Anno triceſimo ſecundo

Georgii II. Regis.

An Act for continuing, amending, explaining, and making more effectual, an Act made in the Nineteenth Year of His preſent Majeſty's Reign, intituled, *An Act more effectually to prevent the Frauds and Abuſes committed in the Admeaſurement of Coals within the City and Liberty of* Weſtminſter, *and that Part of the Duchy of* Lancaſter *adjoining thereto, and the ſeveral Pariſhes of Saint* Giles in the Fields, *Saint* Mary le Bon, *and ſuch Part of the Pariſh of Saint* Andrew, Holborn, *as lies in the County of* Middleſex.

WHEREAS by an Act made and paſſed in the Nineteenth Year of the Reign of His preſent Majeſty, intituled, An Act more effectually to prevent the Frauds and Abuſes committed in the Admeaſurement of Coals within the City and Liberty of *Weſtminſter*, and that Part of the Dutchy of *Lancaſter* adjoining thereto, and the ſeveral Pariſhes of Saint *Giles in the Fields*, Saint *Mary le Bon*, and ſuch Part of the Pariſh of Saint *Andrew*, *Holborn*, as lies in the County of *Middleſex*; it was enacted, That from and after the Twenty fourth Day of September, One thouſand ſeven hundred and forty ſix, there ſhould be erected and continued within the City and Liberty of Weſtminſter, One publick Office, to be called by the Name of The Land Coal Meters Office for the City and Liberty of *Weſtminſter*; and which ſhould, from time to time, be managed by Two Perſons to be nominated and appointed by His Majeſty, His Heirs, and Succeſſors, and to be called and known by the Name of The Principal Land Coal Meters for the City and Liberty of *Weſtminſter*; and divers Fees, Rules, Orders, Powers,

Preamble, reciting Act 19 *Geo.* II.

Powers, Authorities, Penalties, Punishments, Forfeitures, and Provisions, were thereby given, granted, made, established, prescribed, and directed, to be levied and inflicted respectively, for the better enforcing and carrying the said Act into Execution for the Purposes therein mentioned; and which were to continue and be in Force for Three Years, from the Twenty fourth Day of September, One thousand seven hundred and forty six, and to the End of the then next Session of Parliament: And it was thereby, amongst other Things, enacted and provided, That if the Driver of any Cart loaded with Coals, or any Person belonging thereto, or employed therewith, should deliver, or suffer to be delivered or taken from such Cart, any Coals under his Care, otherwise than to or for the Use of the Owner or Owners thereof, and should be convicted of such Offence, he should, for every such Offence, forfeit and pay the Sum of Five Pounds: And it was thereby further enacted and provided, That if any Person or Persons should be dissatisfied with, or think himself or herself aggrieved by or in the Measure of any Coals, under or by virtue of the said Act, the same Coals should, either upon acquainting the Seller of such Coals, or the Carman driving or leading the same, at any Time during the Delivery thereof, and before the Carman should be discharged thereof by the Consumer, or his, her, or their, Agent or Agents, be remeasured either in the Presence of a Sea Coal Meter, from the Sea Coal Meters Office in the City of London, or One of the Meters, or their Agents, appointed in pursuance of the said Act, for which there should be paid Four Pence for every Chaldron, and no more; and in case the Coals so to be remeasured, should not amount to the Measure for which they were originally sold and measured, the Sellers of such Coals are thereby respectively made liable to the Penalties and Punishments thereby inflicted, to be recovered and applied in Manner therein mentioned; and that, from and after Notice should have been given in Writing of any such Dissatisfaction or Grievance as aforesaid, to the Seller of such Coals, or to the Carman leading or driving the same, and whilst such Coals should so remain in their or either of their Possession or Power, such Seller or Carman, in whose Possession or Power such Coals should be at the Time of such Notice, should not leave or depart from the Cart in which such Coals should have been laden, but that he and they should remain with the same, and take all possible Care both of the Coals and Cart, till a Meter or Meters, appointed in pursuance of the said Act, could be procured to remeasure such Coals; and they are there-

