Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Printed Copies of Proclamations, &c. to be posted within the District.

I. The printed Copies of every Proclamation issued under the Provisions of the said last-mentioned Act, and a printed Abstract of such Provisions, shall be posted on or near to the Doors of all Places of Public Worship and of every Police Station and Barrack within the District named in such Proclamation by some One or more of the Constables or Sub-Constables who at the Time of posting the same shall be stationed within such District; and as soon as may be after such Constable or Sub-Constable shall have posted such printed Copies and Abstracts he shall verify such posting by a solemn Declaration, to be made before a Justice of the Peace for the County within which such District or the greater Part thereof is situated, in the Form specified in the Schedule to this Act annexed, which solemn Declaration shall be by such Justice annexed to such printed Copy and Abstract; and such printed Copy and Abstract and solemn Declaration shall be deposited by such Constable or Sub-Constable with the Clerk of the Peace for the County, County of a City, or Place within which such District or the greater Part thereof is situated, and shall thereupon be signed and dated by such Clerk of the Peace, and preserved by him amongst the Records of such County, County of a City, or Place, and the said Declaration, when produced from the Custody of such Clerk of the Peace, shall be *primâ facie* Evidence that the said Proclamation was duly posted in all Proceedings and for all Purposes whatsoever.

19 & 20 Vict. c. 36. continued as amended.

II. The said last-mentioned Act, as the same is amended by this Act, shall continue in force until the First Day of *July* One thousand eight hundred and sixty-two.

SCHEDULE.

Form of solemn Declaration.

I, *A.B.* [Constable *or* Sub-Constable] do solemnly and sincerely declare, that on the Day [*or* several Days] following, videlicet, [*here insert the Dates,*] I posted, in or near to the Doors of all Places of Public Worship, and of every Police Station and Barrack, within that Part of the District named or referred to in the within Proclamation known and called by the Name of [*here insert Name of Barony, Half Barony, Townland, &c.*], true Copies of the within Proclamation and of the within Abstract of the Provisions of "The Peace Preservation (Ireland) Act, 1856;" and I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the Provisions of an Act passed in the Sixth Year of the Reign of His Majesty King William the Fourth, Chapter Sixty-two, for the Abolition of unnecessary Oaths.

Signed [*A.B.*]

Made and subscribed before me this Day of
in the Year One thousand eight hundred and

Signed [*C.D.*]

CAP. CXXXIX.

An Act to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks. [28th *August* 1860.]

9 & 10 W. 3. c. 7.
5 G. 2. c. 12. (I.)
12 G. 3. c. 61.

'WHEREAS an Act was passed in the Session holden in the Ninth and Tenth Years of King *William* the Third, Chapter Seven, to prevent the throwing or firing of Squibs, Serpents, and other Fireworks; and a like Act was passed by the Parliament of *Ireland* in the Fifth Year of King *George* the Second, Chapter Twelve; and an Act was passed in the Twelfth Year of King *George* the Third, Chapter Sixty-one, to regulate the making,

'making, keeping, and Carriage of Gunpowder; and it is expedient to amend the Law 'concerning the making, keeping, and Carriage of Gunpowder, and to regulate the making 'and keeping of other Compositions of an explosive Nature, and to amend the Law con- 'cerning the Manufacture, Sale, and Use of Fireworks:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commencement of Act, and Repeal of 9 & 10 W. 3. c. 7., 5 G. 2. c. 12. (I.), and 12 G. 3. c. 61.

I. This Act shall (except where herein otherwise expressly provided) take effect from and after the Thirty-first Day of *August* One thousand eight hundred and sixty-one, and from and after that Day the said Acts of the Ninth and Tenth Years of King *William* the Third, the Fifth Year of King *George* the Second, and the Twelfth Year of King *George* the Third shall be repealed, except as to any Offence theretofore committed against the same, and any Penalty theretofore incurred, which Offence shall be dealt with and punished and such Penalty recovered as if this Act had not been passed.

Regulations as to making and keeping of Gunpowder.

II. The following Regulations shall be observed with regard to the Manufacture and keeping of Gunpowder; (that is to say,)

No such Manufacture shall be carried on except in Mills and other Places lawfully used for such Manufacture at the Time of the Commencement of this Act, or in Places licensed for that Purpose as herein-after mentioned:

The Quantity of Gunpowder or Materials to be made into Gunpowder to be at One Time under any single Pair of Mill Stones, or Rollers, or Runners, shall not exceed Fifty Pounds as respects Sporting and Government Powder, and Sixty Pounds as respects all inferior Powders, and every Incorporating Mill or Group of Incorporating Mills shall be provided with a Charge House for the Store of Mill Charges properly constructed of Stone or Brick, and situate at a safe and suitable Distance from each Incorporating Mill or Group of Incorporating Mills:

The Quantity of Gunpowder to be subjected to Pressure at One Time in any Presshouse shall not exceed Ten Hundredweight:

The Quantity of Gunpowder to be corned or granulated at One Time in any Corning or Granulating House shall not exceed Twelve Hundredweight:

The Quantity of Gunpowder to be dried at One Time in One Stove or Place used for the drying of Gunpowder shall not exceed Fifty Hundredweight:

The respective Quantities to be at any One Time in any Presshouse, or Corning or Granulating House, shall not exceed Twice the respective Quantities hereby allowed to be subjected to Pressure, and to be corned or granulated at One Time; and the Quantity to be at any One Time in any Drying House or Dusting House shall not be more than is necessary for the immediate Supply and Work of such House; and for the Purposes of this Provision any Building used with any such Presshouse, Corning or Granulating House, Drying House, or Dusting House, shall be deemed Part thereof, save only Magazines constructed with Stone or Brick, and situate Forty Yards at least from every such Presshouse or other House as aforesaid (herein-after distinguished as Expense Magazines), and save only the Stove in which the Powder which has been dried may be cooling:

