

ANNO QUINQUAGESIMO

GEORGII III. REGIS.

CAP. LXXIII.

An Act to alter, explain, and amend the Laws now in force respecting the Trade of *Bakers*, residing out of the City of *London* or the Liberties thereof, or beyond Ten Miles of the Royal Exchange.

[9th *June* 1810.]

WHEREAS an Act was passed 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:* And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Third, intituled, *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:*' And whereas an Act was passed in the Thirteenth Year of His said present Majesty's Reign, intituled, *An Act for better regulating the Assize and making of Bread:* And whereas some of the Regulations and Provisions contained in the said several Acts have been found defective, and in some respects injurious to the Bakers and the Public; and it is therefore expedient that the same should be altered and amended, and more effectual Provisions made for ascertaining the due Weight of Bread, and for the better Observance of the Lord's Day, commonly called *Sunday*: 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 any Person or Persons residing beyond the City of *London* or the Liberties thereof, or beyond Ten Miles of the Royal Exchange, who shall make any Bread for Sale, or who shall send out or expose to or for Sale any Bread which shall be deficient in Weight, according to the Assize which shall be set for any such Bread from Time to Time to be sold at, in pursuance of any Act or

31 G. 2. c. 29.

3 G. 3. c. 6.

13 G. 3. c. 62.

Penalty on Bakers for selling Bread short of Weight to be weighed within Twenty-four Hours after baking.

Acts then in force for regulating the Price and Aſſize of Bread, then it ſhall be lawful for any Magiſtrate or Magiſtrates, Juſtice or Juſtices of the Peace within the Limits of their reſpective Juriſdictions, before whom any Information ſhall be given upon the Oath of One or more credible Witneſſes of any ſuch Deficiency in Weight, and alſo for any Peace Officer or Officers authorized by Warrant under the Hand and Seal or Hands and Seals of any ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices (and which Warrant any ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices is, and are hereby empowered to grant upon receiving ſuch Information upon Oath as aforeſaid), at ſeaſonable Times in the Day Time to enter into any Houſe, Shop, Stall, Bakehouſe, Warehouſe, or Outhouſe of or belonging to any ſuch Baker or Seller of Bread, againſt whom ſuch Information ſhall have been made as aforeſaid, to ſearch for, view, weigh, and try all ſuch Bread as ſhall be then and there found, and ſhall have been baked within Twenty-four Hours next preceding the Time of the ſame having been ſo weighed, and which Bread ſhall be weighed by the Buſhel, or in any larger or ſmaller Quantity, as may be found moſt convenient; and if on the weighing of ſuch Bread any Deficiency ſhall be found in its due Weight on the Average of the whole Weight of all ſuch Bread as ſhall be then and there found, and which ſhall have been baked within Twenty-four hours as aforeſaid, and which Deficiency ſhall be proved before ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices, upon the Oath or Oaths of the Party or Parties weighing the ſame, then he or they ſo offending in the Premiſes, and being thereof convicted, ſhall forfeit and pay a Sum not exceeding Five Shillings for every Ounce of Bread which ſhall be found deficient in Weight on the Average of all ſuch Bread as ſhall have been ſo weighed, and ſo in Proportion for every Deficiency of Weight leſs than an Ounce, as any ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices, before whom any ſuch Deficiency in Weight ſhall be proved as aforeſaid ſhall think fit to order, except as hereafter is excepted; and any ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices, Peace Officer or Officers, within the Limits of their reſpective Juriſdictions, may in ſuch Caſe, where there is a Deficiency of Weight on the Average as aforeſaid, ſeize all ſuch Loaves as ſhall be ſo found deficient in their due Weight; and any ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices, may diſpoſe thereof as he or they in his or their Diſcretion ſhall think fit, except it ſhall be proved to any ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices, by or on the Behalf of the Parties againſt whom ſuch Information ſhall be made by the Oath, or Affirmation, being a *Quaker*, of any One or more reſpectable Houſekeeper, 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.

Bakers to have Weights and Scales in their Shops.

II. And be it further enacted, That every Baker and Seller of Bread beyond the ſaid City of *London* and the Liberties thereof, and beyond the ſaid Ten Miles of the Royal Exchange, ſhall have fixed in ſome convenient Place of his or her Shop, a Beam and Scales, with proper Weights of the Aſſize Weight of a Half-peck Loaf, a Quartern Loaf, and a Half-quartern Loaf; and alſo of an Eighteen-penny, One Shilling, Sixpenny, and Three-penny Loaf; and that any Perſon or Perſons who may purchaſe any ſuch Loaf or Loaves of Bread from any ſuch Baker or Seller of Bread, may, if he, ſhe, or they ſhall think proper, require the ſame to be weighed in his, her, or their preſence; and if any ſuch Loaf or Loaves ſhall be found deficient in Weight, then the Perſon or Perſons demanding the

ſame to be ſo weighed, ſhall have the Deficiency made up with other Bread or another Loaf or Loaves given in lieu thereof, as may be required by ſuch Perſon or Perſons; and any ſuch Baker or Seller of Bread as aforeſaid, who ſhall neglect to fix ſuch Beam and Scales in ſome convenient part of his or her Shop, or to provide and keep for Uſe proper Weights, or whoſe Weights ſhall be deficient in their due Weight, or who ſhall refuſe to weigh any Half-peck Loaf, Quartern Loaf, or Half quartern Loaf or Loaves purchaſed in his, her or their Shop, in preſence of the Party or Parties requiring the ſame, and ſhall be thereof convicted, either by the Oath of One or more credible Witneſs or Witneſſes, or his, her or their own Confeſſion, he, ſhe, or they ſhall for every ſuch Offence forfeit and pay a Sum not exceeding Ten Shillings, as the Magiſtrate or Magiſtrates, Juſtice or Juſtices, before whom ſuch Offender ſhall be convicted ſhall think fit.

