

C H A P. XVI.

An Act to repeal an Act passed in the thirty-second year of His Majesty's Reign, entitled "An Act to establish the Winchester Measure, and a Standard for other Weights and Measures throughout this Province," and to appropriate a sum of money for the purpose of obtaining a Standard for Weights and Measures for this Province.

[Passed 19th March, 1823.]

MOST GRACIOUS SOVEREIGN,

Preamble.

32d Geo 3d, ch.
5. repealed.

WHEREAS an uniformity of Weights and Measures is much desired in this Province, and whereas an Act passed in the thirty second year of His late Majesty's Reign, entitled "An Act to establish the Winchester Measure, and a Standard for other Weights and Measures throughout this Province" is found ineffectual to the attainment of that object, Be it 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 Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled '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Government of the said Province,'" and by the authority of the same, That the said Act shall be, and the same is hereby repealed.

£75 Sterling ap-
propriated to-
wards purchasing
a Set of Standard
Weights and Mea-
sures, to be depo-
sited with the Se-
cretary of the Pro-
vince.

Secretary of the
Province to furnish
each District with
a Standard of such

II. And whereas a sum of money is required to defray the expences of procuring a Standard for Weights and Measures to be used in this Province, We your Majesty's most dutiful and loyal Subjects the Commons of Upper Canada in Provincial Parliament assembled, beseech your Majesty that it may be enacted, *And Be it enacted by the authority aforesaid,* That from and out of the duties raised, levied and collected, or hereafter to be raised, levied, and collected, to and for the public uses of this Province and unappropriated, there be granted to His Majesty, His Heirs and Successors, the sum of Seventy-Five Pounds Sterling, which said sum of Seventy-Five Pounds Sterling shall be disposed of, appropriated, and applied towards defraying the expences of obtaining a complete Set of Weights and Measures according to the Standard of His Majesty's Exchequer in England, which said Weights and Measures shall be placed and remain in the charge and custody of His Majesty's Secretary of the Province.

III. *And be it further enacted by the authority aforesaid,* That so soon as the majority of the Magistrates in Quarter Sessions assembled within any District of this Province, shall address the Governor, Lieutenant Governor, or Person administering the Government of this Province for that purpose,

it shall and may be lawful for him to order the said Secretary forthwith, at the cost of the said District, to furnish the said District with a true Standard of such Weights and Measures as may be required by the said address, made of such durable materials as shall, by the said Secretary, be deemed most proper for that purpose.

Weights and Measures as are deposited with him.

IV. *And be it further enacted by the authority aforesaid,* That the Magistrates in Quarter Sessions assembled for any District of this Province, shall and may appoint a judicious and proper person as Inspector, to take charge of all such Weights and Measures as shall have been by such District obtained as aforesaid, the duty of which Inspector it shall be at all proper times, when application to him for that purpose shall be made, carefully to examine and compare any and all Weights and Measures which shall be presented to him for that purpose, with the Standard in his charge, and when found of the true Weight or Measure, to mark, stamp or brand the same (if a Measure) as near the two ends, or top and bottom as may be, G. IV. R. for which he shall receive for every piece so marked, stamped or branded as aforesaid, four pence and no more.

Magistrates of each District to appoint a person to take charge of the District Standard, and to be Inspector of Weights and Measures,

who shall examine and mark all such Weights and Measures as are presented to him, found to agree with his Standard.

V. *And be it further enacted by the authority aforesaid.* That the Magistrates as aforesaid, shall have power to remove from such Office, any and all Inspector or Inspectors appointed as aforesaid, when and so often as they shall think proper, and appoint others to the said Office. *Provided always,* that all and every the Inspector or Inspectors so appointed as aforesaid, before or immediately upon entering upon the duties of his Office shall take and subscribe to the following Oath, in open Sessions :

Magistrates may remove Inspectors and appoint others.

Inspectors to take an Oath.

"I, A. B. do sincerely promise and swear that I will carefully preserve all such Weights and Measures as shall be given me in charge as a Standard for the District of _____, and that I will honestly and faithfully discharge the duties of Inspector of Weights and Measures for the said District of _____, according to the true intent and meaning of an Act of the Parliament of this Province, passed in the fourth year of the Reign of King George the Fourth, according to the best of my abilities and knowledge, and deliver them over to my Successor in Office duly appointed for that purpose when required so to do. So help me God."

Form thereof.

VI. *And be it further enacted by the authority aforesaid,* That all Store-keepers, Shop-Keepers, Millers, Distillers, Butchers, Bakers, Hucksters, and other trading persons, inhabitants of such District, for which a Standard of such Weights and Measures as aforesaid shall have been obtained, who shall, after the expiration of six months after such Standard of Weights and Measures shall have been received, and Inspector appointed as aforesaid, have in his possession any Weights or Measures whereby he sells or buys any article, for the weighing or admeasurement of which such Standard of Weights and Measures are generally used, any other than such Weights or Measures as have been examined and stamped, or marked as aforesaid, shall forfeit for every offence two pounds Provincial Currency, being thereof convicted before any one or more Justice or Justices of the Peace, on the oath of one credible witness, which said penalty, together with all reasonable costs, shall be levied by distress and sale of the offender's goods, and in default of distress, such offender shall be committed to the Common Gaol of the District for a term not exceeding one month.

Penalty for any trading persons having in their possession any Weights or Measures not stamped by the District Inspector.

Appropriation of Penalties.

VII. *And he it further enacted by the authority aforesaid,* That one half of the said penalty, so forfeited as aforesaid, shall be paid to the informer or informers, and the other half to His Majesty's Receiver General, to be applied and appropriated toward the support of the Civil Government of this Province, and to be accounted for to His Majesty, through the Lords Commissioners of his Treasury in such manner and form as His Majesty, His Heirs and Successors may be graciously pleased to direct.

Surplus of the sum hereby granted to remain at the disposal of Parliament.

VIII. *And he it further enacted by the authority aforesaid,* That so much of the said sum of Seventy Five Pounds as shall remain unexpended under the provisions of this Act shall be at the disposition of the Provincial Parliament: any thing in this Act contained to the contrary notwithstanding.

The sum of £75, hereby granted to be paid by the Receiver General, & accounted for through the Lords of His Majesty's Treasury.

IX. *And he it further enacted by the authority aforesaid,* That the sum of Seventy-Five Pounds hereby granted to His Majesty, shall be paid by the Receiver General of this Province in discharge of such warrant or warrants as shall for that purpose be issued by the Governor, Lieutenant Governor, or Person administering the Government of this Province, and shall be accounted for to His Majesty through the Lords Commissioners of His Majesty's Treasury in such manner and form as His Majesty, His Heirs and Successors shall be graciously pleased to direct.

C H A P. XVII.

AN Act to continue for a limited time an Act passed in the fifty-eighth year of His late Majesty's Reign, entitled "An Act granting to His Majesty a Duty on Licences to Auctioneers, and on Goods, Wares and Merchandize, sold by Auction."

[Passed 19th March, 1823.]

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS an Act passed in the fifty-eighth year of the Reign of our late Sovereign Lord King George the Third, entitled "An Act granting to His Majesty a Duty on Licences to Auctioneers, and on Goods, Wares and Merchandize sold by Auction" is about to expire, And whereas it is expedient for a limited time to continue the same, 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 Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled '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