Every Person keeping or using any Mill for the making of Gunpowder shall have (in addition to the Expense Magazines) a good and sufficient Magazine or Magazines at least One hundred and forty Yards distant from the Mill or Mills and every Press-house and other House or Place used for or in the making of Gunpowder, for the receiving and safely keeping of all Gunpowder made at such Mill or Mills, as soon as such Gunpowder can from Time to Time be conveniently removed to such Magazine or Magazines, such Magazine or Magazines to be well and substantially built with Brick or Stone, and situate in such Place as may have been lawfully used or duly licensed by Justices before the Commencement of this Act or may be licensed as herein-after mentioned, which Magazine or Magazines is and are herein-after distinguished as a Store Magazine or Magazines:

Every Maker of Gunpowder shall with all due Diligence cause all finished Gunpowder made at his Mill or Mills to be removed accordingly from such Mill or Mills and the other

other Places used by him for or in the Manufacture of Gunpowder, or any Magazines or Storehouses used therewith, to the said Store Magazine or Magazines required by this Enactment to be distant One hundred and forty Yards as aforesaid:

Every Maker of Gunpowder shall cause to be erected or provided good and sufficient Thunder Rods or Lightning Conductors in connexion with every Store Magazine where Gunpowder is kept by him, for the Protection of such Magazine from the Effects of Lightning.

Power to Secretary of State, on Application, and sufficient Cause shown, to sanction the Continuance or Construction of any Magazine within the prescribed Distance.

III. Provided always, That at any Time after the passing of this Act it shall be competent to the Owner or Lessee or Occupier of any Expense Magazine or any Store Magazine which shall have been erected before the Commencement of this Act, and shall be situate within the prescribed Distance of Forty Yards or One hundred and forty Yards, and also to any Owner, Lessee, or Occupier of any Mill or other Place lawfully used for the Manufacture of Gunpowder before the Commencement of this Act, who is desirous to construct any Expense Magazine or Store Magazine in or in connexion with such Mill or other Place within such prescribed Distance, to present a Memorial to One of Her Majesty's Principal Secretaries of State, setting forth that it is not necessary or required for the Public Safety, or that from the Nature of the Ground or other sufficient Causes it is not practicable or expedient, to remove such Magazine to the prescribed Distance, or to erect such intended Magazine at or beyond such prescribed Distance, and thereupon the said Secretary of State shall refer the Matter of such Memorial to such Person as he may think fit, to report thereon, and such Person shall as soon as practicable thereafter examine the Magazine or the Site of the intended Magazine to which the Memorial refers, and the surrounding Ground, and shall make a Report in Writing thereon to the said Secretary of State, who shall transmit a Copy thereof to the Applicant; and if on Consideration of the whole Matter, and any Observations and Explanations thereupon by the Applicant, and on such further Information, if any, as the said Secretary of State may require, he shall be satisfied that it is not necessary for the Public Safety, or is impracticable or inexpedient, to remove such Magazine to or beyond the prescribed Distance, or to erect the intended Magazine at or beyond the prescribed Distance, and shall approve the Site proposed for the same, he shall certify the same in Writing under his Hand, and deliver such Certificate to the said Owner, Lessee, or Occupier, and thereupon the Magazine to which such Certificate applies, or a Magazine erected on the Site so approved, (as the Case may be,) shall for all Purposes be deemed to be at the prescribed Distance; and if the said Secretary of State shall not be satisfied that any existing Magazine to which the Memorial refers ought to remain, he shall by Writing under his Hand order the said Magazine to be removed within a Period to be therein limited, and such Order shall be notified to the Applicant or to the Occupier of the Magazine to which the Order relates: Provided also, that the Use and the Continuance of any Magazine as to which such Application is made to the said Secretary of State shall be deemed to be lawful during the Pendency of such Application, and until the Expiration of the Time mentioned in the Order for its Removal.

Penalties for making and keeping Gunpowder contrary to this Act.

IV. All Gunpowder made in any Place where under this Act it is not lawful to make Gunpowder, and all Gunpowder in any Mill, Presshouse, Corning House, Drying House, Dusting House, or other Place, exceeding the Quantity which for the Time being may lawfully be therein, shall be forfeited; and every Person making or causing to be made any Gunpowder contrary to this Act, or keeping or causing to be kept in any such Mill or Place any Gunpowder contrary to the Provisions herein-before contained, shall for so doing, in addition to such Forfeiture as aforesaid, forfeit for every such Offence any Sum not exceeding Two Shillings for every Pound of Gunpowder so forfeited:

Every Person making Gunpowder without having such Store Magazine or Magazines One hundred and forty Yards distant from any Mill and every other Place used by him for or in the Manufacture of Gunpowder, shall forfeit any Sum not exceeding Twenty-five Pounds for every Month during which such Person makes Gunpowder without having such Magazine or Magazines:

And every Person making Gunpowder who wilfully neglects or delays removing with due Diligence the finished Gunpowder made at his Mill or Mills and the other Places used by him for or in the Manufacture of Gunpowder from thence or from the Magazines or Store-

houses used therewith to the Store Magazine or Magazines distant as aforesaid, shall forfeit for every Day during which such Offence continues any Sum not exceeding Five Pounds.

No Charcoal to be kept within Twenty Yards of any Mill, &c.

V. No Maker of Gunpowder shall keep or permit to be kept any Charcoal within Twenty Yards of any Mill or other Engine for making Gunpowder, or of any Presshouse, or Drying, Corning, or Dusting House, or other Place used in or for the making of Gunpowder, or any Magazine or Storehouse thereto belonging; and any Maker of Gunpowder who acts contrary to this Enactment shall forfeit any Sum not exceeding Five Pounds, or, where such Charcoal is so kept for a longer Period than a Week, any Sum not exceeding Five Pounds for every Week during which such Charcoal is so kept.

Regulations as to the making of loaded Percussion Caps and the making and keeping of Ammunition, &c.

