

## **Information gleaned during research on the Waterfront and its environs**

### **An interesting case in Wakefield Court House - 1841**

What started out as a brief exercise in recording items of interest about the Waterfront at Kew, ended up with a fascinating tale of deceit and lies in Wakefield Court House.

This case was very interesting in that as well as highlighting the abuses to the system and defrauding His Majesty's Custom and Excise, it also gave us details of the process of the malting of grain, used in brewing, vinegar production and other products.

This involved steeping the grain in a cistern of water for a minimum of 40 hours, as laid down by law. The water was then drained off and the steeped grain was spread in couching frames for between 6-20 hours (again by law) to allow the grain to germinate. These frames were of a standard size and the quantity of grain in bushels could be easily estimated. The germinated grain was turned over a number of times with large rake-like implements to keep the grains separated, and then they were put into a kiln to dry. Customs and Excise would check at each stage although the couching stage was the best one for estimating the amount of duty payable by the Maltser. Each 100 bushels of grain was estimated to give 81.5 bushels of malt.

The charges related to various nefarious activities. The defendant was the owner of two malt houses on Thornes Lane, but he had obviously come to the attention of the Customs men previously as two of them hid in an abandoned malt house nearby overnight to watch what was going on. Their statements are on record.

About 5.45 on 1<sup>st</sup> March 1841, two men entered one of the malthouses, two others went into the cinder room adjacent to the kiln. Lights were put on throughout the three storeys of the malthouse, then the Officers heard sounds of water running and shoveling from the second and third floors, the cistern being on the third floor, with shutes between the floors. The doors were locked but the Officers managed to get in and found one man shoveling wet grain from shutes on the third floor into frames on the second floor, and the 'overlooker' (a trusted confidant of the owner) and another man were spreading grain from the cistern on to the floor of third storey.

The Custom Officer estimated that about 20 bushels of grain had been taken from the cistern. The Maltser was sent for but said that it had been done '*without his knowledge*', which nevertheless did not save him from prosecution. In court, a comment was made that he had been involved in doing this before and also had convictions for '*harbouring and concealing tobacco*' although, again, he had denied any involvement in this.

Potential fines were:

1. Removing corn or barley from the couching frame so it could not be gauged - £200.
  2. Emptying the cistern at an unlawful hour (i.e. outside hours of 07.00 and 16.00) - £100
  3. Mixing corn of different *wetnesses* - £200
  4. Draining water from the cistern in less than 40 hours - £200
  5. Concealing corn, or making away with it, from Customs Officers - £200,
- so this could be very expensive for the Maltser.

The verdict went against him, and he was fined £100 for removing corn from the couching frames, £200 for emptying the cistern at an unlawful hour, £200 for mixing corn of different *wetnesses*. On the fourth count, emptying the cistern within the proscribed time limit (less

than 40 hours), there was a difference of opinion and unfortunately, on the fifth count the record has been lost –it may have been written on another sheet that is now missing so we have no information of whether he was found guilty of that offence and fined or not.

Surely the fines imposed must have been a massive deterrent, a rough calculation to values in 2005 would be over £22,000 – but as this Maltser would appear to have been a regular offender, so it must still have reaped considerable rewards.

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