

*ORDINANCE—Providing for the Storage of Gunpowder.*

The people of the City of San Francisco do ordain as follows :

Sec. 1. A Storekeeper shall be appointed by the Common Council in joint ballot, whose duty it shall be to take charge of the City Powder Magazine, subject to such regulations as the Common Council may deem advisable.

No person or persons shall keep for his or their private use in any one house or place within the limits of this city more than five pounds of gunpowder, at any one time, under the penalty of not less than five hundred dollars.

Sec. 2. No person shall hereafter keep powder on sale within the limits of this city without first obtaining a license of the Comptroller, which he shall be entitled to by the payment of one dollar, which shall go into the City Treasury ; nor shall such person keep in any one store, building or other place within the limits of the city, more than fifty pounds of powder at one time, and that shall be kept in a strong copper chest, well and securely fastened, with the word " Powder " distinctly printed upon it. The said chest shall always be kept within three feet of the main entrance of the building or place where powder is kept, so that in the event of a fire it may be readily removed. Moreover, it shall be the duty of every person obtaining a license and selling powder as aforesaid, to keep in a conspicuous place on the front of the building or place in which such powder is kept, a sign with the words " Licensed to sell Powder," conspicuously painted upon it ; and any person offending against the provisions of this Section, shall be fined not less than five hundred dollars, or imprisoned not less than thirty nor more than sixty days.

Sec. 3. It shall be the duty of the captain or commander of any vessel which has arrived or which may hereafter arrive at this port, the cargo of which consists in whole or in part of powder, to report the fact that he has such powder on board within forty-eight hours after his arrival in port to the keeper of one of the Powder Magazines authorized by law ; and no vessel, while lying alongside any dock, wharf or pier of this city, shall receive powder on board, exceeding the quantity prescribed in Section 1st of this Ordinance, and for the violation of either of the provisions of this Section, the vessel shall be liable to a fine of not less than five hundred dollars, to be recovered in a prosecution before the Recorder of this city.

Sec. 4. It shall be the duty of the Storekeeper of the Magazine when requested to do so, to convey powder to and from the Magazine, and for the removal and delivery of the same, he shall be entitled to receive from the person or persons so ordering the same the sum of fifty cents per keg, and for every month that he shall keep the same in the Magazine aforesaid, he shall be entitled to receive the sum of seventy-five cents per keg.

Sec. 5. The Storekeeper of the Powder Magazine shall execute a bond to the city, for the benefit of the depositors, for the faithful discharge of his duties, with two sufficient securities, to be approved by the Mayor, in the sum of five thousand dollars ; and it shall be his duty to give a receipt for all powder deposited with him.

Sec. 6. It shall be the duty of all persons having a greater quantity of powder than is allowed in the preceding Sections of this Ordinance in their possession, either in houses or vessels, to notify the Storekeeper of the Magazine immediately, so that he may remove or cause to be removed all powder within the limits of this city to the Magazine.

Sec. 7. Whenever any vessel arriving at this port shall have powder on board, it shall be the duty of the keeper of the Magazine, to whom the master or other persons having charge of such vessel shall report the fact of powder being on board, to superintend the landing and removal of said powder ; nor shall any powder be discharged from a vessel in the night time, or be permitted to remain at the place where it is landed or discharged ; and any person or persons offending against the provisions of this Section shall be liable to a fine of not less than one hundred dollars nor more than five hundred dollars, to be recovered on conviction before the Recorder.

Sec. 8. Whenever any powder, exceeding the quantity of fifty pounds is about to be removed to or from any magazine, it shall be the duty of the person or persons removing the same to notify the Chief Engineer of the Fire Department that such removal is about to be made ; and for the failure to so notify the Chief Engineer, the person or persons so offending shall be fined in a sum of not less than fifty nor more than one hundred dollars for each and every such offence, to be recovered on conviction before the Recorder, or such person or persons so convicted may be imprisoned for a time not less than ten nor more than twenty days.

Sec. 9. Any person informing of the violation of this ordinance, shall be entitled to half the amount of the fine recovered.

Sec. 10. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

In Board of Assistant Aldermen, May 9th, 1853, passed finally, after a third reading, by unanimous vote.

EDWARD TOBY, Clerk.