

CARRIAGE AND DEPOSIT OF DANGEROUS
GOODS, 1866.

[Repealed
by 38 and 39
Vict. c. 17,
s. 122.]

29 & 30 Vict. Cap. 69. An Act for the Amend-
ment of the Law with respect to the Carriage
and Deposit of dangerous Goods.

[6th August, 1866.]

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Nitro-glycerine to be deemed dangerous. Other goods may be declared so by order in council.

1. *The goods or article commonly known as nitro-glycerine or glonoin oil shall be deemed to be specially dangerous within the meaning of this act.*

Such goods to be marked, and notice to be given of their character.

2. *Her majesty may from time to time, by order in council, declare that any goods named in such order (other than nitro-glycerine or glonoin oil) are to be deemed specially dangerous within the meaning of this act; and may from time to time amend or repeal any such order; and any goods which are by any such order declared to be specially dangerous shall, so long as such order is in force, be deemed to be specially dangerous within the meaning of this act.*

3. *No person shall deliver any goods which are specially dangerous to any warehouse owner or carrier, or send or carry or cause to be sent or carried any such goods upon any railway or in any ship to or from any part of the United Kingdom, or in any other public conveyance, or deposit any such goods in or on any warehouse or quay, unless the true name or description of such goods, with the addition of the words specially dangerous is distinctly written, printed or marked on the outside of the package, nor in the case of delivery to or deposit with any warehouse owner or carrier, without also giving notice in writing to him of the name or description of such goods, and of their being specially dangerous. And any person who commits a breach of this enactment shall be liable to a penalty not exceeding five hundred pounds, or at the discretion of the court to imprisonment, with or*

without hard labour, for any term not exceeding two years.

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4. Provided always, as follows :

(1.) Any person convicted of a breach of the last foregoing enactment shall not be liable to imprisonment, or to a penalty of more than two hundred pounds, if he shows to the satisfaction of the court and jury before whom he is convicted that he did not know the nature of the goods to which the indictment relates :

Provision for case of absence of knowledge of nature of goods.

(2.) Any person accused of having committed a breach of the said enactment shall not be liable to be convicted thereof if he shows to the satisfaction of the court and jury before whom he is tried that he did not know the nature of the goods to which the indictment relates, and that he could not, with reasonable diligence, have obtained such knowledge.

5. Where goods are delivered, sent, carried, or deposited in contravention of the said enactment the same shall be forfeited, and shall be disposed of in such manner as the commissioners of her majesty's treasury or (in case of importation) the commissioners of customs direct, whether any person is liable to be convicted of a breach of the said enactment or not.

As to forfeiture of such goods.

6. No warehouse owner or carrier shall be bound to receive or carry any goods which are specially dangerous.

Warehouse owners, &c., not bound to receive such goods.

7. In construing this act the term warehouse owner shall include all persons or bodies of persons owning or managing any warehouse, store, quay, or other premises in which goods are deposited ; and the word carrier shall include all persons or bodies of persons carrying goods or passengers for hire by land or water.

Interpretation of "Owner" and "Carrier."

8. The act of the session of the twenty-fifth and twenty-sixth years of her majesty's reign, chapter sixty-six, for the safe keeping of petroleum, is hereby extended and applied to nitro-glycerine, and that act shall be read and have effect as if throughout its provisions nitro-glycerine had been mentioned in addition to petroleum ; save that so much of the said act as specifies the maximum quantity of petroleum to be kept as therein mentioned without a licence shall not apply in the case of nitro-glycerine, and any quantity whatever of nitro-glycerine shall be deemed to be subject to the provisions of the said act.

Application of 25 & 26 Vict. c. 66 to nitro-glycerine.

9. The said act of the session of the twenty-fifth and twenty-sixth years of her majesty's reign is also hereby extended and applied to any substance for the time being declared by any order in council under this act to be

Application of the same act to other substances.

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Short title. 10. *This act may be cited as The Carriage and Deposit of dangerous Goods Act, 1866.*