Anno tertio

Georgii III. Regis.

CAP. XI.

An Act for explaining and amending an Act made in the Thirty first Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for the due making of Bread, and to regulate the Price and Assize thereof; and to punish Persons who shall adulterate Meal, Flour, or Bread.*



WHEREAS the Statute made in the Thirty first Year of the Reign of His late Majesty King George the Second, intituled, An Act for the due making of Bread, and to regulate the Price and Assize thereof; and to punish Persons who shall adulterate Meal, Flour, or Bread; is deficient in several of the Provisions thereby made, when an Assize of Bread is not set pursuant to the Directions of the said Act: For Remedy wherein, and in order that Makers of Bread for Sale, and Preamble.

b

and the Sellers thereof, may in all Places, although the Assize of Bread shall at any Time not be set, be under due Regulations; 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 from and after the First Day of May, One thousand seven hundred and sixty three, although no Assize of Bread shall be set in pursuance of the said Act, no Loaf or Loaves of Bread, called or deemed Assize Loaf or Loaves in the Tables of the Assize and Price of Bread in the said Act enacted and referred to, and the Weight of which varies according to the Variation in the Price of Grain, shall be made for Sale, sold, or carried out for Sale, or be offered or exposed to or for Sale, or be allowed to be sold in any Place, where any Loaf or Loaves of the Bread called or deemed prized Loaf or Loaves in the said Tables of the Assize and Price of Bread, in and by the said Act enacted and referred to, and the Price of which varies according to the Variation in the Price of Grain, shall at the same Time be made for Sale, or be allowed to be sold; that is to say, viz. No Assize Loaves of the Price of Three Pence, and prized Loaves called Half Quartern Loaves, nor Assize Loaves of the Price of Six Pence, and prized Loaves called Quartern Loaves, nor Assize Loaves of the Price of Twelve Pence, and prized Loaves called Half Peck Loaves, nor Assize Loaves of the Price of Eighteen Pence, and prized Loaves called Peck Loaves, shall, at the same Time, in any Place be made for Sale, sold, or carried out for Sale, or be offered or exposed to or for Sale, or allowed to be sold; that unwary Persons may not in any wise be imposed on, and prejudiced by, buying Assize Loaves referred to in the said Tables, as or for prized Loaves referred to in the said Tables, or by buying such prized Loaves as or for such Assize Loaves; and every Person who shall offend in the Premisses, and be convicted of any such Offence in Manner hereafter specified, shall, for every such Offence, forfeit and pay a Sum not exceeding Forty Shillings, nor less than Ten Shillings, as the Justice or Justices before whom any such Offender or Offenders shall be convicted shall, from time to time, adjudge.

After 1 *May*, 1763, no assized and prized Bread to be made at the same Time in the same Place.

upon Penalty of forfeiting not exceeding 40 *s.* nor less than 10 *s.*

And be it further enacted by the Authority aforesaid, That from and after the said First Day of May, One thousand seven hundred and sixty three, although no As-

size of Bread shall be set pursuant to the Directions of the said Act, the Justices of the Peace of every County, Riding, Division, City, Town, Liberty, and Place, shall and may, at any General or Quarter Session of the Peace which shall be held within their respective Counties, Divisions, Cities, Towns, Liberties, or Jurisdictions, or at any Petty Session which shall be held by any such Justices within their respective Jurisdictions, from time to time, ascertain and appoint (as often as they shall think proper) for all or any Part of their respective Jurisdictions, which of the Sorts of Assize or Prized Loaves shall be allowed from time to time to be made and sold within their respective Jurisdictions; and also what other Sorts of Bread, and of what Sort and Sorts of Grain, shall be allowed to be made and sold within their respective Jurisdictions, or within any Part thereof; and every Order which shall be so from time to time made in or touching the Premisses by any such Justices, shall be entered in a Book to be provided and kept for that Purpose by such Justices, and which Book shall and may be inspected by the Makers of Bread for Sale, within the respective Jurisdiction of any such Justices, at all seasonable Times in the Day-time, and without paying any Fee or Reward in respect thereof; and after the making every such Order by any such Justices, the Justices who shall make the same shall; with all convenient Speed, cause a Copy of every such Order to be affixed or put up in some Market or other publick Town within the Division or Part of the County, Riding, Liberty, Rape, Wapentake, City, Town, or Place, in which such Order is to be observed and take Place; or else every such Justices, within their respective Jurisdictions, shall cause a Copy of every such Order to be, with all convenient Speed after the making thereof respectively, inserted in some public News Paper which shall be published in the County, Riding, Division, Liberty, Rape, Wapentake, City, Town, or Place, or some Part thereof, in which every such Order respectively is to be observed and take Place.

Justices, at any General, Quarter, or Petty Session, may appoint which of the Sorts of Assize or Prized Loaves,

and what other Sorts of Bread, and of what Grain, shall be made for Sale; they causing an Entry to be made of such Orders; which is to be free for Inspection;

and a Copy thereof to be set up in some Market, or other publick Place;

or published in the Country News Papers.

Provided always, and be it enacted by the Authority aforesaid, That no Justices, within their respective Jurisdiction, shall at any Time allow the making for Sale, or selling, any Sorts of Assize Bread made of the Flour or Meal of Wheat, other than and besides Wheaten and Houshold Bread, and Loaves of White Bread of the Price of Two Pence, or under.

The only Sorts of Assize Bread made of Wheat, which shall be allowed.

