



Western Australia.

ANNO SEXAGESIMO TERTIO

VICTORIÆ REGINÆ.

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No. XI.

AN ACT for the Regulation of Weights and Measures.

[Assented to, 9th October, 1899.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Weights and Measures Act, 1899.

Short title.

2. THE Acts set forth in the first column of the First Schedule hereto are hereby repealed to the extent set forth in the second column of that Schedule; but such repeal shall not affect any act done, right acquired, or liability (civil or criminal) incurred under the said Acts or any proceedings instituted to enforce such right or liability, and such proceeding may be instituted and carried as if this repeal had not been enacted.

Repeal of parts of W. IV., No. 2, and the whole of 18 Vict., No. 18.

First Schedule.

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## *Weights and Measures.*

Interpretation.

3. IN this Act, save so far as the context otherwise requires,—
- “ Inspector ” means an Inspector appointed under this Act:
- “ Justice ” means a Justice of the Peace :
- “ Metropolitan Corporation ” means the Council of the City of Perth.

“ Standards.”

Victorian Weights  
and Measures Act,  
1890, s. 5.

Second Schedule.

4. THE several weights and measures mentioned in the Second Schedule hereto which are now in the custody and under the control of the Metropolitan Corporation, and which have been duly verified as agreeing with the standard weights and measures in the charge of the Board of Trade, shall be and continue to be “ Standard Weights and Measures.”

All computations to  
be from standards.

*Ibid.*, s. 7.

5. ALL weights shall be derived, computed, and ascertained from the said standard weights; and all measures of capacity shall be derived, computed, and ascertained from the said standard measure of capacity; and all measures of extension, whether lineal, superficial, or solid, shall be derived, computed, and ascertained from the said standard measure of extension.

Computations from  
the standard pound  
avoirdupois.

*Ibid.*, s. 8.  
See 5 Geo. IV.,  
c. 74, s. 4.

6. ONE sixteenth part of the standard pound avoirdupois shall be an ounce, and one sixteenth part of such ounce shall be a dram, and fourteen such pounds shall be a stone, and eight such stones shall be a hundredweight, and twenty such hundredweights shall be a ton.

Provided that flour, bran, pollard, and the mill products of all grain shall be sold by the customary ton of Two thousand pounds avoirdupois, or the hundredweight of One hundred pounds avoirdupois, or some multiple or part thereof respectively.

Computations from  
the standard pound  
troy.

*Ibid.*, s. 9.  
See *ibid.*, s. 4.

7. ONE twelfth part of the standard pound troy shall be an ounce, and one twentieth part of such ounce shall be a pennyweight, and one twenty-fourth part of such pennyweight shall be a grain.

Computations from  
the standard gallon.

*Ibid.*, s. 10.  
See *ibid.*, s. 6.

8. ONE fourth part of the standard gallon shall be a quart, and one half part of such quart shall be a pint, and one fourth part of such pint shall be a gill; and two such gallons shall be a peck, and eight such gallons shall be a bushel, and eight such bushels shall be a quarter of corn or other dry goods.

Computations from  
the standard yard.

*Ibid.*, s. 11.

9. ONE third part of the standard yard shall be a foot; and the twelfth part of such foot shall be an inch.

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Provided that nothing contained in this Act shall affect the measurement of land. See *ibid.*, ss. 1 and 2.

**10.** ALL weights and measures provided as standard weights and measures after the passing of this Act shall be stamped or marked; and the stamp or mark shall consist of the imperial crown with the word "STANDARD" underneath and a figure or fractional figure to indicate the denomination or contents of such weight or measure: And such weights and measures shall be deposited in the offices of the Metropolitan Corporation, and kept by or under the control of the said corporation. Standards to be stamped.  
*Ibid.*, s. 12.

**11.** IF any of the said standard weights or measures be lost, destroyed, defaced, or otherwise injured so as to be unfit to be used as standards, the said council shall provide another weight or measure of the like denomination with that so lost, destroyed, defaced, or injured; and such weight or measure so provided shall be adjusted and verified by comparison with the proper standard weight or measure, and when stamped or marked and deposited as hereinbefore mentioned shall become a standard weight or measure. Replacing lost, etc., standards.  
*Ibid.*, s. 13.