Limitation as to baking on Sunday.

III. Provided always, and be it further enacted, That no Maſter, Miſtreſs, Journeyman, or other Perſon reſpectively exerciſing or employed in the Trade or Calling of a Baker, beyond the ſaid City of *London* or the Liberties thereof, or beyond the ſaid Ten Miles of the Royal Exchange, ſhall on the Lord's Day, commonly called *Sunday*, or any Part thereof, make or bake any Houſehold or other Bread, Rolls, or Cakes of any Sort or Kind, or ſhall on any Part of the ſaid Day, excepting between the Hours of Ten of the Clock in the Forenoon and half-paſt One of the Clock in the Afternoon, on any Pretence whatſoever, ſell or expoſe to Sale, or permit or ſuffer to be ſold or expoſed to Sale, any Bread, Rolls, or Cakes of any Sort or Kind, or bake or deliver, or permit or ſuffer to be baked or delivered, any Meat, Pudding, Pie, Tart or Victuals, at any Time after half-paſt One of the Clock in the Afternoon of that Day, or in any other Manner exerciſe the Trade or Calling of a Baker, or be engaged or employed in the Buſineſs or Occupation thereof, ſave and except ſo far as may be neceſſary in ſetting and ſuperintending the Sponge to prepare the Bread or Dough for the following Day's baking; and that no Meat, Pudding, Pie, Tart, or Victuals ſhall be brought to or taken from any Bakehouſe during the Time of Divine Service in the Church of the Pariſh, Hamlet, or Place where the ſame is ſituate, nor within one Quarter of an Hour of the Time of Commencement thereof; and every Perſon offending againſt the foregoing Regulations, or any One or more of them, or making any Sale or Delivery, hereby allowed between the Hours aforeſaid, otherwiſe than within the Bakehouſe or Shop, and being thereof convicted before any Juſtice of the Peace of the County, City or Place where the Offence ſhall be committed, within Two Days from the Commiſſion thereof, either upon the View of ſuch Juſtice, or on Confeſſion by the Party, or Proof by One or more Witneſs or Witneſſes upon Oath, ſhall for every ſuch Offence forfeit, pay and undergo the Forfeiture, Penalty and Puniſhment herein-after mentioned, that is to ſay, for the firſt Offence any Sum not exceeding Five Shillings, for the Second Offence any Sum not exceeding Ten Shillings, and for the Third and every ſubſequent Offence reſpectively any Sum not exceeding Fifteen Shillings, and ſhall moreover on every ſuch Conviction bear and pay the Coſts and Expences of the Proſecution, ſuch Coſts and Expences to be aſſeſſed, ſettled, and aſcertained by the Juſtice convicting; and the Amount thereof, together with ſuch Part of the Penalty as ſuch Juſtice ſhall think proper, to be allowed to the Proſecutor or Proſecutors for Loſs of Time in inſtituting and following up the Proſecution, at a Rate not exceeding Three Shillings *per Diem*,

Diem, and be paid to the Profecutor or Profecutors for his and their own Uſe and Benefit, and the Reſidue of ſuch Penalty to be paid to ſuch Juſtice, and within Seven Days after his Receipt thereof to be tranſmitted by him to the Churchwardens or Overſeer or Overſeers of the Pariſh or Pariſhes where the Offence ſhall be committed, to be applied for the Benefit of the Poor thereof; and in caſe the whole Amount of the Penalty, and of the Coſts and Expences as aforeſaid, be not paid within Three Days after Conviction of the Offender or Offenders, ſuch Juſtice ſhall and may, by Warrant under his Hand and Seal, direct the ſame to be levied and raiſed by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, and in Default or Inſufficiency of ſuch Diſtreſs commit the Offender or Offenders to the Houſe of Correction on a Firſt Offence for any Time not exceeding Seven Days, on the Second Offence for any Time not exceeding Fourteen Days, and on the Third or any ſubſequent Offence for any Time not exceeding Twenty-one Days, unleſs the whole of the Penalty, Coſts and Expences be ſooner paid and diſcharged.

Saving Right of Univerſities.

IV. Provided likewiſe, and be it further enacted, That neither this Act nor any Thing herein contained ſhall extend or be conſtrued to extend to prejudice the ancient Right or Cuſtom of the Two Univerſities of *Oxford* and *Cambridge*, or either of them, or of their or either of their Clerks of the Market, or the Practice within the 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 inquire and 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 notwithſtanding.

Power of former Acts to apply to this Act.

V. And be it further enacted, That all Powers, Authorities, Proviſions, Directions, Penalties, Forfeitures, Clauſes, Matters, and Things contained in the ſeveral Acts now in force, not altered or varied by any of the Proviſions of this Act, as far as the ſame are or can be made applicable, and can be applied for the carrying into Execution the Purpoſes of this Act, ſhall be uſed, exerciſed, and put in Execution for enforcing the Regulations, Proviſions, and Directions of this Act, in ſuch and the ſame Manner as if the ſame were herein contained, and were at large re-enacted and made Part of this Act, and the Penalties by this Act inflicted ſhall be recovered and applied in like Manner as the Penalties by the ſaid ſeveral other Acts inflicted are directed to be recovered and applied.

Publick Act.

VI. And be it further enacted, That this Act ſhall be deemed and taken to be a Publick Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and others, without being ſpecially pleaded.

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