derived from the Crown.

'Ecclesiastical Preferment, provided the same was private Patronage, and not derived from 'the Crown, and that they should be entitled to receive the Arrears of Half Pay for such 'former Years as aforesaid:' Be it therefore enacted, That all Chaplains who, after having been placed upon Half Pay, shall have been refused or been unable to receive such Half Pay in any Year in consequence of holding any Ecclesiastical Benefice not derived from or in the Gift of the Crown, shall be entitled to receive the Arrears of such Half Pay for such Year, upon making and subscribing a Declaration before the proper Officer for administering Declarations to Persons for entitling them to receive Half Pay that they held no Ecclesiastical Benefice or Preferment in any Year derived from the Crown, nor any Place or Employment of Profit under Her Majesty, and the making and subscribing the said Declaration shall, without making and subscribing any other Declaration, be sufficient to entitle such Chaplain to receive his Half Pay.

Widows, &c. claiming Pensions to make required Declaration.

XXVII. And as to the Sum of Ninety-five thousand nine hundred and sixteen Pounds by this Act appropriated for defraying the Charge of Pensions to be paid to the Widows of Officers of Her Majesty's Land Forces, and for defraying the Charge of Allowances on the Compassionate List as aforesaid, it is hereby enacted and declared, That no Widow of an Officer of the Land Forces, and no Person claiming an Allowance on the Compassionate List, or of Allowances as of Her Majesty's Royal Bounty, shall have or receive any Part of the same without making and subscribing a Declaration to such Purport and Effect as shall be required in that Behalf by Her Majesty's Warrant directing the Issue of such Pensions and Allowances so to be received.

Declarations to be made as specified in 5 & 6 W. 4. c. 62.

XXVIII. Any such Declaration as well as all Declarations for other Army and Navy non-effective Services shall and may be made and subscribed before any One or more of Her Majesty's Justices of the Peace, Notary Public, resident Parish Minister, or other Person now by Law authorized to administer or receive such Declarations, or before any of the Persons appointed to examine Vouchers in the Office of the Paymaster General, in the Manner, and under the Pains, Penalties, and Forfeitures, specified in an Act passed in the Fifth and Sixth Years of His late Majesty for the Abolition of unnecessary Oaths.

CAP. LVI.

An Act to amend the Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-three, relating to Weights and Measures.

[13th *August* 1859.]

'WHEREAS it is expedient that the Act passed in the Session holden in the Fifth and 'Sixth Years of the Reign of King *William* the Fourth, Chapter Sixty-three, 'intituled *An Act to repeal an Act of the Fourth and Fifth Years of His present Majesty, 'relating to Weights and Measures, and to make other Provisions instead thereof*, should be 'amended:' Be it therefore enacted by the Queen'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, as follows:

Imperial Standards of Weights and Measures when to be adjusted.

I. No Model or Copy of any of the Imperial Standards of Weights shall be deemed legal, or used for the Purpose of enforcing the Provisions of this Act or the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Sixty-three, unless the same have been compared or re-verified by the Comptroller General or some other Officer of the Exchequer duly authorized, within Five Years before the Time when it is so used; and no Model or Copy of any of the Imperial Standards of Measures shall be deemed legal or used for the Purposes aforesaid unless it have been compared or re-verified as aforesaid within Ten Years before the Time when it is so used, or, in any County containing more than One District for the Inspection of Weights and Measures, unless such Model or Copy have been compared by the Inspector of Weights and

and Measures in the District in which it is used, in the Presence of One Justice of the County, with a Model or Copy of the Imperial Standard of Weight duly compared and verified at the Exchequer within Five Years of its being so used, and found on such Comparison by such Inspector to be correct, or with a Model or Copy of the Imperial Standard of Measure duly compared and verified at the Exchequer within Ten Years of its being so used, and found on such Comparison by such Inspector to be correct; and the Expenses incurred in and about such Comparison or Re-verification of any such Model or Copy of any Imperial Standard of Weight or Measure shall in all Cases be paid in the same Manner and out of the same Funds as is provided for the procuring of such Models and Copies.

Penalty for making and selling false Beams and Scales or Weights and Measures.

II. No Person shall wilfully or knowingly make or sell, or cause to be made or sold, any false or unjust Beam, Scale, or Balance, or any light or unjust Weight or Measure; and every Person who shall commit any such Offence shall upon being convicted thereof forfeit and pay any Sum not exceeding Ten Pounds as shall be adjudged by the Justice, Sheriff, or Magistrate before whom any such Conviction shall take place.

Power to Inspectors to inspect Beams, Scales, &c. in possession of Persons selling in the public Streets.