**12.** THE said Metropolitan Corporation shall cause to be made, as often as the same may be required, copies of the said standard weights and measures; and such copies when verified and stamped as hereinafter mentioned, shall, for the purposes of this Act, be deemed to be "authorised copies" of the said standard weights and measures respectively, although such copies be not of the same shape or of the same metal or material as the said standard weights and measures; and such copies shall be accepted as true by all courts and persons. Authorised copies to be provided.  
*Ibid.*, s. 15.

**13.** EVERY authorised copy of the standard weights and measures, before being issued as hereinafter mentioned, shall be compared with the standard weights and measures; and (having been adjusted if necessary) shall be stamped or marked: And the stamp or mark shall consist of the imperial crown with a figure or fractional figure to indicate the denomination or contents of such weight or measure, and a distinguishing mark (to be fixed by the said Metropolitan Corporation) showing the municipality to which the same has been issued and the date of issue. Authorised copies to be marked.  
*Ibid.*, s. 16.

**14.** AT such times as the Governor may direct, all the authorised copies shall be compared with the standard weights and measures, and, if necessary, shall be adjusted. Standards to be tested.  
See *ibid.*, s. 14.

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## *Weights and Measures.*

Register.  
*Ibid.*, s. 17.  
See 5 & 6 Will. IV.,  
c. 63, s. 5.  
Third Schedule.  
Proof of authorised  
copies.

**15.** THE said Metropolitan Corporation shall cause to be kept in the said office a register of all authorised copies which shall have been issued under this Act, which said register shall be in the form in the Third Schedule hereto or to the like effect: And proof that any weights or measures in the custody of any inspector of weights and measures bear the said stamp or mark, and the distinguishing mark of the place or district in which they are used corresponding with such register, shall be sufficient evidence that such weights and measures are authorised copies of the standard weights and measures, and that the same have been duly issued under this Act for such place or district.

Issue of authorised  
copies.  
*Ibid.*, s. 18.  
See 5 Geo. IV.,  
c. 74, s. 12.  
Authorised copies to  
be deposited.

**16.** UPON application made by any municipal council and upon payment of the price fixed by the Governor in that behalf, the said Metropolitan Corporation shall issue to such council one or more sets of authorised copies of the standard weights and measures; and such authorised copies shall be the property of the council of the municipality for which the same have been issued: And every such council shall cause one set of such authorised copies to be deposited with and safely kept by each of the inspectors hereinafter mentioned at such place and in such building within the limits for which such inspector has been appointed as the council directs.

*Ibid.*, s. 19.  
All copies to be  
periodically  
re-verified.  
See 5 & 6 Will. IV.,  
c. 63, s. 5.

Re-verified copies to  
be returned or  
destroyed.  
Fourth Schedule.

**17.** EVERY authorised copy of the said standard weights and measures respectively shall, in every fifth year, and at any time when the same are suspected to be defective or required to be repaired, and at such other times as the said Metropolitan Corporation directs, be transmitted by the said council to the said corporation for the purpose of being again compared as aforesaid; and if not so transmitted they shall, upon notice given in that behalf by the said corporation in the *Government Gazette*, cease to be authorised copies, and the date and cause of their so ceasing shall be entered in the register aforesaid: And every authorised copy so transmitted shall, if found or when made to agree with the standard weight or measure, be re-issued upon payment of the fees specified in the Fourth Schedule hereto by such council, unless the said corporation shall deem such copy unfit to be used for the purposes of this Act, in which case it shall be forthwith destroyed in such a manner as to prevent its being again used, and it shall then be sold, and the proceeds paid to the said council.

Authorised copies  
lost, etc.  
*Ibid.*, s. 20.

**18.** IF any of such authorised copies are lost, destroyed, defaced, or otherwise injured, so as to be unfit to be used as authorised copies, the council of the municipality to which the same belong shall forthwith provide in the manner hereinbefore mentioned other authorised copies instead thereof.

