

Continuance of
this Act.

X. And be it further enacted by the authority aforesaid that this Act shall continue and be in force for two years from the day of passing the same, and from thence to the end of the then next Session of the Provincial Parliament.

C A P. VII.

AN ACT for the better regulating the Weights and Measures of this Province.

[3d JUNE, 1799.]

Preamble.

WHEREAS great inconveniences have arisen from the uncertainty of the Weights and Measures, now used in this Province, and from the want of just and true standards, whereby the same might be adjusted and regulated, for remedy whereof, divers Beams, Weights and measures have been imported from London, under different votes of the Assembly, and the same have been compared, examined and found just and true, and are of the following description; three pair of neat eight Hole Box and Scales adjusted to weigh, from half a grain to one ounce. Three pair of neat eight Hole Scales adjusted to weigh from one dram to one ounce; six pair round eight Hole Box and Scales adjusted to weigh from one ounce to four pounds; six round eight Hole Box and counter Beams fitted with Brass chains and Copper scales, proper for adjusting Weights from fifty six pounds downwards; four sets of avoirdupois brass weights from one dram to four ounces: four sets of like weights from a quarter of an ounce, to four pounds; four sets of like weights, each set consisting of one of four, one of seven, one of fourteen, one of twenty eight and one of fifty six pounds. four sets of Troy weights in brass from half a grain to one ounce; four sets of like weights from a quarter of an ounce, to sixty four ounces: four sets of like weights each set consisting of one of seven, one of fourteen and one of twenty eight pounds; four sets of wine measures in brass from one Gill to one Gallon; four sets of Winchester measures in brass from one Gill to one Gallon. Four Winchester half Bushels in brass; three like measure Bushels; four sets of Canada measures in brass from a Poisson to a Pot; four half Minots of the like measure in brass; three Minots of the like measure in brass; four English Standard foot Rules in brass; four Paris Standard foot Rules in Brass; four English Standard yards in brass; four English Standard Ells in Brass, for the conveniency of regulating Weights and Measures in the different Districts of this Province; Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by Virtue of and under the authority of an Act of the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled an Act for making more effectual provision for the Government of the Province of Québec, in North America, and to make further provision for the Government of the said Province," and it is hereby enacted by the authority of the same, that two sets of the aforesaid Beams, Weights and Measures, each consisting of one pair of neat eight Hole Box and scales adjusted to weigh from half a grain, to one Ounce: one pair of neat eight Hole Scales adjusted to weigh, from one dram to one ounce; one pair round eight Hole Box and scales adjusted to weight, from one ounce to four pounds; one round eight Hole Box and counter Beam fitted with brass chains and copper scales proper for adjusting weights from fifty six pounds downwards; one set of Avoirdupois, brass weights

That two sets of Beams, Weights and Measures, be delivered over by the Clerk of the Assembly, to such Person, as may be appointed by the Governor for regulating &c. be

Beams, &c. with-
in the Districts of
Quebec and Mont-
real.