III. It shall be lawful for every Inspector of Weights and Measures, or other Person or Persons duly appointed to inspect Weights and Measures, at all reasonable Times to inspect all Beams, Scales, and Balances, and Weights and Measures, in the Possession of any Person selling, offering, or exposing for Sale any Goods on any open Ground, or in any public Street, Lane, Thoroughfare, or other open Place; and if upon such Inspection or Examination any such Beams, Scales, or Balances, or Weights or Measures, shall be found light or unjust, or otherwise contrary to the Provisions of this Act or the herein-before recited Act, or if any Fraud be wilfully committed in the using thereof, the same shall be liable to be seized and forfeited, and the Person or Persons using or having in his or her Possession any such false or unjust Beams, Scales, or Balances, or light or unjust Weights or Measures, shall be liable to any Penalty not exceeding Five Pounds.

Municipal Corporations to appoint Inspectors of Weights and Measures.

IV. 'And whereas Doubts have arisen as to the Authority by or under which Inspectors 'and Examiners of Weights and Measures in certain Municipal Boroughs have been here- 'tofore authorized and appointed:' Be it therefore enacted, That the Town Councils of all Municipal Boroughs in *England* and *Wales* incorporated under the Provisions of the Statute passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or any Act for the Amendment thereof, to which a separate Court of Quarter Sessions has been granted, shall have respectively, and they are hereby authorized and empowered henceforth to use and exercise, solely within their respective Boroughs, all and every the Powers and Authorities concerning Weights and Measures, and the providing of Copies of the Imperial Standard Weights and Measures verified and stamped at the Exchequer, and the Inspection, Examination, and Seizure of all unjust Weights and Measures, and the Appointment and Authorization of such Inspectors and Examiners, as are by Law now vested in, used and exercised by, any Justices of the Peace assembled at their General or Quarter Sessions in any County in *England* and *Wales*, within the Limits of their Commission, under or by virtue of the Statute passed in the Fifth and Sixth Years of the Reign of His said late Majesty, intituled *An Act to repeal an Act of the Fifth and Sixth Years of His present Majesty, relating to Weights and Measures, and to make other Provisions instead thereof*, or under or by virtue of any other Law or Statute whatsoever; and that such Inspectors and Examiners so appointed by such Town Councils as aforesaid, and duly authorized by Warrant or other Authority in Writing under the Hand of the Mayor of any such Borough for the Time being, and under the Corporate Common Seal of any such Town Council as aforesaid, shall have, possess, and exercise the same or the like Powers of entering Shops, Stores, Warehouses, Manufactories, Stalls, Yards, and Places, within any such Borough, and of examining, comparing, trying, and seizing any such Weights or Measures, as are now had, possessed, or exercised by any Inspectors or Examiners authorized or appointed in Counties by such Justices as aforesaid, under or by virtue of the Statute lastly herein-before referred to, or under or by virtue of any Law or Statute whatsoever; and all the penal and other Provisions of such Statute or of any such Statutes, so far as they are not repugnant to or inconsistent with this Enactment, shall apply to all such Boroughs,

Boroughs, Town Councils, Inspectors, and Examiners respectively, and to all Weights and Measures used or to be used in such Boroughs respectively, and to the Examination, Comparison, Trial, and Seizure thereof; and every such Council shall and lawfully may pay from Time to Time to such Inspectors and Examiners so appointed by them respectively, out of the Borough Funds or Borough Rates of such Boroughs respectively, such Salaries, Wages, or Allowances as each such Council respectively shall deem reasonable, and also out of the same Funds or Rates shall pay and defray all Costs incidental to the providing of the said Copies of the Imperial Standard Weights and Measures, and of carrying out the said last-mentioned Act and this Act within such Boroughs; and all Fees, Penalties, and Monies which but for this Act would have been payable to the County Stock or Fund shall be paid into and go in aid of the Borough Fund of such Borough: On the Exercise of any of such Powers by the Town Council of any such Municipal Borough, and on written Notice under the Corporate Common Seal of such Borough being given of the Exercise of any of such Powers to the Clerk of the Peace of the County, Riding, or Division in which such Borough shall be situate, and after the Expiration of One Calendar Month from the Day on which such Notice shall be given or left at the Office of the said Clerk of the Peace, all the Powers and Authorities of all Inspectors or Examiners appointed by the Justices of the Peace at their General Quarter Sessions of the Peace for such County, Riding, or Division shall, as to such Borough, and all Weights and Measures therein, cease and be absolutely at an End.

Inspectors authorized to stamp Measures although made partly of Glass, &c.

V. 'And whereas since the passing of the said Act Measures for Liquids have been 'constructed with a small Window or transparent Part through which the Contents, 'whether to the Brim or to any other Index thereof, may be seen without Impediment, 'and the Use of such Measures by Publicans and others in the Retail of Malt Liquors and 'Spirits and other exciseable Liquids would be attended with Advantage both to the 'Purchaser and Seller:' Be it therefore further enacted, That Measures for such Liquids which shall correspond in Capacity with the Standards, or Parts or Multiples thereof, respectively deposited in the Exchequer, although such Measures may be made partly of Copper or other Metal and partly of Glass or other transparent Medium, may be examined, compared, and stamped by all Inspectors of Weights and Measures, anything in the said recited Act to the contrary notwithstanding: That Measures for such Liquids, the Capacity of which shall exceed the Standard or Parts or Multiples of the respective Imperial Standard Measures deposited in the Court of Exchequer, but which shall have the Capacity of such Standards or Parts or Multiples thereof respectively indicated by a level Line drawn through the Centre of the Window or transparent Part, although such Measures may be made partly of Copper or other Metal and partly of Glass or other transparent Medium, may be examined, compared, and stamped by all Inspectors of Weights and Measures, anything in the said recited Act to the contrary notwithstanding.