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19. THE said Metropolitan Corporation shall issue to any such council which applies for the same, upon payment of such fees as shall be fixed in that behalf by the Governor, good and sufficient stamps, brands, beams, scales, and books, for the purposes of this Act, as hereinafter mentioned; and none other shall be used for such purposes.

Stamps and brands,  
etc.

*Ibid.*, s. 21.

20. EVERY such council shall from time to time appoint at least one inspector of weights and measures for the municipal area of such council; and such council may from time to time remove such inspector and appoint another in the room of any inspector so removed, or who may die, resign, or discontinue his office; and such council may, out of the municipal fund, pay to such inspectors such salary and allowances as such council shall think reasonable.

Inspectors.

*Ibid.*, s. 22.

21. NO maker or seller or adjuster of weights or measures, or person employed in making or selling or adjusting thereof, or in the conveyance, carriage, purchase, or sale of goods by weight or measure, shall be appointed an inspector of weights and measures under this Act; nor shall any inspector be directly or indirectly connected with the business of any adjuster of weights and measures.

Disqualification of  
inspectors.

*Ibid.*, s. 23.

22. EVERY such inspector as aforesaid, immediately upon his appointment and before entering upon the duties of his office, shall, with two sureties approved of by the council, enter into a bond to the council by which such inspector has been appointed, or shall obtain the guaranty of some company or society approved by the said council, in the sum of Two hundred pounds, to secure the due and punctual performance of the duties of his office, and the due and punctual payment, at such times as he may be directed by such council, of all fees received by him under the authority of this Act, and the safe custody, and faithful and lawful use of the weights, measures, stamps, brands, beams, and scales, and all other articles committed to his charge under this Act, and their due restoration and surrender to such person and at such time as may be duly appointed in that behalf by the said council.

Inspectors to give  
security.

*Ibid.*, s. 24.

*Ibid.*, s. 23.

23. THE council of any municipality may require the inspector of such municipality to take the authorised copies of the weights and measures to any place within the limits for which such inspector is appointed for the purpose of comparing weights and measures within such limits, or to any place beyond such limits, and not being within the limits of any other municipality, for the purpose aforesaid: And it shall be lawful for any such council as aforesaid to fix, by by-laws, the amount of the fees to be paid to such inspector by any person resident or carrying on business in any place to which the inspector

Inspectors to travel  
with authorised  
copies.

*Ibid.*, s. 25.

*Ibid.*, s. 24.

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may be so required to take the said copies, and who may apply to such inspector for a comparison of his weights or measures.

Cost of carrying out provisions of Act.  
*Ibid.*, s. 26.

**24.** EVERY such council may defray all the costs of carrying out the provisions of this Act out of the municipal fund.

Authorised copies to be accessible for comparison.

*Ibid.*, s. 32.

See *ibid.*, s. 25.

**25.** ALL persons who are desirous of adjusting any weights, measures, scales, balances, steelyards, beams, or other weighing machines shall have access to the authorised copies deposited as aforesaid for the place within which the same are kept or used, at such times and upon payment of such fees as may be fixed by any by-law to be made in that behalf by the council of the municipality to which such authorised copies belong.

Such by-laws shall and may be made by the councils of such municipalities in accordance with the provisions of the Acts prescribing the manner in which by-laws shall be made by such councils.

Inspector to compare weights, etc., brought to him.

It shall be the duty of the inspector in whose charge the said authorised copies shall be, upon payment as aforesaid, to compare with such authorised copies as aforesaid, and stamp (if found correct) all such weights, measures, scales, balances, steelyards, beams, or other weighing machines as are brought to him for that purpose by any person keeping or using the same within the limits for which such inspector is appointed.

Certain exceptions.

*Ibid.*, s. 33.

See *ibid.*, s. 21.

**26.** NOTHING hereinbefore contained shall extend to require any single weight or measure exceeding the greatest standard weight or measure deposited as aforesaid to be compared and stamped; or to require any wicker measure or any glass or earthenware jug or drinking cup, though represented as containing the amount of any standard measure, or of any multiple thereof, to be stamped.

