L. S.

BRITISH COLUMBIA.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

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NO. 14.

An Ordinance to establish a Standard of Weights and Measures.

[19*th March*, 1867.]

Preamble.

WHEREAS it is expedient to establish a Standard of Weights and Measures;

Be it enacted by the Governor of British Columbia, with the advice and consent of the Legislative Council thereof, as follows:

English Standard of Weights and Measures to be the Standard in this Colony.

I. From and after the time hereinafter fixed for the coming into operation of this Ordinance, the Weights and Measures of Her Majesty's Exchequer in England shall be the Standard of Weights and Measures of the said Colony, and no goods, commodities, or other articles sold by Weight or Measure shall be so sold, except by such Standard of Weights or Measures, or some multiple or fractional part thereof. Provided always, that nothing herein contained shall prevent the sale of any goods, commodities, or other articles in any vessel, or bale, or by bulk, when such vessel, or bale, or such bulk is not represented as containing any Standard Weight or Measure, or any multiple or fractional part thereof, or any Local or Foreign Measure, or any multiple or fractional part thereof.

Things sold by weight, with certain exceptions, to be sold by Avoirdupois weight.

II. All articles sold by Weight shall be sold by Avoirdupois Weight, except Gold, Silver, Platina, Diamonds or other precious stones, which may be sold by Troy Weight, and Drugs which when sold by Retail shall be sold by Apothecaries Weight.

Governor to appoint Inspector of weights and measures.

III. It shall be lawful for the Governor from time to time and at any time hereafter, to appoint such persons as he may think fit to be Inspectors of Weights and Measures within the said Colony, for the whole or for any definite Districts or portions of the said Colony, and to revoke any such appointments and make new appointments in lieu thereof.

Duties of Inspectors.

IV. It shall be the duty of every such Inspector, at such times and places and in such manner as the Governor shall from time to time in that behalf direct, to stamp all Weights and Measures brought to him for that purpose, and for every Weight and Measure so stamped, such Inspector shall be entitled to receive the sum of Twenty Cents.

Power of Inspectors.

V. Every such Inspector as aforesaid may, at all reasonable times, enter into any Shop, Store, Warehouse, or Place within the District in which he has authority to act, where any goods, commodities, or other articles are bought, sold, or exchanged, or exposed or kept for sale, or weighed for conveyance or carriage, and examine and prove all Weights, Measures, Steelyards, Balances, or other Weighing Machines, and may also seize all Weights, Measures, Steelyards, Balances, and other Weighing Machines so then and there found to be false and untrue, as things forfeited to the use of Her Majesty.

Material of weights.

VI. No Weight made of Lead or Pewter, or of any mixture thereof, shall be stamped or used. Provided always, that nothing herein contained shall prevent the use of Lead or Pewter, or of any mixture thereof in the composition of Weights if they be wholly and substantially cased with Brass, Copper, or Iron, and legibly stamped or marked

"cased"

"cased," or shall prevent the insertion of such a plug of Lead or Pewter into Weights as shall be *bona fide* necessary for the purpose of adjusting them, and of affixing thereon the stamp for the same.

Penalties for having false Weights, &c., or refusing to produce Weights, &c., for inspection.

VII. Every person having in his possession or in his Shop, Store, Warehouse, or Place of Business for purposes of Weighing or Measuring, or for sale, any false Weights, Measures, Steelyards, Balances, or other Weighing Machines, or Weights of a kind prohibited by this Ordinance, or neglecting or refusing to produce before any Inspector of Weights and Measures for the purpose of examination or proof in the way of his duty, any Weight, Measure, Steelyard, Balances, or other Weighing Machines, or obstructing or hindering any Inspector of Weights and Measures in the discharge of his duty shall forfeit a sum not exceeding One hundred Dollars.

Penalties for using false weights, &c.

VIII. Every person using any Weights or Measures, Steelyards, Balances, or other Weighing Machines which shall not have been examined and proved and stamped as such, and which shall be false, or any Weight of a kind prohibited by this Ordinance, for the purposes of buying or selling, weighing or measuring, or otherwise for purposes of Trade or Business shall forfeit a sum not exceeding One hundred Dollars, and if any such person shall so as aforesaid use any such Weights, Measures, Steelyards, Balances, or other Weighing Machines with intent to cheat or defraud, every such person shall be guilty of a misdemeanor, and on conviction may be punishable by fine not exceeding One thousand Dollars, or imprisonment for any term not exceeding Six Calendar Months.

Forgery of stamps, &c.

IX. Every person making, forging, or counterfeiting, or procuring to be made, forged, or counterfeited any stamp or mark legally used to stamp or mark Weights or Measures with intent to deceive, or knowingly selling, altering, disposing of, or exposing for sale any Weight or Measure with such forged or counterfeit stamp or mark thereon shall be guilty of Felony, and on conviction shall be imprisoned with or without hard labour for any term not exceeding Three Years.

Penalties how recoverable; warrant of commitment sustained by a good conviction.

X. Every penalty imposed by this Ordinance may, with the costs of conviction be levied by distress and sale of the goods and chattels of any offender, and in any case such goods and chattels shall prove insufficient to satisfy such penalty and costs, then by imprisonment of such offender for any term not exceeding Three Calendar Months, and no warrant of commitment upon a conviction under this Ordinance shall be held to be invalid by reason of any defect if it be therein alleged that the offender has been convicted and there be a good and valid conviction to sustain the same.

Ordinance to operate in each district one month after appointment of Inspector.

XI. This Ordinance shall come into operation in each district to which the Governor shall appoint an Inspector as aforesaid, one month after notice has been given in such district of such appointment

Interpretation clause.

XII. In the construction of this Ordinance the word "Governor" shall be held to mean the Governor of this Colony for the time being, or other the Officer administering the Government of this Colony for the time being, and whenever in this Ordinance in describing or referring to any person or party, matter or thing, any word importing the masculine gender or singular number is used, the same shall be understood to include and shall be applicable to several persons and parties as well as one person or party, and females as well as males, and bodies corporate as well as individuals, and several matters and things as well as one matter or thing, unless it otherwise be provided or there be something in the subject or context repugnant to such construction.

Short Title.

XIII. This Ordinance may be cited for all purposes as "The Weights and Measures Ordinance, 1867."

Passed the Legislative Council the 11*th day of March, A. D.* 1867.

CHARLES GOOD, *Clerk.* ARTHUR N. BIRCH, *Presiding Member.*

Assented to, in Her Majesty's name, this 19*th day of March*, 1867.

FREDERICK SEYMOUR, *Governor.*

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