

(No. 124.)



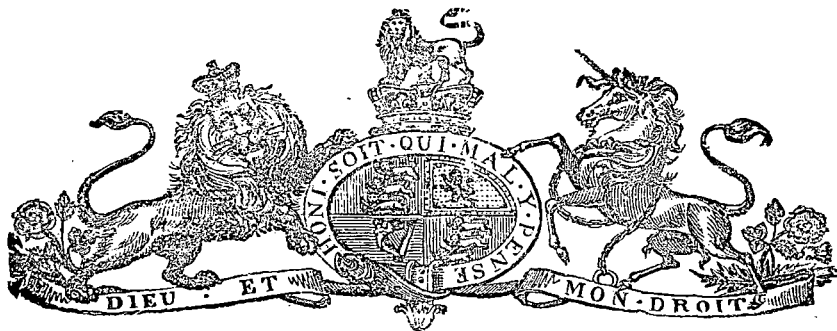
1871.

T A S M A N I A.
HOUSE OF ASSEMBLY.

M E R S E Y M A R I N E B O A R D.

P E T T I O N , A N D C O R R E S P O N D E N C E .

Laid upon the Table by the Colonial Treasurer, and ordered by the House to be printed, December 8, 1871.



Colonial Treasury, Hobart Town, 25th May, 1871.

SIR,

I HAVE the honor of forwarding herewith a Petition from several of the inhabitants of the Mersey District addressed to His Excellency the Governor.

You will observe that the Petitioners complain of the Mersey Marine Board not having passed bye-laws for the regulation of the ports under their control; that the beacons on the River Mersey are destroyed, and the general supervision of the river and port neglected; that they have petitioned in vain and have received no reply; and feel compelled to ask the interference of the Executive Government in hope that such steps may be taken to redress the abuses of which they complain as may be considered necessary.

I have submitted the Petition to His Excellency, but before being able to advise the Governor on the subject I have deemed it right to forward the Petition to you, and have to instruct you to convene a full-meeting of the Members of the Board at an early date, when you will be good enough to lay the Petition before them for their consideration and perusal, and request the Members to offer such explanation on the Petition as they may think proper, and at the same time to forward such recommendations as they may think fit for the consideration of His Excellency the Governor. I have particularly to direct your attention to the concluding paragraph of the Petition, requesting to know the number of meetings held, with the names of the Members present; and you will be good enough to forward to me for the information of the Governor the dates of every meeting held since the establishment of the Board, with the names of the Members present at each meeting, and that you will furnish me with such other information as you may consider necessary to enable the Governor to decide on the case.

Trusting that you will give the matter your prompt attention, and that you will forward your report to me within the next ten days or fortnight,

I have the honor to be,
Sir,

Your obedient Servant,

THOS. D. CHAPMAN, *Colonial Treasurer.*

The Master Warden, Mersey Marine Board, Torquay.

To His Excellency CHARLES DU CANE, Esquire, Captain-General and Governor-in-Chief of the Island of Tasmania.

The humble Petition of the undersigned Landowners and Settlers of the Mersey District.

SHOWETH :

THAT your Petitioners are now, and have been for many years, suffering from the want of good management of the affairs connected with the shipping of goods and produce at the River Mersey.

That your Petitioners were for a length of time a Sub-port under the Launceston Marine Board, but owing to the contention and antagonism of interests and bad management of the affairs of the Submarine Board several of your Petitioners addressed the then Government by petition, and also the Member for the District, with the view of having the River Mersey placed under a separate Marine Board, constituted of members having a direct interest in the progress of the Port.

That your Petitioners were promised a separate Marine Board as sought, and waited and expected that such a one would have been established under the amended Marine Board Act, 31 Victoria, No. 30, passed on the 11th October, 1867; and a separate Marine Board was proclaimed on the 31st December, 1867.

That several of your Petitioners were astonished to find that the Mersey Marine Board included the Rivers Rubicon, Don, Forth, and Leven, and that the members were chosen of gentlemen residing in these several localities.

That your Petitioners would respectfully urge upon the consideration of Your Excellency that the interests of one river if not directly opposed to the interests of another river (each being a centre of population and outlet for produce, having a separate interest in its own progress) has at least no unity of interest with other rivers, and that in fact the interests of the Don, Forth, and Leven can never be turned directly to the advantage at present of the River Mersey.

That the gentlemen appointed on the 31st December, 1867, are members of society enjoying the general respect of your Petitioners, but they are not to be expected, and cannot be induced, to waive their own interests in the rivers in which they are concerned to assist in the progress or in developing the resources of the River Mersey.