A like Proportion, as to Weight, is to be kept between the White and Wheaten Bread, and the Wheaten and Houſhold Aſſize Bread;

And be it further enacted by the Authority aforeſaid, That from and after the ſaid Firſt Day of May, One thouſand ſeven hundred and ſixty three, although the Aſſize of Bread ſhall not be ſet purſuant to the ſaid Act, every Maker of Bread for Sale ſhall obſerve and keep the ſame or like Proportion between White and Wheaten Bread, and Wheaten and Houſhold Aſſize Bread, as to Weight, as is mentioned or intended, enacted and referred to, in the ſaid Aſſize Tables; that is to ſay, Every White Loaf of the Price of Two Pence, or under, ſhall always weigh Three Parts in Four of the Weight of the Wheaten Loaf of the like Price, as near as may be; and every Wheaten Aſſize Loaf of Bread, of whatſoever Price the ſame ſhall be, ſhall always weigh Three Parts in Four of the Weight of every Houſhold Aſſize Loaf of Bread of the like Price, as near as may be; and that every Houſhold Aſſize Loaf of Bread, of whatever Price the ſame ſhall be, ſhall always weigh One Third Part more than every Wheaten Aſſize Loaf of the like Price, as near as may be; and every Perſon who ſhall make for Sale, ſell, offer, or expoſe to or for Sale, or have in his or her Cuſtody for Sale, any Loaf of White, Wheaten, or Houſhold Bread, in which the ſaid Proportions or Regulations ſhall not be obſerved and kept, as near as may be, ſhall, on being convicted of any ſuch Offence in Manner herein after-mentioned, forfeit and pay, for every ſuch Offence, a Sum not exceeding Forty Shillings, as the Juſtice or Juſtices before whom any ſuch Offender or Offenders ſhall be convicted, ſhall, from time to time, adjudge.

viz.

on Penalty of forfeiting, not exceeding 40*s.*

A Proportion in the Price is to be kept in the Peck Loaf, and Half Peck, and its other Subdiviſions, both in the Wheaten,

and in Houſhold Bread;

and the Houſhold is to be One Fourth cheaper than the Wheaten;

And be it further enacted by the Authority aforeſaid, That from and after the ſaid Firſt Day of May, One thouſand ſeven hundred and ſixty three, although the Aſſize of Bread ſhall not be ſet purſuant to the ſaid Act, every Peck, Half Peck, Quarter of a Peck, and Half Quarter of a Peck Loaf, made for Sale, of the Meal or Flour of Wheat, and called Wheaten Bread, ſhall always be ſold in Proportion to each other reſpectively, as to Price; and that every Peck, Half Peck, Quarter of a Peck, and Half Quarter of a Peck Loaf, made for Sale, of the Meal or Flour of Wheat, and called Houſhold Bread, ſhall always be ſold in Proportion to each other, and for One Fourth leſs in Price than the Loaf made for Sale with the Meal or Flour of Wheat, called Wheaten Bread, of the ſame Denomination; and every Perſon who ſhall in any wiſe offend in the Premiſſes, ſhall, for every Loaf of either the ſaid Wheaten or Houſhold Bread which ſhall be ſold by him or her, or offered or

exposed to or for Sale, or found in his or her Custody for Sale, contrary to the true Intent and Meaning of this Act, forfeit and pay a Sum not exceeding Forty Shillings, nor less than Ten Shillings, as the Justice or Justices before whom any such Offender or Offenders shall be convicted, shall, from time to time, adjudge.

on Penalty of forfeiting, not exceeding 40*s.* nor less than 10*s.*

And be it further enacted by the Authority aforesaid, That from and after the said First Day of May, One thousand seven hundred and sixty three, although the Assize of Bread shall not be set pursuant to the said recited Act, the several Loaves herein after mentioned of every Sort of Bread which shall be made for Sale, shall always weigh in Averdupois Weight as follows; that is to say, Every Peck Loaf, Seventeen Pounds Six Ounces; every half Peck Loaf, Eight Pounds Eleven Ounces; every Quarter of a Peck Loaf, Four Pounds Five Ounces, and One half Ounce; and every half Quarter of a Peck Loaf, Two Pounds Two Ounces and Three Quarters of One Ounce: And every Person who shall make for Sale, or offer or expose to or for Sale, or have in his or her Possession for Sale, any Peck, half Peck, Quarter of a Peck, or half Quarter of a Peck Loaf, in any wise deficient of the due Weight the same ought to be as aforesaid, shall, on being convicted of any such Offence in Manner herein after mentioned, forfeit and pay a Sum not exceeding Five Shillings, nor less than One Shilling, for every Ounce of every Loaf of such Bread which shall at any Time be found wanting, or deficient of or in the due Weight the same ought to be as aforesaid; and for every such Loaf of Bread which shall be found wanting less than One Ounce of the due Weight the same ought to be as aforesaid, a Sum not exceeding Two Shillings and Six Pence, nor less than Six Pence, as any Justice or Justices before whom any such Loaf of Bread, which shall not be of the due Weight the same ought to be as aforesaid, shall adjudge; so as all such Bread which shall be complained of, as wanting at any Time of the due Weight the same ought to be in any City, Town Corporate, Borough, Liberty, or Franchise, or the Jurisdiction thereof, or within the Weekly Bills of Mortality, shall, from time to time, be brought before some Justice or Justices, having Jurisdiction in the Premisses, and shall be weighed before such Justice or Justices within Twenty four Hours after the same shall have been baked, sold, or exposed to or for Sale, or found in any Person's Custody for Sale; and so as all such Bread

