

ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

***

sixth Year of the Reign of His present Majesty, intituled 'An Act to 'permit Bakers to make and sell certain Sorts of Bread:' And whereas it is expedient that the said recited Acts, and all other Acts which relate to Bread to be sold out of the City of *London*, and the Liberties thereof, and beyond the Weekly Bills of Mortality and Ten Miles of the *Royal Exchange*, where no Assize is set, should be repealed, and that other and more effectual Provisions should be established for punishing Persons who shall adulterate Meal, Flour, or Bread, or who shall sell Bread deficient in its due Weight, and for better regulating the making and Sale of Bread within the Limits aforesaid: But as such beneficial Purposes cannot be effected without the Authority of Parliament; 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 the said several recited Acts of the Third, Thirty-third, and Forty-first Years of the Reign of His present Majesty, and all and every other Act and Acts of Parliament which relate to the making and selling of Bread, where no Assize is set; or the Punishment of Persons who shall adulterate Meal, Flour, or Bread, or who sell Bread deficient in its due Weight, so far as respects the Bread, Meal, and Flour, to be made and sold out of the City of *London* and the Liberties thereof, and beyond the Weekly Bills of Mortality and Ten Miles of the *Royal Exchange*, where no Assize is set, shall be and the same are hereby repealed.

Recited Acts repealed.

Materials with which Bread may be made and sold.

II. And be it further enacted, That it shall be lawful for any Person or Persons whomsoever, out of the City of *London* and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the *Royal Exchange*, to make, bake, sell, and expose for Sale, any Bread made of Flour or Meal, of Wheat, Barley, Rye, Oats, Buckwheat, Indian Corn, Peas, Beans, Rice, and every other Kind of Grain whatsoever, and Potatoes, or any of them, and with any common Salt, pure Water, Eggs, Milk, Yeast, Barm, Leaven, and Potatoe Yeast, and mixed in such Proportions as the Makers or Sellers of Bread shall think fit; any Law, Usage, or Custom to the contrary thereof in anywise notwithstanding.

No Assize and priced Bread to be made at the same Time in the same Place.

53G.3.c.116.

III. And be it further enacted, That although no Assize of Bread shall be set in pursuance of an Act passed in the Fifty-third Year of the Reign of His present Majesty, intituled *An Act to alter and amend Two Acts of the Thirty-first Year of King* George *the Second, and the Thirteenth Year of His present Majesty, so far as relates to the Price and Assize of Bread to be sold out of the City of* London *and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the* Royal Exchange; no Loaf or Loaves of Bread called or deemed Assize Loaf or Loaves, in the Tables of the Assize and Price of Bread annexed to the said last-mentioned 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, where any Loaf or Loaves of the Bread called or deemed Priced Loaf or Loaves, in the Tables

of the Assize and Price of Bread, in and by the said Act of the Fifty-third Year of the Reign of His present Majesty 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) no Assize Loaves of the Price of Three-pence, and priced Loaves called *Half-quartern Loaves*, nor Assize Loaves of the Price of Sixpence, and priced Loaves called *Quartern Loaves*, nor Assize Loaves of the Price of Twelve-pence, and priced Loaves called *Half-peck Loaves*, nor Assize Loaves of the Price of Eighteen-pence, and priced Loaves called *Peck Loaves*, shall at the same Time be made for Sale, sold or carried out for Sale, or be offered or exposed to or for Sale, or allowed to be sold by any Baker or other Seller of Bread, in his, her, or their Shop, Dwelling House, or Premises, that unwary Persons may not be imposed upon and injured by buying Assize Loaves referred to in the said Tables, as or for priced Loaves so referred to in the said Tables, or by buying such priced Loaves as or for such Assize Loaves; and every Person who shall offend therein, and be convicted of any such Offence in Manner herein-after mentioned, shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings nor less than Ten Shillings, as the Magistrate or Magistrates, Justice or Justices, before whom any such Offender or Offenders shall be convicted, shall from Time to Time adjudge and determine.

Penalty upon Offenders.

