



WESTERN AUSTRALIA.

ANNO DECIMO QUARTO

VICTORIÆ REGINÆ.

No. XIX.

An Ordinance for better regulating the Inspection of Weights and Measures.

WHEREAS by an Act or Ordinance passed in the third year of the reign of His late Majesty King William the Fourth, intituled "an Act for the Regulation of Weights and Measures," provision is made for the official inspection of weights and measures by certain Examiners acting under the written direction of some Justice of the Peace; and it is deemed expedient that such inspec-

Office of examiner
under 3rd W. 4th to
cease.

tion should hereafter be made by Inspectors, with independent authority in that behalf, to be appointed as hereinafter mentioned;—Be it therefore enacted, by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, that from and after the passing of this Ordinance, the office of any Examiner appointed under the said Ordinance shall cease and determine; and that it shall be lawful for the said Governor from time to time, by warrant under his hand, to appoint any number of fit and proper persons, being Justices of the Peace, to be inspectors of weights and measures, who shall have power, individually, of their own proper discretion respectively, and without any further authority than such warrant of appointment, to examine all weights, balances, and measures within the said colony in manner hereinafter mentioned.

Governor to appoint Inspectors, being Justices.

Inspector empowered to examine weights, balances, and measures.

And to adjudge as forfeited any found false or deficient.

And to impose penalty.

Inspector empowered to examine bread;

II. AND be it enacted, that it shall be lawful for any such Inspector, of his own discretion, and without any previous charge or information made or preferred to him, to enter in the day-time, together with any constables, keeper of weights and measures, and other assistants as he may deem necessary, into any mill, shop, storehouse or out-house, hut, booth, tent, or other place where any kind of goods or wares, dry or liquid, are or shall be usually sold, and then and there to search for, examine, compare and test all weights, balances, and measures there found, and to seize and detain any false balance and any weight or measure, which, after being tested in the presence and sight of such inspector, shall be then and there found to be not in accordance with the respective Standards established by the said recited Ordinance, or by any other law for the time being in force in the said colony; and upon view thereof, to adjudge such false balance, or deficient weight or measure, to be forfeited; and further to adjudge the person or persons on whose premises or in whose apparent ownership any false balance, or any deficient weight or measure, shall be so found, to forfeit and pay for every such false balance or deficient weight or measure, any sum not exceeding five pounds, and all costs and charges of such conviction.

III. AND be it enacted, that it shall be lawful for such inspector as aforesaid to enter in the day-time, with such assistants as he may deem necessary, into any shop or bakehouse of any baker or dealer or retailer in bread, and to test the weight of all or any loaves there exhibited or being for sale, and which, by virtue of the said recited Act, ought to be of certain specific weight; and if any such loaf, being

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weighed in the presence and sight of such Inspector within forty- And adjudge forfeit-
eight hours after the same was baked, shall (after making such rea- ture of batch ;
sonable allowance for small deficiency of weight as by the said Ordi-
nance is authorised) be found to be of a weight not according with the
provisions of the said Ordinance, it shall be lawful for such Inspector,
upon view thereof, to declare forfeited the whole batch of loaves or
quantity contemporaneously baked of which such deficient or irregular And impose penalty.
loaf shall be part; and further to adjudge the person exhibiting or
having such deficient or irregular loaf for sale, to forfeit and pay any
sum not exceeding Five Pounds; and all bread so forfeited shall be
disposed of for some charitable or public purpose, at the discretion of
the convicting Inspector.

IV. AND be it enacted, that every conviction upon view by any Conviction, how enf-
such Inspector as aforesaid, shall or may be enforced in like manner arced.
as any other conviction under the said Ordinance may, by the 12th
section thereof, be enforced; and all fines and penalties imposed under And penalties appro-
any such conviction upon view shall be paid to the Colonial Treasurer, priated.
to the use of Her Majesty, her heirs, and successors.

V. AND be it enacted, that the provisions of the 6th section of the Inspector instead of
said recited Ordinance shall be taken and applied as if the words Examiner.
“Inspector of Weights and Measures” had been therein inserted in
lieu of the words “such Examiner as aforesaid.”

VI. AND be it enacted, that it shall be lawful for the Governor Appointment may be
by notice to that effect published in the Government Gazette, to re- revoked.
voke the appointment of any such Inspector as aforesaid; and imme-
diately after such publication, the power and authority of such Inspec-
tor under this Ordinance shall utterly cease and determine.

CHARLES FITZGERALD,
GOVERNOR AND COMMANDER-IN-CHIEF.

*Passed the Council, }
16th May, 1851. }*

A. O'GRADY LEFROY,
Acting Clerk of the Council.