Inspectors to make minutes of comparisons.

*Ibid.*, s. 34.

See *ibid.*, s. 24.

Fifth Schedule.

Sixth Schedule.

**27.** EVERY such inspector shall keep a book, wherein he shall enter, in the form contained in the Fifth Schedule to this Act, minutes of all such comparisons, together with the several other matters and particulars indicated or required by the said form; and shall, if required, give under his hand a copy of such minute, with a certificate indorsed thereon, in the form or to the effect in the Sixth Schedule hereto:

Standard weights, etc., to be adopted.

*Ibid.*, s. 35.

5 & 6 Geo. IV.,  
c. 74, s. 15.

**28.** ALL contracts, bargains, sales, and dealings, which are made or had, after the passing of this Act, for any work to be done, or for any goods, wares, or merchandise, or other thing to be sold, delivered, done, or agreed for by weight or measure, shall be made, and be deemed, taken, and construed to be made and had according to the standard weights and measures ascertained by this Act or some multiple or part thereof.

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**29.** GOLD, silver, platinum, diamonds, and other precious stones, but no other articles, shall be sold by troy weight.

Troy weight.  
*Ibid.*, s. 36.

**30.** NOTHING herein contained shall prevent the sale of drugs, when sold by retail, by apothecaries' weight; nor the sale of any articles in any vessel where such vessel is not represented as containing any amount of standard weight or measure.

Exceptions.  
*Ibid.*, s. 37.  
See 5 & 6 Will. IV.,  
c. 63, s. 10.

**31.** COALS, coke, slack, culm, and cannel of every description shall be sold by weight and not by measure.

Coals, coke, etc., to  
be sold by weight.  
*Ibid.*, s. 38.  
See *ibid.*, s. 9.

**32.** AGRICULTURAL produce mentioned in the Seventh Schedule hereto shall be sold by the bushel standard weight and not by measure, and the weight thereof shall be estimated at the number of standard pounds avoirdupois set against the name thereof in the said Schedule.

Wheat, etc., to be  
sold by weight.  
See Queensland Act,  
36 Vict., 18, ss. 1 and  
2.  
Seventh Schedule.

Provided that the Governor may at any time, by Proclamation published in the *Government Gazette*, declare that other agricultural produce specified in such Proclamation, and the weight set against the same respectively, shall be added to the Schedule, and thereupon such additions shall be read as part of the Schedule.

Provided also that nothing in this section shall apply to—

Any contract for the sale of or a lien upon any growing crops or unthreshed grain;

Any sale of less than a bushel; or

The supply by an innkeeper of any article of provender for the animals of his guest, or for animals in his charge as such innkeeper.

**33.** EXCEPT where it is otherwise allowed by this Act, all dry goods, wares, and merchandise, sold by measure, shall be stricken with a round stick or roller, straight, and of the same diameter from end to end.

Dry goods to be  
stricken.  
*Ibid.*, s. 39.  
See 5 Geo. IV.,  
c. 74, s. 9.

**34.** ALL such dry goods, wares, and merchandise, as from their size and shape are incapable of being stricken, and from their nature and quality cannot be conveniently sold by weight, may be sold by a standard bushel measure, made round, containing eight standard gallons, filled in all parts as nearly to the level of the brim as the size, shape, and nature of the article so sold will admit.

How dry goods  
incapable of being  
stricken may be sold.  
*Ibid.*, s. 40.

**35.** ALL weights made after the passing of this Act shall have the exact weight contained therein marked on the top or side thereof in legible figures and letters; and all measures of capacity and extension respectively, made after the passing of this Act, shall have their contents marked on the outside of such measures respectively in legible figures and letters.

Weights and  
measures to have  
contents marked.  
*Ibid.*, s. 41.  
See 5 & 6 Will. IV.  
c. 63, s. 12.

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Weights and measures to be stamped.

*Ibid.*, s. 42.

