## CAP. LXIX.

An Act for the Amendment 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.

**1.** The Goods or Article commonly known as Nitro-Glycerine or Glonoine Oil shall be deemed to be specially dangerous within the Meaning of this Act.

Other Goods may be declared so by Order in Council.

**2.** Her Majesty may from Time to Time, by Order in Council, declare that any Goods named in any such Order (other than Nitro-Glycerine or Glonoine 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.

Such Goods to be marked, and Notice to be given of their Character.

**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.

Provision for Case of Absence of Knowledge of Nature of Goods.

**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:

(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.

As to Forfeiture of such Goods.

**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.

Warehouse Owners, &c. not bound to receive such Goods.

**6.** No Warehouse Owner or Carrier shall be bound to receive or carry any Goods which are specially dangerous.

Interpretation of "Owner" and "Carrier."

**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.

Application of 25 & 26 Vict. c. 66. to Nitro-Glycerine.

**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

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 the same Act to other Substances.

**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 specially dangerous, and that Act shall be read and have effect as if throughout its Provisions the Substance to which such Order in Council relates had been mentioned in addition to Petroleum; save that the Quantity of such Substance which it shall not be lawful to keep as in the said Act mentioned without a Licence shall, instead of the Quantity specified in relation to Petroleum in the said Act, be such Quantity as is specified in that Behalf in relation to any such Substance in any such Order in Council.

Short Title.

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

## CAP. LXX.

An Act to extend the Provisions of the Acts for the Inclosure, Exchange, and Improvement of Land to certain Portions of the *Forest of Dean* called *Walmore Common* and *The Bearce Common*, and for authorizing Allotments in lieu of the Forestal Rights of Her Majesty in and over such Commons. [6th *August* 1866.]

8 & 9 Vict. c. 118.

'WHEREAS by the Thirteenth Section of the Act of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter One hundred and eighteen, commonly called The General Inclosure Act of 1845, it was enacted that no Part of the *New Forest* in the County of *Southampton* or of the *Forest of Dean* in the County of *Gloucester* should be Land subject to be inclosed thereunder:

'And whereas it is expedient that the said Section, so far as regards certain Portions of the said *Forest of Dean* called *Walmore Common* in the Parish of *Westbury on Severn*, and *The Bearce Common* in the Parish of *Saint Briavels*, should be repealed, and that the Inclosure Commissioners for *England* and *Wales* should be empowered to make such Allotment or Inclosure of the same Commons as is herein-after mentioned:'

Be it therefore 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:

Sect. 18. of 8 & 9 Vict. c. 118. repealed so far as relates to Walmore and Bearce Commons.

**1.** The said Thirteenth Section of the said General Inclosure Act of 1845 shall, so far as relates to the said *Walmore Common* and *Bearce Common*, be repealed; and the said General Inclosure Act and all the other Acts for the Inclosure, Exchange, and Improvement of Land, and all other Acts of Parliament whatsoever, shall and may be read and acted on as though the said Commons had not been included in the said Thirteenth Section of the said first-mentioned Act.

Inclosure Commissioners to appoint Valuer and fix his Remuneration.

**2.** With respect to each of the said Commons, it shall be lawful for the Inclosure Commissioners for *England* and *Wales*, if they shall think fit, on the Request of the Commissioner of Her Majesty's Woods, Forests, and Land Revenues for the Time being having charge of the said *Forest of Dean*, and without any Request or Consent of any other Person, to appoint some competent Land Surveyor to act as Valuer for the Purposes of this Act, and to fix the Amount of Remuneration to be paid to such Valuer; and such Valuer shall forthwith apply to the said Commissioners to ascertain the Boundaries of such Commons, and shall proceed to ascertain and determine the Persons interested therein and all

Valuer to ascertain the Boundaries of the Commons