IV. And be it further enacted, That no Person or Persons making or who shall make Bread for Sale, out of the City of *London* and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the *Royal Exchange*, nor any Journeyman or other Servant of any such Person or Persons as last-mentioned, shall at any Time or Times, in the making of Bread for Sale, put any Alum or Preparation, or Mixture in which Alum shall be an Ingredient, or any other Preparation or Mixture in lieu of Alum, into the Dough of such Bread, or in anywise use or cause to be used any Alum or any other unwholesome Mixture, Ingredient, or Thing whatsoever in the making of such Bread, on any Account or under any Colour or Pretence whatsoever, upon Pain that every such Person, whether Master or Journeyman or other Person, who shall knowingly offend in the Premises, and shall be convicted of any such Offence, either by his, her, or their own Confession, or upon the Oath (or being of the People called *Quakers*, Affirmation) of One or more Witness or Witnesses, shall on every such Conviction forfeit and pay any Sum of Money not exceeding Five Pounds, or in Default of Payment thereof, shall, by Warrant under the Hand and Seal or Hands and Seals of the Magistrate or Magistrates, Justice or Justices, before whom such Offender shall be convicted, be committed to the House of Correction, or some Prison of the City, County, Borough, or Place where the Offence shall have been committed, or the Offender or Offenders shall be apprehended, there to remain for any Time not exceeding Six Calendar Months from the Time of such Commitment, unless such Penalty shall be sooner paid, as any such Magistrate or Magistrates, Justice or Justices shall think fit to order and direct; and it shall be lawful for the Magistrate or Magistrates, Justice or Justices,

Bakers not to use Alum, &c. in making of Bread for Sale.

Justices, before whom any such Offender shall be convicted, to cause the Offender's Name, Place of Abode, and Offence to be published in some Newspaper which shall be printed, published, or circulated in or near the County, Division, Riding, or District where the Offence shall be committed, and to defray the Expence of publishing the same out of the Money to be forfeited as last-mentioned, if any shall be paid or recovered.

Penalty for adulterating Corn, Meal, or Flour, whether at the Time of grinding, dressing, or bolting, &c. or of selling the Meal or Flour of one Sort of Grain for another Sort.

V. And be it further enacted, That no Person shall knowingly put into Corn, Meal, or Flour which shall be ground, dressed, bolted, or manufactured for Sale out of the said City of *London* and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the *Royal Exchange*, either at the Time of grinding, dressing, bolting, or in anywise manufacturing the same, or at any other Time or Times, any Ingredient, Mixture, or Thing whatsoever, or shall knowingly sell, offer, or expose to or for Sale any Meal or Flour of one Sort of Grain as or for the Meal or Flour of any other Sort of Grain, or any Thing as or for or mixed with the Meal or Flour of any Grain, which shall not be the real and genuine Meal or Flour of the Grain the same shall import to be and ought to be, upon Pain that every Person who shall offend in the Premises, and shall be thereof convicted in Manner herein-after mentioned, shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, as the Magistrate or Magistrates, Justice or Justices, before whom any such Offender shall be convicted shall think fit or order and direct.

Loaves made of the Meal of any other Grain than Wheat, to be marked with the Letter (M.), under a Penalty for Neglect.

VI. And be it further enacted, That every Loaf of every Sort of Bread made of the Meal or Flour of any other Grain than Wheat, which shall be made for Sale, or be sold, carried out, offered, or exposed in anywise to or for Sale, out of the City of *London* and the Liberties thereof, and beyond the Weekly Bills of Mortality and Ten Miles of the *Royal Exchange*, shall be marked with a large Roman (M.); and that every Person who shall make for Sale, sell, offer, or expose to or for Sale, any Loaf of any such Sort of Bread which shall be made of the Meal or Flour of any other Grain than Wheat, which shall not be marked as herein-before directed, shall for every Time he, she, or they shall so offend in the Premises, and be thereof convicted in Manner herein-after directed, forfeit and pay a Sum not exceeding Forty Shillings for every Loaf of such Bread which shall not be so marked, as the Magistrate or Magistrates, Justice or Justices, before whom any such Person shall be convicted, shall from Time to Time adjudge and determine.