**36.** NO weights and measures whatsoever (except as herein excepted) shall be used, unless they have been compared with one or more (as the case may require) of the said standard weights and measures, or of the authorised copies thereof.

Stamped weights, etc., may be used at any place.

*Ibid.*, s. 43.

See *ibid.*, s. 27.

**37.** NO weight or measure duly stamped under this Act, or an Act hereby repealed, shall be liable to be re-stamped, although such weight or measure be used in any other place than that at which the same was originally stamped; but such weight or measure shall be considered as a legal weight or measure throughout Western Australia, unless found to be defective or unjust.

Where no inspector appointed.

*Ibid.*, s. 44.

**38.** ANY person who keeps or uses any weight, measure, beam, scales, balance, steelyard, or other weighing machine in any place, whether there is an inspector for that place or not, and who is desirous of adjusting the same, shall have access to the authorised copies deposited nearest to such place; and it shall be the duty of the inspector in whose charge the said authorised copies shall be to compare and stamp any such weight, measure, beam, scales, balance, steelyard, or other weighing machine, in the same manner, upon the same terms, and subject to the same penalties for failure, neglect, or refusal on the part of such inspector, as if such person kept or used the same within the limits for which such inspector has been appointed.

Lead and pewter weights prohibited unless cased, etc.

*Ibid.*, s. 45.

See 5 & 6 Will. IV., c. 63, s. 13.

**39.** NO weight made of lead or pewter or of any mixture thereof respectively shall be stamped or used; but nothing herein contained shall prevent the use of lead or pewter, or any mixture thereof respectively, in the manufacture of weights, if they be wholly cased with brass, copper, or iron, and legibly stamped or engraved with the word "cased;" or shall prevent the insertion of such a plug of lead or pewter into weights as shall be *bonâ fide* necessary for adjusting them, or of affixing thereon the stamp or mark required by this Act.

False weights, etc., to be forfeited.

*Ibid.*, s. 4, with addition.

**40.** ALL weights made of lead or pewter or of any mixture thereof, and all weights and measures with forged or counterfeit stamps or marks thereon, shall be seized by any Justice, or by any inspector of weights and measures, and may be forfeited by an order of any Justice, after inspection and comparison with the corresponding standard weight or measure, or an authorised copy thereof.

Buyers by reputed standards may require comparison.

*Ibid.*, s. 47.

**41.** ANY person buying by any vessel represented as containing the quantity of any standard measure, or of any multiple thereof, is hereby authorised to require the contents of such vessel to be ascertained by comparison with a stamped measure, to be provided by the person who shall sell or attempt to sell by such vessel:

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And if such person shall refuse to make such comparison, or if upon such comparison being made such vessel shall be found to be deficient in capacity, the person who sells or attempts to sell by the same shall be guilty of an offence, and shall, upon conviction, be subject to the penalties and forfeitures by this Act imposed on persons using light or unjust weights or measures.

**42.** ANY Justice or any inspector of weights and measures may at all reasonable times enter any shop, store, warehouse, stall, yard, shed, or place whatsoever within his jurisdiction wherein goods are exposed or kept for sale, or are measured or weighed for conveyance or carriage, and may there examine all weights, measures, scales, balances, steelyards, beams, or other weighing machines, and compare and try the same with the authorised copies deposited under this Act or duplicates thereof: And if, upon such examination and comparison with authorised copies, it appears that the said weights or measures are light or otherwise unjust, or that the said scales, balances, steelyards, beams, or other weighing machines are incorrect or imperfect, the same respectively shall be forthwith seized and may be forfeited by the order of any Justice.

Justices and inspectors may search for false weights and measures.

*Ibid.*, s. 48.

See *ibid.*, s. 28.

**43.** IF any person falsifies or otherwise wilfully or negligently injures any of the said standard weights and measures, or any of the authorised copies thereof, or any stamp or brand or other property issued under this Act, or (without being duly authorised in that behalf) removes any of the same from the buildings where the same are deposited under this Act, such person shall be guilty of an offence, and shall, upon conviction, pay a fine not exceeding Fifty pounds, in addition to the cost of repairing or replacing such weight, measure, stamp, or brand, which costs shall be assessed by the adjudicating Justices.

