



ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. 70.

An Act to alter and amend an Act of the Thirty-first Year of His late Majesty for the due making of Bread, to regulate the Price and Affize thereof; and to punish Persons who shall adulterate Meal, Flour, or Bread so far as the same relates to the weighing of Bread to be baked and sold within the Weekly Bills of Mortality, and within Ten Miles of the *Royal Exchange*. [27th May 1808.]

WHEREAS the Provisions and Regulations contained in 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 Affize thereof, and to punish Persons who shall adulterate Meal, Flour, or Bread*, so far as the same relates to the weighing of Bread, and to the punishing of Persons whose Bread shall be found deficient in Weight, have been found defective; and it is expedient that other Provisions and Regulations should

[*Loc. & Per.*] 14 Z be

For ascer-
taining the
Weight of
Bread upon
the Average
found.

be made in lieu thereof in respect to the weighing of Bread within the weekly Bills of Mortality, and within Ten Miles of the *Royal Exchange*, except as hereafter is excepted, and the punishing of Persons residing within those Limits whose Bread shall be found deficient in Weight: 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 from and after the passing of this Act, so much of the said Act as relates to the weighing of Bread, and the punishing of Persons whose Bread shall be found deficient in Weight, so far as the same extends to Persons residing within the Weekly Bills of Mortality, and within ten Miles of the *Royal Exchange*, except as hereafter is excepted, shall be, and the same is hereby repealed; and instead thereof, be it enacted, and it is hereby enacted by the Authority aforesaid, that if any Person or Persons residing within the Weekly Bills of Mortality, or within ten Miles of the *Royal Exchange*, except as aforesaid, who shall make any Bread for Sale, or who shall send out, or expose to or for Sale, any Bread, shall at any Time from and after the passing of this Act, make, send out, sell, 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 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 Out-house, 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 being so weighed, and which Bread may 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 in Manner as by the said Act is directed, shall forfeit and pay a Sum not exceeding Five

Shillings, nor less than One Shilling 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 Peace 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 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 any 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.

II. And be it further enacted, That every Baker and Seller of Bread within the Weekly Bills of Mortality, and within Ten Miles of the *Royal Exchange*, except as aforesaid, 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 Quartern Loaf and an Half Quartern Loaf; and that any Person or Persons who may purchase any Quartern or Half Quartern Loaf or Loaves of 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 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.

Directing
Sellers of
Bread to have
Scales in their
Shops.

III. And be it further enacted, That any Baker or Seller of Bread within the Weekly Bills of Mortality, or within Ten Miles of the *Royal Exchange*, except 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 Quartern or Half Quartern Loaf or Loaves purchased in his, her, or their 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 Twenty Shillings, nor less than Five Shillings, as the Magistrate or Magistrates, Justice or Justices, before whom such Offender shall be convicted, shall think fit.

Inflicting a
Penalty in
case of Ne-
glect.

IV. And be it further enacted that all and singular the Clauses, Provisions, and Directions contained in the said recited Act so far as the same

Directing
that the Pow-
ers in Act of
31 Geo. II.
are

shall extend
to this Act.

are not altered or repealed by this Act, shall respectively extend and relate to this Act, so far as the same are applicable to the Purposes thereof, and shall be exercised for putting the same in Execution, and enforcing the Provisions and Directions thereof, in such and the same Manner as if the same Clauses were herein contained, and at large re-enacted, and the Penalties by this Act inflicted, shall be recovered and applied in like Manner as the Penalties by the said Act inflicted, are directed to be recovered and applied by the same Act, or by any subsequent Act for amending the same.

No Journey-
man Baker to
bake Vic-
tuals after
One o'Clock
on the Lord's
Day, nor any
Master Baker
to deliver af-
ter Half-past
One, on the
said Day.

V. 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, within the City of *London*, or within Twelve Miles of the said City, shall on the Lord's Day, or on 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 Nine of the Clock in the Forenoon, and 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 Household or other 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, except as hereinafter is excepted, 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 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 Six 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, hereinafter mentioned, that is to say, for the first Offence, the Penalty of Ten Shillings; for the second Offence, the Penalty of Twenty Shillings, and for the Third, and every subsequent Offence respectively, the Penalty of Forty 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*, and to 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 Justice, and within Seven Days after his Receipt thereof to be transmitted by him to the Churchwardens, or
Overseers

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 Fourteen 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 the Space of Seven Days, on a second Offence for the Space of Fourteen Days, and on a Third, or any subsequent Offence, for the Space of One Month, unless the whole of the Penalty, Costs, and Expences be sooner paid and discharged; Provided, nevertheless, that it shall be lawful for every Master or Mistress Baker, residing within the Limits aforesaid, to deliver to his or her Customers on the Lord's-Day any Bakings, until Half an Hour past One of the Clock in the Afternoon of that Day, without incurring or being liable to any of the Penalties in this Act contained.

VI. Provided always and be it further enacted, That this Act or any Thing herein contained, shall not extend or be construed to extend to any Baker or other Person residing in, or carrying on the Trade or Business of a Baker, within the City of *London*, or the Liberties thereof, except so far as respects the exercising the Trade of a Baker on the Lord's Day as aforesaid, or in any ways to affect, lessen or infringe upon the Rights and Privileges of the City of *London*, or of the Worshipful Company of Bakers of the said City, or of the Wardmote Inquests of the said City, or of the City or Liberties of *Westminster*, or Borough of *Southwark*, or any Right or Custom of any Lord or Lords of any Leets, or the Rights of any Clerk or Clerks of the Market in any Place which may be exercised or enjoyed by them or any of them, by virtue of any Charters, Bye-Laws, Prescriptions, Usages, Customs, Privileges, Grants, or Acts of Parliament; but that all such Rights and Privileges shall be held, exercised and enjoyed by the Parties respectively intitled thereto, as fully and amply to all Intents and Purposes, as the same were held, exercised, and enjoyed before the passing of this Act, any Thing herein contained to the contrary notwithstanding, Regard being at all Times had to the Average Weight of Bread as before directed.

Saving the
Rights of the
City of *London*,
&c.

VII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act for all Purposes whatsoever, and shall be judicially taken Notice of as such, by all Judges, Justices, and others, without specially pleading the same.

Public Act.

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