

CHAPTER 32 BILLS OF LADING ACT

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ACT

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CHAPTER 32 BILLS OF LADING ACT

An Act to amend the law relating to bills of lading.

[12th January, 1858.]

1. Short title

This Act may be cited as the Bills of Lading Act.

2. Rights under bills of lading to vest in consignee or indorsee

Every consignee named in a bill of lading, and every indorsee of a bill of lading to whom the property in the goods therein mentioned shall pass upon or by reason of such consignment or indorsement, shall have transferred to and vested in him or her all rights of suit and be subject to the same liabilities in respect of such goods as if the contract contained in the bill of lading had been made with himself or herself.

3. Not to affect right of stoppage *in transitu* or claims for freight

Nothing herein contained shall prejudice or affect any right of stoppage *in transitu*, or any right to claim freight against the original shipper or owner, or any liability of the consignee or indorsee by reason or in consequence of his or her being such consignee or indorsee, or of his or her receipt of the goods by reason or in consequence of such consignment or indorsement.

4. Bill of lading in hands of consignee, etc., conclusive evidence of shipment as against master

Every bill of lading in the hands of a consignee or indorsee for valuable consideration representing goods to have been shipped on board a vessel shall be conclusive evidence of such shipment as against the master or other person signing the same, notwithstanding that such goods or some part thereof may not have been so shipped, unless such holder of the bill of lading shall have had actual notice at the time of receiving the same that the goods had not been in fact laden on board:

Provided that the master or other person so signing may exonerate himself or herself in respect of such misrepresentation by showing that it was caused without any default on his part, and wholly by the fraud of the shipper, or of the holder, or some person under whom the holder claims.

**CHAPTER 32
BILLS OF LADING ACT**

SUBSIDIARY LEGISLATION

No Subsidiary Legislation
