

The Provincial Statutes of Lower-Canada, Being the third session of the Second Provincial Parliament of Lower-Canada. Quebec: William Vondenvelden, Printer to the King's Most Excellent Majesty, 1799.

39 George III – Chapter 7

An Act for the better regulating the Weights and Measures of this Province. [3d June, 1799.]

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 sight Hole Box and Scales, adjusted to weigh, from half a grain to one ounce. Three pair of neat sight Hole Scales adjusted to weigh from one dram to one ounce; six pair round sight Hole Box and Scales adjusted to weigh from one ounce to four pounds; six round sight Hole Box and counter Beams fitted with Brass chains and Copper scales, proper for adjusting Weights from fifty six pounds downwards; four sets of avoir-du-pois 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 Quebec, 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 sight Hole Box and scales adjusted to weigh from half a grain, to one Ounce: one pair of neat sight Hole Scales adjusted to weigh, from one dram to one ounce; one pair round sight Hole Box and Scales adjusted to weight, 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 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 authorised 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 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 his 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 in the Office of the Clerk of the Court of King's Bench, for the District of Quebec.

III. And be it further 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 GQR, when the said Beams, Weights and Measures shall be adjusted in the District of Quebec, with the Letters GMR when the said Beams, Weights and Measures shall be adjusted in the District of Montreal, and with the Letters GRR 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 so 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 half minot, six-pence, like money; for every bushel or minot; one shilling, like money, for every Beam and Scales, six pence; for every Beam and Scales and sett of small weights for weighing Gold, one shilling and three pence like money, for every measure of length, one penny.

IV. And be it further enacted by the authority aforesaid, that if any person or persons shall counterfeit any stamp or mark used by any person appointed in virtue of this Act, for stamping or marking any Beam, Weight or measure, or shall in any manner whatever, with a fraudulent intention, alter, diminish or augment any Beam, Weight or Measure, stamp or marked in pursuance thereof, or shall sell, barter or exchange any Goods, Wares, Merchandize or commodity whatever, by any Beam, Weight or Measure stamp or marked, with any counterfeit stamp or mark, or by any Beam, weight or measure altered, diminished or augmented, as aforesaid, every person so offending and being thereof duly convicted, shall for the first offence, forfeit the sum of five pounds, current money of this Province; and for the second offence, ten pounds, like current money, and for the third and every subsequent offence, ten pounds, like current money, and suffer two months imprisonment.

V. And be it further enacted by the authority aforesaid, that, from and after the first day of September, one thousand eight hundred, it shall not be Lawful for any Merchant, Shop-keeper, Butcher, Baker, Tavern-keeper, Miller or other Trader, to sell, barter or exchange any Goods, Wares, Merchandize or Commodity whatever, or to pay any Gold or Silver coin, current in this Province, by any Beam, Weight or Measure which has not been adjusted and regulated, pursuant to the directions of this Act; and every such person, selling, bartering or exchanging or offering to sell, barter or exchange, any Goods, Wares, Merchandizes or Commodities whatever, or to pay any Gold or Silver coin, current in this Province, by any Weight or Measure, which has not been so regulated and adjusted, shall forfeit the sum of forty shillings, current money of this Province, to any person who shall sue for the same.

VI. And be it further enacted by the authority aforesaid, that the Standard pound, Avoir-du-pois weight herein before mentioned, with its parts, multiples and proportions shall be held and considered as the Standard weight of this Province. for weighing all Goods, Wares, Merchandize, Butcher's meat, Flour, Meal, Bread, Biscuit and other Commodities whatever, commonly sold by weight, (Gold and Silver in Coin bullion, drugs and precious stones, only excepted): the Standard pound Troy weight, also herein before mentioned, with its parts, multiples and proportions shall be held and considered as the Standard weight of this Province, for weighing Gold and Silver in coin or bullion, drugs and precious stones: the Standard (wine Gallon) also herein before mentioned, with its parts, multiples and proportions, shall be held and considered as the Standard liquid measure of this Province,

for measuring Wine, Cyder, Beer and Spirituous Liquors of all kinds, Treacle or Molasses, and all other Liquids, commonly sold, by guage or measure of Capacity; the Canada minot herein also before mentioned, with its parts, multiples and proportions, shall be held and considered as the Standard measure of this Province, for measuring all rents payable in Wheat or other grain of any kind and also for measuring of all Salt, Wheat, Oats, Pease, Barley, Flax seed or other grain or seeds, fruits or roots whatever; and likewise for measuring lime, sand, coals, ashes or any other kind of commodity, usually sold by measure of capacity, where no special contract or agreement has heretofore been or shall hereafter be made to the contrary: the English Winchester, bushel herein before also mentioned with its parts 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 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 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, 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.

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.

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, Montreal and Three Rivers, as the case may arise therein respectively.

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.