That your Petitioners respectfully submit that Your Excellency will find on enquiry that there have been but few, if any, meetings of the so-called Mersey Marine Board during the period they have held office, owing to the distance at which the Members reside from Torquay and other causes to which it is unnecessary here to refer.

That the Port Frederick Submarine Board collected port charges under the Launceston Marine Board Bye-laws passed then, and that the Marine Board Act under which these charges were passed contains no provision for other than Submarine Boards collecting charges under their bye-laws.

That your Petitioners submit that, the Mersey Marine Board not having passed any bye-laws from its creation on the 31st December, 1867, to the present time, and no existing Law enabling them to collect charges passed by other Marine Boards, the charges now being collected are being illegally and improperly collected.

That on the 13th January, 1868, the Marine Board at Circular Head passed their bye-laws under the amended Act; and that on the 24th March, 1868, the Table Cape Marine Board passed their bye-laws under the same Act.

That your Petitioners regret to state to Your Excellency that the beacons are almost all destroyed, the wharf and steps are in a dangerous state, that the river generally has been very much neglected, the Officers unsupervised, and that there is no responsibility nor will any be acknowledged. Vessels are allowed to place ballast at several places below high-water mark which are not regular ballast grounds; and most improper places for so doing; and that, in fact, things have got into such a state that nothing less than a vigorous and immediate remedy of wrongs can prevent the Port from being very much injured in its mercantile prospects.

That on the 6th December, 1870, several of your Petitioners being persons interested presented to the Mersey Marine Board a Petition of which the attached Petition is a copy, and that up to the present time no reply has been received to such Petition.

That your Petitioners are led to believe that the Ferry-men at the Mersey were led to get up a counter Petition which was signed under very questionable influences, and that the Chairman sent a reply to the prayer of that Petition, although none was forwarded to the first one.

That your Petitioners regret very much to be obliged to address such terms to Your Excellency, and they would not do so but that all other efforts have proved abortive and useless, and there remains no other means of correcting the grievances at present existing.

Your Petitioners therefore pray that Your Excellency will cause strict enquiry to be made into the several matters herein alleged, into the number of meetings held by the present Mersey Marine Board, the members present at such meetings, and the business transacted; and should Your Excellency deem it necessary to do so, that such information may be submitted to such of your Petitioners as Your Excellency shall think fit; and that Your Excellency may also be pleased in the right and proper exercise of your prerogative to grant to your Petitioners a Marine Board consisting of members residing on the River Mersey who are interested and who will take an interest in the progress of the Port, and the redressing of the many serious abuses at present existing.

And your Petitioners, as in duty bound, will ever pray, &c.

R. W. Stewart.	William Jowett.	Henry Thomson.	Francis Rockliff.
T. W. Thomas.	John Reid.	George Atkinson, sen.	Joseph Sibley.
A. V. Dumbleton.*	John D. Jowett.	M. Nathan & Co.	G. Hedditch.
J. V. Ross.	Geo. Best.	B. S. Oppenheim.	Joseph Bramich.
E. Rivington.	Stephen Kelcey.	Samuel Read.	William Bennett.
David Best.	Stephen Gardam.	Henry Rockliff.	John Griffiths.
R. Winspear.	Charles Child.	George Rockliff.	Daniel Phillips.
John Crookes.	George Tucker.	J. W. A. Shirt.	Daniel Harvey.
John Steer, Junr.	Mary Stephens.	William Mitchell.	James Shore.
R. H. Dargaville.	R. D. Newitt.	Henry Kimberley.	
J. H. M'Call.	Henry Bentinck.	Stephen Kelcey.	

Torquay, 5th May, 1871.

* I have signed this as a Petition for a "separate Marine Board for the River Mersey," which is, I think, highly desirable. It is impossible that the Board as at present constituted can do justice to any one river; they are not sufficiently interested in the matter; and this is the only thing I know of that can be laid to their charge. Of the many vague charges contained in the Petition I know nothing. The Ferrymen's charges are, as stated, too high, and they should be forwarded to have a certain tariff posted at the Ferry and regulated by some competent authority.

A. V. D.

(Copy.)

To H. T. A. MURRAY, Esquire, Master Warden, and S. H. THOMAS, EDWIN CUMMINGS, JAMES FENTON, and E. B. E. WALKER, Esquires, being the Marine Board of Port Frederick.

The Petition of the undersigned Landholders, Settlers, and Residents of the River Mersey and its vicinity.

RESPECTFULLY SHOWETH :

THAT your Petitioners are in the habit frequently of using the Ferry between Torquay and Formby and many of us several times a day.

That the present rate of Ferryage was established many years ago when the population was much smaller than it is at present, when there was more money in circulation among fewer persons, and when there was not so much traffic across the river as there is now.

