

owner, or, if such owner shall be absent from this Island, on the attorney of such owner, or if such owner shall be absent from the Island and not represented by any attorney, or such owner or attorney shall not be found after diligent search, then such notice shall be affixed upon some conspicuous part of the lands mentioned in such notice.

Ordinance to
be read as
part of
Ordinance
No. 6 of 1871.

14. This Ordinance shall be construed with and read as if the same formed part of the said Ordinance No. 6 of 1871, of the first day of July aforesaid.

Passed in Council this sixteenth day of January, in the year of our Lord one thousand eight hundred and seventy-two.

A. C. ROSS,
Clerk of the Council.

No. 6.—1872.

20th May.

AN ORDINANCE for the prevention of danger from Petroleum.

(L. S.) J. R. LONGDEN, *Governor.*

31st May, 1872.

WHEREAS it is expedient to make provision for the safe keeping of petroleum and other substances of like nature: Be it enacted by His Excellency the Governor, with the advice and consent of the Legislative Council, as follows:

Short title.

1. This Ordinance may be cited for all purposes as "The Petroleum Ordinance, 1872."

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Section 2 repealed by Ordinance 13 of 1874.

Vessels having
petroleum on
board to be
moored in
places named
in regulations
issued by
harbour
master.

3. Every vessel carrying a cargo consisting wholly or in part of petroleum, or entering the harbour of Port of Spain or San Fernando, shall conform to such regulations in respect to the place at which she is to be moored, as may from time to time be issued by the harbour master. If any vessel is moored in any place in contravention of such regulations, the owner or master of such vessel shall incur a penalty not exceeding twenty pounds for each day during which the vessel remains moored, and it shall be lawful for the harbour master or any other person acting under his orders to

cause such vessel to be removed, at the expense of the owner or master thereof, to such place as may be in conformity with the said regulations, and all expenses incurred in such removal may be recovered in the same manner in which penalties are hereby made recoverable.

4. It shall be lawful for the Governor, from time to time as occasion may require, by proclamation under his hand and seal, to appoint proper places within the Town of Port of Spain and the Town of San Fernando, or within the distance of one mile from each of the said towns for the storage of petroleum, and to make all such regulations respecting the landing, receiving, depositing, guarding, delivering and removing such petroleum as to him shall from time to time seem fit, and also to appoint some fit and proper person or persons to have the charge and custody of such petroleum to be stored in such place or places.

Power to Governor to appoint places for storage of petroleum, and to make regulations for its landing, &c.

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Section 5 is repealed by Ordinance 14 of 1880.

6. No petroleum shall be delivered from any such place so appointed except between the hours of eight in the forenoon and three in the afternoon of any day.

Delivery from warehouse.

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Section 7 is repealed by Ordinance 13 of 1874.

8. From and after the commencement of this Ordinance no petroleum shall be sold or kept for sale within the limits of the Town of Port of Spain, or the Town of San Fernando, except in pursuance of a license given by a Stipendiary Justice, and not more than fifty gallons of petroleum shall be kept at one and the same time in any place although duly licensed. All petroleum kept for sale in any place so licensed shall be kept in a tank or other vessel made of iron, zinc, tin or other uninflam- mable material. Any petroleum kept for sale in any place not duly licensed, or in any receptacle contrary to this section, shall be forfeited; and if more than fifty gallons of petroleum shall be kept at one and the same time in any place, although duly licensed, all such petroleum shall be forfeited, and the occupier of the place in which, not being duly licensed, petroleum is sold or kept for sale, and the occupier of any place in which,

Regulations as to sale of petroleum.

although licensed, more than fifty gallons at one and the same time shall be kept, shall incur a penalty not exceeding twenty pounds a day for every day during which petroleum is kept in contravention of this section.

Delivery from
licensed place.

9. No petroleum shall be delivered from any place licensed under this Ordinance except between the hours of seven in the morning and six in the afternoon: and if any petroleum shall be delivered contrary to this section the licensee in respect of such place shall incur a penalty not exceeding five pounds for every such delivery.

Form of
license, and
by whom
grantable.

10. Licenses in pursuance of this Ordinance shall be signed by the Stipendiary Justice, and shall specify the place in which petroleum may be kept under such license, and the time for which such license shall be in force, and there may be annexed to any such license any conditions as to renewal or otherwise which the Stipendiary Justice may think necessary for diminishing the risk of damage from explosion or fire; and any licensee violating any condition of his license shall be deemed to be an unlicensed person.

Provision in
case Justice
should
refuse to
grant license.