VI. The following Regulations shall be observed with regard to the Manufacture of loaded Percussion Caps, and the Manufacture and keeping of Ammunition, Fireworks, Fulminating Mercury, or any other Preparation or Composition of an explosive Nature; (that is to say,)

No such Manufacture shall be carried on without such Licence for that Purpose as herein-after mentioned, or within the respective Distances herein-after mentioned, and set opposite to the Descriptions of the respective Articles; (that is to say,)

Percussion Caps - - - - -	50 Yards,
Ammunition - - -	100 Yards,
Fireworks - -	50 Yards,
Fulminating Mercury or other Preparation or Composition of equally explosive Power - - -	100 Yards,

from any Dwelling House or any Building in which Persons not connected with the same Manufacture are employed:

No such Articles as aforesaid, except Percussion Caps, exceeding the respective Quantities herein-after mentioned and set opposite to the Descriptions of the respective Articles, (that is to say,)

Ammunition containing Five Pounds of Gunpowder,	
Fireworks containing Ten Pounds of explosive Compound,	
Fulminating Mercury or other Preparation or Composition of equally explosive Power - - -	1 oz. dry, or 8 oz. mixed with 25 *per Cent.* of Water,

shall be kept in any Place not licensed for that Purpose as herein-after mentioned, and no such Articles shall be kept in any Place so licensed in excess of the respective Quantities specified in the Licence in that Behalf:

The Operation of mixing the Composition for Percussion Caps shall be performed in a Building situate at a Distance not less than Twenty Yards from any other Workshop, and no greater Quantity than Five Pounds of Cap Composition shall at any One Time be in the Building where the Operation of mixing is performed:

No Fulminating Mercury, except that which is being used in the actual Preparation of the Cap Composition, shall be kept in any Building where the Operation of preparing such Composition is performed, without being mixed with at least Twenty *per Cent.* of Water:

The Operation of loading Percussion Caps shall be performed in a Building where no other explosive Material than that employed in loading Percussion Caps is used or kept, and no greater Quantity than Twenty-four Ounces of Cap Composition shall at any One Time be in the Building where the Operation of loading is performed:

The Operation of filling or charging Cartridges shall be performed in a Building situate at a Distance not less than Twenty Yards from the other Workshops connected with the Manufacture; and no greater Quantity than Fifty Pounds of Gunpowder, either loose or made up into Cartridges, or what is equivalent, as regards explosive Power, to Fifty Pounds of Gunpowder, (if other explosive Materials be used,) shall at any One Time be in any Workshop connected with the Manufacture:

The Operation of charging or filling Fireworks with explosive Materials shall be performed in a Building situate at a Distance not less than Twenty Yards from the other Workshops connected with the Manufacture; and no greater Quantity of the ordinary explosive Composition used in the Manufacture of Fireworks than Thirty Pounds, whether

whether loose or made up, or what is equivalent, as regards explosive Power, to Thirty Pounds of the ordinary Gunpowder, shall at any One Time be in any Building where the Operation of filling or charging is performed:

The Manufacture of such Fireworks as contain Detonating Composition, or Composition which is more easily ignited by Percussion or Friction than ordinary Gunpowder, shall be conducted in a Building or Buildings situate at a Distance not less than Thirty Yards from the other Workshops, and no greater Quantity than Ten Pounds of such Composition shall at any One Time be in any Building:

Every Person keeping or using any Factory for the making of Ammunition or Fireworks shall have, at a Distance of not less than Fifty Yards from any Workshop connected with the Manufacture, a Magazine or Magazines, built with Brick or Stone, for the receiving and safely keeping the Gunpowder or other explosive Materials used in the Manufacture, and the Cartridges or Fireworks (as the Case may be) made at such Factory.

Penalties for making loaded Percussion Caps, or making or keeping Ammunition, &c. contrary to this Act.

VII. All loaded Percussion Caps made, and all Ammunition, Fireworks, Fulminating Mercury, or other explosive Preparations or Compositions made or kept, in any Place where under this Act it is not lawful to make Percussion Caps, or to make or (as the Case may be) keep Ammunition, Fireworks, Fulminating Mercury, or other explosive Preparations or Compositions, and any Quantity of Ammunition, Fireworks, Fulminating Mercury, or other explosive Preparation or Composition kept in any Place where under this Act it may be lawful to keep such Ammunition, Fireworks, Fulminating Mercury, or other explosive Preparation or Composition, exceeding the Quantity which may be lawfully kept there, shall be forfeited; and every Person making or causing to be made Percussion Caps, or making or keeping or causing to be made or kept Ammunition, Fireworks, Fulminating Mercury, or other explosive Preparation or Composition, contrary to this Act, shall for so doing, in addition to such Forfeiture as aforesaid, forfeit for every such Offence any Sum not exceeding Ten Pounds.

No Person to sell Fireworks without a Licence.

VIII. It shall not be lawful for any Person to sell or offer or expose to Sale any Firework without such Licence for that Purpose as herein-after mentioned, and no such Firework shall be sold to any Person apparently under Sixteen Years of Age, and any Person offending against this Enactment shall for every Offence forfeit any sum not exceeding Five Pounds.

Penalty for throwing Fireworks in Thoroughfares.

IX. If any Person throw, cast, or fire, or aid or assist in throwing, casting, or firing, any Squib, Serpent, Rocket, or other Firework in or into any Thoroughfare or Public Place, he shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Justices to license Places for making and keeping Gunpowder.

X. It shall be lawful for the Justices of the Peace for each County or other Division, at their General Quarter Sessions upon Application made to them by any Person, from Time to Time to license the erecting or having new Mills for making Gunpowder, with proper Press-houses and other Houses and Places to be used for or in the making of Gunpowder, and Magazines near thereto, and also the erecting or having Magazines for keeping unlimited Quantities of Gunpowder in such respective Places, not being within *London* or *Westminster*, or any other Limits herein-after described, as may appear to them proper.

Justices to license Places for making loaded Percussion Caps and making and keeping Ammunition, &c.

XI. It shall be lawful for the Justices of the Peace for each County or other Division, at their General Quarter Sessions, or for the Council of any Borough, upon Application made to them by any Person, from Time to Time to license Places for the making of loaded Percussion Caps, and for the making and keeping respectively of Ammunition, Fireworks, Fulminating Mercury, or other explosive Preparations or Compositions, and to determine the Quantities of such Articles respectively to be kept in any Place so licensed, and to grant Licences to Persons to sell Fireworks.