Magistrates, or Peace Officers by their Warrants, may search Bakers Premises, and if any adulterated Flour, Bread, &c. be found, it

VII. And be it further enacted, That it shall be lawful for any Magistrate or Magistrates, Justice or Justices of the Peace, within the Limits of their respective Jurisdictions, and also for any Peace Officer or Officers of any Parish or Place where any Miller, Mealman, or Baker, or other Person who shall grind Grain, or dress or bolt Meal or Flour, or make Bread for Reward or Sale, out of the City of *London* and the Liberties thereof, and beyond the Weekly Bills of Mortality and Ten Miles of the *Royal Exchange*, 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, at seasonable Times in the Day to enter into any House, Mill, Shop, Stall, Bakehouse, Boltinghouse, Pastry Warehouse, Outhouse, or Ground, of or belonging to any Miller, Mealman, or Baker, or other Person who shall grind Grain or dress or bolt Meal or Flour, or make Bread for Reward or Sale as aforesaid, and to take with him or them, to his or their Assistance, One or more Master Miller, Mealman, or Baker, Millers, Mealmen, or Bakers, and to search or examine whether any Mixture, Ingredient, or Thing, not the genuine Produce of the Grain such Meal or Flour shall import or ought to be, shall have been mixed up with or put into any Meal or Flour in the Possession of such Miller, Mealman, or Baker, either in the grinding of any Grain at the Mill, or in the dressing, bolting, or manufacturing thereof, whereby the Purity of any Meal or Flour is or shall be in anywise adulterated, or whether any Alum or other Ingredient shall have been mixed up with or put into any Dough or Bread in the Possession of any such Baker or other Person, whereby any such Dough or Bread is or shall be in anywise adulterated; and also to search for Alum or any other Ingredient which may be intended to be used in or for any such Adulteration or Mixture; and if on any such Search it shall appear that any such Meal, Flour, Dough, or Bread so found, shall have been so adulterated by the Person in whose Possession it shall then be, or any Alum or other Ingredient shall be found, which shall seem to have been deposited there, in order to be used in the Adulteration of Meal, Flour, or Bread, then and in every such Case it shall be lawful for such Magistrate or Magistrates, Justice or Justices of the Peace, or Officer or Officers authorized as aforesaid respectively, within the Limits of their respective Jurisdictions, to seize and take any Meal, Flour, Dough, or Bread which shall be found in any such Search, and deemed to have been adulterated; and all Alum and other Ingredients and Mixtures which shall be found and deemed to have been used or intended to be used in or for any such Adulteration as aforesaid, and such Part thereof as shall be seized by any Peace Officers, authorized as aforesaid, shall, with all convenient Speed after Seizure, be carried to some Magistrate or Magistrates, Justice or Justices of the Peace, within the Limits of whose Jurisdiction the same shall have been so seized; and if any Magistrate or Magistrates, Justice or Justices, who shall authorize any such Seizure to be made in pursuance of this Act, or to whom any thing so seized under the Authority of this Act shall be brought, shall adjudge that any such Meal, Flour, Dough, or Bread so seized has been adulterated by any unwholesome or improper Mixture or Ingredient put therein, or shall adjudge that any Alum or other Ingredient or Mixture, so found as aforesaid, have been deposited or kept where so found, for the Purpose of adulterating Meal, Flour, or Bread, then and in any such Case every Magistrate or Magistrates, Justice or Justices of the Peace, is and are hereby required, within the Limits of their respective Jurisdictions, to dispose of the same as he or they, in his or their Discretion, shall from Time to Time think proper.

may be seized and disposed of.

Penalty on Bakers in whose Premises shall be found any Ingredients for adulterating Flour, &c.

