



ANNO OCTAVO

# EDWARDI VII REGIS.

A.D. 1908.

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## No. 950.

An Act to further amend "The Bread Act, 1891."

[*Assented to, November 11th, 1908.*]

**B**E it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as "The Bread Act Further Amendment Act, 1908," and shall be incorporated and read as one with "The Bread Act, 1891," and "The Bread Act Amendment Act, 1893."

Short title.  
530 of 1891.  
570 of 1893.

2. In the construction of this Act, except where otherwise clearly intended, "bread" means bread other than rolls or French rolls under the weight of four ounces.

Interpretation.

3. When any person carries any bread of less than the standard weight for sale or delivery, the owner of such bread and any person employing the first mentioned person so to carry such bread, or any or either of them, shall for the first such offence forfeit and pay any sum not exceeding Two Pounds, and for every subsequent such offence forfeit and pay any sum not exceeding Ten Pounds.

Bread to be of standard weight

4. Any person convicted of an offence under the next preceding section may recover, in any Court of competent jurisdiction, from any person (hereafter in this section called "the defendant") who supplied the bread which was the subject-matter of the prosecution to him, the amount of any penalty in which he has been

Person convicted may recover from person who supplied to him.

*The Bread Act Further Amendment Act.—1908.*

been so convicted, together with the costs paid or to be paid by him upon such conviction, and those incurred by him in and about his defence, upon satisfying the Court that—

- (a) He was not the maker, or the master of the maker, of such bread, and
- (b) Having exercised such care as was reasonable in the circumstances, he did not know that such bread was less than the standard weight at the time when the offence was committed, and
- (c) The defendant supplied such bread to him within twenty-four hours before the time when the offence was committed:

Provided, without prejudice to any other rights or remedies of the parties, that if the Court is satisfied that it was through no act or default of the defendant that such bread was under standard weight at the time when the offence was committed, nothing shall be recovered against the defendant under this section.

Vehicle in which  
bread carried to bear  
owner's name.

**5.** (1) Every person who himself or by his servant in any street, road, or public place carries for sale or delivery any bread in any vehicle shall have conspicuously inscribed on such vehicle his true name and place of residence, and in default shall be liable for the first such offence to a penalty not exceeding Two Pounds, and for every subsequent such offence to a penalty not exceeding Ten Pounds.

(2) When in a prosecution with respect to bread of less than the standard weight carried for sale or delivery it is proved that bread was carried in a vehicle having the name of the person charged inscribed thereon it shall, until the contrary is proved, be presumed (as the case may require) that such person was the owner of such bread, or the employer of the carrier of such bread.

Inspector may stop  
persons carrying  
bread for sale or  
delivery and purchase  
bread.

**6.** It shall be lawful for any inspector of any Municipal Corporation or District Council to stop any person carrying bread for sale or delivery for the purpose of purchasing any of such bread, and if such person—

- (a) Fails to stop when required by such inspector so to do, or
- (b) After tender of the ordinary or market price thereof refuses to sell and deliver to such inspector such of the bread so carried for sale or delivery as he demands to purchase, or
- (c) In any manner impedes such inspector in the execution of his duty,

he shall for the first such offence forfeit and pay a sum not exceeding Two Pounds, and for every subsequent such offence forfeit and pay a sum not exceeding Ten Pounds.

7. In

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*The Bread Act Further Amendment Act.—1908.*

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7. In any prosecution under this Act, if it is proved that bread of less than the standard weight was carried, it shall be *prima facie* evidence.— Evidence.

- (a) That such bread was carried for sale or delivery, and
- (b) That the person carrying such bread was the owner of such bread, or that his master or employer was such owner, as the case may require.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

GEORGE R. LE HUNTE, Governor.