The Weight the Peck Loaf, and its Subdivisions, are to weigh, in every Sort of Bread which shall be made for Sale; *viz.*

on Forfeiture not exceeding 5*s.* nor less than 1*s.* for every Ounce wanting in the Weight;

not exceeding 2*s.* 6*d.* nor less than 6*d.* for all under 1 oz.

the same to be weighed before a Justice, within 24 Hours after being baked, sold, or exposed to Sale, &c. if within any City, Town-corporate, &c. or within the Bills of Mortality;

and in other Places, within 3 Days;

Bread which shall be complained of as wanting at any Time in the due Weight the same ought to be as aforesaid, in any Hundred, Riding, Division, Rape, Wapentake, or other Place, out of any City, Town Corporate, Borough, Liberty, or Franchise, or the Jurisdiction thereof, or out of the Weekly Bills of Mortality, shall, from time to time, be brought before some Justice or Justices of such Hundred, Riding, Division, Liberty, Rape, or Wapentake, or other Place, and shall be weighed before such Justice or Justices within Three Days after the same shall have been baked, offered, or exposed to or for Sale, or found in any Person's Custody for Sale;

unless such Deficiency shall be satisfactorily accounted for.

unless it shall be made out to the Satisfaction of any such Justice or Justices before whom any such Bread shall be brought, by or on the Behalf of the Party or Parties against whom any such Complaint or Information shall be made, that such Deficiency in Weight wholly arose from some unavoidable Accident in Baking or otherwise, or was occasioned by or through some Contrivance or Confederacy.

Bread of an inferior Quality to Wheaten, not to be sold at a higher Price than the Houshold;

And be it further enacted by the Authority aforesaid, That after the said First Day of May, One thousand seven hundred and sixty three, although an Assize of Bread shall not be set pursuant to the said Act, no Person shall sell, or offer, or expose to or for Sale, or have in his or her Custody any Bread of an inferior Quality to Wheaten Bread, with Intent to sell the same at an higher Price than Houshold Bread shall at the same Time sell for in the Place where any Bread of such inferior Quality shall be sold, or offered to or for Sale, or be found for Sale

on Forfeiture, not exceeding 20 s.

in any Person's Custody; upon Pain that every one who shall offend in the Premisses, shall, for every such Offence, on being thereof convicted in Manner herein after mentioned, forfeit and pay not exceeding the Sum of Twenty Shillings, as the Justice or Justices before whom any such Offender or Offenders shall be convicted, shall, from time to time, adjudge.

A large Roman (W) to be imprinted on all Wheaten Bread made for Sale;

And be it further enacted by the Authority aforesaid, That from and after the said First Day of May, One thousand seven hundred and sixty three, although the Assize of Bread shall not be set pursuant to the said Act, all Persons who shall make for Sale, sell, offer or expose to or for Sale, or have in his or her Custody for Sale, any of the said Wheaten or Household Bread, shall, from time to time, cause to be imprinted on every respective Loaf thereof, as followeth; that is to say, On every

Loaf

Loaf of the said Wheaten Bread, a large Roman (W) and on every Loaf of the said Household Bread, a large Roman (H) And if any Person after the said First Day of May, One thousand seven hundred and sixty three, shall make for Sale, sell, offer or expose to or for Sale, or have in his or her Custody for Sale, any Loaf of the said Wheaten or Household Bread, which shall not be marked as hereby is directed, so as the same may, on the View thereof, be ascertained under what Denomination or Sort of Bread every such Loaf was and ought to be weighed (except as to such Loaves which shall be rasped after the bespeaking or purchasing thereof, by the particular Desire of the Person who shall order the same to be so rasped for his or her own Use) he or she who shall so offend in the Premisses, and shall be thereof convicted in Manner herein after mentioned, shall, for every Loaf of such Bread not marked as hereby is directed, which shall be found in his or her Custody, forfeit and pay a Sum not exceeding Forty Shillings, nor less than Ten Shillings, as the Justice or Justices before whom any such Offender or Offenders shall be convicted, shall from time to time adjudge; unless it shall be made out to the Satisfaction of such Justice or Justices, by or on the Behalf of the Party or Parties against whom any such Complaint or Information shall be made, that the not marking or not duly marking thereof wholly arose from some unavoidable Accident in baking, or otherwise, or was occasioned by or through some Contrivance or Confederacy.

and a large Roman (H) on all Houshold Bread;

on Penalty of forfeiting not exceeding 40s. nor less than 10s.

unless such Omission shall be satisfactorily accounted for.

And be it further enacted by the Authority aforesaid, That from and after the said First Day of May, One thousand seven hundred and sixty three, although the Assize of Bread shall not be set pursuant to the Directions of the said Act, every Loaf of every Sort of Bread made of the Meal or Flour of any other Sort of Grain than Wheat, which shall be made for Sale, or be sold, carried out, offered, or exposed, in any wise, to or for Sale, shall be marked with some significant and distinct Letter or Letters, not more than Two thereon respectively, as the Justices of any County, Riding, Division, Liberty, City, Town, or Place, at any General or Quarter Session of the Peace which shall be holden within their respective Counties, Ridings, Divisions, Liberties, Cities, Towns, or Places, within their respective Jurisdictions, or at any Petty Session which shall be held by any such Justices within their respective Jurisdictions, shall, from time to time, for their respective Counties, Ridings, Divisions, Liberties,