Falsifying, etc., weights.

*Ibid.*, s. 49.

**44.** IF any inspector of weights and measures fails, neglects, or refuses to compare any weights, measures, scales, balances, steelyards, beams, or other weighing machines which are brought to him for that purpose by any person keeping or using the same within the limits for which he is appointed, such inspector shall be guilty of an offence, and shall, on conviction, pay a fine not exceeding Ten pounds.

Penalty for not comparing weights, etc.

*Ibid.*, s. 50.

**45.** IF any inspector of weights and measures makes, adjusts, or sells any weight, measure, scales, balance, steelyard, beam, or other weighing machine, or derives any profit, commission, or other remuneration from the making, adjusting, or selling thereof respectively, he shall be guilty of an offence, and shall, upon conviction, pay a fine not exceeding Fifty pounds, and shall thenceforward be incapable of holding any office under this Act.

Penalty for inspector selling weights.

*Ibid.*, s. 51.

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Penalty for inspector's breach of duty.

*Ibid.*, s. 52.

See 5 & 6 Will. IV., c. 63, s. 29.

**46.** IF any inspector of weights and measures, or any other person legally authorised to stamp any weights or measures, stamps any weight, measure, scales, balance, steelyard, beam, or other weighing machine without duly verifying the same with an authorised copy of the standard weights and measures or with the standard weights and measures, as the case may be, or if he, without the authority of the municipal council, removes any of the authorised copies aforesaid from the building in which the same are by direction of such council deposited, or if he demands or receives for comparing or stamping any weight or measure any other or greater fee than is fixed in that behalf, or is guilty of a breach of any duty imposed by this Act, or otherwise misconducts himself in the execution of his office, shall be guilty of an offence, and shall, upon conviction, pay a fine not exceeding Twenty pounds for every such offence.

Inspectors acting outside district.

*Ibid.*, s. 53.

See *ibid.*, s. 25.

**47.** EVERY inspector who, except as hereinbefore mentioned, compares or stamps any weight or measure of any person who does not keep or use the same in a place to which the inspector is required to take the authorised copy of the weights and measures as aforesaid, or who keeps or uses the same within the limits of any local jurisdiction for which another inspector is legally appointed, shall be guilty of an offence, and shall for every such offence pay a fine not exceeding Ten pounds.

Penalty for false weights, etc.

*Ibid.*, s. 54.

See *ibid.*, s. 21.

**48.** IF any person uses or has in his possession any weight or measure other than those authorised by this Act, or some aliquot part thereof, or which has not been marked as aforesaid, or which (not being in the possession of a seller of weights and measures for the purpose of sale only) has not been stamped as aforesaid, except as hereinbefore excepted, or which is found to be light or otherwise unjust, or if any person uses or has in his possession any false or imperfect scales, balance, steelyard, beam, or other weighing machine, he shall be guilty of an offence, and shall, on conviction, pay a fine not exceeding Ten pounds: And any contract, bargain, or sale made by any such unstamped weights and measures or such false or imperfect scales, balance, steelyard, beam, or weighing machine shall be wholly null and void: And every such light, unjust, or unstamped weight or measure, or false or imperfect scales, balance, steelyard, beam, or weighing machine shall, on being discovered by any Justice or inspector of weights and measures, be seized, and, on conviction of the person using or possessing the same, shall be forfeited.

Penalty for use of unlawful weights, etc.

*Ibid.*, s. 55.

See 5 & 6 Will. IV., c. 63, s. 21.

**49.** IF any person sells any goods, wares, merchandises, or other things by heaped measure or by any weight or measure not allowed for that purpose by this Act, or sells any coals, coke, slack, culm, or cannel of any description by measure and not by weight, he shall

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be guilty of an offence, and shall, on conviction thereof, pay a fine not exceeding Ten pounds; and any contract, bargain, or sale made contrary hereto shall be wholly null and void.

