

CAP. XIV.

An Act for Establishing the Standard Weight of Grain and Pulse, and to Regulate the Sale of Bread, Coals, and other Articles.

[Passed 13th April, 1864.]

Preamble.

WHEREAS it is expedient to Establish the Standard Weight of Grain and Pulse, and to regulate the Sale of Bread, Coal, and other Articles :

Be it therefore enacted by the Governor, Legislative Council, and Assembly, in Legislative Session convened, as follows :—

I.—From and after the time this Act shall come into operation, the Standard weights of grain, &c. Standard Weight of each Imperial Bushel of Grain exposed or offered for sale in this Colony, shall be as follows :—

| | | |
|-------------|-------------|----------------------|
| Wheat | shall weigh | Sixty pounds. |
| Rye | shall weigh | Fifty-six pounds. |
| Indian Corn | shall weigh | Fifty-seven pounds. |
| Barley | shall weigh | Forty-eight pounds. |
| Oats | shall weigh | Thirty-eight pounds. |
| Pease | shall weigh | Sixty pounds. |
| Beans | shall weigh | Sixty pounds. |

All such Grain shall be of dry, sound quality, and all such Weights shall be Avoirdupois.

II.—The following shall be the Standard weights of vegetables and seeds. Standard Weights which in all cases shall be held to be equal to the Imperial Bushel of the articles opposite to which they are respectively set, namely,—

| | | |
|-----------------------------------|---------|--------------------|
| Potatoes, Turnips, Carrots, Pars- | | |
| nips, Beets and Onions, | | Sixty pounds. |
| Flax Seed | | Fifty pounds. |
| Hemp Seed | | Forty-four pounds. |

And when any of the articles aforesaid shall be sold by the Barrel, every such Barrel shall contain at least Three Bushels of the Weight aforesaid.

All such Potatoes, Turnips, Carrots, Beets, Onions, and other articles above mentioned, shall be in sound condition, and all such Weights shall be Avoirdupois.

III.—Upon any sale and delivery of any description of Grain, Pulse or Seeds, or other articles mentioned in this Act, and in every contract for the sale or delivery of any such Grain, Pulse, Seeds or other articles, the Bushel shall be taken and intended to mean the weight of a Bushel as regulated by this Act, and not a Bushel in measure, or according to any greater or less weight.

Bushel, its meaning.

IV.—All Coals imported into this Colony for sale, shall be sold by Weight, or, at the option of the purchaser, be sold by Measures, containing, respectively, Two Hundred and Twenty-four Pounds and Five Hundred and Sixty Pounds, Avoirdupois, of dry Sydney Coal, Struck or Water Measure, such Coal Measures to be inspected, approved, and marked, by the Inspector of Weights and Measures in the several Districts, as herein provided: Such Coals, when sold by weight, shall contain Two Thousand Two Hundred and Forty Pounds Avoirdupois to the Ton.

Respecting sale of coals.

V.—The provisions of this Act shall not apply to the Sale of any Cargo of Coal, when the same may be sold wholesale by the Chaldron.

Ditto.

VI.—All Fresh Meats imported into this Colony for sale—such as Beef, Mutton, Lamb, Veal, and Pork,—shall be weighed by the party offering the same for sale, and have the respective weights marked thereon.

Fresh meats to be weighed, &c.

VII.—Any person selling or offering for sale any Grain, Seeds, Vegetables, Beef, Mutton, Lamb, Veal, Pork, or other Fresh Meat, or any Coals, in contravention of this Act, shall, for every such offence, upon conviction before any Stipendiary Justice of the Peace, forfeit and pay a fine not exceeding Twenty

Penalty for violation of 6th sec.

Dollars, and any such Meats purchased shall be reweighed by the seller thereof for the satisfaction of the purchaser (should it be so desired) at the time of taking the same away after such sale.

Hay to be weighed.

VIII.—Hay imported into this colony, and exposed for sale, in pressed or screwed packages, the said packages, and the sellers thereof, shall be also subject to the operation of the seventh section of this Act with respect to Meats, and the sellers thereof.

Weight of loaf, Bread, &c.

IX.—All Bread, not Biscuit, intended for sale, shall be made to the following weights, respectively, and no other; namely—Four Pounds, Two Pounds, One Pound, and Eight Ounces: And the seller of such Bread shall have the initials of his or her name marked thereon in Roman Letters, and also the weight; and shall also keep on his or her counter a scale and weights to weigh such Bread for the satisfaction of purchasers.