Bread made of any other Grain than Wheat, to be impressed with such Letters as the Justices shall order;

berties, Rapes, Wapentakes, Cities, Towns, or Places, or any Part thereof, order or direct; and every which Order shall, with all convenient Speed after the making thereof, be entered in some Book to be for that Purpose provided and kept by such Justices, and whereunto any Baker of Bread for Sale residing within any such County, Division, Liberty, Rape, Wapentake, City, Town, or Place, shall be at Liberty to resort at seasonable Times in the Day-time, and to peruse every such Order without being subject or liable to pay any Fee or Reward in respect thereof; and such Justices as aforesaid shall, with all convenient Speed after the making any such Order as aforesaid, cause a Copy thereof to be affixed or put up in some Baket or other publick Town within the Division or Part of the County, Riding, Liberty, or Place, in which such Order as aforesaid is to be observed or take Place, or in some publick Place in every City, Town, or Place, where such Order is to be observed or take Place; or otherwise such Justices, within their respective Jurisdictions, shall cause a Copy of every such their respective Order, with all convenient Speed after the making thereof, to be inserted in some publick News Paper which shall be usually published in the County, Riding, Division, Liberty, Rape, Wapentake, City, Town, or Place, or some Part thereof, in which such Order as aforesaid is to be observed or take Place; and if the Justices as aforesaid shall, at any Time, in any Place, neglect or omit to make any Order, from time to time, with what Letter or Letters such Bread which shall be made for Sale, of the Meal or Flour of any other Sort of Grain than Wheat, shall be marked, then the Baker of all such Bread for Sale shall, in every Place where no such Order shall be made or be in Force, cause every Loaf of such Bread he or she shall make, or cause to be made, for Sale, or shall sell, or offer or expose to or for Sale, to be respectively marked with any Two distinct Capital Letters as he or she shall think fit; and every Person who, after the said First Day of May, One thousand seven hundred and sixty three, shall make for Sale, sell, offer, or expose to or for Sale, or have in his or her Custody, for Sale, any Loaf of any such Sort of Bread which shall be made with the Meal or Flour of any other Sort of Grain than Wheat, which shall not be marked as herein before is directed, so as that the same may, on View thereof, be ascertained under what Denomination every such Loaf was

they causing an Entry to be made of such Order; which is to be free for Inspection;

and a Copy thereof to be set up in some Market, or other publick Place,

or published in the Country News Papers.

Where the Justices neglect to make such Order,

the Maker is to make every such Loaf with 2 distinct Capital Letters;

was made (except such Loaves thereof which shall be raised after the bespeaking or purchasing thereof, by the particular Desire of the Person who shall order the same to be raised for his or her own Use) shall, for every Time he, she, or they, shall so offend in the Premisses, and be thereof convicted in Manner herein after directed, forfeit and pay a Sum not exceeding Forty Shillings, nor less than Five Shillings, for every Loaf of such Bread which shall not be so marked as herein before is first directed, as the Justice or Justices before whom any such Offender shall be convicted shall, from time to time, adjudge.

on Penalty of forfeiting not exceeding 40*s.* nor less than 5*s.* for every such unmarked Loaf.

And to the end the good Design of this Statute may be more effectually accomplished; be it further enacted by the Authority aforesaid, That from and after the said First Day of May, One thousand seven hundred and sixty three, it shall and may be lawful for any Justice or Justices within the Limits of their respective Jurisdictions, although the Assize of Bread shall not be there set according to the said herein before in part recited Act; and also for any Peace Officer or Officers authorized by Warrant under the Hand and Seal, or Hands and Seals, of any such Justice or Justices (and which Warrant any such Justice or Justices is and are hereby empowered to grant within their respective Jurisdictions) to enter into any House, Shop, Stall, Bakehouse, Warehouse, or Outhouse, or other Place, of or belonging to any Baker or Seller of Bread, and to search, view, weigh, examine, and try, all or any Bread which shall be there found; and also to view, weigh, and try, all Bread made for Sale, which at any Time shall be offered or exposed to or for Sale, or found in any one's Custody for Sale, in any wise howsoever, within the respective Jurisdiction of any such Justice or Justices: And if any Loaf or Loaves of Bread of any Denomination, shall on any Search, View, Weighing, Trial, or Examination thereof, by any Justice or Justices, or on any Complaint made to, or Information given before, any Justice or Justices, and proved by the Oath of One or more credible Witness or Witnesses, be found to be deficient in the due Weight the same ought to be, or not to be marked according to the Directions and Intent of this Act, or to be deficient in the due baking or working thereof, or to be wanting in the Goodness of the Stuff whereof or wherewith any such Loaf shall have been made, or to have been made with any Mixture of Meal or Flour of any

Justices, and Peace Officers (authorized by Warrant of a Justice) may enter the Houses of Baker, and search for, examine, and weigh all Bread made for, or exposed to Sale, &c.

and Bread found defective in the Weight, or not duly marked, or wanting in due Baking, or Goodness, or being fraudulently mixt, &c.

