

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1840. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1840.

3 Victoria – Chapter 28

An Act to regulate the assize of Bread in the Towns of Saint Andrews and Saint Stephen, in the County of Charlotte, and to repeal the Acts now in force relating to the Town of Saint Andrews. Passed 25th March 1840.

Whereas it is found necessary that there should be a Law to regulate the assize of Bread in the Towns of Saint Andrews and Saint Stephen in the County of Charlotte;

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all the Laws now in force relating to the regulation of the assize of Bread in the Town of Saint Andrews, in the County of Charlotte, so far as the same relate to the said Town of Saint Andrews, be and the same are hereby repealed.

II. And be it enacted, That the Justices of the Peace for the County of Charlotte, be and they are hereby authorized and empowered from time to time to make such rules and regulations for ascertaining and establishing the assize of Bread and the sale thereof, for the said Towns of Saint Andrews and Saint Stephen respectively as they or the major part of them, in any General or at any Special Sessions to be holden for that purpose, shall deem just and expedient, and to enforce such Rules and Regulations under such Fines as they or the major part of them shall think fit: Provided always, That no fine for any offence shall exceed the sum of forty shillings.

III. And be it further enacted, That the Clerk of the Market for the said Towns of Saint Andrews and Saint Stephen respectively, is hereby authorized and empowered, whenever he shall judge it necessary, and it shall be his duty at all times when complaint shall be made to him, to enter and go into any Bakehouse within the Town for which he shall be so appointed (in the day time) where Bread is manufactured for sale, and into any Shop or other place where bread is sold or offered for sale, and carefully to inspect and weigh all Bread so manufactured or offered for sale; and in case he shall find any Bread to be of less weight than the regulated assize to be established as aforesaid, it shall be his duty and he is hereby enjoined and required to seize all Bread he shall so find deficient in weight, and to deliver the same to the Overseers of the Poor, or the Commissioners of the Poor House, as the case may be, or to any one of them, for the Parish in which such bread shall be seized for the use of the Poor of such Parish; and such Clerks of the Market shall respectively have like power to seize and dispose of as above directed any Bread that may be found deficient in weight in any cart, sled, or other vehicle in which the same may be carried about for delivery or sale.

IV. And be it further enacted, That the said respective Clerks of the Market shall forfeit and pay for any neglect of duty imposed on them by virtue of this Act, the sum of forty shillings, to be forfeited by the party guilty of such neglect.

V. And be it further enacted, That the several fines and penalties imposed by this Act, shall be recovered upon the oath of one or more credible witness or witnesses, or on confession of the party charged, before any one of Her Majesty's Justices of the Peace in the said County, and levied by distress and sale of the offender's goods and chattels, rendering the overplus (if any) after deducting the costs and charges of such prosecution and sale to such offender, and shall be applied one half to the person who shall sue for the same, and the other half to the use of the Poor of such Parish in which the offence shall have been committed.

VI. And be it further enacted, That this Act shall continue and be in force for five years from the time of the passing of this Act.