by respectively required, from time to time, with all convenient Speed, on Notice for that Purpose to be delivered or left at the said Office in Writing in any of the Office Hours, to attend for that Purpose: And whereas the said Act of Parliament (having by Experience been found useful and beneficial within the City and Liberty of Westminster, and the other Places and Limits therein mentioned) was, by Three subsequent Acts, One of the Twenty third, another of the Twenty fourth, and another of the Thirty first Year of the Reign of his present Majesty, further continued until the Twenty fourth Day of June, One thousand seven hundred and fifty nine: And whereas it would be of great Service to the Inhabitants of the City and Liberty of Westminster, and the said several Parts and Places of the County of Middlesex, that the said Act should, under certain Restrictions, be further continued; and in case proper Provisions were made for obviating Mischiefs and Abuses which were not foreseen, and not sufficiently provided for by the said former Act, the same would be still of greater Benefit and Advantage to the said Inhabitants, and more effectually answer the Purposes thereby intended: May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if the Driver of any Cart loaded with Coals, or any Person belonging thereto, or employed therewith, shall deliver, or suffer to be delivered or taken from such Cart, any Coals under his Care, otherwise than to or for the Use of the Owner or Owners thereof, and shall be lawfully convicted in such Manner as in the said Act is mentioned; he shall, for every such Offence, be publickly whipt, or committed to the House of Correction, there to remain without Bail or Mainprize for the Space of Three Months.

Carter, &c. fraudulently delivering, or suffering Coal to be taken from his Cart, to be publickly whipt, and committed for 3 Months.

And it is hereby further enacted, That in case any Person or Persons shall be dissatisfied with, or think himself or herself aggrieved by or in the Measure of any Coals, under or by virtue of the said former Act, and such Coals shall be remeasured in pursuance or under the Authority of the said Acts, and shall, upon such remeasuring, fall short of, and be deficient of, the true Quantity or Measure, at or for which the same were originally contracted for, sold, and measured; then, and in such Case, the Principal Coal Meter or Coal Meters shall, for every Bushel which the said Coals so to be remeasured shall fall short of or be deficient in the true Quantity or Measure so originally con-

And if Coals, upon Remeasurement, shall fall short of the Quantity they were originally sold and measured for,

the Principal Coal Meters to pay 40 s. for every Bushel wanting of the Measure.

tracted for, sold, and measured, forfeit and pay the Sum of Forty Shillings; to be recovered and applied in such and the same Manner as the pecuniary Penalties inflicted and directed to be levied by the first mentioned Act, are thereby ordered, directed, and appointed, to be levied, recovered, and applied respectively.

Labouring Coal Meter delivering Tickets for Coals, which he was not present at the measuring of, to be committed to hard Labour for 30 Days, and incapacitated; and the Principals to forfeit 5 l.

And it is hereby further enacted, That if any Labouring Coal Meter shall deliver a Ticket to any Person or Persons for any Quantity of Coals, without having been present at, and seen the measuring of, the whole Quantity thereof specified and expressed in such Ticket, in every such Case the Principal Coal Meters shall forfeit and pay the Sum of Five Pounds; to be recovered and applied in such Manner as the pecuniary Penalties, inflicted and directed to be levied by the first-mentioned Act, are thereby ordered, directed, and appointed, to be levied, recovered, and applied, respectively: And every Labouring Coal Meter so offending, upon Complaint thereof made unto any One or more Justice or Justices of the Peace for the City and Liberty of Westminster, or for the said County of Middlesex, and, upon due Proof made to his or their Satisfaction, shall be committed to the House of Correction, there to remain, and be kept to hard Labour, for any Time not exceeding Thirty Days; and shall be for ever rendered incapable of acting as a Labouring Coal Meter under this Act.

Clause in Act 3 Geo. II.

And whereas by an Act passed in the Third Year of His present Majesty's Reign, it was therein enacted, That all Coals should be carried to the respective Buyers, within the Limits therein mentioned, in Linen Sacks, sealed and marked with white Paint in Oil at Guildhall, London, or at the Exchequer Office at Westminster, by the proper Officer there; which Sacks shall be full Four Feet and Two Inches in Length, and Six and twenty Inches in Breadth, after they shall be made: And whereas it has been found by Experience that these Dimensions have not been quite sufficient, by reason of the great shrinking of the Sacks from Wet, and other Causes; be it therefore enacted, That from and after the Twenty fourth Day of December, One thousand seven hundred and fifty nine, all Sacks made use of for the Carriage of Coals within the Limits mentioned in the aforesaid Act, shall be full Four Feet Four Inches in Length, and full Twenty Six Inches in Breadth, after they are made; nor shall any of less Dimensions be sealed or marked at the above mentioned Offices: And if any Person or Persons dealing in or selling Coals within the Limits aforesaid, shall use, or cause to be used, Sacks of any less Dimen-

Sacks to be 4 Feet 4 Inches long, and 26 Inches broad.