VIII. And be it further enacted, That every Miller, Mealman, or Baker, out of the City of *London* and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the *Royal Exchange*, in whose House, Mill, Shop, Stall, Bakehouse, Bolting-house, Pastry Warehouse, Outhouse, Ground or Possession, any Alum, or other Ingredient or Mixture shall be found, which shall, after due Examination, be adjudged by any Magistrate or Magistrates, Justice or Justices of the Peace, to have been deposited there, for the Purpose of being used in adulterating Meal, Flour, or Bread, shall, on being convicted of any such Offence, either by his, her, or their own Confession, or by the Oath or Affirmation as aforesaid, of One or more credible Witness or Witnessess, forfeit and pay on every such Conviction, any Sum of Money not exceeding Five Pounds, or in default of Payment thereof, shall, by Warrant under the Hand and Seal, or Hands and Seals of the Magistrate or Magistrates, Justice or Justices, before whom such Offender shall be convicted, be committed to the House of Correction, or some other Prison of the City, County, or Place, where the Offence shall have been committed, or the Offender or Offenders shall be apprehended, there to remain for any Time not exceeding Six Calendar Months from the Time of such Commitment, unless such Penalty shall be sooner paid, as any such Magistrate or Magistrates, Justice or Justices shall think fit and order, unless the Party or Parties charged with any such Offence shall make it appear to the Satisfaction of the Magistrate or Magistrates, Justice or Justices, before whom any such Alum or other Ingredient or Mixture shall be brought, that such Alum or other Ingredient or Mixture was not nor were brought or lodged, where the same was or were found or seized, with any Design or Intent to have been put into any Meal, Flour, or Bread, or to have adulterated therewith the Purity of any Meal, Flour, or Bread, but that the same was or were in the Place or Places in which the same shall have been so found or seized as aforesaid, for some other lawful Purpose; and that it shall be lawful for the Magistrate or Magistrates, Justice or Justices before whom any such Offender shall be convicted, to cause the Offender's Name, Place of Abode, and Offence to be published in some Newspaper which shall be printed, published, or circulated in or near the County, Division, Riding, or District where the said Offence shall be committed, and to defray the Expence of publishing the same out of the Money to be forfeited as last-mentioned, if any shall be paid or recovered.

Penalty for obstructing any Search, or the Seizure of any Flour, &c. or Ingredients to adulterate it.

IX. And be it further enacted, That if any Person or Persons shall wilfully obstruct or hinder any such Search as herein-before is authorized to be made, or the Seizure of any Meal, Flour, Dough, or Bread, or of any Alum or other Ingredient or Mixture which shall be found on any such Search, and deemed to have been lodged with an Intent to adulterate the Purity or Wholesomeness of any Meal, Flour, Dough, or Bread, or shall wilfully oppose or resist any such Search being made, or the carrying away any such Alum or other Ingredient or Mixture as aforesaid, or any Meal, Flour, Dough or Bread which shall be seized as being adulterated, or as not being made pursuant to this Act, he, she, or they so doing or offending in any of the Cases last aforesaid, shall for every such Offence, on being convicted

thereof, forfeit and pay such Sum, not exceeding Forty Shillings, nor less than Twenty Shillings, as the Magistrate or Magistrates, Justice or Justices before whom such Offender or Offenders shall be convicted, shall think fit, and order and direct.

Weight of the several Sorts of Loaves of Bread.

X. And be it further enacted, That where no Assize is set, the several Loaves hereafter mentioned of every Sort of Bread which shall be made for Sale out of the City of *London* and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the *Royal Exchange*, shall always weigh in Avoirdupoise Weight as follows, (that is to say) every Peck Loaf shall weigh Seventeen Pounds Six Ounces, every Half Peck Loaf Eight Pounds Eleven Ounces, every Quarter of a Peck Loaf Four Pounds Five Ounces and an Half, every Half-quarter of a Peck Loaf Two Pounds Two Ounces and Three Quarters; and that every Baker and Seller of Bread shall cause to be fixed in some convenient Part of his or her Shop a Beam and Scales with proper Weights, in order that every Person or Persons who may purchase any Bread of 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 own Presence; and that if any Baker or Seller of Bread out of the City of *London* and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the *Royal Exchange*, 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 Bread purchased in his or her Shop in the Presence of the Party or Parties requiring the same, he, she, or they shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings, as the Magistrate or Magistrates, Justice or Justices, before whom such Offender shall be convicted, shall order and direct.

Scales and Weights to be kept, to weigh Bread if required.

Penalty for Neglect.

Penalty on short Weight.