other Sort of Grain than of the Grain the same shall import to be made with, or to be made with any larger or other Proportion of any other or different Sort or Sorts of Grain, or the Meal or Flour thereof, than what ought to be put therein, or to be made with any Mixture or Ingredient which by the said in part recited Act ought not to be put therein; or to be made with any Thing as or for or in lieu of Flour which shall not really be the genuine Flour the same shall import to be and ought to be, or that any such Bread shall be made with any Leaven not allowed by the said in part recited Act to be used in making Bread; then, and in every or any of the said Cases, every Justice and Justices, Peace Officer and Officers as aforesaid, is and are hereby respectively, within the Limits of their several Jurisdictions, impowered and required by the Authority of this Act, to seize every Loaf of such Bread, and to dispose thereof to poor Persons, as such Justice or Justices in his or their Discretion shall, from time to time, within their respective Jurisdictions, think fit; unless it shall be made out to the Satisfaction of any such Justice or Justices, by or on the Behalf of the Party or Parties against whom any such Complaint or Information as aforesaid shall be made, that the Default found or complained of wholly arose from some unavoidable Accident, or was occasioned by or through some Contrivance or Confederacy; and every Maker and Seller of Bread respectively as aforesaid, whose Bread shall at any Time be found before any Justice or Justices wanting in the Goodness of the Stuff, whereof or wherewith the same should have been made, or to be made with any Mixture of Meal or Flour of any other Sort of Grain than of the Grain the same shall import to be made with, or to be made with any larger or other Proportion of any other or different Sort or Sorts of Grain, or the Meal or Flour thereof, than what ought to be put therein, or to be made with any Mixture or Ingredient not allowed by the said in part recited Act to be put therein, or to be made with any Thing as for or in lieu of Flour, which shall not really be the genuine Flour the same shall import to be and ought to be, or to be made with any Leaven not allowed by the said in part recited Act to be used in making such Bread, shall, for every such Offence, on being convicted thereof in Manner herein after mentioned, also forfeit and pay a Sum not exceeding Five Pounds, nor less than Twenty Shillings,

may be seized, and given to the Poor;

unless such Default shall be satisfactorily accounted for;

and the Maker and Seller shall also forfeit not exceeding 5 *l.* nor less than 20 *s.* for every such Offence.

Shillings, as the Justice or Justices before whom any such Offender or Offenders shall be convicted, shall, from time to time, adjudge, unless the Default found or complained of, shall be made out to the Satisfaction of any such Justice or Justices by or on the Behalf of the Party or Parties against whom such Complaint or Information as aforesaid shall be made, to have wholly arose from some unavoidable Accident, or to have been occasioned by or through some Contrivance or Confederacy.

unless the Default shall be satisfactorily accounted for.

And be it further enacted by the Authority aforesaid, That from and after the said First Day of May, One thousand seven hundred and sixty three, although the Assize of Bread shall not be set according to the said in part recited Act, if any Person or Persons shall wilfully obstruct, hinder, resist, or in any wise oppose any Search, View, Weighing, Trying, or Seizing of, any Loaf or Loaves of Bread, authorized by this Act to be made or tried, he, she, or they, who shall so offend in the Premises, shall, for every such Offence, on being convicted thereof in Manner herein after mentioned, forfeit and pay such Sum of Money not exceeding Forty Shillings, nor less than Twenty Shillings, as the Justice or Justices before whom any such Offender or Offenders shall be convicted, shall, from time to time, adjudge:

Penalty of opposing any legal Search, View, Weighing, Trying, or Seizing of Bread, is not to exceed 40*s.* nor be less than 20*s.*

Provided always, and be it further enacted by the Authority aforesaid, That no Person who shall follow, or be concerned in the Business of a Miller, Mealman, or Baker, shall be capable of acting, or shall be allowed to act as a Justice of the Peace under this Act, or in putting in Execution any of the Powers in or by this Act granted; and if any Miller, Mealman, or Baker, shall presume so to do, he or they so offending in the Premises, shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds, to any Person or Persons who will inform or sue for the same; to be recovered in any of his Majesty's Courts of Record at Westminster, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Wager of Law, or more than One Imparlance shall be allowed, or by way of summary Complaint, before the Court of Session in that Part of Great Britain called Scotland.

No Miller, Mealman, or Baker, may act as a Justice in the Execution of this Act, on Penalty of 50*l.*

Provided always, and be it also enacted by the Authority aforesaid, That if any Person who shall carry on or follow the Trade of a Baker, shall at any Time after the said First Day of May, One thousand seven hundred and sixty three, make Complaint to any

Baker making it appear, that any Offence for which he shall have paid the Penalty, was occasioned by the Neglect or Default of his Servant;

Justice or Justices of the Peace within his or their Jurisdiction, and make appear to him or them by the Oath of any credible Witness, that any Offence which any such Person who shall so carry on, or follow the said Trade of a Baker, shall have been charged with, and shall have incurred and paid any Penalty under this Act, shall have been occasioned by or through the wilful Neglect or Default of any Journeyman or other Servant employed by or under any such Person, who shall so follow or carry on the said Trade of a Baker; then, and in any such Case, every such Justice and Justices may, and is and are hereby required to issue out his or their Warrant under his or their respective Hand and Seal, or Hands and Seals, for bringing any such Journeyman or Servant before any such Justice or Justices, or any Justice of the County, City, Riding, Division, or Place, where the Offender can be found; and on any such Journeyman or Servant being thereupon apprehended, and brought before any such Justice or Justices, he or they, within their respective Jurisdictions, is and are hereby authorized and required to examine into the Matter of such Complaint; and on Proof thereof being made upon Oath to the Satisfaction of any such Justice or Justices who shall hear such said Complaint, such Justice and Justices is and are hereby directed and authorized by any Order under his or their respective Hand or Hands, to adjudge and order what reasonable Sum of Money shall be paid by every such Journeyman or Servant to his Master or Mistress, as or by way of Recompence to him or her for the Money he or she shall have paid, by reason of the wilful Neglect or Default of any such Journeyman or Servant; and if any such Journeyman or Servant shall neglect or refuse on his Conviction, to make immediate Payment of the Sum of Money which any such Justice or Justices shall order to be paid, by reason of such said wilful Neglect or Default, then any such Justice and Justices within their respective Jurisdictions, is and are hereby authorized and required by Warrant under his Hand and Seal, or their Hands and Seals, to cause every such Journeyman or Servant to be apprehended and committed to the House of Correction, or some other Prison of the County, Riding, Division, City, Town, Liberty, or Place, in which any such Journeyman or Servant shall be apprehended, and there to be kept to hard Labour, for any Time not exceeding One Calendar Month