40 s. Penalty on using Sacks of less Dimensions.

sions than the Dimensions herein before directed, every such Person shall, for every such Offence, forfeit the Sum of Forty Shillings, to be recovered, levied, and applied, in such Manner as the pecuniary Penalties, inflicted and directed to be levied by the said Act of the Nineteenth Year of his present Majesty's Reign, are thereby directed and appointed to be levied, recovered, and applied, respectively.

And, for the more effectually preventing any Frauds by false Admeasurement of Coals; it is hereby further enacted, That if any Person employed as a Labouring Coal Meter shall suffer any Coal Sacks to be made use of for the Carriage of Coals, being less than full Four Feet in Length, and full Two Feet in Breadth, within-side the Sack, or shall neglect to attend and perform his Duty at the Wharfs, as in the said Act of the Nineteenth Year of his present Majesty's Reign is directed, he shall, for every such Offence, forfeit the Sum of Forty Shillings; to be recovered, levied, and applied, in such and the like Manner as the pecuniary Penalties inflicted and directed to be levied by the said Act of the Nineteenth Year of his present Majesty's Reign, are thereby directed and appointed to be levied, recovered, and applied, respectively.

Labouring Coal Meter using Sacks of less Dimensions than here allowed, or neglecting his Duty, forfeits 40 *s.* Application thereof.

And it is hereby further enacted, That such Justice or Justices as aforesaid, upon every such Complaint so to him or them made in the Cases aforementioned, is and are hereby authorized and required to call and summon the Parties before him or them, and to hear and examine every such Complaint upon Oath, or upon Affirmation of such Witness or Witnesses as shall be of the People called Quakers (and which Oath or Affirmation such Justice or Justices is and are hereby respectively impowered and required to administer and take) and upon due Proof of such Offence as aforesaid to his or their Satisfaction, to grant a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, for the Commitment of such Offender or Offenders to the House of Correction, there to remain and be dealt with as aforesaid.

Justices, upon Application and Complaint in any of the Cases aforesaid, to summon and examine the Parties; and upon Proof of the Offence, to commit the Offender.

Provided always, and it is hereby further enacted by the Authority aforesaid, That from and after the Commencement of this Act, none of the Provisions made by the said former Act of the Nineteenth Year of the Reign of his present Majesty, or by this present Act, relating to the Payment of any Sum or Sums of Money for or on Account of the Admeasurement or Inspection of the Admeasurement of Coals, or to the Punishment of any Dealer in Coals, or Carter, on account of sending, carrying, or leading, Coals from any Wharf or Place within the Limits aforesaid, shall take Place and be in Force, except in such Cases only where the Buyer of such

Provisions relating to the Fee for the Admeasurement of Coals, or Punishment of Dealers or Carters, to take Place in such Cases only, where a Meter shall have attended the Admeasurement at the Buyer's Desire.

such Coals shall have signified, by Notice in Writing to One of the Principal Coal Meters, or One of the Labouring Coal Meters, his or her Desire to have the Attendance of a Coal Meter to inspect the Admeasurement of his or her Coals, and where a Coal Meter shall, pursuant to such Notice, attend and actually inspect the Admeasurement of the whole Quantity of such Coals; any thing contained in the said recited Act, or this Act, to the contrary thereof in any wise notwithstanding.

The Powers, &c. of 19 Geo. II.

except where altered by this Act,

to be in Force during the Continuance of this Act.

And it is hereby further enacted and declared, That the said Act made in the Nineteenth Year of the Reign of His present Majesty, and continued by the subsequent Acts herein before-mentioned and referred to, and all the Powers, Penalties, Forfeitures, Remedies, Provisions, Rules, Orders, Directions, Clauses, Matters, and Things, given, granted, ordered, appointed, prescribed, inserted, and contained, in and by the said Acts respectively, or any of them, which are now in Force (other than so far forth as the same, or any of them respectively, are varied, altered, explained, rendered unnecessary, or otherwise provided for by the Force of this present Act) shall be exercised, practised, used, enforced, and put in Execution, during the Continuance, and for the Purposes, of this present Act, in as full, extensive, and beneficial Manner, to all Intents and Purposes, as if the said Powers, Penalties, Forfeitures, Remedies, Provisions, Rules, Orders, Directions, Clauses, Matters, and Things, were particularly expressed, and again enacted in the Body of this present Act: And also that this Act shall take Effect, continue, and be in Force, from the said Twenty fourth Day of June, One thousand seven hundred and fifty nine, for and during the further Term of Seven Years then next ensuing, and from thence to the End of the then next Session of Parliament; and shall be deemed, adjudged, and taken to be a Publick Act, and be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever.

Commencement and Continuance of this Act.

Publick Act.

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FINIS.