weights from one dram, to four ounces; one set of like weights from a quarter of an ounce to four pounds; one set of like weights each set consisting of one of four, one of seven, one of fourteen, one of twenty eight, and one of fifty six pounds; one set of Troy weights in brass, from half a grain to one ounce; one set of like weights, from a quarter of an ounce, to sixty four ounces; one set of like weights, each set consisting of one of seven, one of fourteen and one of twenty eight pounds; one set of Wine Measures in Brass, from one Gill to one Gallon; one set of Winchester measures in brass from one Gill to one Gallon; one Winchester half Bushel in Brass, one bushel like measure one set of Canada measures in brass from a poisson to a Pot; one half Minot of the like measure in brass; one Minot of the like measure in brass; one English Standard foot Rule in brass; one Paris Standard foot rule in brass; one English Standard Yard in brass; one English Ell in brass, shall be, by the Clerk of the Assembly aforesaid, delivered over to such fit person as shall be appointed by the Governor, Lieutenant Governor or Person administering his Majesty's Government in this Province, for regulating, adjusting, stamping and marking Beams, Weights and Measures, within the Districts of Quebec and Montreal, respectively, taking a sufficient receipt for the same, from every such person; and one other set of the said Beams, Weights and Measures consisting of one pair neat sight Hole Box and scales adjusted to weigh from half a grain to one ounce; one pair round sight Hole Box and scales adjusted to weigh from one ounce to four pounds; one round sight Hole Box and counter Beam fitted with brass chains and Copper Scales proper for adjusting weights from fifty six pounds downwards; one set of Avoir du Poids, Brass weight from one Dram to four ounces; one set of like weights from a quarter of an ounce to four pounds; one set of like weights each set consisting of one of four, one of seven, one of fourteen, one of twenty eight and one of fifty six pounds; one set of Troy weights in Brass, from half a grain to one ounce; one set of like weights from a quarter of an ounce to sixty four ounces; one set of like weights each set consisting of one of seven, one of fourteen and one of twenty eight pounds; one set of Wine measures in brass, from one Gill to one Gallon; one set of Winchester measures in brass from one Gill to one Gallon; one Winchester half bushel in brass; one set of Canada measures in brass, from a poisson to a Pot; one half minot of the like measure in brass; one English Standard foot rule in brass; one Paris Standard foot rule in brass; one English Standard yard in brass, and one English Standard Ell in brass; shall be delivered over by the said Clerk of the Assembly, to such fit person as shall be appointed in like manner by the Governor, Lieutenant Governor or Person administering His Majesty's Government in this Province, for regulating, adjusting, stamping and marking Beams, Weights and Measures within the District of Three Rivers, and every person so appointed before he enters on the execution of his office, shall take and subscribe an Oath before one of His Majesty's Justices of the Court of King's Bench, for the Districts of Quebec or Montreal, or the Provincial Judge of the District of Three Rivers, as the case may be, (which Oath such Justice or Judge is hereby authorized and required to administer) well and truly to keep and preserve the Beams, Weights and Measures, deposited in his charge, and justly and faithfully to execute and perform the trust reposed in him by virtue of this Act; and shall cause a Certificate of such Oath, to be deposited in the office of the Clerk of the Court of King's Bench for the District of Quebec or Montreal or in the Office of the Clerk of the Provincial Court of Three Rivers; as the case may be; And he shall also enter into a Bond to His Majesty, his Heirs and Successors, in the sum of two hundred pounds current money of this Province, with two good and sufficient securities, that in case of his death or removal from his Office aforesaid, he, his Heirs, Executors or

And another sett
to such Person as
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&c. for regulat-
ing, &c. the
Beams, &c. in the
District of Three
Rivers.

Persons so ap-
pointed to take an
Oath to keep and
preserve the
Beams, &c. de-
posited in his
charge and to
cause a Certificate
of the Oath to be
lodged with the
Clerk of the
Court of King's
Bench, or Provin-
cial Court of
Three Rivers.

To enter into a
bond to his Ma-
jesty of £200.
with two sureties,
that in case of

the

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in the Districts of
Quebec and Mont-
real.

weights from one dram, to four ounces; one set of like weights from a quarter of an ounce to four pounds; one set of like weights each set consisting of one of four, one of seven, one of fourteen, one of twenty eight, and one of fifty six pounds; one set of Troy weights in brass, from half a grain to one ounce; one set of like weights, from a quarter of an ounce, to sixty four ounces; one set of like weights, each set consisting of one of seven, one of fourteen and one of twenty eight pounds; one set of Wine Measures in Brass, from one Gill to one Gallon; one set of Winchester measures in brass from one Gill to one Gallon; one Winchester half Bushel in Brass, one bushel like measure one set of Canada measures in brass from a poisson to a Pot; one half Minot of the like measure in brass; one Minot of the like measure in brass; one English Standard foot Rule in brass; one Paris Standard foot rule in brass; one English Standard Yard in brass; one English Ell in brass, shall be, by the Clerk of the Assembly aforesaid, delivered over to such fit person as shall be appointed by the Governor, Lieutenant Governor or Person administering his Majesty's Government in this Province, for regulating, adjusting, stamping and marking Beams, Weights and Measures, within the Districts of Quebec and Montreal, respectively, taking a sufficient receipt for the same, from every such person; and one other set of the said Beams, Weights and Measures consisting of one pair neat sight Hole Box and scales adjusted to weigh from half a grain to one ounce; one pair round sight Hole Box and scales adjusted to weigh from one ounce to four pounds; one round sight Hole Box and counter Beam fitted with brass chains and Copper Scales proper for adjusting weights from fifty six pounds downwards; one set of Avoir du Pois, Brass weight from one Dram to four ounces; one set of like weights from a quarter of an ounce to four pounds; one set of like weights each set consisting of one of four, one of seven, one of fourteen, one of twenty eight and one of fifty six pounds; one set of Troy weights in Brass, from half a grain to one ounce; one set of like weights from a quarter of an ounce to sixty four ounces; one set of like weights each set consisting of one of seven, one of fourteen and one of twenty eight pounds; one set of Wine measures in brass, from one Gill to one Gallon; one set of Winchester measures in brass from one Gill to one Gallon; one Winchester half bushel in brass; one set of Canada measures in brass, from a poisson to a Pot; one half minot of the like measure in brass; one English Standard foot rule in brass; one Paris Standard foot rule in brass; one English Standard yard in brass, and one English Standard Ell in brass; shall be delivered over by the said Clerk of the Assembly, to such fit person as shall be appointed in like manner by the Governor, Lieutenant Governor or Person administering His Majesty's Government in this Province, for regulating, adjusting, stamping and marking Beams, Weights and Measures within the District of Three Rivers, and every person so appointed before he enters on the execution of his office, shall take and subscribe an Oath before one of His Majesty's Justices of the Court of King's Bench, for the Districts of Quebec or Montreal, or the Provincial Judge of the District of Three Rivers, as the case may be, (which Oath such Justice or Judge is hereby authorized and required to administer) well and truly to keep and preserve the Beams, Weights and Measures, deposited in his charge, and justly and faithfully to execute and perform the trust reposed in him by virtue of this Act; and shall cause a Certificate of such Oath, to be deposited in the office of the Clerk of the Court of King's Bench for the District of Quebec or Montreal or in the Office of the Clerk of the Provincial Court of Three Rivers; as the case may be; And he shall also enter into a Bond to His Majesty, his Heirs and Successors, in the sum of two hundred pounds current money of this Province, with two good and sufficient securities, that in case of his death or removal from his Office aforesaid, he, his Heirs, Executors or