Notice of Intention to apply for Licence.

XII. Provided always, That every Person making any Application for any such Licence as aforesaid shall give Notice in Writing of the Intention to make the same, as also of the Place or Places proposed for the Purposes aforesaid respectively, Fourteen Days before making it, as herein-after mentioned; (that is to say,) such Notice shall be given, where Application is made in *England*, to an Overseer or Churchwarden of the Parish or Place in which

which it is proposed to erect or make any such new Mill, with such Houses and Places as aforesaid, or any such Magazine, or to make or use any Building or Place for any of the Purposes aforesaid, or of an adjoining Parish, if the Place be extra-parochial, and have no Overseer; and where the Application is made in *Scotland*, to the Schoolmaster of the Parish, or if there be no such Schoolmaster, to the Session Clerk; and where the Application is made in *Ireland*, to the Clerk of the Union within which the Parish is included; and such Applicant shall also in every such Case cause the like Notice to be affixed on the Outside of the Door or of the Wall near the Door of every Church and Chapel in such Parish or Place, (including Places of Public Worship not belonging to the Established Church,) previously to the Commencement of Divine Service on a *Sunday* Ten Days at least before the making of such Application.

Justices may make Licences conditional on Precautions prescribed by them for preventing Danger being observed.

XIII. The Justices licensing the erecting or having of any new Mills and other Places to be used for or in making Gunpowder, or any Magazine near thereto, or any Magazine for keeping unlimited Quantities of Gunpowder, and the Justices or Council licensing any Place for the making of loaded Percussion Caps, or for the making or keeping of Ammunition, Fireworks, Fulminating Mercury, or any other explosive Preparation or Composition, may, if they see fit, grant their Licence conditionally upon such precautionary Measures being taken and maintained with regard to the structural Arrangements of every such Mill, Magazine, or Place, the Erection of Mounds or Screens to separate the same from any inhabited House, and otherwise, as they may deem proper for diminishing the Risk of Danger to Life by Explosions.

In case of Refusal of Licence, the Applicant may memorialize Secretary of State, who shall have Power, notwithstanding such Refusal, to grant the Licence.

XIV. If, on any Application for the licensing of any new Mill or other Place to be used for or in making Gunpowder, or any Magazine near thereto, or any Magazine for keeping unlimited Quantities of Gunpowder, the Justices shall refuse the Licence, or grant the same only on Conditions with which the Applicant, shall be dissatisfied, they shall, if so required by the Applicant, certify such Refusal or Conditions and the Grounds thereof, in Writing, to be signed by the Chairman presiding at the Hearing, and shall deliver the Certificate to the Applicant, who may thereupon, within Ten Days from the Time of the Delivery thereof, transmit the same to One of Her Majesty's Principal Secretaries of State, together with a Memorial praying that, notwithstanding such Refusal, the Licence may be granted, or that such Conditions may not be imposed, or may be altered or modified in such Manner and to such Extent as shall be set forth in such Memorial; and it shall be lawful for the said Secretary of State, if he shall so think fit, on consideration of such Memorial and Certificate, and if he shall think it necessary or desirable, after due Inquiry from and a Report by such Person as he may appoint for that Purpose, to grant the Licence prayed for either absolutely or with such Conditions as he shall think fit, or to alter or modify the Conditions imposed by the Justices; and the Licence so granted, or altered and modified, as the Case may be, certified under the Hand of the said Secretary of State, shall be to all Intents as valid and effectual as if made and granted by the said Justices.

Owners of Mills may make Rules for their Servants and Workmen for preventing Accidents.

XV. It shall be lawful for the Owner or Occupier of any Mill, Magazine, or Place in which Gunpowder, Ammunition, Fireworks, Fulminating Mercury, or any other explosive Preparation or Composition is manufactured or kept, or loaded Percussion Caps are manufactured, from Time to Time to make such Rules as he may think fit for the Purpose of regulating the Conduct of his Servants and Workmen employed in such Mill, Magazine, or Place so as to prevent as far as may be Accidents by Explosion, and from Time to Time to alter or rescind any such Rules, and make others, provided such Rules be not repugnant to the Laws of that Part of the United Kingdom where the same are to have Effect, or to the Provisions of this Act; and such Rules shall be signed by such Owner or Occupier, and a Copy thereof shall be given to every Servant or Workman employed in such Mill, Magazine, or Place who may be affected thereby, and shall be affixed in the Mill, Magazine, or Place to which the same relate.

Penalty for doing any Act in any Mill, &c. tending to cause Explosion.

XVI. Any Servant or Workman of any Owner or Occupier of any Mill, Magazine, or Place in which Gunpowder, Ammunition, Fireworks, Fulminating Mercury, or any other explosive Preparation or Composition is manufactured or kept, or loaded Percussion Caps are manufactured, who violates the Rules made as aforesaid, and any such Servant or Workman,

Workman, or any other Person, who does or attempts to do any Act in, to, or about such Mill, Magazine, or Place tending to cause Explosion, or who brings into such Mill, Magazine, or Place any Thing tending to cause Explosion, shall for every such Offence be subject to a Penalty not exceeding Five Pounds on summary Conviction before any Justice of the Peace, or in *Scotland* before any Sheriff, Justice of the Peace, or Magistrate; and any such Servant or Workman as aforesaid, or other Person so acting, may be apprehended without a Warrant by any Peace Officer or other Officer of the Law, or the Owner or Occupier of such Mill, Magazine, or Place, or his Servant, or by any other Person authorized by such Owner or Occupier, or his Agent or Manager, and removed from the Mill or other Premises, and may be conveyed with all convenient Despatch before some Justice, or in *Scotland* before any Sheriff, Justice, or Magistrate, and such Justice, Sheriff, or Magistrate shall proceed with all convenient Despatch to the hearing and determining of the Complaint against the Offender.

Secretary of State may authorize Persons to inspect Mills, &c.

