

Governor in Council, and shall be stamped with a stamp to be kept by the Provincial Secretary for that purpose.

Clerks of the Markets and Town Clerks to keep sets of weights and measures.

9. The Clerks of the Market, and in places where no such officers are appointed the Town Clerk, shall keep a complete set of weights and measures, which after being duly proved, shall be marked or stamped by the Clerk of the Peace with the figure of a Crown and the letters N. B. and shall then be used as standards.

Those Officers may enter places of business, and ships and vessels, to examine.

10. The Clerk of the Market or the Town Clerk may enter all stores, shops and places of business, and all ships or vessels within their respective districts, in the day time, and examine every weighing apparatus and all weights and measures therein.

Weights of soft metals disallowed.

11. Weights made of lead, pewter, or other soft metal, or on which the same appears externally, shall not be stamped or used.

Imperfect weights and measures, and weighing instruments, to be seized.

12. All imperfect weights and measures, and every imperfect instrument or machine for weighing, shall be seized by the Clerk of the Market or Town Clerk as forfeited; and the person in whose possession the same may be found shall forfeit a sum not exceeding ten pounds; and any person refusing admittance to either of those officers, or obstructing them in making the examination hereby directed, shall forfeit a like penalty.

Corporation Officers of St. John to have same powers as Market Clerks and Town Clerks.

13. In the City of Saint John, the officer appointed for that purpose by the Common Council, shall have the like powers and authority with respect to weights and measures as are hereby given to Clerks of the Market and Town Clerks.

Use of the heaped measure abolished.

14. The use of the heaped Measure is hereby abolished, and all sales or contracts for sales by the heaped measure, made after this Act comes into operation, shall be null and void.

The standard bushel of grains, seeds and roots to be of certain weights.

15. The standard bushel of Wheat, Indian Corn, Barley, Buckwheat, Rye, Oats, and all other grains; Potatoes, and all other edible roots, shall respectively be taken to be of the following weight in pounds avoirdupois:—

- Of clean Wheat, or Indian Corn, sixty pounds;
- Of clean Barley, or Buckwheat, fifty pounds;
- Of clean Rye grain, Summer or Winter, fifty six pounds;
- Of clean Oats, thirty six pounds;
- Of clean Timothy Seed, forty pounds;
- Of all other grains, fifty six pounds;
- Of Potatoes and all other edible Roots, fifty six pounds.

Coals to be sold by weight.

16. Coals shall be sold by weight and not by measure, by the ton of two thousand two hundred and forty pounds avoirdupois, and its usual subdivisions.

Recovery of penalties.

17. Penalties imposed by this Act may be recovered by summary proceedings before any two Justices of the Peace, and when recovered shall be equally divided, one half to the party prosecuting for the same, and the other half to the Commissioners of the Poor for the County, or the Overseers of the Poor for the Parish where the offence was committed.

Repeal of Acts and parts of Acts.

18. After this Act comes into operation, an Act made and passed in the twenty sixth year of the Reign of His late Majesty George the Third, intituled *An Act for regulating Weights and Measures*, and all other Acts and parts of Acts repugnant to this Act, shall be and the same are hereby repealed, save and except so far as relates to any contract now in existence.

Time when this Act shall come into operation.

19. This Act shall not come into operation until the first day of October in the year of our Lord one thousand eight hundred and fifty three; and all contracts or bargains for any work to be done, or any thing to be sold or delivered thereafter, by weight or measure, shall be deemed and taken to be made according to the weights and measures hereby declared and authorised, and by none other.

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