50. IF any person wilfully obstructs, resists, hinders, or opposes any Justice or any inspector of weights and measures in the execution of his office, or if any person selling, conveying, or carrying by weight or measure refuses to produce and deliver his weights, measures, scales, balances, steelyards, beams, or other weighing machines to such inspector or to any Justice, he shall be guilty of an offence, and shall, on conviction, pay for every such offence a fine not exceeding Ten pounds.

Penalty for obstructing inspector or not producing weights.  
*Ibid.*, s. 56.  
See *ibid.*, s. 28.

51. IF any person makes, forges, or counterfeits, or causes or procures to be made, forged, or counterfeited, or knowingly acts or assists in the making, forging, or counterfeiting of any stamp, brand, or mark used for the stamping or marking of any weights or measures under this Act, such person shall be guilty of an offence, and shall, on conviction for every such offence, pay a fine not exceeding One hundred pounds: And if any person knowingly sells, utters, disposes of, or exposes for sale any weight or measure with such forged or counterfeit stamp, brand, or mark thereon, he shall be guilty of an offence, and shall, on conviction for every such offence, pay a fine not exceeding Twenty pounds.

Penalty for counterfeiting marks, etc.  
*Ibid.*, s. 57.  
See *ibid.*, s. 30.

52. ALL weights, measures, balances, steelyards, beams, or scales forfeited under this Act shall be so broken up as to prevent their being again used as such, and shall then be sold.

Weights and measures forfeited to be destroyed.  
*Ibid.*, s. 58.

53. ALL prosecutions for offences against this Act, save where otherwise provided, may be heard and determined before two Justices of the Peace in Petty Sessions, and shall not be commenced after one month from the commission of the offence; and all penalties and the proceeds of all forfeitures under this part of this Act shall be paid, one-half to the inspector or other person suing for the same, and the other half to the municipality in which such penalty or forfeiture shall be incurred.

Appropriation of penalties and fees  
*Ibid.*, s. 59.

All fees paid to any inspector shall be paid to the treasurer of the municipality in which he is appointed.

54. ALL actions brought against any person for anything done in pursuance or in the intended execution of this Act shall be laid and brought within three months after such cause of action shall have arisen.

Venue in actions.  
*Ibid.*, s. 60.

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Tender of amends.  
*Ibid.*, s. 61.

55. NO plaintiff shall recover in any action for any irregularity, trespass, or other wrongful proceeding made or committed in the execution of this Act, if tender of sufficient amends have, before action brought, been made by or on behalf of the person who has committed such irregularity, trespass, or other wrongful proceeding.

In the name and on behalf of the Queen I hereby assent  
to this Act.

GERARD SMITH, Governor.

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### SCHEDULES.

#### First Schedule.

Section 2.

|                             |                     |
|-----------------------------|---------------------|
| 3 William IV., No. 2 ... .. | All but Section 11. |
| 18 Victoria, No. 18 ... ..  | The whole.          |

#### Second Schedule.

Section 4.

##### *Avoirdupois Weights.*

|                     |              |             |
|---------------------|--------------|-------------|
| Fifty-six pounds    | Four pounds  | Four ounces |
| Twenty-eight pounds | Two pounds   | Two ounces  |
| Fourteen pounds     | One pound    | One ounce   |
| Seven pounds        | Eight ounces |             |

##### *Measures of Capacity.*

|                 |                 |               |
|-----------------|-----------------|---------------|
| One bushel      | One-half gallon | One gill      |
| One-half bushel | One quart       | One-half gill |
| One peck        | One pint        |               |
| One gallon      | One-half pint   |               |

##### *Troy Weights.*

|               |            |             |
|---------------|------------|-------------|
| Fifty ounces  | Two ounces | 0·03 ounce  |
| Forty ounces  | One ounce  | 0·02 ounce  |
| Thirty ounces | 0·5 ounce  | 0·01 ounce  |
| Twenty ounces | 0·4 ounce  | 0·005 ounce |
| Ten ounces    | 0·2 ounce  | 0·004 ounce |
| Five ounces   | 0·1 ounce  | 0·003 ounce |
| Four ounces   | 0·05 ounce | 0·002 ounce |
| Three ounces  | 0·04 ounce | 0·001 ounce |

##### *Measure of Extension.*

One yard.