Justice to issue his Warrant out for bringing the Offender before him;

and on Conviction,

order a Sum to be paid by way of Satisfaction;

and on Non-payment thereof,

is to commit such Servant to hard Labour, for any Time not exceeding One Month;

Month from the Time of such Commitment, as such Justice or Justices shall order, unless Payment shall be made of the Money ordered to be paid after such Commitment, and before the Expiration of the said Calendar Month.

unless Payment be sooner made.

And for the better and more easy Recovery of the several Penalties and Forfeitures to be incurred by Disobedience to this Act and the Powers herein contained, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Justices of the Peace, or any One of them, within their respective Counties, Ridings, Divisions, Cities, Towns Corporate, Boroughs, Liberties, or Jurisdictions, to hear and determine, in a summary Way, all Offences committed against the true Intent and Meaning of this Act; and, for that Purpose, to summon before them, or any of them, within their respective Jurisdictions, any Party or Parties accused of being an Offender or Offenders against the true Intent and Meaning of this Act; and in case the Party accused shall not appear on such Summons, or offer some reasonable Excuse for his Default, then upon Oath of any credible Witness of any Offence committed contrary to the true Intent and Meaning of this Act, any such Justice or Justices shall issue his or their Warrant or Warrants for apprehending the Offender or Offenders within the Jurisdiction of any such Justice or Justices; and upon the Appearance of the Party or Parties accused, or, in case he, she, or they, shall not appear, on Notice being given to, or left for, him, her, or them, at his, her, or their usual Place of Abode, or if he, she, or they, cannot be apprehended, on a Warrant granted against him, her, or them, as herein before is directed; then, and in any such Case, any such Justice or Justices is and are hereby authorized and required to proceed to make Enquiry touching the Matters complained of, and to examine any Witness or Witnesses who shall be offered on either Side, on Oath as aforesaid, and which Oath every such Justice and Justices is and are hereby authorized, impowered, and required to administer; and after hearing of the Parties who shall appear, and the Witnesses who shall be offered on either Side, such Justice or Justices shall convict or acquit the Party or Parties accused: And if the Penalty or Money forfeited on any such Conviction shall not be paid within the Space of Twenty four Hours after any such Conviction, every such Justice or Justices shall thereupon issue a War-

Justices to hear and determine all Offences against this Act in a summary Way;

and the Penalties to be paid within 24 Hours after Conviction;

or to be levied by Distress and Sale;

a Warrant or Warrants under his Hand and Seal, or their Hands and Seals respectively, directed to any Peace Officer or Officers within their respective Jurisdictions, and thereby require him or them to make Distress of the Goods or Chattles of the Offender or Offenders within such their respective Jurisdictions, to satisfy such Penalty or Money forfeited, and the Costs of the Prosecution and Distress: And if any Offender shall convey away his or her Goods out of the Jurisdiction of any such Justice or Justices before whom he or she was convicted, or so much thereof that the Penalty or Money forfeited cannot be levied, then some Justice within whose Jurisdiction the Offender shall have removed his or her Goods, shall back the Warrant granted by any Justice or Justices as aforesaid, and thereupon the Penalty forfeited shall be levied on the Offender's Goods and Chattles, by Distress and Sale thereof; and if within Five Days from the Distress being taken, the Penalty or Money forfeited and Costs as aforesaid, shall not be paid, the Goods seized or taken shall be appraised and sold, tendering the Overplus (if any) after deducting the Penalty or Forfeiture, and the Costs and Charges of the Prosecution, Distress and Sale, to the Owner or Owners thereof; which Charges shall be ascertained by the Justice or Justices before whom any such Offender or Offenders shall have been so convicted, or by the Justice who backed the Warrant (if either of them shall continue alive) and if not, by some other Justice of the County, Riding, Division, City, or Place, in which the Offender shall have been convicted, on Application for that Purpose to be made to any such Justice; and for want of such Distress, then every such Justice within whose respective Jurisdiction any such Offender or Offenders shall reside or be, shall, on the Application of any Prosecutor or Prosecutors, and Proof on Oath made of the Conviction, and Nonpayment of the Penalty and Charges, by Warrant under his Hand and Seal, commit every such Offender or Offenders to the Common Gaol or House of Correction of the County, Riding, Division, City, Liberty, or Place, where such Offender or Offenders shall be found, there to remain for the Space of One Calendar Month from the Time of such Commitment, unless after such Commitment Payment shall be made of the Penalty or Money forfeited, and the Costs and Charges ascertained as aforesaid, before the Expiration of the said One Calendar Month.

Warrant of Distress may be backed.

Distress to be sold within 5 Days;

and all Charges to be deducted thereout.

For want of sufficient Distress, the Offender to be committed.

And

And be it further enacted by the Authority aforesaid, That the Justice or Justices before whom any Person shall be convicted in that Part of Great Britain called England, in Manner prescribed by this Act, shall cause every such respective Conviction to be drawn up in the Form or to the Effect following; that is to say, Form following to be observed in Convictions in *England*,

(*To wit.*) BE it remembered, That on this Day of in the Year of the Reign of *A. B.* is convicted before Majesty's Justices of the Peace for the said County of or for the City, Liberty, or Town of or for the *(as the Case shall happen to be)* for and do adjudge (him, her, or them, *as the Case shall be)* to pay and forfeit for the same, the Sum of

Given under the Day and Year aforesaid.

And be it further enacted by the Authority aforesaid, That in case any Person or Persons shall be convicted of any Offence against this Act, before any Justice or Justices of the Peace in that Part of Great Britain called Scotland, every such Conviction shall proceed and be drawn up in the Form commonly used and practised before such Justices of the Peace, on Convictions for other Offences of the like Nature. Form in *Scotland* to be as for other Offences of the like Nature.

And be it further enacted by the Authority aforesaid, That no Certiorari, Letters of Advocation, or of Suspension, shall be granted to remove any Conviction, or other Proceedings had thereon in pursuance of this Act. No Conviction, &c. removeable by *Certiorari*.

Provided always, and be it further enacted by the Authority aforesaid, That if any Person convicted of any Offence punishable by this Act, shall think him, her, or themselves, aggrieved by the Judgement of any Justice or Justices before whom he, she, or they, shall have been convicted, such Person shall have Liberty, from time to time, to appeal to the Justices at the next General or General Quarter Sessions of the Peace which shall be held for the County, Riding, Division, City, Liberty, Town, or Place, where such Judgement shall have been given; and that the Execution of the said Judgement shall, in such Case, be suspended; the Person so convicted entering into a Recognizance at the Time of such Conviction, with Two sufficient Sureties, in Double the Sum which such Person shall have been adjudged to pay or forfeit, upon Persons aggrieved by the Judgement of a Justice, may appeal to the Quarter Sessions; entering into a Recognizance, with Sureties to prosecute the Appeal.

upon Condition to prosecute such Appeal with Effect, and to be forth-coming, to abide the Judgement and Determination of the Justices at their said next General or General Quarter Session; which Recognizance the Justice or Justices, before whom such Conviction shall be had, is and are hereby impowered and required to take; and the Justices in the said General or General Quarter Session are hereby authorized and required to hear and finally determine the Matter of every such Appeal, and to award such Costs as to them shall appear just and reasonable to be paid by either Party; and if, upon hearing the said Appeal, the Judgement of the Justice or Justices before whom the Appellant or Appellants shall have been convicted, shall be affirmed, such Appellant or Appellants shall immediately pay down the Sum he, she, or they, shall have been adjudged to forfeit, together with such Costs as the Justices in their said General or General Quarter Session shall award to be paid to the Prosecutor or Informer for defraying the Expences sustained by reason of any such Appeal; and in Default of the Appellants paying the same, any Justices or Justice having Jurisdiction in the Place into which any such Appellant or Appellants shall escape, or where he, she, or they, shall reside, shall and may, by Warrant under their Hands and Seals, or his Hand and Seal, commit every such Appellant and Appellants to the Common Gaol of the County, Riding, Division, Liberty, City, Town, or Place, where he, she, or they, shall be apprehended, there to remain until he, she, or they, shall pay the Penalty or Money forfeited and Costs as aforesaid, or shall compound in respect thereof with the Informer, and pay the Composition-money agreed on to the Informer; but if the Appellant or Appellants in any such Appeal shall make good his, her, or their Appeal, and be discharged of the said Conviction, reasonable Costs shall be awarded to the Appellant or Appellants, against such Informer or Informers, who (in case of such Conviction having been affirmed) would have been intitled to the Penalty to have been recovered as aforesaid; and which Costs shall and may be recovered by the Appellant or Appellants against any such Informer or Informers, in like Manner as Costs given at any General or General Quarter Session of the Peace are recoverable.

Justices at the Quarter Sessions to hear and determine the Matter of such Appeal, and award Costs.

On the Appeal being affirmed, the Appellant may be committed till Payment of the Costs,

or Composition be made.

If the Appellant make good his Appeal, reasonable Costs to be awarded him.

Provided always, and be it further enacted by the Authority aforesaid, That if any such Conviction shall happen

happen to be made within Six Days before any General or General Quarter Session of the Peace, which shall be held for the County, Riding, Division, City, Town Corporate, Borough, or Place, where such Conviction shall have been made; then the Party or Parties who shall think him, her, or themselves, aggrieved by any such Conviction, shall and may, on entering into a Recognizance in Manner and for the Purposes before directed, be at Liberty to appeal, either to then next, or the next following General or General Quarter Session of the Peace which shall be held for any such County, Riding, Division, City, Town Corporate, Borough, Liberty, or Place, where any such Conviction shall have been made.

Where there is not sufficient Time between the Conviction and Sessions, Appeal may be made to the 2d Quarter Session.

And be it further enacted by the Authority aforesaid, That every Action or Suit which shall be brought or commenced against any Justice or Justices, or any Peace Officer or Officers, in that Part of Great Britain called England, for any Matter or Thing done or committed by virtue of, or under this Act, shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards, and shall be laid or brought in the County, City, or Place, where the Matter in Dispute shall arise, and not elsewhere; and that the Statute made in the Twenty fourth Year of King George the Second, intituled, An Act for rendering the Justices of the Peace more safe in the Execution of their Office; and for indemnifying Constables, and others, acting in Obedience to their Warrants; so far as the said Act relates to the rendering the Justices more safe in the Execution of their Office, shall extend, and be construed to extend, to the Justice or Justices of the Peace acting under the Authority or in pursuance of this Act; and that no Action or Suit shall be had or commenced against, nor shall any Writ be sued out, or Copy of any Writ be served upon, any Peace Officer or Officers, for any Thing done in the Execution of this Act, until Seven Days after a Notice in Writing shall have been given to, or left for, him or them, at his or their usual Place of Abode, by the Attorney for the Party intending to commence such Action; which Notice shall contain the Name and Place of Abode of the Person intending to bring such Action, and also of his Attorney, and likewise the Cause of Action or Complaint: And any Peace Officer or Officers shall be at Liberty, and may, by virtue of this Act, at any

Limitation of Actions brought against Justices, and Peace Officers.

Act 24 *Geo.* II. extended to Justices acting under this Act.

Notice to be given to Peace Officers, before any Writ be sued out against them;

and if Tender of Amends be made by them,

Time within Seven Days after any such Notice shall have been given to, or left for, him, tender, or cause to be tendered, any Sum or Sums of Money, as Amends for the Injury complained of, to the Party complaining, or to the Attorney named in any such Notice; and, if the same is not accepted of, the Defendant or Defendants in any such Action or Actions may plead such Tender in Bar of such Action or Actions, together with the General Issue, or any other Plea, with Leave of the Court in which the Action shall be commenced: And if, upon Issue joined on such Tender, the Jury shall find the Amends tendered to have been sufficient, they shall find a Verdict for the Defendant or Defendants: And in every such Case, or if the Plaintiff shall become Nonsuit, or discontinue his Action; or if Judgement shall be given for the Defendant or Defendants upon Demurrer; or if any Action or Suit shall be brought after the Time limited by this Act for bringing the same, or shall be brought in any other County or Place than as aforesaid; then, and in every such Case, the Jury shall find a Verdict for the Defendant or Defendants; and the Defendant or Defendants shall be intitled to his or their Costs: But if the Jury shall find that no such Tender was made, or that the Amends tendered were not sufficient, or shall find a Verdict against the Defendant or Defendants, on any Plea or Pleas by him or them pleaded; then they shall give a Verdict for the Plaintiff, and such Damages, as they shall think proper; and the Plaintiff shall thereupon recover his or her Costs, against every such Defendant and Defendants.

and the same shall be found to have been sufficient, &c. a Verdict to be found for them, with Costs.

Plaintiff recovering, intitled to Damages and Costs.

Limitation of other Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any other Person or Persons than a Justice or Justices, or Peace Officer, for any thing done in pursuance of this Act, the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act, and the Special Matter, in Evidence at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, or if a Verdict shall be found for the Defendant or Defendants; or if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgement shall be given upon a Verdict or Demurrer against the Plaintiff or Plaintiffs, the Defend-

General Issue.

ant or Defendants in every such Action shall and may recover Double Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law for Recovery of his or their Costs. Double Costs.

And be it enacted by the Authority aforesaid, That the above Limitations and Remedies for rendering Justices of Peace, Peace Officers, and all other Persons, safe in the Execution of their several Offices under this Act, shall extend to and be available to all such Justices of Peace, Peace Officers, and other Persons, in that Part of Great Britain called Scotland; and shall be pleaded by them, and sustained by the Court or Courts before which they, or any of them, may happen to be sued, according to the Forms of the Law of Scotland. Limitations and Remedies for rendering Justices, Peace Officers, and other Persons, safe in their Duty, extended to *Scotland*.

Provided also, and be it likewise enacted by the Authority aforesaid, That no Person shall be convicted of any Offence under this Act, unless the Prosecution in order for such Conviction shall be commenced within Three Days after the Offence committed; and that no Person, who shall be prosecuted to Conviction for any Offence done or committed against this Act, shall be subject or liable to be prosecuted for the same Offence under any other Law. Limitation of Prosecutions for Offences against this Act.

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act inflicted, shall, when recovered or paid, go and be distributed in Manner following; that is to say, One Moiety thereof, where any Offender or Offenders shall be convicted, either by his, her, or their own Confession, or by the Oath of One or more credible Witness or Witnesses, shall go and be paid to the Person or Persons who shall inform against and prosecute to Conviction any such Offender or Offenders; and the other Moiety thereof as the Justice or Justices, before whom any Offender or Offenders against this Act shall be convicted, shall, from time to time, think fit and order, for the better carrying into Execution the Purposes of this Act, and defraying the Charges attending the carrying the same into Execution. Penalties and Forfeitures how to be recovered and applied.

Provided likewise, and it is hereby enacted, That this Act, or any thing herein contained, shall not extend, or be construed to extend, to prejudice the ancient Right or Custom of the Two Universities of Oxford or Cambridge, or either of them, or of their or either of their Clerks of the Market, or the Practice within the several Rights of the Two Universities reserved.

several Jurisdictions of the said Universities, or either of them, used, to ascertain and appoint the Weight of all Sorts of Bread to be sold or exposed to Sale within their several Jurisdictions; but that they, and every of them, shall and may, severally and respectively, from time to time, as there shall be Occasion, ascertain and appoint within their several and respective Jurisdictions, the Weight of all Sorts of Bread to be sold or exposed to Sale by any Baker or other Person whatsoever, within the Limits of their several Jurisdictions; and shall and may punish the Breach thereof as fully and freely, in all Respects, as they used to do, and as if this Act had never been made; any thing herein contained to the contrary thereof in any wise notwithstanding.

FINIS.