XI. And be it further enacted, That every Baker or Seller of Bread out of the City of *London* and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the *Royal Exchange*, who shall sell and deliver any Peck, Half Peck, Quarter of a Peck, or Half Quarter of a Peck Loaf or Loaves of Bread, which, on an Average of the whole Weight of Bread sold at one and the same Time to any Customer, shall be deficient in its due Weight according to the Weight of the several Loaves as are herein-before directed respectively to weigh, shall for every such Offence forfeit and pay a Sum not exceeding Five Shillings for every Ounce deficient in Weight, and so in proportion for any Quantity less than One Ounce, as the Justice or Justices before whom such Offender shall be convicted shall think fit to order and direct: Provided always, that no Baker or Seller of Bread shall be liable for any Deficiency in the Weight of any Bread, unless the same shall be weighed in the Presence of the Magistrate or Magistrates, Justice or Justices, before whom such Offender shall be summoned, and of the Offender, in case he or she shall appear before the Magistrate or Magistrates, Justice or Justices, in pursuance of a Summons, and the Deficiency of Weight thereof ascertained, within Twenty-four Hours next following the Time

Time of the same having been baked; and unless Evidence be given before such Magistrate or Magistrates, Justice or Justices, to his or their Satisfaction, by One or more disinterested Witness or Witnesses, that the said Bread was in precisely the same State when produced to be weighed before such Magistrate or Magistrates, Justice or Justices, as when the same was taken from such Baker or Seller of Bread, reasonable and due Allowance being made for such Bread having naturally become dryer during the Time intervening between the selling and finally weighing the same before such Magistrate or Magistrates, Justice or Justices as aforesaid; and that nothing in this Act contained shall be construed to extend or to include such Bread as is usually made and sold under the Denomination of French or Fancy Bread, or Rolls, or Cakes.

Baking on Sundays.

XII. 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 out of the City of *London* and the Liberties thereof, and beyond the Weekly Bills of Mortality, and 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 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, except to Travellers, or in Cases of urgent Necessity; 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 as aforesaid, and also 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, 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, and being thereof convicted before any Magistrate or Magistrates, Justice or Justices of the Peace of the City, County, or Place where the Offence shall be committed, within Two Days from the Commission thereof, either upon the View of such Magistrate or Magistrates, Justice or Justices of the Peace, or on Confession by the Party, or Proof by One or more Witness upon Oath or Affirmation as aforesaid, shall for every such Offence forfeit and pay, and undergo the Forfeiture, Penalty, and Punishment herein-after mentioned; (that is to say), for the First Offence the Penalty of Five Shillings, for the Second Offence the Penalty of Ten Shillings, and for every Third and subsequent Offence respectively, the Penalty of Twenty 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 Magistrate

Exception for setting and superintending Sponge.

Penalty.

or Magistrates, Justice or Justices of the Peace convicting; and the Amount thereof, together with such Part of the Penalty as such Magistrate or Magistrates, Justice or Justices of the Peace shall think proper, 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*, and be paid to the Prosecutor or Prosecutors for his and their own Use and Benefit; and the Residue of such Penalty to be paid to such Magistrate or Magistrates, Justice or Justices of the Peace, and within Seven Days after his or their Receipt thereof, to be transmitted by him or them to the Churchwardens 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 the Conviction of the Offender or Offenders, such Magistrate or Magistrates, Justice or Justices of the Peace shall and may, by Warrant under their respective Hands and Seals or 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; or in Default or Insufficiency of such Distress, to commit the Offender or Offenders to the House of Correction, on a first Offence for any Time not exceeding Fourteen Days, and on the second 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.

Recovery and Application thereof.

XIII. Provided always, and be it further enacted, 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 Magistrate or 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 shall 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 Essoign, Wager of Law, or more than One Imparlance shall be allowed.

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

XIV. And for the better and more easy Recovery of the several Penalties and Forfeitures to be incurred under this Act, and the Powers herein contained; be it further enacted, That it shall be lawful for the Mayor or any Alderman of any City, and to and for any other of His Majesty's Justices of the Peace or any of them, within their respective Counties, Divisions, Cities, Towns Corporate, Liberties, or Jurisdictions beyond the City of *London* and the Liberties thereof, and beyond the Weekly Bills of Mortality and Ten Miles of the *Royal Exchange*, 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

All Offences against this Act may be heard in a summary Way by Magistrates within their respective Jurisdictions.