XVII. It shall be lawful for One of Her Majesty's Principal Secretaries of State to authorize, from Time to Time, such Person as he may see fit to inspect and examine any Mill, Magazine, or Place in which Gunpowder, Ammunition, Fireworks, Fulminating Mercury, or any other explosive Preparation or Composition is manufactured or kept, or supposed to be manufactured or kept, or loaded Percussion Caps are made or supposed so to be, in order to see whether or not the Regulations of this Act concerning the Manufacture and keeping of Gunpowder, and such other Matters as aforesaid, and concerning the making of loaded Percussion Caps, are complied with, and to report to such Secretary of State thereon; and every Person so authorized shall have Authority to enter, inspect, and examine any such Mill, Magazine, or Place, at all reasonable Times in the Daytime, without any previous Notice for that Purpose, and the Owner or Occupier of every such Mill, Magazine, or Place is hereby required to furnish the Means necessary for such Entry, Inspection, and Examination:

Any Owner or Occupier of any Mill, Magazine, or Place which any such Person authorized by the Secretary of State is empowered to enter, inspect, and examine, who refuses or neglects to furnish to such Person the Means necessary for making his Entry, Inspection, and Examination, and every Person who wilfully obstructs any such Person in the Execution of his Powers, shall for every such Offence forfeit Five Pounds.

Limitation of Quantities of Gunpowder to be kept by Persons other than Manufacturers.

XVIII. No Person shall have or keep at One Time, being a Dealer in Gunpowder, or Manufacturer of Cartridges, Fireworks, or Rockets, more than Two hundred Pounds of Gunpowder, and, not being such Dealer or Manufacturer, more than Fifty Pounds of Gunpowder, in any House, Mill, Magazine, Storehouse, Warehouse, Shop, Cellar, Yard, Wharf, or other Building or Place, (and for the Purposes of this Enactment all Buildings and Places adjoining to each other, and occupied together, shall be deemed One House or Place,) or on any River or other Water, (except in Carriages loading or unloading or passing on the Land, or in Ships, Boats, or Vessels, loading or unloading, or passing on any River or other Water, or detained there by the Tide or bad Weather,) within the following Limits, being the Limits within which Gunpowder Mills or Magazines may not be licensed under this Act; (that is to say,) within the City of *London* or *Westminster*, or within Three Miles of either of them; or within any Borough or Market Town, or One Mile of the same; or within Two Miles of any Palace or House of Residence of Her Majesty, Her Heirs or Successors; or within Two Miles of any Gunpowder Magazine belonging to the Crown; or within Half a Mile of any Parish Church; or in any Place beyond the Limits aforesaid, except in Mills or other Places which at the Commencement of this Act shall be lawfully used for the making of Gunpowder, and the Magazines, Storehouses, and Offices near and belonging thereto, and in the Magazines in which greater or unlimited Quantities of Gunpowder may be lawfully kept at the Commencement of this Act, and in the Places where it shall be lawful to make Gunpowder, or to keep greater or unlimited Quantities of Gunpowder, under the Provisions of this Act; and all Gunpowder kept beyond the Quantity hereby allowed, and the Barrels or Receptacles in which such Gunpowder shall be kept, shall be forfeited, and any Person keeping the same shall for every such Offence forfeit not exceeding Two Shillings for every Pound of Gunpowder kept beyond the allowed Quantity.

XIX. It

Gunpowder may be kept for Mines under certain Conditions.

XIX. It shall be lawful for any Person to keep, exclusively for the Use of any Mine, Quarry, or Colliery, any Quantity of Gunpowder not exceeding Three hundred Pounds Weight at any One Time in any Magazine or Warehouse, so as such Magazine or Warehouse be within Two hundred Yards of such Mine, Quarry, or Colliery, and (unless erected and used for this Purpose before the passing of this Act) be not within Two hundred Yards from any inhabited House, without the Consent in Writing of the Occupier of such House; and it shall be also lawful for any Person to keep, exclusively for the Use of One or more Mine, Quarry, or Colliery, Mines, Quarries, or Collieries, any greater Quantity of Gunpowder not exceeding Four thousand Pounds at any One Time in any Magazine, so as such Magazine be well and substantially built of Brick or Stone, and, save where continued or erected under a Certificate of the Secretary of State as herein-after mentioned, be within Two Hundred Yards of the respective Mine, Quarry, or Colliery, or One of the Mines, Quarries, or Collieries, for the Use of which such Gunpowder is kept, and not within any of the Limits herein-before particularly described, and not within Two hundred Yards from any inhabited House, without the Consent in Writing of the Occupier of such House: Provided always, that the Owners, Lessees, or Occupiers of any Mine, Quarry, or Colliery, having for the Use thereof a Magazine not situated as prescribed by this Enactment, or being desirous of erecting a Magazine not so situated, may make Application by Memorial to One of Her Majesty's Principal Secretaries of State, in the like Manner and for the like Causes as herein-before provided in relation to the Continuance or Erection of an Expense Magazine or Store Magazine within the prescribed Distance, and the Secretary of State may, by his Certificate, authorize the Continuance or Erection of the Magazine to which the Application relates, either absolutely or conditionally on such precautionary Measures being taken and maintained as he may deem proper.

Not more than Thirty Barrels by Land, and Five hundred by Water, to be conveyed at One Time.

XX. No Person shall have or convey at One Time more than Thirty Barrels of Gunpowder in any Waggon, Cart, or other Carriage by Land, except in a Van specially constructed for that Purpose, enclosed on every Side with Wood, and then not more than Forty Barrels, and unless such Carriage form Part of a Railway Train, and then not more than One hundred Barrels in any Carriage forming Part of such Train; and no Person shall have or convey at One Time, within the United Kingdom, more than Five hundred Barrels of Gunpowder in any Barge, Boat, or other Vessel by Water, except in Vessels with Gunpowder imported from or to be exported to any Place beyond the Sea, or going Coastwise; and all Gunpowder conveyed on Land or Water (except in such Vessels for Importation or Exportation of Gunpowder, or going Coastwise,) shall be in Barrels, close joined and hooped, or in Copper, Zinc, or Tin Cases or Canisters, enclosed in Wooden Boxes or Barrels, without any Iron about such Boxes or Barrels, and so secured that no Part of the Gunpowder be scattered in the Passage; and each Barrel shall contain no more than One hundred Pounds of Gunpowder; and every Carriage in which Gunpowder shall be conveyed by Land shall have a complete Covering of Wood, Painted Cloth, Tarpaulin, or Wadmill Tilts, over all the Gunpowder therein contained; and no Gunpowder shall be conveyed by Water in any Barge, Boat, or other Vessel not having a close Deck (except in Vessels with Gunpowder imported or to be exported in manner aforesaid, or going Coastwise); and as soon as any Gunpowder is put on board such Vessel, all such Gunpowder shall be covered with raw Hides or Tarpaulins; and where any Gunpowder conveyed by Land or Water is contained in any Receptacles hereby authorized other than Barrels, no greater Quantity shall be so conveyed than shall be equivalent to what might lawfully have been so conveyed if the same had been contained in Barrels:

