

not or other beams or balances not marked or stamped as aforesaid, he shall cause and take away the same, and the person or persons in whose possession the same may be found shall for each and every of the said weights, measures, scale-beams, patent or other beams or balances forfeit and pay a sum not exceeding ten shillings, and if any of the said weights, measures, scale-beams, patent or other beams or balances shall be above or below standard as aforesaid, the owner or owners of the same shall forfeit and pay a sum not exceeding forty shillings for each and every of such weights, measures, scale-beams, patent or other beams or balances, and the same may have been assayed, marked and sealed as aforesaid, and the proof that such weights, measures, scale-beams, patent or other beams or balances have not been altered since the assaying of the same shall be upon the person in whose possession they or any of them have been found.

Sec. 6. Any person buying, selling or assaying by weights or measures who shall be admitted to the said assayer or when he shall have been admitted, and shall have declared the intent and meaning of his coming shall refuse to produce their weights and measures to permit the said assayer to execute the duties of his office, shall, for every such refusal to be ascertained on the oath of said assayer, forfeit and pay a sum not exceeding twenty shillings. And any person who shall neglect or impede the said assayer in the discharge of his duties, shall forfeit and pay a sum not exceeding twenty shillings.

Sec. 7. All such platform balances or weighing machines as are used for weighing hay, straw and other weighty and bulky commodities shall be examined once in each month or oftener if deemed necessary, by said assayer, whose certificate of their being correct at such examination may be deemed sufficient without their being stamped or marked, and for each monthly examination and certificate the said assayer shall receive the sum of one shilling and sixpence.

Sec. 8. Any weights, measures, scale-beams, patent or other beams or balances not stamped or marked as aforesaid notwithstanding they may be correct which shall be found in the possession of any person or persons in the practice of buying and selling, then it shall be deemed, that such weights and measures have not actually been used, and the person or persons in whose possession they shall have been found shall be subject to a penalty not exceeding ten shillings for each weight, measure, scale-beam, patent or other beam or balance. And should any of the weights or measures so discovered be found to be above or below the standard aforesaid, then the person or persons in whose possession such unjust weights or measures may be found, shall be subject to a penalty not exceeding forty shillings for every such weight, measure, scale-beam, patent or other beam or balance so found.

Sec. 9. The measure to be used hereafter for the sale, exchange or barter of lime, shall be of a cylindrical form and of capacity to contain exactly six Winchester half-bushels struck or water measure (level with the brim) which shall be deemed and taken as one barrel, and no such measure shall be less than eighteen inches or more than twenty inches in diameter at the brim and shall be assayed and stamped or branded as aforesaid, and every person who shall sell, exchange or barter any lime, except a quantity less than one barrel, in any other barrel than herein described and assayed, branded or marked shall forfeit and pay for every act of offence by any such unlawful measure any sum not exceeding five pounds nor less than five shillings.

Sec. 10. No person being in the charge or command of any vessel loading with agricultural produce at any of the wharfs or within the limits of said City for the purpose of being exported from this Island, shall take or receive any such agricultural produce on board of any vessel as aforesaid without first having measured the same in a measure regularly assayed and stamped or branded by an assayer of this Island, which said measure when intended for potatoes, turnips, or other edible roots, shall contain six Winchester half-bushels and one half-pint struck measure, level with the brim, which shall be deemed and taken as four half-bushels heaped measure; but the measure for the bulk of grain shall be agreeable to the standard aforesaid; and any master or other person having charge of a vessel receiving produce as aforesaid without having constantly on board aforesaid measure, shall, on proof thereof, forfeit and pay for every such offence the sum of twenty shillings, or shall be imprisoned not exceeding three days. Nothing herein contained shall prevent any person or persons from loading their own vessels with their own produce, and no person shall be liable for the weight or measure of any produce on board of any vessel, until such vessel has been assayed and stamped or branded as aforesaid.

Sec. 11. All new-potatoes, beans, peas, strawberries, raspberries, carrots, gooseberries, cherries, &c. in kind of other articles usually bought and sold by measure shall be measured in such standard measure as are agreeable to the Winchester standard aforesaid, and any person using any other measure than herein described and directed shall be liable to a fine not exceeding ten shillings.

Sec. 12. All fines and penalties with costs imposed by the several clauses in this Act shall be recoverable before the Mayor or Police Court on the oath of the said assayer or other credible witness, and upon conviction, the offenders neglecting or refusing to pay the fines, penalties and costs so imposed, a warrant of distress may issue or the party may be committed to the City Jail for a space of time not exceeding six days.

Sec. 13. All fees, fines and penalties received under this Act shall be paid to the Mayor and go to the use of the City funds.

Sec. 14. Nothing in this Act shall prevent the City Council from appointing an Assayer of weights and measures of Queen's County for the time being.
Rear-Admiral, Mayor.
William B. Wellner, City Clerk.
January 23rd, 1856.

Law Relating to Stands for Loaded Vehicles.
(Assented to Feb 7, 1856)

Be it enacted by the City Council of the City of Charlottetown:

Sec. 1. That the City Council shall appoint suitable places on the squares or such other places within the City as stands for the sale of Hay, Straw, Firewood, Laths, Shingles, Boards, and other Lumber.