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Persons so ap-
pointed to take an
Oath to keep and
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charge and to
cause a Certificate
of the Oath to be
lodged with the
Clerk of the
Court of King's
Bench, or Provin-
cial Court of
Three Rivers.

To enter into a
bond to his Ma-
jesty of £200.
with two sureties,
that in case of

the

death or removal he or his Guardians, to deliver over to his Successor in office, &c. all the Standards, Beams, &c. intrusted to his care.

Governor empowered to remove from Office, Persons appointed by this Act &c. & to appoint others.

The Clerk of the Assembly to have the custody of the residue of the Beams and Scales.

The present Clerk of Assembly and his Successors to take an oath to keep and preserve the Beams &c. under Lock and Key, and no person to have access here to, but a sworn Stamper.

A Certificate of the present Clerk and his Successors to be disposed with the Clerk of the King's Bench of Quebec.

Duty of Persons appointed by virtue of this Act, to adjust and regulate the Beams weights and measures.

To be paid for Stamp fees.

The Fees.

the Guardians of His Estate or effects, will, well and faithfully deliver over to his Successor in office, or such other person as shall be appointed for that purpose by the Governor, Lieutenant Governor or Person administering His Majesty's Government in this Province, all the Standard Beams, Weights and Measures, intrusted to his charge in virtue of this Act, within eight days after, he shall be thereunto required by his Successor in office, or other person appointed for that purpose, as aforesaid, which Bond shall be deposited in the Office of the Receiver General of this Province; And it shall at all times, be lawful for the Governor, Lieutenant Governor or Person administering His Majesty's Government in this Province, to remove from office, any person appointed in virtue of this Act, and in case of death or removal from office, to appoint such other fit person as he may deem expedient.

II. And be it further enacted by the authority aforesaid that all the residue of the before mentioned Beams and Scales, Weights and measures, shall remain in the custody of the Clerk of the Assembly, to be for ever hereafter, kept by the Clerk of the Assembly for the time being, and they shall be and are hereby declared, to be and remain Standards for Weights and Measures, to be used in this Province, any Law, Usage or Custom to the Contrary notwithstanding; and the present Clerk of the Assembly, and each and every of his Successors, in Office, before he enters on the execution of his office, shall make Oath before His Majesty's Chief Justice or one of His Majesty's Justices of the Court of King's Bench, for the District of Quebec, that he will well and faithfully keep and preserve, the said Beams, Weights and Measures, under lock and key, and not suffer any person to have access to or make use of the same, except a publick sworn Stamper and marker of Weights and Measures, in this presence, and for the purpose only of recomparing and adjusting the District Standards of Beams, weights and measures herein before mentioned, when the same shall be deemed necessary by the Governor, Lieutenant Governor, or Person administering His Majesty's Government in this Province, and the Present and every subsequent Clerk of the Assembly, shall cause a Certificate of such Oath to be deposited in the Office of the Clerk of the Court of King's Bench, for the District of Quebec.

