

The Provincial Statutes of Lower-Canada, Being the first session of the eighth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1815.

55 George III – Chapter 5

An Act to regulate Persons engaged in the Business or Trade of baking and selling Bread within the Cities of Quebec and Montreal and in the Town of Three Rivers, and to repeal an Ordinance therein mentioned. (25th March, 1815.)

Whereas the Laws now in force relating to Persons engaged in the Business or Trade of Baking and selling Bread within the Cities of Quebec and Montreal and Town of Three Rivers [Trois-Rivières], are inadequate to the purposes intended, and more ample and efficacious regulations have become necessary: 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 from and after the passing of this Act, no person or persons shall exercise the Business or Trade of Baker for the purpose of baking and selling Bread for the subsistence of the Inhabitants of the said Cities of Quebec and Montreal and Town of Three Rivers, without having previously obtained a Licence to that effect from the Court of Quarter Sessions of the Peace, in either of the said Cities of Quebec and Montreal, or in the Town of Three Rivers, where such person or persons may intend to exercise the said Business or Trade of Baker, under a Penalty, for each and every offence, not exceeding ten pounds current money of this Province.

II. And be it further enacted by the authority aforesaid, that the power of granting Licenses to exercise the business or trade of Baker as aforesaid, shall be and is hereby vested in the Courts of Quarter Sessions of the Peace of the Districts of Quebec, Montreal and Three-Rivers respectively, and that every person so licenced to exercise the Trade of Baker shall enter into a recognizance to His Majesty, in the sum of twenty-five pounds currency with two sureties in the sum of twelve pounds currency, each, to keep and observe for one year at least, and as long as they continue to exercise the said Trade, the regulations relative to the assize of Bread and the Trade of Baking, which shall be made by His Majesty's Justices of the Peace for the said Cities and Town respectively; for which recognizance the Clerk or Clerks of the Peace shall be entitled to a Fee of five shillings currency, and no more.

III. And be it further enacted by this authority aforesaid, that every such Licence, besides setting forth the authority to exercise the said business of Trade of Baker, shall contain a brief statement of the regulations under which such business or Trade of Baker is so to be exercised: and for every such Licence that may be granted as aforesaid, there shall be paid to the Clerk or Clerks of the Peace for executing and delivering the same, the sum of five shillings, currency: Provided, no Person or Persons shall be required at any time to renew such Licence.

IV. And be it further enacted by the authority aforesaid, that every Baker so licenced, as aforesaid, shall unremittingly bake and expose to Sale, wheaten Bread in manner as herein after provided, every day in the year, Sundays and the days denominated “Fêtes d'Obligation” excepted, under a Penalty for each and every days cessation of so baking and exposing to sale wheaten Bread, not exceeding four pounds currency.

V. And be it further enacted by the authority aforesaid, that the assize-Bread, or Bread made subject to the provisions of this Act, shall be prepared and baked of two qualities only of wheaten flour, to wit: merchantable fine flour and merchantable “Farine entière:” that the Bread made of merchantable fine Flour shall be denominated, white Bread, and the Bread, made of merchantable “Farine entière” shall be denominated brown Bread, and that every Loaf sold or offered for sale as white Bread, shall be distinctly marked No. I. and every Loaf sold or offered for sale, as brown Bread, shall in like manner be marked No. II. so as clearly to denote the quality or denomination for which every such Loaf was sold proffered for sale.

VI. And be it further enacted by the authority aforesaid; that the Bread denominated, white Bread, shall be made and sold in Loaves, each weighing four or two pounds; and the Bread, denominated brown Bread, shall be made & sold in loaves, each weighing six or three pounds; under a Penalty for each and every sale of any such Loaf or loaves being short of the weight of which each Loaf or Loaves ought to be, not exceeding ten Pounds, currency, and not less than twenty shillings, currency.

VII. And be it further enacted by the authority aforesaid, that every Baker licenced as aforesaid, shall employ in the preparation and making of Bread for sale, within the said Cities of Quebec and Montreal and Town of Three-Rivers found and wholesome wheaten Flour of the qualities as aforesaid designated, free from all mixture with Flour made from grain of a different denomination, or with Flour of the same denomination in anywise damaged, or of a quality inferior to the quality described and understood as merchantable, under a Penalty for each and every offence not exceeding ten Pounds currency, and, not less than forty shillings currency.

VIII. And be it further enabled by the authority aforesaid, that every Baker so licenced as aforesaid, shall made the initials of his name, on each and every Loaf to be baked and sold in conformity to the provisions of this Act, under a Penalty for each offence not exceeding five pounds, currency, and not less than twenty shillings currency.

IX. And be it further enacted by the authority aforesaid, that every Baker licenced as aforesaid, shall keep his shop open to the Public, from eight o'clock in the morning, until eight o'clock in the evening of every day in the year, Sundays and the days, called “Fêtes d'Obligation” excepted; and shall on all such days not excepted as aforesaid, sell and deliver to every purchaser offering immediate payment, such reasonable quantity of Bread, not exceeding eight pounds weight of white Bread, and twelve pounds weight of brown Bread, as such purchaser may require under a Penalty for each and every refusal, to sell and deliver such reasonable quantity of Bread as aforesaid, on application as aforesaid, not exceeding two pounds currency, and not less than ten shillings currency: Provided nevertheless, that in all prosecutions for offences against this Section, every Defendant, may under the general plea of not guilty, justify such refusal, by adducing due proof, that on the day when such refusal shall be proved to

have been made, he, the Defendant had sold his usual batch of White or Brown Bread, previously to the time when such refusal may have been made.