upon Oath or Affirmation as aforesaid, by any credible Witness or Witnesses, of any Offence committed contrary to the true Intent and Meaning of this Act, any such Magistrate or Justice shall issue his Warrant or Warrants for apprehending the Offender or Offenders within the Jurisdiction of any such Magistrate or Justice; 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 is herein-before directed, then and in every such Case any such Magistrate or Justice is and hereby authorized and required to proceed to make Inquiry touching the Matters complained of, and to examine any Witness or Witnesses who shall be offered on either Side, on Oath or Affirmation as aforesaid, and which Oath and Affirmation every such Magistrate and Justice is and are hereby authorized, empowered, and required to administer, and after hearing the Parties who shall appear, and the Witnesses who shall be offered on either Side, such Magistrate or Justice 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 Magistrate or Justice shall thereupon issue a Warrant or Warrants under his Hand and Seal, directed to any Peace Officer or Officers within their respective Jurisdictions, and thereby require him or them to make Distress of the Goods or Chattels 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 should convey away his Goods out of the Jurisdiction of any such Magistrate or Justice before whom he or she was convicted, or so much thereof that the Penalty or Money forfeited cannot be levied, then some Magistrate or Justice within whose Jurisdiction the Offender shall have removed his Goods, shall back the Warrant granted by any such Magistrate or Justice as aforesaid, and thereupon the Penalty forfeited shall be levied on the Offender's Goods and Chattels by Distress and Sale; and if within Five Days from the Distress being taken, the Penalty or Money forfeited and Costs shall not be paid, the Goods seized shall be appraised and sold, rendering the Overplus (if any), after deducting the Penalty or Forfeitures, and the Costs and Charges of the Prosecution, Distress, and Sale, to the Owner or Owners thereof, which Charges shall be ascertained by the Magistrate or Magistrates, Justice or Justices, before whom any such Offender or Offenders shall have been so convicted, or by the Magistrate or Justice who backed the Warrant, if then alive, and if not, by some other Magistrate or Justice of the City, County, Division, or Place in which the Offender shall have been convicted, on Application for that Purpose to be made to any such Magistrate or Justice; and for Want of such Distress, then every such Magistrate or 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 or Affirmation as aforesaid, made of the Conviction and Non-payment of the Penalty and Charges, by Warrant under his Hand and Seal commit every such Offender or Offenders

Penalties may be levied by Distress and Sale.

Offenders to the Common Gaol or House of Correction of the City, County, Division 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 said Penalty or Forfeiture, and Costs and Charges, before the Expiration of the said One Calendar Month; and all such Penalties and Forfeitures when recovered, shall be paid, One Half to the Informer, and the other Half shall be paid to the Magistrate or Magistrates, Justice or Justices of the Peace, and within Seven Days after his or their Receipt thereof, to be transmitted by him or them to the Churchwardens or Overseers of the Parish or Parishes where the Offence shall be committed, to be applied for the Benefit of the Poor thereof.

Power to summon and compel the Attendance of Witnesses.

XV. And be it further enacted, That if it shall be made out by the Oath (or Affirmation as aforesaid) of any credible Person or Persons, to the Satisfaction of any Magistrate or Magistrates, Justice or Justices, that any Person or Persons within the Jurisdiction of any such Magistrate or Magistrates, Justice or Justices, is or are likely to give or offer material Evidence on Behalf of the Prosecutor of any Offender or Offenders against the true Intent and Meaning of this Act, or on Behalf of the Person or Persons accused, and will not voluntarily appear before such Magistrate or Magistrates, Justice or Justices, to be examined and give his, her, or their Evidence upon Oath or Affirmation as aforesaid concerning the Premises, every such Magistrate or Magistrates, Justice or Justices, is and are hereby authorized and required to issue his or their Summons to convene every such Witness and Witnesses before any such Magistrate or Magistrates, Justice or Justices, at such seasonable Time or Times as in such Summons shall be fixed; and if any Person or Persons so summoned shall neglect or refuse to appear, after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expences, at the Time by such Summons appointed, and no just Excuse shall be offered for such Neglect or Refusal, then after Proof upon Oath or Affirmation as aforesaid, of such Summons having been duly served upon the Party or Parties so summoned, every such Magistrate and Magistrates, Justice and Justices, is and are hereby authorized and required to issue his or their Warrant or Warrants, under his Hand and Seal or their Hands and Seals, to bring every such Person or Persons before any such Magistrate or Magistrates, Justice or Justices; and on the Appearance of any such Person or Persons before such Magistrate or Magistrates, Justice or Justices, every such Magistrate or Justice is and are hereby authorized and empowered to examine upon Oath (or Affirmation) every such Witness; and if any such Person or Persons, on his, her, or their Appearance, or on being brought before any such Magistrate or Magistrates, Justice or Justices, shall refuse to be examined upon Oath (or Affirmation) concerning the Premises, without offering any just Excuse for such Refusal, any such Magistrate or Magistrates, Justice or Justices, within the Limits of his or their Jurisdiction, may by Warrant under his Hand and Seal, or their Hands and Seals, commit any Person or Persons so refusing to be examined to the Public