And all Gunpowder which shall be carried or conveyed (except in such Vessels with Gunpowder for Importation or Exportation as aforesaid, or going Coastwise,) within any Part of the United Kingdom in greater Quantity or in other Manner than is herein-before prescribed, and the Barrels or other Receptacles in which such Gunpowder shall be, may be seized by any Person, who shall have the same Authority to remove such Gunpowder and Barrels, or Receptacles, and to use for that Purpose, during the Space of Twenty-four Hours after Seizure, the Carriage or Vessel in which such Gunpowder shall be seized, and the Tackling, Beasts, and Accoutrements belonging thereto, on the Terms of paying a Recompence for the Use thereof, and to detain such Gunpowder and Barrels or Receptacles,

as

as is herein-after given to Persons searching under a Warrant of a Justice of the Peace, Sheriff, or Magistrate, and such Seizure shall be for the Use of the Person making the Seizure, on Conviction of the Offender or Offenders.

No Gunpowder to be loaded until that condemned be unloaded.

XXI. When any Barge, Boat, or Vessel, having stale, condemned, or returned Gunpowder on board, arrives at the Quay, Wharf, or other Place where the same is intended to be landed, no Person shall begin to unload, or shall bring down to such Wharf, Quay, or other Place with Intent to load, in such Vessel, any other Gunpowder, until the whole or Part of such stale, condemned, or returned Gunpowder be first unloaded or carried away from such Wharf, Quay, or other Place of Landing; and after such unloading and carrying away of Part of such Gunpowder no Person shall begin to load or shall so bring down with Intent to load any greater Quantity of other Gunpowder than the Part unloaded and carried away, on pain of forfeiting all Gunpowder so loaded or brought down contrary to this Enactment.

Penalty for smoking, &c. on board Vessels loaded with Gunpowder.

XXII. Any Person having the Care or Management of any Barge, Boat, or other Vessel whatsoever (except Ships or Vessels with Gunpowder on board imported from or to be exported to Places beyond Sea, or going Coastwise,) loaded with Gunpowder, or any other Person on board the same, who brings, has, or uses, or permits any Person to bring, have, or use, any Charcoal, Lucifer Matches, or other combustible Matter, or any Fire or lighted Candle, during the Time of loading or unloading, or when the Hatches are open, or smokes or wittingly permits any Person to smoke on board such Barge, Boat, or Vessel, shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Penalty for undue Delay in loading or unloading Gunpowder.

XXIII. No Person having the Care of any Waggon, Cart, or other Carriage used for the Conveyance of Gunpowder by Land shall, after beginning to place or load therein any Quantity of Gunpowder, or beginning to unload the same thereout, stop or stay at any Place of loading, or in the loading or unloading suffer any longer Time to pass than with the Use of all due Diligence shall be reasonably necessary for the Purpose of loading or unloading; and no Person, having the Charge or Care of any Barge, Boat, or other Vessel used for the Conveyance of Gunpowder by Water, (except in the Case of Vessels loading for Importation or Exportation of Gunpowder to or from Places beyond Sea, or going Coastwise,) shall, after beginning to load or unload any Quantity of Gunpowder, stop or stay at any Wharf, Quay, or other Place of loading, or in the loading or unloading thereof suffer any longer Time to pass than with the Use of all due Diligence shall be reasonably necessary for the Purpose of loading or unloading, not exceeding Eighteen Hours, unless hindered by the Weather; and every Person offending against this Enactment shall for each Offence forfeit any Sum not exceeding Ten Pounds.

Foregoing Provisions to extend only to Carriage of more than 100 lbs. of Gunpowder.

XXIV. None of the aforesaid Provisions for or relative to the Conveyance of Gunpowder, or the loading or unloading thereof, shall extend to any other Waggon, Cart, or Land Carriage, or any other Boat, Barge, or Vessel, than such as shall be loaded with or employed in conveying a Quantity of Gunpowder exceeding One hundred Pounds Weight.

Power to Justices to issue Warrants to search.

XXV. It shall be lawful for any Justice of the Peace, and in *Scotland* for any Sheriff, Justice of the Peace, or Magistrate, within the Limits of whose Jurisdiction Gunpowder is suspected to be made, kept, or carried, contrary to this Act, on Demand made, and reasonable Cause assigned upon Oath by any Person, to issue a Warrant under his Hand and Seal, or in *Scotland* under his Hand, for searching in the Daytime any House, Mill, Magazine, Storehouse, Warehouse, Shop, Cellar, Yard, Wharf, or other Place, or any Carriage, Ship, Boat, or Vessel, in which such Gunpowder is suspected to be made, kept, or carried contrary to this Act; and all Gunpowder found to be made, kept, or carried contrary to this Act, and also the Gunpowder Barrels or other Receptacles, shall be immediately seized by the Searcher, who shall with all convenient Speed after the Seizure remove such Gunpowder, and the Barrels or other Receptacles in which it shall be, to such proper Places as he, in conformity to the Restrictions of this Act, shall think fit, and in the Case of any such Gunpowder seized in any Carriage or Vessel may use for the Purpose of Removal, during the Space of Twenty-four Hours after Seizure, such Carriage or Vessel, with the Tackling,

