



# Merchant Shipping Act 1894

## 1894 CHAPTER 60

### PART V

#### SAFETY.

##### *Loading of Timber.*

#### **451 Loading of timber.**

- (1) If a ship, British or foreign, arrives between the last day of October and the sixteenth day of April in any year at any port in the United Kingdom from any port out of the United Kingdom, carrying as deck cargo, that is to say, in any uncovered space upon deck, or in any covered space not included in the cubical contents forming the ship's registered tonnage, any wood goods as herein-after defined, the master of that ship, and also the owner, if he is privy to the offence, shall be liable to a fine not exceeding five pounds for every hundred cubic feet of wood goods carried in contravention of this section.
- (2) Provided that a master or owner shall not be liable to any fine under this section—
  - (a) in respect of any wood goods which the master has considered it necessary to place or keep on deck during the voyage on account of the springing of any leak, or of any other damage to the ship received or apprehended ; or
  - (b) if he proves that the ship sailed from the port at which the wood goods were loaded as deck cargo at such time before the last day of October as allowed a sufficient interval according to the ordinary duration of the voyage for the ship to arrive before that day at the said port in the United Kingdom, but was prevented from so arriving by stress of weather or circumstances beyond his control; or
  - (c) if he proves that the ship sailed from the port at which the wood goods were loaded as deck cargo at such time before the sixteenth day of April as allowed a reasonable interval according to the ordinary duration of the voyage for the ship to arrive after that day at the said port in the United Kingdom, and by reason of an exceptionally favourable voyage arrived before that day.

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*Status: This is the original version (as it was originally enacted).*

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- (3) For the purposes of this section, the expression " wood goods " means—
- (a) any square, round, waney, or other timber, or any pitch pine, mahogany, oak, teak, or other heavy wood goods whatever; or
  - (b) any more than five spare spars or store spars, whether or not made, dressed, and finally prepared for use ; or
  - (c) any deals, battens, or other light wood goods of any description to a height exceeding three feet above the deck
- (4) Nothing in this section shall affect any ship not bound to a port in the United Kingdom which comes into any port of the United Kingdom under stress of weather, or for repairs, or for any other purpose than the delivery of her cargo.