



KEROSINE & PARAFINE OILS ORDINANCE, 1863.

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XVII., No. 131.

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AN ORDINANCE to regulate the keeping of *Kerosine and Parafine Oils in Towns.*

WHEREAS it is expedient that the keeping of Kerosine and Parafine Oils in towns should be regulated by law in order to prevent the great mischiefs which may arise from the explosion thereof; Preamble.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago with the advice and consent of the Provincial Council thereof as follows :

1. No person or persons being a dealer or dealers in kerosine or parafine oils shall have or keep at any one time more than sixty gallons of kerosine or parafine oil and not being such dealer or dealers more than ten gallons of kerosine or parafine oil in any house storehouse warehouse shop cellar yard wharf or any other building or place occupied by him or them within the city or town of Dunedin or within any other town in the said Province except in any public kerosine warehouse appointed by the said Superintendent for the purpose of storing kerosine and parafine oils unless such person or persons shall be the holder or holders of a license for that purpose granted under and by virtue of this Ordinance by the Superintendent of the said Province on pain of forfeiting all the kerosine Keeping kerosine and parafine oils in towns.

and parafine oils beyond the quantity hereby allowed to be kept and the barrels or packages in which such kerosine or parafine oil shall be and shall also be liable to pay for every such offence a penalty not exceeding twenty pounds together with a further penalty of five shillings for every gallon of kerosine or parafine oil beyond such allowed quantity provided that no pecuniary penalty shall be imposed exceeding in any one case the sum of one hundred pounds all which forfeitures and penalties shall and may be enforced and recovered in a summary way by information laid before any Resident Magistrate or any two or more Justices of the Peace.

Search Warrant.

2. And for the more easy discovery of the keeping kerosine and parafine oils contrary to the provisions hereinbefore contained it shall be lawful for any Justice of the Peace on demand made and on reasonable cause assigned upon oath by any person or persons to issue a warrant or warrants under his hand for searching in the day time any house storehouse warehouse shop cellar yard wharf or other building or place within the said town of Dunedin or within any other town in the province of Otago in which kerosine or parafine oil is suspected to be kept contrary to the provisions of this Ordinance.

Kerosine or parafine oil beyond allowed quantity to be forfeited.

3. All kerosine and parafine oils found upon such search to be kept contrary to this Ordinance and also the barrels or packages in which such kerosine or parafine oil shall be contained shall be immediately seized by the searcher or searchers who shall with all convenient speed after the seizure remove the same to such proper place or places as they in conformity with the restrictions of this Ordinance shall think fit and shall and may detain such kerosine and parafine oils and the barrels and packages containing the same until it shall be adjudged on a hearing before any Resident Magistrate or two or more Justices of the Peace whether the same shall be forfeited and such searcher or searchers seizer or seizers shall not be liable to any suit for such detention or for any loss or damage which may happen to the said kerosine or parafine oil or barrels or packages as aforesaid other than by wilful acts or neglects of them or the persons with whom they shall trust the keeping thereof.

Superintendent may appoint warehouses and grant Licenses.

4. The Superintendent may from time to time grant to any person or persons a license to keep any quantity of kerosine and parafine oils beyond the quantity hereby allowed to be kept by such person or persons in any house storehouse warehouse shop cellar yard wharf or any other building or place occupied by such person or persons within the town of Dunedin or other towns of the said Province and may from time to time approve of and by proclamation in the *Provincial Government Gazette* appoint warehouses or places of security to be called public kerosine warehouses in the said city or town of Dunedin or in any other town in the said Province in which may be stored and kept by such person or persons as the Superintendent shall appoint any quantity of kerosine and parafine oils beyond the quantity allowed by this Ordinance to be kept by any person or persons and may also make regulations for the receiving and delivering of such kerosine and parafine oils in such warehouses or places of security and may also fix the amount of rent and of the charges for receiving and delivery which shall be payable

in respect of any kerosine and parafine oils deposited as aforesaid in such warehouse or place of security and such storage rent shall be payable at least once in every twelve months to the person appointed to be the keeper thereof and if it be not paid it shall be lawful for the person or persons appointed by the said Superintendent to keep such public kerosine warehouses to cause any kerosine or parafine oil for which the same shall be due to be sold by public auction in order to defray the rent of the same thirty days notice being first given in the *Provincial Government Gazette* prior to such sale provided always that no kerosine or parafine oil shall be delivered out of such public kerosine warehouses until all rent and other expenses shall be paid and provided that any balance remaining after payment of such storage rent shall be paid to the proprietor of such kerosine or parafine oil.

5. It shall be lawful for the Superintendent from time to time by proclamation in the *Provincial Government Gazette* to appoint such and so many persons as he may think fit to be the keeper or keepers of public kerosine warehouses and by like proclamation to cancel and revoke such appointments. Appointment of keepers of kerosine warehouses.

6. This Ordinance may be cited and referred to as the "Kerosine and Parafine Oils Ordinance, 1863." Short Title.

Passed the Provincial Council, October 6, 1863.

J. L. C. RICHARDSON,
Speaker.

CHARLES SMITH,
Clerk of Council.

Assented to on behalf of the Governor at Dunedin, this seventh day of October, one thousand eight hundred and sixty-three.

JOHN HYDE HARRIS,
Superintendent of the Province of Otago.