

Carriers Act, 1865

Section 7 - Liability of Owner of Railroad or Tramroad Constructed Under Act 22 of 1863, Not Limited by Special Contract. in What Case Owner of Railroad or Tramroad Answerable for Loss or Damage

The liability of the owner of any railroad or tramroad constructed under the provisions of the said Act 22 of 1863, for the loss of or damage to any [1](#)[property including container, pallet or similar article of transport used to consolidate goods) delivered] to him to be carried, not being of the description contained in the Schedule to this Act, shall not be deemed to be limited or affected by any special contract; but the owner of such railroad or tramroad shall be liable for the loss of or damage to property delivered to him to be carried only when such loss or damage shall have been caused by negligence or a criminal act on his part or on that of his agents or servants.

1. Substituted by Act 28 of 1993, section 31 and Schedule, Pt I, for "property delivered" (c.f.o. 16-10-1992).