11. If on application for a license under this Ordinance the Stipendiary Justice refuses the same, or offers to grant the same only on conditions with which the applicant is dissatisfied, the Stipendiary Justice shall, if required by the applicant, certify in writing the grounds or conditions on which he refuses the license, or annexes conditions to the grant thereof, 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 the Governor, with a memorial praying that notwithstanding such refusal the license 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 may be set forth in such memorial; and it shall be lawful for the Governor, if he thinks fit, on consideration of such memorial and certificate, and if he thinks it desirable after due inquiry, on a report by such person as he may appoint to that purpose, to grant the license prayed for, either absolutely or with such conditions as he thinks fit, or to alter or modify the conditions imposed by the Stipendiary Justice, and the license so granted, or altered and

modified, as the case may be, when certified under the hand of the Governor, shall be to all intents valid as if granted by the local authority.

12. It shall be lawful for any Stipendiary Justice on reasonable cause assigned upon oath to issue a warrant under his hand for searching in the day time any house, storehouse, warehouse, shop, cellar, yard, wharf or other place in which petroleum is suspected to be kept contrary to this Ordinance; And all petroleum found to be kept contrary to this Ordinance, and also the vessels or other receptacles in which the same shall be kept, shall be immediately seized by the searcher, who shall with all convenient speed after the seizure remove such petroleum, and the vessels or other receptacles in which it shall be, to some place appointed by the Governor for the storage of petroleum, and may detain such petroleum vessels or other receptacles till it shall be adjudged on a hearing before a Stipendiary Justice of the Peace whether the same shall be forfeited, and such searcher or seizer shall not be liable to any action for such detainer, or for any loss of, or damage which may happen to such petroleum, or vessels, or other receptacles, other than by his wilful act or neglect: Provided that where any petroleum is seized under this section, proceedings for the forfeiture thereof shall be commenced within three days after such seizure.

13. In any proceeding before any Stipendiary Justice under this Ordinance, such Justice, if required so to do by the person in whose possession any oil made from coal, schist, shale, peat or other bituminous substance, or any product of them, may be found, shall cause a sample of the same to be tested by some person having competent chemical knowledge, who shall give evidence of the result of such test, and such Justice shall direct payment to be made to such person of the sum of one pound for the making of such test, and in case of conviction the person convicted shall pay the cost of such test, and in case of acquittal, such cost shall be paid from the public funds of the Colony.

14. Any forfeiture or penalty for an offence under this Ordinance may be enforced upon summary conviction before any Stipendiary Justice, and one moiety of the forfeiture or penalty shall belong to Her Majesty

Power to
Justice to issue
warrant for
searching
houses, &c.
in which
petroleum is
suspected to be
kept contrary
to this
Ordinance.

Justice, if
required, to
cause
petroleum to
be tested.

As to enforce-
ment and
appropriation
of penalties.

and the other moiety to the informer, unless the informer is a servant of the person informed against, in which case a moiety of the forfeiture or penalty which would otherwise belong to the informer, shall be applied in such manner, and to such other purposes, as the Stipendiary Justice in his discretion shall think fit.

Mode of
testing
petroleum.

15. The temperature at which any oil made from coal, schist, shale, peat or any product thereof, gives off an inflammable vapour shall, for the purpose of this Ordinance, be tested in the manner set forth in the schedule to the Act passed in the 31st and 32nd year of the reign of Her Majesty the Queen, cited as "The Petroleum Act, 1868."

Repeals
Ordinance
No. 18 of
1867.

16. The Ordinance No. 18 of 1867, entitled "An Ordinance for the safe keeping of Petroleum" is hereby repealed.

Commence-
ment of
Ordinance.

17. This Ordinance shall commence and take effect upon and from such day as the Governor may, by proclamation under his hand and seal, appoint.

Passed in Council this twentieth day of May, in the year of our Lord one thousand eight hundred and seventy-two.

A. C. ROSS,
Clerk of the Council.

No. 9.—1872.

1st July.

AN ORDINANCE to alter the mode of proceeding in cases of Execution.

(L. S.) J. R. LONGDEN, *Governor.*
6th July, 1872.

WHEREAS by an Ordinance, No. 9 of 1848, passed in Council on the first day of August, in the year of our Lord one thousand eight hundred and forty-eight, entitled "An Ordinance to regulate the mode of proceeding in Criminal Cases," it is enacted by the sixty-first section of the said Ordinance "that execution shall, in all cases, be done by the Marshal or his assistant under warrant directed to the Marshal under the hands of the Judges of the Court, or the majority of them concurring in the sentence;" And whereas it is deemed