[Section 15.]

**Third Schedule.**

*Register of Authorised Copies of Weights and Measures issued.*

| No. of District and distinguishing Mark. | To which issued. | Date of Issue. | Date of Transmission for Re-verification. | Denomination of Weights or Measures transmitted. |       |           |            | Date of |              | Remarks. |
|--|------------------|----------------|---|--|-------|-----------|------------|---------|--------------|----------|
|  |                  |                |   | Weights.   |       | Measures. |            | Return. | Destruction. |          |
|  |                  |                |   | Avoirdupois.                                     | Troy. | Capacity. | Extension. |         |              |          |
|  |                  |                |   |  |       |           |            |         |              |          |

[Section 17.]

**Fourth Schedule.**

*Fees for comparing the Authorised Copies of the Standard Weights and Measures.*

|   | £ | s. | d. |  | £ | s. | d. |
|---|---|----|----|--|---|----|----|
| For every comparison of a complete set of authorised copies of the standard weights and measures ... .. | 2 | 2  | 0  | For comparing a set of measures of capacity ... ..                     | 1 | 1  | 0  |
| For comparing a set of avoirdupois or troy weights (each set)...  | 1 | 1  | 0  | For comparison of any single copy, whether of weight or measure ... .. | 0 | 2  | 6  |

[Section 27.]

**Fifth Schedule.**

*Form of Inspector's Book for minuting Comparisons.*

| No. | Owner of Weights and Measures. |                    |                            |             | Denomination of |       |           |            | Denomination. | Capacity. | When compared. | Fees paid. |    |    | Remarks. |
|-----|--------------------------------|--------------------|----------------------------|-------------|-----------------|-------|-----------|------------|---------------|-----------|----------------|------------|----|----|----------|
|     | Surname Alphabetically.        | Other Names.       | Place of Business.         | What Trade. | Weights.        |       | Measures. |            |               |           |                | r          | s. | d. |          |
|     |                                |                    |                            |             | Avoirdupois.    | Troy. | Capacity. | Extension. |               |           |                |            |    |    |          |
|     | Anderson                       | John               | 10 King Street, Coolgardie | Grocers     | 56lb.           | ...   | ...       | ...        | ...           | ...       | 10th Nov., 189 |            |    |    |          |
|     | Adamson<br>Smith               | James<br>William } | 5 George Street, Fremantle | Brewers     | ...             | ...   | 5 gals.   | ...        | ...           | ...       | 15th Dec., 189 |            |    |    |          |

# 63° VICTORIÆ, No. 11.

## *Weights and Measures.*

### Sixth Schedule.

Section 27.

I hereby certify that the above is a true copy of the minute of comparison  
made by me on the                      day of                      1 .

(Signed)

Inspector of Weights and Measures for

(Date)

1 .

### Seventh Schedule.

|                  |     |     |     |     |     |     |                        |
|------------------|-----|-----|-----|-----|-----|-----|------------------------|
| Wheat            | ... | ... | ... | ... | ... | ... | 60 lbs. to the bushel. |
| Rye              | ... | ... | ... | ... | ... | ... | 60   "   "             |
| Peas             | ... | ... | ... | ... | ... | ... | 60   "   "             |
| Beans            | ... | ... | ... | ... | ... | ... | 60   "   "             |
| Tares or vetches | ... | ... | ... | ... | ... | ... | 60   "   "             |
| Maize...         | ... | ... | ... | ... | ... | ... | 56   "   "             |
| Maize (crushed)  | ... | ... | ... | ... | ... | ... | 54   "   "             |
| Barley           | ... | ... | ... | ... | ... | ... | 50   "   "             |
| Oats             | ... | ... | ... | ... | ... | ... | 40   "   "             |
| Bran             | ... | ... | ... | ... | ... | ... | 20   "   "             |
| Pollard          | ... | ... | ... | ... | ... | ... | 20   "   "             |