That the present tariff of rates is too high and presses heavily on the public generally, and prevents much of the traffic which would take place were the fares reduced to meet the times.

That your Petitioners would suggest that the fares for persons each way be reduced to one penny, and the fare for taking horses over either by boat or punt be sixpence, and that such a reduction be made in the ferrying over drays and teams as will render it less prohibitory than at present.

John Crookes.	Wm. Bennett.	Chas. J. Martin.	A. Dumbleton.
J. H. M'Call.	George Best.	J. Reynolds.	R. R. Davies.
C. Laird.	J. Steer, junr.	B. H. Rooke.	James Millar.
Charles Oldaker.	R. Shekleton.	J. D. Jowett.	Geo. Wakeham.
Thos. Oldaker.	Margaret Quin.	G. Bishton.	Robt. Stewart.
G. Smalbone.	Wm. Jowett.	W. Holyman.	
R. A. Dargaville.	J. Bramich.	C. Child.	

Torquay, 6th December, 1870.

Mersey Marine Board, Torquay, 8th June, 1871.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 25th ultimo accompanying Petition from certain Residents of the River Mersey, which I have this day laid before a meeting of the Marine Board; not a full meeting as you requested, as one member was unfortunately absent.

I am directed by the members of this Board to express their regret that a Petition containing so much matter unwarranted by the facts should have been presented to His Excellency. The Board unanimously repudiate the charge laid against them, "that they cannot be induced to waive their own interests in the rivers in which they are concerned to assist in the progress or in developing the resources of the River Mersey;" and deny that they have done or said anything that could warrant any such imputations on their principles or conduct.

When the Petitioners state that the "beacons are all almost destroyed," they indulge in the style of speech commonly termed the *suggestio falsi*. There never was more than one beacon in the Mersey, and it is true that it has been thrown down, but it is also true that the Board has *in vain* called for tenders to replace it, and to erect additional beacons. It is remarkable that none of the

Petitioners responded to the advertisement, and re-erected the beacon they missed so much as to magnify it into a multitude. The Petitioners next state that the "wharf and steps are in a dangerous state." It is very true that the wharf is out of repair, and that the Board has in vain called, and is calling, for tenders to repair it; but hitherto without receiving one. The traffic in shipment and landing of goods has gone on unimpeded up to the present time, and we are now compelled to try and make a private arrangement to get it put in a proper state of repair.

We absolutely deny every statement contained in the paragraph commencing with a complaint about the beacons, in which the *one officer* of the Board has been (like the beacons) named in the plural. With regard to the Petition stated to have been presented to the Board on the 6th of December, 1870, I beg to say that the Petition was presented to me by Mr. John Reynolds, C.D.C.; that I conveyed to him *vivá voce* the decision of the Board—that they declined for a short time to alter the fares at the Victoria Ferry, but that they intended to revise them at a future period. I asked him if I should convey that decision *in writing*; he said that my *vivá voce* reply would be sufficient for the Petitioners. I acted in the same way to the other counter petitioners, who received no reply other than a *vivá voce* one.

No member of the Board can understand what is intended by the present Petitioners when they say, "The ferrymen at the Mersey were led to get up a counter petition, which was signed under very questionable influences." If this gross imputation was intended to apply to this Board, or to any member of it, we absolutely deny its correctness with scorn, and further beg to express our opinion that it is utterly without foundation.

The members of this Board have held but very few formal meetings, as the framer of the Petition knew from my own lips; but the number of these meetings, as specified below (according to your request), do not by any means indicate the amount of work done, or the interest taken by the Board in the work; *e. g.*, they cannot show the visits or communications between the members residing in one vicinity with the assent of the others. The Board has only met formally five times, exclusive of the present meeting, viz. on the 8th January, 1868, present all the wardens; 10th January, 1868, present all the wardens; 1st December, 1868, present E. Cummings, S. H. Thomas, E. B. E. Walker, and H. T. A. Murray; 14th December, 1870, present E. Cummings, James Fenton, E. B. E. Walker, and H. T. A. Murray; 20th December, 1870, present S. H. Thomas, James Fenton, H. T. A. Murray; at the present meeting there are present E. Cummings, James Fenton, E. B. E. Walker, and H. T. A. Murray.

We beg to submit to you that no necessity existed for more frequent meetings; that if we had met and disbursed the small sums falling into our hands, we should have frittered them away in petty works, and been in the end unable to effect those more important ones which, *as you must be aware*, are now either carrying out or had been already completed. Had we commenced any one of these works in any one river, and been unable to do anything in any other, we should have naturally excited great discontent, which we have endeavoured to avoid—unfortunately in vain.

