

Sending dangerous goods in ships unmarked.

6. If any person sends, or attempts to send by, or not being the master or owner of the ship, carries or attempts to carry in any ship, from any port or place in Canada, any dangerous goods, that is to say, aquafortis, oil of vitriol, gunpowder, nitro-glycerine, naphtha, benzine, lucifer-matches or any other goods of a dangerous nature, without distinctly marking their nature on the outside of the package containing the same, and giving written notice of the nature of such goods, and of the name and address of the sender thereof, to the master or owner of the ship, at or before the time of sending the same to be shipped, or taking the same on board the ship, he shall for every such offence incur a penalty not exceeding five hundred dollars: Provided that if such person show that he was merely an agent in the shipment of any such goods as aforesaid, and was not aware, and did not suspect, and had no reason to suspect that the goods shipped by him were of a dangerous nature, the penalty which he incurs shall not exceed forty dollars.

Penalty.
Proviso.

Sending such good under false description

7. Any person who knowingly sends, or attempts to send by, or carries or attempts to carry in any ship, from any port or place in Canada, any dangerous goods, or goods of a dangerous nature, under a false description, or falsely describes the sender or carrier thereof, shall incur a penalty not exceeding two thousand dollars.

Penalty.

Master may refuse to receive package.

8. The master or owner of any ship may refuse to take on board any package or parcel which he suspects to contain goods of a dangerous nature, and may require it to be opened to ascertain the fact.

Such goods sent on board without notice, may be thrown overboard.

9. Where any dangerous goods, as defined in the sixth section of this Act, or any goods which, in the judgment of the master or owner, are of a dangerous nature, have been sent on board any ship, within the limits of the Dominion of Canada, without being marked, as aforesaid, or without such notice having been given, as aforesaid, the master or owner of such ship may cause such goods to be thrown overboard; and neither the master nor the owner of the ship shall, in respect of such throwing overboard, be subject to any liability, civil or criminal, in any Court in Canada.

Goods may be forfeited by order of Court.

10. Where any dangerous goods have been sent or attempted to be sent, or carried or attempted to be carried, on board any ship, from any port or place in Canada, without being marked as aforesaid, or without such notice having been given as aforesaid, and where any such goods have been sent or attempted to be sent under a false description, or the sender or carrier thereof has been falsely described, it shall be lawful for any court of record or of superior jurisdiction, on application by or on behalf of the owner, charterer or master of the ship, to declare such goods to be, and they shall thereupon be forfeited, and when forfeited shall be disposed of as the Court directs.