

(No. 56.)



1876.

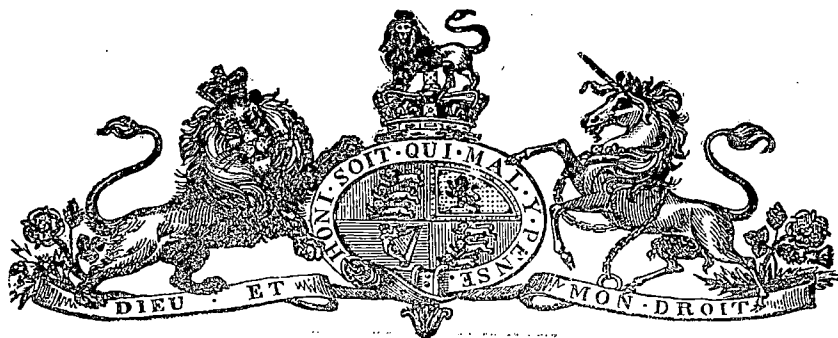
T A S M A N I A.

H O U S E O F A S S E M B L Y.

**MERCHANT SHIPS OFFICERS EXAMINATION
ACT, 1876.**

**PETITION FROM OWNERS OF WHALING VESSELS FOR
EXEMPTION FROM ITS OPERATION.**

Laid upon the Table by the Colonial Secretary, and ordered by the House to be
printed, September 21, 1876.



To His Excellency FREDERICK ALOYSIUS WELD, Esq., C.M.G.,
Governor of Tasmania.

YOUR EXCELLENCY,

WE, the undersigned merchants and shipowners of Hobart Town, beg most respectfully to draw your attention to the Act of Parliament 38 Vict. No. 3, that provides for the examination of, and grant of Certificates of Competency to, persons intending to act as masters or mates on board British ships, and pray that the law may be altered, and that masters and mates of all vessels engaged in the whale fishery may be exempted from the operation of this Act.

There are thirteen whalers sailing from this port, that cause an annual expenditure of about £40,000 sterling, and provide employment for four hundred seamen in manning the vessels, besides the large employment given indirectly.

The arduous, and often unpleasant, nature of the business offers some attractions to the adventurous, but few, if any, to the educated man, even as compared with the Merchant Service.

The standard required by the Examiners under the Act 38 Vict. No. 3, is practically unattainable by the class of men commanding whalers, though such men are good sailors, capable navigators, and successful whalers.

The whaling vessels are totally distinct in the nature of their voyages from merchant trading ships; they never touch at any ports where Certificates of Competency are required, they never carry passengers, nor is there any responsibility attached to whaling masters and mates beyond those immediately connected with the interests of the whaling proprietors, whose interests have been satisfactorily met since the foundation of our whaling trade fifty years ago, without cause demanding that its masters should possess the same qualifications as those for the merchant trading ships; and in proof of the confidence proprietors have in their officers, we may urge that most of their vessels are uninsured and at the risk of the proprietors.

In submitting to your consideration the amendment of this Act, your Petitioners may state that its operation has already impeded the progress of this industry that affords so large a benefit to the Colony; that they consider the continuation of its enforcement must inevitably exclude many good men who by service will entitle themselves to promotion; and that thus the exclusion of those men who can only qualify themselves by actual service will render this a worthless enterprise, and we need hardly urge will be the means of completely destroying the industry.

Pending your consideration as to the alteration of this law, your Petitioners further pray that instructions may be given not to enforce the examinations.

We have the honor to be,
Your most obedient Servants,

Alex. McGregor.
James Bayley.
G. & J. Salier.
Wm. Crosby.

William Lodk. Crowther.
Johnson Bros. & Co.
Macfarlane Bros. & Co.
Webster, Corrie & Co.

Huybers & Hammond.
William Sherwin.
R. Lewis & Sons.
W. Knight & Co.

Hobart Town, 27th April, 1876.

THIS Petition was presented by me to the Governor on the 1st inst., and returned by His Excellency for enquiry.

I now forward it to the Hon. the Colonial Secretary, with the suggestion that it should be forwarded to the Board of Examiners for their report as to how far it may be practicable to meet the views of the Petitioners, which it appears to me it is very desirable to do.

W. R. GIBLIN,
2nd May, 1876.

FORWARDED to the Chairman of the Board of Examiners under "The Merchant Ships Officers Examination Act, 1874," with the request that he will report upon the operation of the Act as respects the interests of the owners of whaling ships, and make any suggestions he may be in a position to offer that would in his opinion meet the views of the Petitioners as far as practicable.

GEORGE GILMORE,
4th May, 1876.

MEMO.

THE Petition from merchants and shipowners addressed to the Governor, praying that Act 38 Vict. No. 3, which provides for the examination of Masters and Mates on board British ships, may be altered, and that Masters and Mates of all vessels engaged in the whaling fishery may be exempted from its operation, refers only to the examination for Certificates of Competency.

Section 7 of Act 38 Vict. No. 3, provides that Certificates of Service, differing from those of Competency, shall be granted under three clauses, namely: for Foreign-going, Australian-trade ship, and Home-trade ships. By Section 10 "Foreign-going ship" includes every ship employed in the whale fishery, or trading beyond the limits of the Australian Colonies and the Colony of New Zealand, but they are not recognised in the United Kingdom under any circumstances.