Sec. 2. The owner, driver or person, in charge of any cart, truck, sled, or other vehicle loaded with such articles as aforesaid, standing or being on any other place or places, than those so appointed with their loads aforesaid, unless for the purpose of delivering such loads, on being requested by any of the City authorities, to move from the same, to the place or places so appointed, shall refuse or neglect to do so, shall be liable to a fine, not exceeding five shillings, for each and every offence, or to imprisonment not exceeding forty-eight hours.

Sec. 3. All carts, trucks, sleds, or other vehicles, loaded with grain, potatoes, turnips, meat, fish, or other articles for market, on arriving at the market square, shall be arranged in such order, as the committee appointed to superintend markets may direct, so as to prevent irregularity, inconvenience, and confusion, and persons refusing or neglecting to comply with such arrangements shall be liable to a penalty not exceeding five shillings for each and every offence, or to imprisonment not exceeding forty-eight hours.

Sec. 4. No persons shall be permitted to congregate in the openings or approaches to the market-house or to place any incumbrance thereon, so as to prevent ingress, and egress, to said market-house, and any person offending against this section, after being requested to move away, and also to move the incumbrance which may have been so placed, shall be liable to a fine not exceeding five shillings for each and every offence, or to imprisonment not exceeding twenty-four hours.

Sec. 5. The beam, scale and weights furnished by the City and placed within the enclosure around the market-house for the purpose of weighing meat, butter and such other articles as may be required to be weighed shall be used for such purposes under the direction and control of the market clerk.
Rear-Admiral, Mayor.
William B. Wellner, City Clerk.
February 6th, 1856.

Law relating to the City Marshal and Constables and to provide for the regulation and instruction of the City Police.
(Assented to Feb 7, 1856)

Be it enacted by the City Council of the City of Charlottetown:

Sec. 1. That the Mayor and City Council as soon after their annual election or may be, may appoint a City Marshal and such number of Police Constables for the City as they may judge necessary, who shall be sworn and give bonds in such terms and sum, as the said Council may decide for the due and faithful performance of the duties of their respective offices during their term of office.

Sec. 2. The City Marshal and Police Constables shall have and exercise the same powers and duties as are conferred upon the Mayor and City Council may from time to time determine in lieu of all fees and they shall receive such compensation in monthly instalments.

CITY MARSHAL

Sec. 3. The City Marshal shall be high Constable of the City and shall within the said City or boundaries that may be hereafter defined by law, have all the powers and authority in all matters criminal, and in cases of breaches of the peace, and for preserving quiet and good order which Sheriffs by law have in their bailiwicks and Constables within their jurisdictions and shall perform such other duties and instructions as may be appointed by any by-law or ordinance of the City.

Sec. 4. It shall be the duty of the City Marshal (or such deputy as he may appoint, subject to the approval of the Mayor or presiding Councillor) to attend the City Council, and the Mayor's or Police Court whenever they shall meet and at all times to be at the command of the Mayor or presiding Councillor, and on all occasions to aid in the preservation of the peace, order and cleanliness of the City, and the observance of all laws and by-laws now in force or that may hereafter be in force therein; he shall serve or cause to be served all writs, process, warrants or orders issuing out of the Mayor's or Police Court, and shall account to the Mayor or presiding Councillor for all moneys collected by him, under and by virtue of his said office.

Sec. 5. The City Marshal shall daily (or oftener if necessary) report to the Mayor or presiding Councillor all causes of complaint brought to his notice, either by the Constables or other persons; have the superintendance of the Police Constables to see that they are regular in their attendance and strictly discharge their several duties, and should he have any cause of dissatisfaction or complaint against any of the Police Constables, he shall immediately make the same known to the Mayor or presiding Councillor.

Sec. 6. The City Marshal shall keep a correct record of all the doings of his office, and shall make a regular report thereof to the City Council, as often as once in three months and at such other times as they shall require; he shall take notice of all nuisances, impediments and obstructions in the streets, lanes, thoroughfares, squares and other public places of the City, and shall remove the same, or take all proper measures in relation thereto, according to law under the direction of the Mayor, presiding Councillor or City Council.

POLICE CONSTABLES:

Sec. 7. The City may be divided into districts, the number, extent and bounds of which may be from time to time arranged by resolution of the City Council, and the Constables may be attached individually each to some one of these districts.

Sec. 8. Three Constables or as many as may be necessary shall attend the Police Station at eleven o'clock in the morning, and remain on duty till eleven o'clock the following morning; during the day wherein they enter on duty they shall in rotation or together attend at the Mayor's or Police Court during its hours of business, then through the remainder of the day and night take their rounds alternately through the City, and perform any other duty that may be required of them, leaving one in attendance at the station except when duty shall require their combined attendance elsewhere, and on the following morning before being relieved to have the fires made, and see that the several officers are in order for the officers who are to be that day on duty, and for City Council meetings.