Owners of Markets to provide Beams, Scales, &c.

VI. It shall be lawful for the Owners or Managers of any public Market where Goods are exposed or kept for Sale, and they are hereby required, to provide proper Beams, Scales, and Balances, and Weights and Measures, or other Machines, for the Purpose of weighing or measuring all Goods sold, offered, or exposed for Sale in any such Market, and to deposit the same at the Office of the Clerk or Toll Collector of such Market, or some other convenient Place, and to have the Accuracy of all such Beams, Scales, and Balances, and Weights and Measures, or other Machines, tested at least Twice in every Year by the Inspector of Weights and Measures of and for the County or District where any such Market is situate; and all Expenses attending the Purchase thereof, and for adjusting and testing the same, shall be paid out of the Monies collected for Tolls in any such Market; and such Clerk or Toll Collector shall at all reasonable Times, whenever called upon so to do, weigh or measure all Goods which shall have been sold, offered, or exposed for Sale in any such Market, upon Payment of such reasonable Sum or Sums of Money as shall from Time to Time be decided upon by the said Owners or Managers, subject to the Approval and Revision of the Justices in General or Quarter Session assembled if such Market be in *England*, or of the Sheriff if it be in *Scotland*.

VII. It

VII. It shall be lawful for every Clerk or Toll Collector of any public Market, at all reasonable Times, to weigh or measure all Goods sold, offered, or exposed for Sale in any such Market; and if upon such weighing or measuring any such Goods shall be found deficient in Weight or Measure, or otherwise contrary to the Provisions of this Act or the herein-before recited Act, every such Clerk or Toll Collector is hereby authorized and required to summon the Person selling, offering, or exposing for Sale, or causing to be sold, offered, or exposed for Sale, any such Goods before any Justice, Sheriff, or Magistrate having Jurisdiction in the County or District where any such Market is situate; and every such Justice, Sheriff, or Magistrate shall, upon Proof thereof, convict the Offender or Offenders in the respective Penalties by this Act or the said recited Act imposed, and shall from Time to Time award to any such Clerk or Toll Collector such reasonable Remuneration (to be paid out of the said Penalties) as to him shall seem fit. Power to Clerks of Markets to inspect Goods sold, &c., and if Weighing found deficient to summon the Offender.

VIII. For every Offence against or Disobedience to the Provisions of this Act or the herein-before recited Act for which no special Penalty is provided, the Offender shall, at the Discretion of the Justice, Sheriff, or Magistrate before whom any such Conviction shall take place, be liable to any Penalty not exceeding Five Pounds, as shall be adjudged by such Justice, Sheriff, or Magistrate. Penalties.

IX. This Act shall be construed and taken together with the said recited Act of the Fifth and Sixth Years of the Reign of King *William* the Fourth, so far as the Provisions of the same are consistent herewith: Provided always, that nothing herein contained shall be construed or taken to apply to any Action or Proceeding now pending or which may be commenced previous to this Act coming into operation. Act how to be construed.

X. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to supersede, limit, take away, lessen, or prevent the Authority which any Person or Persons, Bodies Politic or Corporate, or any Person appointed at any Court Leet for any Hundred or Manor, or any Jury or Ward Inquest may have or possess for the examining, regulating, seizing, breaking, or destroying any Weights, Balances, or Measures or Goods, deficient in Weight or Measure, within their respective Jurisdictions, and presenting the same at the Court Leet, or the Power given by any Act or Acts now in force to Justices or other Authorities to appoint Examiners for the Inspection of Weights and Measures. Not to abridge the Power of the Leet Jury, &c.

XI. The Powers heretofore lawfully belonging to the Universities of *Oxford* and *Cambridge* respectively shall continue in full Force anything in this Act contained notwithstanding. Powers of Universities to remain in force.

XII. This Act shall not extend to *Ireland*. Extent of Act.

CAP. LVII.

An Act limiting the Power of Imprisonment for Small Debts exercised by the County Court Judges. [13th *August* 1859.]

'WHEREAS it is expedient to limit the Power of Imprisonment by Judges of County Courts:' Be it therefore enacted by the Queen'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:

I. That if a Party summoned under and by virtue of the Act of the Ninth and Tenth *Victoria*, Chapter Ninety-five, Section Ninety-eight, shall not attend as required by such Summons, or allege a sufficient Excuse for not attending, it shall not be lawful for the Judge before whom such Party shall have been so summoned to order that such Party shall be committed to Prison, unless it shall appear to the Satisfaction of such Judge that such Party, Power of Committal by County Court Judges under 9 & 10 Vict. c. 95. s. 98 not to be exercised