Beasts, and Accoutrements belonging thereto, (paying afterwards to the Owner or Owners thereof a sufficient Recompence for the Use thereof, to be settled by the Justices, Sheriff, or Magistrates before whom the Complaint shall be heard, after the Seizure, and in case of Nonpayment immediately after Settlement by such Justices, Sheriff, or Magistrates, to be recoverable as in the Case of pecuniary Penalties under this Act,) and may detain such Gunpowder, and the Barrels or other Receptacles in which it shall be, till it shall be adjudged, on a Hearing before Two or more such Justices or Magistrates, or before the Sheriff, whether the same shall be forfeited; and such Searcher or Seizer shall not be liable to any Suit for such Detainer, or for any Loss of or Damage which may happen to the said Gunpowder or Barrels or other Receptacles, other than by his wilful Act or Neglect, or the wilful Act or Neglect of the Persons with whom he shall intrust the keeping thereof: Provided, that where any Gunpowder is seized under this Provision, Proceedings for the Forfeiture thereof shall be commenced within Twenty-eight Days after such Seizure.

Regulations for the Security of the Vessels in the River Thames.

XXVI. No Master or Commander of any Ship or other Vessel lying in the *Thames*, and Outward bound, shall receive or permit to be received on board any such Ship or Vessel more than Twenty-five Pounds of Gunpowder (except for the Queen's Service) before the Arrival of such Ship or Vessel at, over against, or below *Blackwall*, and the Master or Commander of every Ship or Vessel coming into the River *Thames* shall (except in the Case of Gunpowder for the Service of the Crown) put on shore in proper Places, in conformity to the Restrictions of this Act, all the Gunpowder on board such Ship or Vessel above the Quantity of Twenty-five Pounds, either before the Arrival of such Ship or Vessel at *Blackwall*, or within Twenty-four Hours (if the Weather shall permit) after coming to an Anchor there, or to the Place of unloading there, and shall not afterwards have on board more than Twenty-five Pounds of Gunpowder (except for the Service of the Crown), on pain of forfeiting for every Offence in any of the said Cases all the Gunpowder found on board above the Weight of Twenty-five Pounds, and the Barrels or other Receptacles in which such Gunpowder shall be, and also not exceeding Two Shillings for every Pound of Gunpowder above the Quantity of Twenty-five Pounds.

Conservators of the River Thames to appoint Searchers.

XXVII. The Conservators of the River *Thames* for the Time being shall from Time to Time appoint One or more of the Harbour-masters of the Port of *London*, or other Person or Persons, a Searcher or Searchers for unlawful Quantities of Gunpowder in Ships or other Vessels in the River *Thames*, which Person or Persons so appointed are hereby authorized, at any Time between Sun-rising and Sun-setting, to enter any Ship or Vessel (except Her Majesty's Ships) in the River *Thames* above *Blackwall*, and to search the same for unlawful Quantities of Gunpowder, and also shall have the same Powers of seizing, removing to proper Places, and detaining all such unlawful Quantities of Gunpowder found on board any such Ship or Vessel, and the Barrels or other Receptacles in which such Gunpowder shall be, as are herein-before given to Persons searching for unlawful Quantities of Gunpowder under a Warrant of a Justice of the Peace.

Forfeitures and Penalties recoverable summarily.

XXVIII. Any Forfeiture or Penalty, or Forfeiture and Penalty, (as the Case may be,) for any Offence against this Act, and not herein otherwise provided for, may be enforced and recovered upon summary Conviction of such Offence before any Two Justices, or in *Scotland* before any Sheriff or any Two Justices or Magistrates; and, save as herein otherwise provided, one Moiety of every Forfeiture and Penalty for any Offence against this Act, or Violation of any Rules made thereunder, shall belong to Her Majesty, and the other Moiety to the Informer, anything in any Act to the contrary notwithstanding: Provided always, that if the Informer be a Person appointed under this Act by the Secretary of State, or a Servant of the Person informed against, the Moiety of the Penalty which would otherwise belong to the Informer shall be applied in such Manner and to such other Purposes as the Justices, Sheriff, or Magistrates in their Discretion think fit: Provided also, that such Forfeitures and Penalties, and the Expenses attending the Conviction, may be levied and recovered in *Scotland* by Poinding and Sale, and in default of Payment, or of sufficient Poinding, by Imprisonment for any Period not exceeding Three Months.

XXIX. Where

XXIX. Where under any of the Provisions herein-before contained Application may be made to One of Her Majesty's Principal Secretaries of State, an Application in relation to the like Matter in *Ireland* may be made, by Memorial, to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief Secretary; and such Lord Lieutenant or Chief Governor or Governors, or his or their Chief Secretary, shall and may have and exercise in *Ireland*, as well in relation to the Matter of any such Application as for and in relation to the Inspection and Examination of Mills and other Places, the same Authorities and Discretion, and may grant and make Certificates, Licences, and Orders having the like Force and Effect, as herein-before provided in relation to the Secretary of State; and all the Provisions of this Act having reference to the Secretary of State shall, in relation to any Matter arising in *Ireland*, take effect as if the Lord Lieutenant or other Chief Governor or Governors, or his or their Chief Secretary, had been mentioned or referred to instead of such Secretary of State.

The Lord Lieutenant or Chief Secretary in Ireland to have the like Authorities as are before given to the Secretary of State.

XXX. This Act shall not extend to any Mills or other Buildings erected or which may be erected for the Purpose of making Gunpowder on any Lands belonging to or held for the Service of the Crown, or to the keeping of Gunpowder at any Storehouse or Magazine belonging to or held for the Service of the Crown, or to the Manufacture, loading, or keeping of Percussion Caps, Ammunition, Fireworks, or any Preparation or Compound of an explosive Nature, in any Place belonging to or held for the Service of the Crown, or to hinder the Trial of Gunpowder by Her Majesty's Officers, as is usual, for the Service of the Crown, or to the keeping of Gunpowder at the Magazines now erected for that Purpose at *Barking Creek*'s Mouth in the County of *Essex* and *Erith* Level in the County of *Kent*, or to the keeping of Gunpowder at the Magazines or Storehouses now erected near the City of *Bristol*, or to the keeping of Gunpowder in Vessels moored in the River *Mersey* under the Provisions of the Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Sixty-seven, or to the Carriage of Gunpowder to or from Magazines belonging to the Crown, under a special and express Order of the Secretary of State for War, such Order to contain the Quantity of Gunpowder so to be carried, and the Time for which such Order shall be in force, or to the Carriage of Gunpowder with Forces on their March, or with the Militia or Volunteer Corps during their Exercise, or which shall be sent for the Use of such Forces, Militia, or Volunteer Corps.

