



ANNO QUARTO

GULIELMI IV. REGIS.

CAP. IV.

An ACT to prevent dangerous quantities of Gunpowder being kept within the Town of Carbonear.

[1st August, 1833.]

WHEREAS large quantities of Gunpowder are now kept within the Town of Carbonear, in this Island, to the great danger of the lives and fortunes of His Majesty's subjects: *Be it therefore enacted*, by the Governor, Council and Assembly, that from and after the expiration of ten days next ensuing the passing and publication of this Act, no person or persons shall have or keep more than Twenty-five Pounds weight of Gunpowder in any House, Storehouse, Warehouse, Shop, Cellar, Yard, Wharf, or other Building, occupied or used by the same person or persons in the Town of Carbonear, (all Buildings and Places adjoining each other and occupied together being to be deemed One House or Place within the meaning of this Act,) save and except in certain Magazines situate near the said Town, belonging to Gosse, Pack and Fryer, Slade, Elson and Company, and Thomas Chancey and Company, or in such other Public Magazine as may hereafter be erected and built by the Inhabitants of Carbonear, for the use of the Public of the said Town, for the safe storing of Gunpowder.

Preamble:

Not more than 25lbs of Gunpowder to be kept in any House, Store, &c.;

11.—*And be it further enacted*, that not more than Twenty-five Pounds weight of Gunpowder shall be kept, at any one time, in any Ship, Boat, or other Vessel, in the Harbour of Carbonear, longer than Twenty-four hours after such Ship, Boat or other Vessel, shall have come alongside of any other Ship, Brig, Schooner, or other Vessel, or shall have been anchored; moored or stationed within any distance less than Fifty Fathoms from any Wharf or other Building: *Provided always*, that this Act shall not extend, nor be construed to extend, to any Ship or Vessel of War, belonging to His Majesty, his Heirs or Successors, or to any Ship or other Vessel employed in the Public Service of the Government.

or in any Vessel, &c: longer than 24 hours after coming alongside a Wharf, Ship, &c.

Justices of the Peace and Constables to have the same power and authority as is given to Justices of the Peace at Saint John's under a certain Act.

Persons infringing this Act subject to fines, penalties, &c.

Magazines.

Rates for Storing Gunpowder in the Magazines.

Fines and Forfeitures;

their distribution.

Extent of Carbonear defined.

III.—*And be it further enacted*, that all Justices of the Peace and Constables shall and may have and exercise such and the like jurisdiction, power and authority, right and privilege, to support, maintain and preserve the provisions of this Act, and to punish Offenders herein, as are provided, given and granted within the Town of Saint John's to Justices of the Peace and Constables, respectively, residing in the said Town, in and by a certain Act passed in the General Assembly of this Island in the third year of His present Majesty's Reign, entitled "An Act to prevent dangerous quantities of Gunpowder being kept within the Town of Saint John's;" and all persons breaking, infringing or offending against all or any of the Provisions of this Act, shall be subject to the same liabilities, disabilities, fines, penalties and costs, as are in the said Act expressed or contained of and concerning persons breaking, infringing or offending against the provisions of the said recited Act.

IV.—*And whereas* the before-mentioned Owners and Proprietors of the aforesaid Magazines situate in the vicinity of the said Town of Carbonear, have expressed their readiness to receive and keep in such Magazines, to the use of the Public, and for the purposes of this Act, all such Gunpowder as may, under the Provisions herein contained, be delivered at the said Magazines (not exceeding such quantity as their space respectively will contain), and to receive and accept such allowance for the keeping and storage of Gunpowder therein as shall be established by Law: *Be it further enacted*, that for all Gunpowder stored or placed in either of the said Magazines, and taken out of the same within One Year, the following rates and prices shall be paid, that is to say, for every Barrel One Shilling and Sixpence, for every Half Barrel Ten Pence, and for every Quarter Barrel Eight Pence, of lawful Current Money of this Island; and if such Gunpowder shall be stored in the said Magazine or Magazines for any greater time than One Year, then there shall be paid for every Hundred Pounds weight of the same, at and after the rate of One Shilling and Sixpence Current Money of this Island per annum: *Provided always*, that the Proprietors of the said Magazine or Magazines shall be, and they are hereby obliged and required to receive all such Gunpowder as shall be offered to be stored or deposited in the said Magazines, not exceeding such quantity as their space respectively may contain.

V.—*And be it further enacted*, that all fines and forfeitures which may be incurred under this Act, shall and may be sued for and recovered by Complaint or Information of any Constable or other Person in any Court of Sessions or Court of Record within this Island, together with full costs, and one half of the Monies so recovered shall be paid to the Constable or other Person who shall inform and sue for the same, and the other half to His Majesty, his Heirs and Successors, to be applied for the purpose of establishing and supporting a Fire Company within the said Town of Carbonear.

VI.—*And be it further enacted*, that the said Town of Carbonear, for the purposes of this Act, shall be included and comprehended within a line extending from Crocker's Cove Point to Musquito Point, and including all Buildings erected within One Half of a Mile of high water mark on the Northern and Western sides, and within One Quarter of a Mile on the Southern side, of the Harbour of Carbonear.