Bread not of weight to be forfeited.

X.—All Bread exposed or offered for sale, in contravention of the ninth section of this Act, shall be forfeited and disposed of by any Justice of the Peace for the benefit of the Poor, and may be seized by any purchaser or intending purchaser, or by any Peace Officer, and be delivered to any Justice of the Peace, for the benefit of the Poor.

Exceptions to 9th section.

XI.—The provisions of this Act shall not apply to Loaves made to order, and rasped by the desire of the customer, nor to Loaves or Cakes sold weighing less than Eight Ounces; prosecutions for breach of the tenth section of this Act shall be commenced within three days after the offence committed.

4 Will. 4, cap. 9, sec. 10 repealed.

XII.—The tenth section of an Act passed in the fourth year of the reign of His late Majesty King William the Fourth, entitled "An Act to regulate the standard of Weights and Measures in this Colony, and to provide for the surveying of Lumber," shall be and the same is hereby repealed; And so much of the said

Act as vests the appointment of Assayers and Inspectors in the several Justices of the Peace, shall be and the same is hereby repealed.

XIII.—The following shall be the net weight of articles of Provisions, whether imported into or manufactured in this Colony, and offered for Sale,—namely:—

Weights of Biscuit, Flour, Pork, &c.

Biscuit—the Bag—One Hundred and Twelve Pounds.

Biscuit—the Half Bag—Fifty-six Pounds.

Flour—the Barrel—One Hundred and Ninety-six Pounds.

Flour—the Half-Barrel—Ninety-eight Pounds.

Corn and Oatmeal—the Barrel—One Hundred and Ninety-six Pounds.

Corn and Oatmeal—the Half-barrel—Ninety-eight Pounds.

Pork, Beef, Jowls—the Barrel—Two Hundred Pounds.

Pork, Beef, Jowls—the Half Barrel—One Hundred Pounds.

The said Weights shall be Avoirdupois, and purchasers of such articles may demand that the same be weighed; and if any of the aforesaid articles be found to be of less weight than the weight herein provided, a reduction in the price, in proportion to the cost of the article, shall be made by the Vendor to the Purchaser; and all Butter imported into or made in this Colony, and offered for sale, shall be weighed by the Vendor to any Purchaser who may, at the time of purchase, desire it, and a fair allowance shall be made for the tare of packages containing such Butter: And in the event of any Vendor refusing to weigh any of the aforesaid articles of Provisions, or to make reductions in price, should they be of less Weight than the Weight herein provided, such Vendor shall be liable to a Fine not exceeding Twenty Dollars, to be recovered in a summary manner before any Stipendiary Justice of the Peace.

Regulations for Sale.

Inspectors of weights and measures—their duties.

XIV.—Inspectors shall be appointed by the Governor in Council for the following places—St. John's, Harbor Grace, Carbonear, and such other places as may be considered necessary,—whose duties shall be to search for and to inspect, not less than once in every three months, all Weights and Measures in use in any shops, stores, and all other places of sale; and the same shall be regulated according to a Standard set of Imperial Weights and Measures, and shall have the letters V. R. or the initials of the Reigning Sovereign, and the initials of the Inspector so appointed, painted or stamped thereon; and any person using Weights or Measures not inspected and marked or stamped as herein provided, shall be liable to a fine not exceeding Twenty Dollars, to be recovered in a summary manner before any Stipendiary Justice of the Peace.

Fees to Inspectors.

XV.—In addition to the salaries to the said Inspectors, they shall receive from the respective owners of Weights and Measures, and be paid, the following Fees:—

Five Cents for all Weights of One Pound, and Weights under One Pound each;

Ten Cents each for all Weights over One Pound;

Ten Cents each for all Beams, Scales and Measures;

Provided that the above fees shall be demandable, and payable, only once in every year.

Appropriation of penalties.

XVI.—All Fines payable under this Act may be recovered by any person who shall sue for the same, and one half of all fines and penalties recovered under this Act shall be paid to the party prosecuting the offender to conviction, and the other half thereof shall be paid to the Receiver General for the use of the Colony.

Commencement and duration of Act.

XVII.—This Act shall come into operation on the thirtieth day of June next, and shall continue in force for one year from that date.