands the gooder part therof, the prices are more advanced to the Grovners of the people, for every one will make his profit of them. Nor is it allowed to buy and sell our produce in Grose twice 8 Feb 1596. Because at that Rate a rich man might Ingross a whole Commodity and sell it at what price he thought fit. Thus by buying up a whole Commodity in order to transportation Abroad, without Vending the same at home, it would seem that strangers only were advantaged by being obliged to buy at such a whole sale Market price: Yet forcing our own Country would suffer in the case this, it being absolutely Deprived of that Commodity, such buying in order to transportation whether by strangers or subject is punishable by the M^{ch} Lawes. To prevent this buying and keeping up Victual to disadvantage the Magistrates of Royal Burghs use in a time of scarcity to Cause break open the doors where such Victual is kept in their respective towns and sell it at reasonable prices M^{ch} Lawes observ. on Act 22 Parl. 6 Sect 39 Parl. 9 § 2.

2^d Another kind of this Crime is the buying of goods coming to a Market before they arrive at it, or the buying in a Market before the time of day Act 21 Parl. 4 § 5 i.e. before the Market is proclaimed M^{ch} Lawes observ. on Act 21 with a pernicious Design Against the Common good. As when the Merchants of one Burgh enter into a Contract, or stand every Market Day

the way, to buy up the Commodities going to be sold in another Burgh to hinder the Traffick of that other M^{ch} Lawes first part, § 23 § 4. The buying all Manner of Wood and poultry coming to a Market before they arrive at it, or buying the same in a Market before the Market is proclaimed, is accounted forstalling And Regard being that such Wood and poultry were not sold again by the buyers in the Market for their own advantage at higher prices than they first paid for them 24 Feb 1618 William 16080 there. So, for as much as the Common Law of England forbids practices of this kind, that it will not suffer Corn to be sold in the street before 1 July 1597. Hals pl. 61. 152. Rowland pl. 61. 161. chap. 30 § 4. But the buying without any evil Design goods that were going to be sold in a publick Market is no Crime: As when one buys them for his own private use, M^{ch} Lawes 1st Ed. or when they are bought by a Merchant who was obliged to deliver as many of such goods to his Lord and a certain day Under a penalty, or when the Buyer knows not that there was a Market at the place those goods were carrying them to M^{ch} Lawes 1st Ed. observ. on Act 21 Parl. 4 § 5.

3^d A third branch of this Crime is the advising others to lighten the prices of their goods, or Dissuading them to come to any particular Market.

4th Buying Commodities for resale, to sell them again in the same Market, or in any Market within 4 Miles thereof, is another kind of this Crime.

5th This Crime of forstalling &c. is punishable by payment of fine for the first fault, 100 Marks for the second, and Exile of 1000 Markes for the third Act 148 Parl. 12 § 6. Which Confiscation of 1000 Markes for the third fault is Inferred, tho the offender was not convicted for the first two 12 July 1596 John Thoreson & Colford. Because neither the King should suffer prejudice, nor the Magistrate of his officers to purchasing, nor is this