

## SCHEDULES.

### FIRST SCHEDULE

#### PART ONE

##### GUNPOWDER FACTORIES

Regulations which are to form part of the terms of every continuing certificate of a factory for gunpowder.

- (1) The quantity of gunpowder or ingredients 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.
- (2) The quantity of gunpowder to be subjected to pressure at one time in any press house shall not exceed ten hundredweight.
- (3) The quantity of gunpowder to be corned or granulated at one time in any coming or granulating house shall not exceed twelve hundredweight.
- (4) 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.
- (5) The respective quantities to be at any one time in any press house or coming 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 press house, coming 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 press house 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.
- (6) Every person keeping or using any mill for the making of gunpowder shall have (in addition to the expense magazines) a good and sufficient factory magazine or magazines, situate (unless otherwise authorised by a certificate of the Secretary of State under the Gunpowder Act, 1860) 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, 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 the Gunpowder Act, 1860,

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and not made unlawful by that Act, or may have been after the commencement of that Act duly licensed under the Gunpowder Act, 1860.

- (7) 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 press house, or drying, coming, or dusting house or other place used in or for the making of gunpowder, or any magazine or storehouse thereto belonging. Part Two

## PART TWO

### GUNPOWDER STORES

Regulations which are to form part of the terms of every continuing, certificate for a gunpowder store.

- (1) The store shall be exclusively for the use of a mine, quarry, colliery, or factory for safety fuzes:
- (2) The amount of gunpowder in the store shall not exceed, if the store is well and substantially built of brick or stone, four thousand pounds, and in any other case three hundred pounds:
- (3) Where the amount of gunpowder in the store exceeds three hundred pounds, such store shall, unless otherwise authorised before the passing of this Act by a certificate of the Secretary of State, be within two hundred yards of the mine, quarry, colliery, or factory for safety fuzes, or one of the mines, quarries, collieries, or factories for safety fuzes for the use of which such gunpowder is kept, and not within two hundred yards of any inhabited house without the consent in writing of the occupier of such house:
- (4) Where such certificate has been given, the conditions on which it was given shall be duly observed as if they were contained in this schedule :
- (5) Where the amount of gunpowder does not exceed three hundred pounds, the store shall be within two hundred yards of the mine, quarry, colliery, or factory for the use of which it is erected, and unless it was erected and used for the said purpose before the passing of the Gunpowder Act, 1860, shall not be within two hundred yards from any inhabited house without the consent in writing of the occupier of such house :
- (6) The store shall not be 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 and successors, or within two miles of any gunpowder magazine belonging to the Crown, or within half a mile of any parish church.

## SECOND SCHEDULE

### ARBITRATION

With respect to arbitrations under this Act, the following provisions shall have effect:

- (1) The parties to the arbitration are in this section deemed to be the occupier of the factory, magazine, or store on the one hand, and on the other the Government inspector (on behalf of the Secretary of State) :

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- (2) Each of the parties to the arbitration may, within twenty-one days after the date of the reference, appoint an arbitrator:
- (3) No person shall act as arbitrator or umpire under this Act who is employed in or in the management of or is directly or indirectly interested in the manufacture, trade, factory, magazine, store, business, or premises to which the arbitration relates, or is in any manner interested directly or indirectly in the matter to which the arbitration relates :
- (4) The appointment of an arbitrator under, this section shall be in writing, and notice of the appointment shall be 76 forthwith sent to the other party to the arbitration, and shall not be revoked without the consent of such other party :
- (5) The death, removal, or other change in any of the parties to the arbitration shall not affect the proceedings under this section :
- (6) If within the said twenty-one days either of the parties fail to appoint an arbitrator, the arbitrator appointed by the other party may proceed to hear and determine the matter in difference, and in such case the award of the single arbitrator shall be final:
- (7) If before an award has been made any arbitrator appointed by either party die or become incapable to act, or for fourteen days refuse or neglect to act, the party by whom such arbitrator was appointed may appoint some other person to act in his place; and if he fail to do so within fourteen days after notice in writing from the other party for that purpose, the remaining arbitrator may proceed to hear and determine the matters in difference, and in such case the award of such single arbitrator shall be final :
- (8) In either of the foregoing cases where an arbitrator is empowered to act singly, upon one of the parties failing to appoint, the party so failing may, before the single arbitrator has actually proceeded in the arbitration, appoint an arbitrator, who shall then act as if no failure had been made :
- (9) If the arbitrators fail to make their award within twenty-one days after the day on which the last of them was appointed, or within such extended time (if any) as may have been appointed for that purpose by both arbitrators under their hands, the matter in difference shall be determined by the umpire appointed as herein-after mentioned :
- (10) The arbitrators, before they enter upon the matters referred to them, shall appoint by writing under their hands an umpire to decide on points on which they may differ :
- (11) If the umpire die or become incapable to act before he has made his award, or refuses to make his award within a reasonable time after the matter has been brought within his cognizance, the persons or person who appointed such umpire shall forthwith appoint another umpire in his place :
- (12) If the arbitrators refuse or fail or for seven days after the request of either party neglect to appoint an umpire, then on the application of either party an umpire shall be appointed by the chairman of the quarter sessions of the peace within the jurisdiction of which the factory, magazine, or store is situate :
- (13) The decision of every umpire on the matters referred to him shall be final:
- (14) If a single arbitrator fail to make his award within twenty-one days after the day on which he was appointed, the party who appointed him may appoint another arbitrator to act in his place :

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The arbitrator and their umpire or any of them may examine the parties and their witnesses on oath, they may also consult any counsel, engineer, or scientific person whom they may think it expedient to consult:

- (15) The payment, if any, to be made to any arbitrator or umpire for his services shall be fixed by the Secretary of State, and together with the costs of the arbitration and award shall be paid by the parties, or one of them, according as the award may direct. Such costs may be taxed by a master of one of the superior courts, who, on the written application of either of the parties, shall ascertain and certify the proper amount of such costs. The amount, if any, payable by the Secretary of State shall be paid as part of the expenses of inspectors under this Act. The amount, if any, payable by any other party may in the event of nonpayment be recovered in the same manner as penalties under this Act.

### THIRD SCHEDULE

#### MAXIMUM FEES FOR LICENSES GRANTED BY THE SECRETARY OF STATE.

Factory license, original	Ten pounds.
Do., amending	Five pounds.
Do., renewal when lost	Five shillings.
Magazine license, original	Ten pounds.
Do., amending	Five pounds.
Do., renewal when lost	Five shillings.
Importation license, first grant	One pound.
Do., renewal	Ten shillings.
Continuing certificate	Forty shillings.

### FOURTH SCHEDULE

Session and Chapter.	Title.
<a href="#">23 &amp; 24 Vict. c. 139.</a>	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.
<a href="#">24 &amp; 25 Vict. c. 130.</a>	An Act for amending an Act passed in the last session of Parliament 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.

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Session and Chapter.	Title.
25 & 26 Vict. c. 98.	An Act for the amendment of an Act of the session of the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter one hundred and thirty-nine, intituled 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 and of an Act amending the last-mentioned Act.
29 & 30 Vict. c. 69.	An Act for the amendment of the law with respect to the carriage and deposit of dangerous goods.
32 & 33 Vict. c. 113.	An Act to prohibit for a limited time the importation and to restrict and regulate the carriage of nitro-glycerine.

#### FIFTH SCHEDULE

Session and chapter.	Abbreviated Title.	Extent of Repeal.
26 & 27 Vict. c. 65.	The Volunteer Act, 1863	Section twenty-six from " all exemptions contained in the " Gunpowder Act, 1860," inclusive, to the end of the section.