X. And be it further enabled by the authority aforesaid, that every Baker so licenced as aforesaid, shall place in some conspicuous part on the outside of his or her dwelling house, or other building in which Bread may be deposited for sale, a Sign expressing in painted letters, the names and addition of such Baker at full length; the said Sign not to be less than three feet in length, and one foot in breadth, under a Penalty for every day's absence of such Sign after two Calendar months shall have elapsed from and after the passing of this Act, of Two shillings and six pence, currency.

XI. And be it further enacted by the authority aforesaid, that the assize, or rate in money at which Bread shall be sold, within the Paid Cities of Quebec and Montreal and Town of Three Rivers, shall be determined by any three justices of the Peace having jurisdiction in either of the said Cities of Quebec and Montreal or Town of Three Rivers, whenever the said Justices of the Peace, or any three or more of them shall think fit, but not oftener than once in every week, nor less frequently than once in every four weeks, and the assize shall, from time to time, be published in each end every news-paper that may be published in each of the said Cities of Quebec and Montreal and Town of Three Rivers.

XII. Provided always and it is further enacted by the authority aforesaid, that during the continuance of this Act, it shall be lawful to and for the said Justices of the Peace, in the said Cities of Quebec and Montreal and Town of Three Rivers, either to intermit the fixing of the assize of Bread and to leave the price unregulated during such space of time, and as often as they shall judge it to be expedient so to do, or to fix the assize thereof in manner aforesaid, as often and for such space of time as they shall judge it to be necessary so to do, the said Justices of the Peace whenever they shall fix the assize, conforming themselves to the regulations herein prescribed, relative to the publication thereof.

XIII. Provided always and it is further enacted by the authority aforesaid, that whenever the assize shall not be fixed, the Bakers shall not be liable to any of the obligations hereby imposed, save and except that of marking Loaves with the Initial Letters of their names, and those which regulate the weight of the Loaf and the quality of Flour, and for offences in those respects, shall incur the penalties hereby given in that behalf.

XIV. And be it further enacted by the authority aforesaid, that in order that a more exact average price may be obtained, on which to ground the assize of Bread, the Clerk or Clerks of the Public Markets within either of the said Cities of Quebec and Montreal and Town of Three Rivers, shall, by the most diligent inquiries ascertain for each and every day Separately and apart, the average price, at which household flour or flour, commonly called in this Province, "Farine entière" shall be sold in either of the Markets aforesaid; and shall make a written report of the same, to be certified upon Oath by such Clerk or Clerks, and by them fyled in the Office of the Peace, in either of the said Cities of Quebec and Montreal and Town of Three Rivers respectively, to wit: each and every Monday of each and every week, that from the said report of the average price of household flour so to be ascertained each and every day as aforesaid, shall be formed a common average price each and every week, on each and every Monday as aforesaid, whereby the assize of Bread to be made of household flour shall be finally determined; all which proceedings shall be regularly entered in a book to be kept exclusively for that

purpose, in each Office of the Peace in each of the said Cities of Quebec and Montreal and Town of Three Rivers; which books shall be open at all reasonable times to the inspection of the Bakers or any of them.

XV. And be it further enacted by the authority aforesaid, that all offenders against this Act, shall be tried before any two Justices of the Peace having jurisdiction in either of the said Cities of Quebec and Montreal or Town of Three Rivers, where the offence or offences shall have been committed, after complaint or information to them made or given, and all such Justices of the Peace are hereby empowered to convict any such offenders on confession, or upon the oath of one or more credible witness or witnesses, (other than the informer,) and all penalties and forfeitures by this Act imposed for any offence against the same, and all such reasonable costs as may be allowed, shall be levied by distress and sale of the goods and chattels of the offender, or person or persons sentenced to pay the same respectively by warrant under the hand and seal of such two Justices of the Peace as shall have convicted as aforesaid; and all the fines, penalties and forfeitures when recovered shall belong and be paid, one half to His Majesty, his heirs and successors, and the other half to the informer, and the same shall be accounted for to His Majesty, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, his heirs and successors shall direct.

XVI. And be it further enacted by the authority aforesaid, that no action or suit shall be commenced against any person or persons for any offence committed against this Act, unless such action or suit shall be commenced or prosecuted within one calendar month next after the fact committed, and not afterwards.

XVII. And be it further enacted by the authority aforesaid, that an Ordinance passed by the Governor and the Legislative Council of the late Province of Quebec, on the twenty-ninth day of March in the seventeenth year of the Reign of our Sovereign Lord George the Third, intituled, "An Ordinance concerning Bakers of Bread in the Towns of Quebec and Montreal," be, and the same and every part thereof, is hereby repealed.

XVIII. And be it further enacted by the authority aforesaid, that this Act shall remain in force until the first day of May, One thousand eight hundred and seventeen, and no longer.