Act not to extend to Mills erected on Crown Lands, &c.

XXXI. This Act shall not extend to repeal or alter the Act of the Fifty-fourth Year of *George* Third, Chapter One hundred and fifty-nine, or to Gunpowder, Percussion Caps, or combustible Articles on board any Ship, Vessel, or Boat of Her Majesty or in Her Majesty's Service, or required or kept for the Use of Her Majesty's Navy, Her Majesty's Royal Marine Forces, the Royal Naval Coast Volunteers, the Royal Naval Volunteers, or any Force which is or may be under the Orders or Control of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom.

Act not to affect 54 G. 3. c. 159. or to Gunpowder, &c. on board Her Majesty's Ships, &c.

XXXII. This Act shall not extend to prevent the keeping of Gunpowder in the Proof Houses of the Two Companies authorized by "The Gun Barrel Proof Act, 1855," or in Magazines connected with such Proof Houses, provided that the Quantity of Gunpowder kept at the same Time in any One such Proof House, and the Magazine (if any) connected therewith, do not exceed in the whole Five Hundredweight.

Saving for Proof Houses under 18 & 19 Vict. c. cxlviii. (*Local.*)

XXXIII. This Act shall not extend to hinder any Person or Persons from carrying or conveying an unlimited Quantity of Gunpowder, in such close-decked Vessels and Manner as herein-before is directed, from any Ships or Vessels lying below *Blackwall*, to any of the Magazines for Gunpowder so situate below *Blackwall*, or from such Magazines to any Ships or Vessels lying below *Blackwall*, and going to any Place beyond Sea or Coastwise, or from the floating Magazines in the River *Mersey* to any Ships or Vessels going to any Place beyond Seas or Coastwise, or from any Ships or Vessels arriving from any Place beyond Seas or Coastwise to the said floating Magazines.

Not to extend to hinder unlimited Quantities of Gunpowder being conveyed from Ships below Blackwall.

XXXIV. This Act shall not extend or be construed to repeal or affect the Provisions concerning Gunpowder in and near the *London Docks* in Sections One hundred and thirty-four

Saving of Enactment for Protection

of London Docks.

four and One hundred and thirty-five of the Act of the Ninth Year of King *George* the Fourth, Chapter One hundred and sixteen (Local and Personal).

Saving for Provisions of Police Acts.

XXXV. This Act shall not extend or be construed to repeal or affect the Provisions with respect to Gunpowder Magazines, Gunpowder, or Fireworks contained in any General or Local Police Act which may be in force in any Place in the United Kingdom.

2 & 3 Vict. c. 47. and 9 & 10 Vict. c. 25. to be construed as referring to this Act.

XXXVI. 'And whereas by an Act of the Session holden in the Second and Third 'Years of Her Majesty, Chapter Forty-seven, "for further improving the Police in and 'near the Metropolis," every Superintendent or Inspector belonging to the Metropolitan 'Police Force is empowered as therein mentioned to enter any Ship, Boat, or Vessel (except 'Her Majesty's Ships) in the River *Thames*, and the Docks and Creeks adjacent thereto, 'and to search the same for unlawful Quantities of Gunpowder, and to exercise the same 'Powers of seizing, removing to proper Places, and detaining all such unlawful Quantities 'of Gunpowder found on board any such Ship, Boat, or Vessel, and the Barrels or other 'Packages containing such Gunpowder, as are given to Persons searching for unlawful 'Quantities of Gunpowder under the Warrant of a Justice by virtue of the said Act of 'the Twelfth Year of King *George* the Third; and by an Act of the Session holden in the 'Ninth and Tenth Years of the Reign of Her Majesty, Chapter Twenty-five, "for pre-'"venting malicious Injuries to Persons and Property by Fire or by explosive or destructive '"Substances," any Justice of the Peace is empowered as therein mentioned to issue a 'Warrant for searching in the Day-time any Place or Vessel in which Gunpowder or other 'explosive, dangerous, or noxious Substance is suspected to be made or kept for the Pur-'pose of being used in committing an Offence under that Act; and it is enacted, that 'every Person acting in the Execution of any such Warrant shall have, for seizing, removing 'to proper Places, and detaining all Gunpowder, explosive, dangerous, or noxious Substances 'found upon such Search which he shall have good Cause to suspect to be intended to be 'used in committing an Offence under that Act, and the Barrels, Packages, and Cases in 'which the same shall be, the same Powers which are given to Persons searching for unlawful 'Quantities of Gunpowder under a Warrant of a Justice by the said Act of the Twelfth 'Year of King *George* the Third:'

All Powers given by the said Acts of the Second and Third Years and Ninth and Tenth Years of Her Majesty, or by any Act passed or to be passed in this present Session of Parliament, by reference to the said Act of the Twelfth Year of King *George* the Third, shall be construed as if this Act had been referred to in the said Acts of Her Majesty, instead of the said Act of King *George* the Third.

Meaning of the Word "Borough."

XXXVII. In the Construction of this Act the Term "Borough" shall mean and include any Place for the Time being subject to the Provisions of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six; and in *Scotland* any Royal Burgh and any of the Burghs or Towns returning or contributing to return Members to Parliament; and in *Ireland* any Place for the Time being subject to the Provisions of the Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter One hundred and eight.

CAP. CXL.

An Act for facilitating the Acquisition by Rifle Volunteer Corps of Grounds for Rifle Practice. [28th *August* 1860.]

'WHEREAS it is expedient that Facilities should be given for the Acquisition by 'Rifle Volunteer Corps of fit Ground for Rifle Practice:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual