ANNO TRICESIMO QUINTO

Georgii III. Regis.

C A P. CII.

An Act for the more effectual Prevention of the Use of defective Weights, and of false and unequal Balances. [22d *June* 1795.]

Preamble.

WHEREAS by an Act, made and passed in the Sixteenth Year of the Reign of King *Charles* the First, it was, among other Things, enacted, That from thenceforth there should be but One Weight, according to the Standard of the Exchequer, throughout all the Realm, as well in Places privileged as without, any Usage or Custom to the contrary notwithstanding: And whereas the said recited Act, and the several other Laws now in force for the due Regulation of Weights, have been found ineffectual for that Purpose; and divers Frauds are committed by Persons using deficient Weights, and false or unequal Balances, by which the Poor in particular are much injured: And whereas it would tend greatly to prevent such pernicious and fraudulent Practices, if the Justices of the Peace throughout the several Counties of *England* and *Wales*, at their respective Quarter Sessions, were empowered to appoint proper Persons to examine the Weights and Balances throughout the said Counties, and to punish such Persons as should be found offending in the Premises: Be it therefore 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 paſſing of this Act, it ſhall and may be lawful to and for the Juſtices, at every Quarter Seſſions of the Peace to be held for any County, Riding, Liberty, or Diviſion, in *England* or *Wales*, and they are hereby required, to appoint One or more Perſon or Perſons to examine the Weights and Balances within their reſpective Counties, Ridings, Liberties, and Diviſions, ſuch Perſon or Perſons ſo to be appointed to be the High Conſtable of a Hundred, who ſhall have the Power of examining within his Hundred, or the Conſtable and Pariſh Officers of a Pariſh, who ſhall have the like Power within his and their Pariſh, or ſuch other fit and proper Perſon or Perſons as the ſaid Juſtices ſhall in their Diſcretion think fit, who ſhall have a Power of examining within ſuch Diſtrict as ſuch Juſtices ſhall appoint.

Quarter Seſſions to appoint Perſons to examine Weights and Balances.

II. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Perſon and Perſons ſo to be appointed as aforeſaid, and they are hereby required, (having firſt been ſworn duly and faithfully to execute the Office in him or them repoſed, by virtue of ſuch Appointment, and of this Act, which Oath the ſaid Juſtices are hereby authorized and empowered to adminiſter), Once in every Month at the leaſt, in the Day Time, to enter into the Shop, Houſe, Outhouſes, and other Premiſes near to ſuch Shop or Houſe, and into the Stall or Standing Place of every Perſon or Perſons who ſhall ſell or retail by Weight, any Wares, Proviſions, Goods, or Chattels whatſoever, and then and there to ſearch for, view, and examine, all Weights and Balances in ſuch Shop, Houſe, Outhouſes, Premiſes, Stall, or Standing Place, and to ſeize any Weight or Weights not being according to the Standard in the Exchequer, or any falſe or unequal Balance or Balances, which ſhall upon ſuch Search be found, and forthwith to break and deſtroy the ſame; and the Perſon or Perſons in whoſe Shop, Houſe, Outhouſes, Premiſes, Stall, or Standing Place, any ſuch Weight or Weights, Balance or Balances, ſhall be found, ſhall, upon Conviction thereof before One of His Majeſty's Juſtices of the Peace for the County, Riding, Diviſion, or Place where the ſaid Offence ſhall be committed, upon View or Confeſſion, or upon the Oath of One or more credible Witneſs or Witneſſes, forfeit and pay ſuch Sum of Money, not exceeding Twenty Shillings nor leſs than Five Shillings, as the Juſtice before whom ſuch Perſon or Perſons ſhall be convicted ſhall in his Diſcretion order and adjudge, ſuch Forfeiture to be levied by Warrant under the Hand and Seal of the ſaid Juſtice, by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo offending, and to be paid to the Treaſurer of the County, Riding, or Diviſion, where the ſaid Offence ſhall be committed, to be by him applied towards the Expences of carrying this Act into Execution, and the Reſidue (if any) in Aid of the General County Rate.

Perſons ſo appointed, to viſit Shops, &c. and ſeize falſe Weights, &c.

Penalty for having falſe Weights, &c.

III. And be it further enacted, That if any Perſon ſhall wilfully obſtruct, hinder, reſiſt, or in anywiſe oppoſe, any of the Perſons hereby authorized and empowered to view and examine ſuch Weights and Balances in the Execution of his Office, or if any Perſon ſelling or retailing by Weight ſhall refuſe to produce his or her Weights and Balances in order

Penalty for obſtructing Inſpectors, or refuſing to produce Weights, &c.

to be viewed and examined, he or ſhe who ſhall ſo offend, ſhall, for every ſuch Offence, on being duly convicted on Oath before any One or more Juſtices of the Peace, forfeit and pay any Sum not exceeding Forty Shillings, nor leſs than Five Shillings, as the Juſtice or Juſtices before whom any ſuch Offender ſhall be convicted ſhall adjudge; and ſuch Forfeiture or Penalty ſhall be levied and applied as herein-before directed.

Quarter Seſſions to allow a Recompence to the Inſpectors out of the County Rate.

IV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Juſtices at their ſaid Quarter Seſſions to allow to ſuch Perſon or Perſons, who ſhall be appointed to examine Weights and Balances under this Act, a reaſonable Recompence or Satisfaction for their Trouble in the Execution of the ſaid Office, ſuch Recompence or Satisfaction to be paid to ſuch Perſon or Perſons out of the General County Rate.

Perſons puniſhed under this Act not to ſuffer by any other.

V. Provided always, and be it further enacted, That any Perſon or Perſons convicted of an Offence under this Act, and who ſhall ſuffer for the ſame under this Act, ſhall not be otherwiſe puniſhed for ſuch Offence by virtue of any other Law or Statute of this Realm.

Act not to leſſen the Authority of Perſons appointed at Court Leets.

VI. Provided alſo, and be it further enacted, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to leſſen or prevent the Authority which any Perſon or Perſons, Bodies Politick or Corporate, or any Perſon appointed at any Court Leet for any Hundred or Manor, may have or poſſeſs for the examining, regulating, ſeizing, breaking, or deſtroying, any Weights or Balances within their reſpective Juriſdictions, but that he, ſhe, and they, ſhall and may have and poſſeſs the ſame Power and Authority therein as if this Act had not been made.

Juſtices to cauſe Standard Weights to be purchaſed out of the County Rate, which ſhall be produced to Perſons paying the Coſts of Production.

VII. And, for the more effectually carrying this Act into Execution, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Juſtices, and they are hereby empowered and required, as ſoon after the paſſing of this Act as may be convenient, to purchaſe, or cauſe to be purchaſed, for the Uſe of their reſpective Counties, Ridings, or Diviſions, out of the General County Rate, proper Weights, according to the Standard in the Exchequer; which ſhall be depoſited for the Inſpection of all Perſons, either with the reſpective Clerks of the Peace, or with ſome proper Perſon, in ſuch ſafe and convenient Place or Places, within their reſpective Counties, Ridings, or Diviſions, as the ſaid Juſtices ſhall direct; and ſhall be produced by the Perſon or Perſons in whoſe Cuſtody the ſame ſhall be lodged (upon reaſonable Notice) at ſuch Time and Place as any Perſon or Perſons ſhall, by Writing under their reſpective Hands, require and appoint; the Perſon or Perſons ſo requiring the Production of the ſaid Weights paying the reaſonable Coſts and Charges of producing the ſame.

No Perſon to be proſecuted unleſs Information be given within a Month.

VIII. Provided alſo, and be it further enacted, That no Perſon or Perſons ſhall be proſecuted for any Offence againſt this Act, unleſs Information thereof, upon Oath, ſhall have been given to ſome Juſtice of the Peace within One Month after the Offence committed.

Publick Act. IX. And be it further enacted, That this Act ſhall be deemed and taken to be a Publick Act; and be judicially taken Notice of as ſuch, by all Judges, Juſtices, or other Perſons, without the ſame being ſpecially pleaded or ſet forth. 9

FINIS.