III. And be it farther enacted by the authority aforesaid, that it shall be the duty of every person appointed in virtue of this Act, to adjust and regulate or to cause to be adjusted, and regulated according to the Standard Weights and Measures, deposited in his charge, all Beams, Weights and Measures, which shall be offered to him, by any person or persons to be adjusted and regulated, between the hours of nine of the clock in the morning, and two of the Clock in the afternoon, of any day, Sundays and Holidays, excepted, and to seal and stamp the same, in all cases, where the quality and dimensions of the Weights and Measures will admit thereof, with the Letters G^R, when the said Beams, Weights and Measures shall be adjusted in the District of Quebec; with the Letters C^M, when the said Beams, Weights and Measures shall be adjusted in the District of Montreal, and with the Letters C^R, when the said Beams, Weights and Measures, shall be adjusted in the District of Three Rivers; and every person appointed to regulate Weights and Measures, shall give notice thereof, by an advertisement inserted three successive weeks in the Quebec Gazette or in some Newspaper printed in the District, where he resides, and there shall be paid to the person for adjusting Beams, Weights and Measures for his Labour and trouble in so doing, by the person presenting the same the following fees: For every weight not exceeding four pounds, one penny current money of this Province, for every weight exceeding four pounds, two pence like money; for every liquid measure, two pence, like money, for every half bushel or

The Paris foot,

multiples and proportions shall be held and considered as a Standard measure of capacity in this Province, for measuring all Salt, Wheat, Oats, Pease, Barley and other grain or seeds, when such articles have heretofore been or shall hereafter be specially sold or contracted for, by such measure: the Paris foot, herein before also mentioned, with its parts, multiples and proportions, shall be held and considered as the Standard measure of length of this Province, for measuring all land and lots of ground, granted or sold, prior to the conquest of this Province, or which have been since granted or sold, or shall be hereafter granted or sold by the arpent or foot, or the parts, multiples or proportions thereof, and also for measuring all kinds of wood, timber and stone, and all manner of Masons, Carpenters and Joiner's work, or any other article or any other kind of work, commonly measured by the foot, or other measure of Length, being parts, multiples or proportions thereof, where no special contract or agreement to the contrary has

the English foot.

heretofore been or shall be hereafter entered into: the English foot herein before also mentioned, with its parts, multiples and proportions, shall be held and considered as a Standard measure of Length in this Province, for measuring all Lands granted or that shall be hereafter granted by His Majesty, his Heirs or Successors, or the division thereof, heretofore, or that shall, hereafter, be made: and also for measuring all kinds of Wood, Timber or Stone and all manner of Mason's, Carpenter's and Joiner's work, or any other kind of work whatever, where a special contract or agreement has been heretofore

The English yard.

made or shall be hereafter made for that purpose: the English yard, herein before also mentioned with its parts shall be held and considered as the Standard measure of length of this Province, for measuring all kinds of Cloth or Stuffs, made of wool, flax, hemp, silk or cotton, or any mixture thereof, and all other kind of Goods, Wares or Merchandize, commonly sold by measure of length: the English Ell containing three feet,

The English Ell,

nine inches of the standard, English foot, herein before mentioned, with its parts shall be held and considered, as a standard measure of length in this Province, for measuring all kinds of Cloth or Stuffs made of wool, flax, hemp, silk or cotton, or any mixture thereof, and all other kinds of Goods, Wares or Merchandizes which have been heretofore sold or contracted for, or shall be hereafter specially sold or contracted for, by such measure.

Clerks of the markets, to weigh and measure articles sold in the markets,

VII. And be it further enacted by the authority aforesaid, that from and after the passing of this Act, the Clerks of the several Markets in this Province, respectively, shall and are hereby directed to weigh and measure the different articles that are sold and disposed of, in the said Markets, when they shall be thereunto required by the parties interested therein, or either of them, and not otherwise, any law, custom or regulation to the contrary notwithstanding; and they shall be paid for weighing or measuring as aforesaid agreeably to the rates that shall be fixed by the Justices in their Courts of General Quarter Sessions of the Peace.

To be paid for the same.

Actions instituted under this Act to be tried, &c. in the Quarter Sessions.

VIII. And be it enacted by the authority aforesaid, that all and every action, or suit, that shall or may be instituted under this Act, shall be prosecuted, tried and adjudged in and according to the course of His Majesty's Courts of Quarter Sessions of the Peace, in and for the Districts of Quebec, Montréal, and Three Rivers, as the case may arise therein respectively.

Persons exempted from prosecution for any fine imposed, unless the same is commenced within three months after the offence committed.

IX. And be it further enacted by the authority aforesaid, that no complaint or prosecution shall be brought against any person or persons for any fine or penalty, by this Act imposed, unless the same shall be commenced within three Calendar months after the offence committed.