Persons refusing may be committed for any Time not exceeding 14 Days.

Public Prison of the City, County, Division, Liberty, or Place, in which the Person or Persons so refusing to be examined shall be, there to remain for any Time not exceeding Fourteen Days, as any such Magistrate or Magistrates, Justice or Justices, shall order and direct.

Persons forswearing themselves, guilty of Perjury.

XVI. And be it further enacted, That if any Person or Persons shall take any Oath (or Affirmation) by this Act directed to be taken, or be examined on Oath (or Affirmation) by virtue or in the Execution of this Act, shall wilfully forswear or shall falsely affirm himself, herself, or themselves, every such Person or Persons shall be subject and be liable to be prosecuted for Perjury by Indictment or Information, according to due Course of Law; and if convicted thereof, shall be subject and liable to the like Pains and Penalties which Persons convicted of wilful and corrupt Perjury are subject and liable to.

XVII. And be it further enacted, That the Magistrate or Magistrates, Justice or Justices, before whom any Person or Persons shall be convicted in Manner prescribed by this Act, shall cause every such Conviction to be drawn up in the Form or to the Effect following; (that is to say),

Form of Conviction.

' to wit. } BE it remembered, That on this Day of
' in the Year of the Reign
' of His present Majesty, *A. B.* is convicted before
' Majesty's Justices of the Peace for the said County
' of *or*, for the Divison of the said
' County of *or*, for the City, Liberty, or Town, [*as the*
' *Case may be*] for and do adjudge him, her, *or* them
' [*as the Case may be*] to forfeit and pay for the same the Sum of
' Given under Hand and Seal the
' Day and Year aforesaid.'

Conviction not removeable.

XVIII. And be it further enacted, 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.

Appeal.

XIX. Provided always, and it is hereby further enacted, That if any Person or Persons convicted of any Offence punishable by this Act, shall think him, her, or themselves aggrieved by the Judgment of the Magistrate or Magistrates, Justice or Justices, before whom he, she, or they shall have been convicted, such Persons shall have Power 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 City, County, Division, Liberty, Town, or Place where such Judgment shall have been given, and that the Execution of such Judgment shall in such case be suspended, the Person so convicted entering into a Recognizance at the Time of such Conviction, or within Twenty-four Hours after the same shall be made, with Two sufficient Sureties, in double the Sum which such Person shall have been adjudged to pay or forfeit, upon Condition to prosecute such Appeal with effect, and to be forthcoming to abide the Judgment and Determination of the Justices at their said next General or General Quarter Sessions; which Recognizance the Magistrate or Magistrates,

Justice or Justices, before whom such Conviction shall be made, is and are hereby empowered and required to take; and the Justices in the said General or General Quarter Sessions 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 Judgment of the Magistrate or Magistrates, Justice or Justices, before whom the Appellant or Appellants shall have been convicted, shall be confirmed, such Appellant or Appellants shall immediately, or within Twenty-four Hours afterwards, pay down the Sum he, she, or they shall have been adjudged to have forfeited, together with such Costs as the said Justices, in their said General or General Quarter Sessions, 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 Two Justices, or any One Magistrate or Justice of the Peace, 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 or Appellants to the Common Gaol of the City, County, Division, or Place where he, she, or they shall be apprehended, until he, she, or they shall make Payment of such Penalty, and of the Costs and Charges which shall be adjudged on the Conviction; 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 would (in case of such Conviction) have been entitled to a Moiety of 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 Sessions are recoverable; provided always, that no Person shall be detained in Prison for any such Offence for a greater Length of Time than Six Calendar Months.

