

ANNO TRICESIMO QUINTO

VICTORIAE REGINÆ.

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No. I.

STORAGE AND SALE
OF KEROSENE
RESTRICTION.An Act to place certain restrictions on Storage
and Sale of Kerosene as used for illumin-
ating purposes. [21st June, 1871.]

Preamble.

WHEREAS it is expedient to place certain restrictions on the storage and sale of Kerosene and certain products thereof that are dangerous by reason of their giving off inflammable vapour at a low temperature Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

Definition of
"kerosene."

1. "Kerosene" for the purposes of this Act shall include all such Rock oil Burmah oil Rangoon oil and any product thereof and any oil made from petroleum kerosene coal schist shale peat or other bituminous substance or any product thereof as gives off an inflammable vapour at a temperature of less than one hundred and ten degrees of *Fahrenheit's* thermometer.

Prohibition of sale
&c. of kerosene
under certain
circumstances.

2. No person shall sell or expose for sale or keep in store for the purposes of sale any description of kerosene from and after the first day of October one thousand eight hundred and seventy-one which gives off an inflammable vapour at a temperature of less than one hundred and ten degrees of *Fahrenheit's* thermometer unless there be attached to the bottle or vessel containing such kerosene a label in legible characters stating as follows—Dangerous—"Great care must be taken " in bringing any light near the contents of this vessel as they give off " an inflammable vapour at a temperature of less than one hundred " and ten degrees of *Fahrenheit's* thermometer" And any person acting in contravention of this section shall for each offence be subject to a penalty not exceeding twenty-five pounds.

Importer and refiner
to give notice to
Inspector.

3. Every importer or refiner of kerosene shall previous to delivery to any purchaser give notice to the Inspector of Kerosene hereinafter mentioned that such kerosene is ready for inspection and such Inspector shall thereupon within three days proceed to inspect and test such kerosene in the manner hereinafter provided and in case of approval shall testify the same by a certificate under his hand and every importer or refiner of kerosene who shall deliver any kerosene to a purchaser without having given such notice and obtained such certificate as aforesaid shall be liable for each case of kerosene so delivered to a penalty not exceeding twenty-five pounds and such kerosene may be seized and forfeited upon conviction of the offender.

No oil to be delivered
without certificate
of Inspector.

Storage and Sale of Kerosene Restriction.

4. After the first day of January one thousand eight hundred and seventy-two no person shall have or keep in any house storehouse warehouse shop cellar yard wharf or any other building or place occupied by the same person or persons within the boundaries of any town or municipality more than two hundred gallons of kerosene at any one time unless such house storehouse warehouse shop cellar yard wharf or any other building be situate more than fifty yards from a dwelling-house or from any building or place belonging to any other person in which goods are stored. And any person acting in contravention of this section shall forfeit all the kerosene so kept in excess of the said quantity together with the cases or tins containing the same and be liable to a penalty not exceeding two shillings for every gallon of kerosene so kept in excess. Provided that nothing in this clause shall prevent the storage of kerosene in any quantity on the premises where it is manufactured.

5. It shall be lawful for the Governor with the advice of the Executive Council to appoint one or more Inspectors of Kerosene for the whole or any part of this Colony whose duty it shall be at all reasonable times to inspect and test all kerosene kept offered or exposed for sale and retain a parcel thereof as a sample and if upon such inspection and test any description of kerosene shall be found kept or offered or exposed for sale as aforesaid contrary to the provisions of this Act the same shall be liable to be seized and upon conviction of the offender to be forfeited and the person so offending shall be liable for any such offence to any penalty not exceeding twenty-five pounds. Provided always that if the person in whose possession such kerosene shall be found as aforesaid shall claim to have a further test made in his behalf the Justices of the Peace before whom complaint of the said offence may be laid shall call before them some person having competent chemical knowledge who shall test a portion of the sample so retained as aforesaid in the manner hereinafter provided and shall give evidence of the result of such test and the said Justice shall direct payment to be made to the said analyst or person making the analysis of a sum not less than two shillings and sixpence and not more than ten shillings and sixpence to be paid in any case by the person claiming such further analysis.

6. The temperature at which kerosene gives off an inflammable vapour shall for the purposes of this Act be ascertained in manner set forth in the Schedule hereto.

7. Kerosene may be searched for in the same manner under the same warrants and subject to the same conditions in under and subject to which gunpowder may be searched for under the Act passed in the seventh year of the reign of King William the Fourth number seven and all the provisions of the said Act relating to searching for gunpowder shall be incorporated with this Act and be construed as if the word "gunpowder" in such provision included "kerosene" as defined by this Act.

8. All offences under this Act may be tried and all forfeitures and penalties thereby incurred may be disposed of recovered and applied in the manner authorized by the Act of Council thirteenth Victoria number twenty-six or any Act for the time-being in force with regard to illicit distillation. Provided that any Inspector of Kerosene shall have all the rights as to forfeitures and otherwise as by such Act are vested in the Inspector of Distilleries.

9. This Act may be cited as the "Storage and Sale of Kerosene Restriction Act of 1871." *Short title.*

SCHEDULE.

Directions for applying the Flashing Test to samples of Kerosene Oil.

THE instrument to be employed must be similar in construction to that adopted by the Metropolitan Board of Works for London for similar purposes and registered W. C. Miles 36 Great Pearl-street London and commonly called the Metropolitan Petroleum Oil-tester and the test shall be conducted in a closed room free from current of air.

Sixteen ounces *by measure* of water shall be placed in the water-bath of a temperature not less than seventy degrees of *Fahrenheit's* thermometer.

The oil vessel containing two ounces *by measure* of the oil to be tested shall then be placed in the water-bath and the temperature raised by the means provided in the apparatus. A small jet of flame shall be brought to the prescribed distance from the surface of the oil as indicated by a wire across the mouth of the oil vessel as frequently as may be deemed necessary by the operator but not less frequently than once for every five degrees of heat as shown by the thermometer until a temperature of ninety degrees is reached and then once for every two degrees until a temperature of one hundred degrees is reached and then the test shall be applied for every degree until the flashing point is reached that is to say the temperature at which a flame or flicker of flame first passes from the testing jet to the oil.

The time occupied in performing the test shall in no case exceed *fifteen minutes* reckoning from the time the oil vessel containing the oil is placed in the water-bath.

The bulb of the thermometer shall be immersed half an inch in the oil and the temperature or flashing point to be adopted shall be not less than one hundred and ten degrees of *Fahrenheit's* thermometer.

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