Having in view the sums of money apportioned to the different rivers, we are of opinion that an injustice would be done to the River Mersey if its interests were at the present time separated from those of the other rivers. I may here observe that we have allotted, and partly expended, £200 to the River Mersey during the present year: no person whatever has suffered or been inconvenienced by any of our arrangements.

I will now beg to note the remark of the Petitioners respecting the bye-laws of the Board, and the Port Charges collected. In January, 1868, this Board passed a resolution "that the Launceston bye-laws which were in force before the constitution of this Board shall continue in force until this Marine Board shall have published others;" and upon this resolution, and the authority of the Marine Board Acts, we have collected the charges referred to. Such bye-laws the Board think were already approved of, and did not need revision, and if it shall be found that such a procedure is not according to the letter of the law, we shall much regret it; but we think, at any rate, that we have acted up to the spirit and intention of the law with reference to the pilotage, wharfage, and harbour dues, and we are not aware that our acts were ever previously complained of.

The insinuation of the Petitioners that all their other efforts had proved abortive, and that therefore they were compelled to address His Excellency, is, like the greater part of the Petition, utterly false and without foundation.

We had, previous to this Petition, prepared and passed certain bye-laws, which will be immediately published by order of the Board.

I have the honor to be,
Sir,

Your obedient Servant,

(Signed) THOMAS A. MURRAY, *Master Warden.*

The Hon. Colonial Treasurer, Hobart Town.

Colonial Treasury, Hobart Town, 10th July, 1871.

MEMORANDUM.

Re Mersey Marine Board.

DURING the months of December and January last the Mersey Marine Board recommended to the Government that the accumulated funds of the Board should be expended in improvements at the several ports under their jurisdiction; and in compliance with the recommendations of the Board the Governor in Council approved of the following expenditure; viz.—

	£	s.	d.
At Port Sorell; replacing the beacons	9	0	0
At the Mersey; cost of erecting wharf at Latrobe and other improvements .	114	15	2
At the Don; cost of constructing breakwater and erecting wharf.....	110	0	0
At the Forth; improving the navigation of the river as far as the township of Hamilton-on-Forth	65	0	0
At the Leven; placing beacons on the rocks and improving the navigation of the river	47	0	0
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	£345	15	2
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THOS. D. CHAPMAN, *Colonial Treasurer.*

MERSEY MARINE BOARD.

A N Account of the Receipts and Expenditure of the Board for 1868 :—

Receipts.	£ s. d.	Expenditure.	£ s. d.
Wharfage	61 5 11	William Chapman, Pilot	146 2 0
Harbour Dues	29 19 1	Balance in hand	98 15 10
Miscellaneous Charges	4 18 4		
Boat Licences	2 12 6		
Pilotage	146 2 0		
	<u>£244 17 10</u>		<u>£244 17 10</u>

THOMAS A. MURRAY, *Master Warden.*

N.B.—The above is published in the *Gazette* of 23 March, 1869, page 461.

MERSEY MARINE BOARD.

A BSTRACT of the Receipts and Expenditure of the Mersey Marine Board for the Year 1869 :—

Receipts.	£ s. d.	Expenditure.	£ s. d.
Balance from 1868	98 15 10	Chapman, Pilot and Harbour Master	147 11 6
Wharfage at Port of Leith	34 4 9	Coley, beacons at Port Sorell	5 0 0
Ditto, Torquay	149 8 6	Chapman, paint, paint oil, and brushes	4 7 8
Pilotage, ditto	147 11 6	Wakeham, shackle, chain, &c. buoys	2 2 6
Harbour Dues, ditto	32 10 4	Balance in hand	314 14 11
Miscellaneous Charges, ditto	8 15 8		
Boat Licences	2 10 0		
	<u>£473 16 7</u>		<u>£473 16 7</u>

Examined and certified to be correct,
E. J. MANLEY, *Colonial Auditor.*

THOMAS A. MURRAY, *Master Marden.*

MERSEY MARINE BOARD.

A BSTRACT of the Receipts and Expenditure of the Mersey Marine Board for the Year 1870 :—

Receipts.	£ s. d.	Expenditure.	£ s. d.
Balance from 1869	314 14 11	Chapman, Pilot and Harbour Master	87 15 6
Wharfage at Port of Leith	31 17 2	Wakeham, chain, &c.	2 5 0
Ditto, Torquay	65 7 11	Balance in hand	448 16 2
Pilotage, ditto	87 15 6		
Harbour Dues, ditto	28 5 10		
Miscellaneous Charges	9 15 4		
Boat Licences	1 0 0		
	<u>£538 16 8</u>		<u>£538 16 8</u>

Examined and certified to be correct,
E. J. MANLEY, *Colonial Auditor.*

THOMAS A. MURRAY, *Master Warden.*