If Conviction happen to be within Six Days of the Sessions, Appeal may then be made to the Sessions following.

XX. Provided always, and be it further enacted, That if any such Conviction shall happen to be made within Six Days before any General or General Quarter Sessions of the Peace shall be held for the City, County, Division, 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 Recognizance in Manner and for the Purposes before directed, be at Liberty to appeal either to the then next or next following General or General Quarter Sessions of the Peace which shall be held for any such County, Division, City, Town Corporate, Borough, Liberty, or Place, where any such Conviction shall have been made.

Limitation of Actions against Justices or Peace Officers.

XXI. And be it further enacted, That every Action or Suit which shall be brought or commenced against any Magistrate or Magistrates, Justice or Justices, or any Peace Officer or Officers, for any Matter or Thing done or committed by virtue of or under this Act, shall be com-

commenced within Six Calendar Months after the Fact committed, and not afterwards, and shall be laid or brought in the City, County, or Place where the Matter in Dispute shall arise, and not elsewhere; and that the Statute made in the Twenty-fourth Year of the Reign of King *George* the Second, intituled *An Act for rendering 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 Magistrate and Magistrates, Justice and 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 issued 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 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 intended to commence such Action, which Notice in Writing 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 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 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 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 Judgment 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 entitled 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 against the Defendant or Defendants on any Plea or Pleas by him or them pleaded, they shall then give a Verdict for the Plaintiff, and such Damages as they shall think proper, and the Plaintiff shall thereupon recover his Costs against every such Defendant or Defendants.

Certain Provisions of 24 G. 2. c. 44. extended to Magistrates acting under the Authority of this Act.

Notices.

Limitation of other Actions.

General Issue.

XXII. And be it further enacted, That if any Action or Suit shall be commenced against any other Person or Persons than a Justice or other Peace Officer, for any Thing done in pursuance of this Act, the Defendant or Defendants in every 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 to have been so done, or if a Verdict shall be recorded for the Defendant or Defendants, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action after the Defendant or Defendants shall have appeared, or if a Judgment shall be given upon a Verdict or Demurrer against the Plaintiff or Plaintiffs, the Defendant or Defendants in every such Action shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law for the Recovery of his, her, or their Costs. Treble Costs.

XXIII. Provided always, and be it further enacted, That no Person shall be convicted of any Offence under this Act, unless the Information in order for such Conviction shall be exhibited within Fourteen Days after the Offence committed (except in Cases of Perjury); and that no Person who shall be prosecuted to Conviction for any Offence done or committed against this Act, shall be liable to be prosecuted for the same Offence under any other Law. Persons convicted under this Act not liable to other Prosecution.

XXIV. And be it also enacted, That all Penalties and Forfeitures by this Act inflicted, the Application of which is not herein-before directed, shall, when recovered or paid, go and be disposed of in Manner following; (that is to say), One Moiety thereof, where any Offender or Offenders shall be convicted either by his, her, or their Confession, or by the Oath (or Affirmation) 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, or in case there be no such Person informing, then the whole thereof, shall go and be paid to the Churchwardens and Overseers of the Poor of the Parish or Parishes, for the Use of the Poor of the Parish, wherein such Offence shall be committed, in such Manner as the said Churchwardens and Overseers of the Poor shall in his or their Discretion think fit. Application of Penalties.

XXV. Provided always, and be it further enacted, That neither this Act or any Thing contained shall 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 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 set, ascertain, and appoint the Assize and 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, set, ascertain, and appoint, within their several and respective Jurisdictions, the Assize and 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 into and punish any Breach thereof 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 notwithstanding. Saving the Rights of the Universities.

XXVI. And

Commencement of Act.

XXVI. And be it further enacted, That this Act shall commence and take Effect from and immediately after One Calendar Month from the passing thereof.

Public Act.

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

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1819.