

No. X.

An Act to authorize the destruction or sale of certain Gunpowder belonging to Merchants and now in Her Majesty's Gunpowder Magazine at Goat Island. [15th December, 1851.]

GUNPOWDER.

WHEREAS there is at present in Her Majesty's Gunpowder Magazine at Goat Island a large quantity of Gunpowder belonging to Merchants upon which large arrears of rent are due by the owners thereof and which from the defectiveness of the packages containing the same and the excessive accumulation of Gunpowder in the said Magazine it is considered dangerous to retain therein Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That it shall be lawful for Her Majesty's Ordnance Storekeeper or other officer for the time being in charge of the said Magazine to cause to be destroyed all Gunpowder therein belonging to Merchants and others upon which five years' arrears of rent shall be due and which from the defectiveness of the packages containing the same and the excessive accumulation of Gunpowder in the said Magazine he shall deem it unsafe to retain unless the owners of such Gunpowder shall within one month after the passing of this Act duly pay all arrears of rent and other charges if any due thereon together with such sum of money as the said Ordnance Storekeeper or other officer as aforesaid shall reasonably demand for the cost of securing the packages containing the said Gunpowder or of providing new packages and removing the said Gunpowder into the same as to him shall seem fit.

Preamble.

Gunpowder in Magazine at Goat Island upon which five years' arrears of rent shall be due may be destroyed &c.

Exceptions.

2. Provided always and be it enacted That it shall be lawful for Her Majesty's Ordnance Storekeeper or other officer as aforesaid in lieu of causing any such Gunpowder as aforesaid to be destroyed to offer the same for sale by public auction on condition that any quantity

Said Gunpowder may be sold for removal or exportation.

Distress and Replevin.

so sold shall be exported from the Colony within one month from the day of sale and the proceeds of such sale shall be applied to the payment of any storage rent due thereon and the overplus if any shall be paid to the owner thereof or his known agent Provided further that any Gunpowder which shall not be exported within the time above prescribed shall be liable to be destroyed in like manner as if the same had not been sold and any sums which may have been paid therefor shall be liable to be applied in the manner aforesaid.