Sec. 9. All the Constables are to visit their districts previous to their arrival at the Mayor's or Police Court at eleven o'clock, when they are to make a report of the state of their districts to the City Marshal, from whom they shall take their directions—they shall notice especially all nuisances in yards (particularly where cattle are slaughtered) nuisances and incumbrances in the streets and thoroughfares, as well as carts, trucks, carriages, sleds and sleighs left thereon, with the names of the several persons who may be liable therefor—the erection of booths or tents on the streets or squares, the moving the same when erected and taking of the parties guilty of erecting such into custody, under the direction of the Mayor or presiding Councillor—breaches of the license law—the Lord's day Act—violations of the regulations made for truckmen, particularly as to occupying other stands than those allotted—all carts, trucks and sleds not marked as required—trucking without license—disorderly riding and driving—impounding horses and other beasts of burden and all cattle going at large contrary to law—seize all pigs, sheep, goats, turkeys and geese found at large and have them condemned and sold: In going their daily rounds to pay particular attention to all public gas lights, pumps and wells, and report any defect or want of repair to the Mayor or presiding Councillor or any other persons who sell spirituous liquors or any other drinks whom they see or suspect of selling such on Sundays (except to boarders and lodgers) or any week-day after eleven o'clock at night or before sunrise, or who keep any light burning in any tavern or shop where liquor is sold, after eleven o'clock at night, or who may open or take down

any shutters from the same on Sunday or after eleven o'clock at night, or before sunrise on any other day, or who suffer any apprentice, minor, disorderly person or prostitute to frequent the same, or who may forcibly oppose the City Marshal and Constables in the inspection of the premises, when lawfully directed so to do—prevent disturbance at the several places of divine worship on Sundays and other days, and arrest parties who may attempt to or have committed such—quell all riots, and use all other means in their power for the preservation of the cleanliness, health, quiet and good order of the City.

Sec. 10. On Sundays, the District Constables, unless called upon by the Mayor, Councillor or City Marshal, to do other duty, shall visit their district twice a day and report on Monday morning the result of the previous day's rounds. The constables on duty at the police station or lock-up on Sundays, to be excused from this part of the duty on that day.

Sec. 11. The constables will hold themselves in readiness to attend when lawfully called upon either by day or by night, for the discharge of their duty, as constables, in arresting rioters, disorderly and lewd characters, common beggars, drunkards and other offenders against the law, and bring them before the Mayor, if between the hours of eleven o'clock a. m. and two o'clock p. m. after two o'clock to place all offenders in the lock-up (except such as may be admitted to bail) until eleven o'clock of the next court day when the same are to be reported, and the offender or offenders brought up for examination by the constable or constables who may have arrested them under the direction of the Mayor or presiding Councillor.

Sec. 12. Should any constable get into difficulty or trouble in the discharge of his duty, after office-hours he is to apply to the Mayor or one of the Councillors for advice and be guided by his instructions.

Sec. 13. In the event of a fire breaking out the constables shall immediately give the alarm, proceed to the fire with their staves and use their best skill and power under the direction of the chief or other engineers in the removal and security of property, and guard the same from theft and destruction—quelling disturbance and any other necessary purposes in their capacity of constables for which their services may be required.

Sec. 14. Each constable must have his name and number painted on a tin plate, which plate must be placed on some conspicuous part of the front of the house in which he resides.

Sec. 15. The constables are constantly to wear the dress appointed for them and to carry the staff of office when on duty and at night, and on neglect thereof, the city marshal to report the same to the Mayor or presiding Councillor.

Sec. 16. No constable is permitted to engage in any duty unconnected with his office unless by special permission—and when required may attend public meetings, lectures, or exhibitions, permission shall be first obtained of the Mayor, presiding councillor or city marshal. The city marshal shall keep a regular list so that each constable may attend in rotation.
Rear-Admiral, Mayor.
William B. Wellner, City Clerk.
February 6th, 1856.

Law for Establishing a Lock-up House for the City of Charlottetown.
(Assented to February 7, 1856)

Whereas much inconvenience is experienced for want of a secure place for the temporary confinement of offenders before trial and conviction: and whereas a strong room or Lock-up hath been provided for that purpose in the same building in which the police court is held;

Be it therefore enacted by the City Council of the City of Charlottetown:

Sec. 1. That it shall be the duty of the City Marshal and police constables to place rioters, drunkards, disorderly persons and other offenders against the law, who may have been arrested, after the hour of two o'clock in the afternoon, in the strong room or lock-up so provided as aforesaid, to be there kept, until eleven o'clock next morning when they shall be brought before the court for examination in the usual way, by the officers who have committed them, (persons tendering good and sufficient bail for their appearance excepted.)

Sec. 2. Offenders arrested on Saturday after two o'clock, Sunday, Christmas-day or Good Friday or on the evening previous to either of the said days, may be dealt with in like manner and detained until eleven o'clock on the succeeding Monday or day after either of the holy-days aforesaid.

Sec. 3. The City Marshal shall provide prisoners so committed as aforesaid with the same allowance of food as is supplied to prisoners of the like sort in the common jail of said city.

Sec. 4. Females may be committed to the lock-up during the day, but must be sent to the City jail during the night.
Rear-Admiral, Mayor.
Wm. B. Wellner, City Clerk.
Jan. 21, 1856.