These Certificates of Service are granted without any examination or test in seamanship or navigation. Testimonials of character, and of sobriety, experience, ability, and good conduct on board ship, are the only requirements for granting them. Of thirteen vessels engaged in the Tasmanian whaling fishery in January, 1876, eleven Masters who cleared them at the Custom House in command, and thirteen Mates entered on their books in the Shipping Office holding Masters or Mates Certificates, have Tasmanian Service Certificates granted since the Act came into operation. One Master has a Certificate of Service issued in New South Wales, and one by the Board of Trade (England), which shows that the Act passed in this Colony in 1874 has not in any way impeded the progress of the whaling industry.

There is great difficulty in offering any suggestions under these circumstances which are in any way likely to meet the views and wishes of the Petitioners and whaling proprietors. I cannot subscribe to the proposition that vessels in the whaling industry should be relieved from all control,—that while in the United Kingdom and all its other Colonies more stringent laws are enforced for the protection of the mercantile marine, the Tasmanian trade should be carried on without any restriction as regards Certificates and Custom control.

That the 38 Vict. No. 3, requires amendment is shown by cases of its evasion. Cases occur in the Hobart Town whaling vessels where Masters holding a Certificate of Service which enables them to serve in that capacity under its provisions have cleared them at the Custom House, signed the bond that their stores are for use on board their ships, have sailed in them outside the limit of the port, and left them to prosecute their voyage in charge of unqualified officers, being ready in the port on their return to re-enter them as the Master, thus showing the most prominent provisions are evaded.

A Despatch to His Excellency the Governor, of the 25th January, 1876, No. 3, from the Secretary of State for the Colonies, (a copy of which I have been favoured with), informs him that the Board of Trade have reported to Her Majesty in favour of an Order in Council being issued for the purpose of extending the privileges contained in the 8th Section of the Merchant Shipping Colonial Act, 1869, to this Colony, which it notifies will come into operation on the 1st of April, 1876, when an amendment of 38 Vict. No. 3, will become necessary, and fresh rules and regulations issued. I venture to express my opinion that any amendment the Government may deem to be expedient should be delayed until the receipt of Her Majesty's Order in Council, when, if no fresh instructions are received from the Board of Trade, I will endeavour to submit for the consideration of Government, should they desire me to do so, a proposition to specially meet the case of the Masters and Mates of vessels to be employed in the Tasmanian Whaling Industry.

EDW. K. BARNARD,
*Appointed by the Governor to grant Certificates of Service,
Chairman Examination Board.*

9th May, 1876.

VESSELS engaged in Hobart Town Whale Fishery in January, 1876.

<i>Aladdin</i>	Master—Henry Francis Hill ...	Tasmanian Certificate of Service as Master, foreign-going ship.
Ditto	Mate—Robert Abbott	Ditto
<i>Asia</i>	Master—Samuel Kennedy.....	Ditto as Master, foreign-going ship.
Ditto.....	Mate—John C. Jones.....	Ditto as First Mate, foreign-going ship.
<i>Derwent Hunter</i> ..	Master—William Folder	Ditto as Master, foreign-trade ship.
Ditto	Mate—Richard Sparks	Ditto as First Mate, foreign-going ship.
<i>Emily Downing</i> ..	Master—James M'Gregor.....	Ditto as Master, foreign-going ship.
Ditto	Mate—William Regby	Ditto as First Mate, foreign-going ship.
<i>Flying Childers</i> ..	Master—Thomas White.....	Ditto as Master, foreign-trade ship.
Ditto	Mate—Jeremiah Scannon.....	Ditto
<i>Louisa</i>	Master—John Chamberlain ...	Ditto as Master, foreign-trade ship.
Ditto	Mate—John Bull	Ditto as Mate, foreign-trade ship.
<i>Marie Laure</i>	Master—Nathaniel Myers.....	New South Wales Certificate of Service as —
Ditto	Mate—William Ryan.....	Tasmanian Certificate of Service as First Mate, foreign-trade ship.
<i>Offley</i>	Master—William Gaffin	Ditto as Master, foreign-trade ship.
Ditto	Mate—John Cracknell.....	Ditto.
<i>Othello</i>	Master—Edward Copping	Ditto as Master, foreign-trade ship.
Ditto	Mate—James Beacroft	Ditto.
<i>Runnymede</i>	Master—Thomas Davis.....	Ditto as Master, foreign-trade ship.
Ditto	Mate—Joseph Lucas	Ditto as First Mate, foreign-trade ship.
<i>Sapphire</i>	Master—William Dart	Ditto as Master, foreign-trade ship.
Ditto	Mate—James Chamberlain.....	Ditto as First Mate, foreign-trade ship.
<i>Velocity</i>	Master—James W. Robinson ..	Board of Trade Certificate of Service, No. 57,926.
Ditto	Mate—Alfred Bingley Robinson.	Tasmanian Certificate of Competency as Only Mate.
<i>Water Witch</i>	Master—Wm. Harrison	Tasmanian Certificate of Service as Master, foreign-trade ship.
Ditto	Mate—Thos. M'Arthur	Ditto, as Mate, foreign-trade ship.

1. James William Robinson, Master of *Velocity*, cleared for whaling voyage on 10th March, 1875. Left his vessel in Blackman's Bay in about six weeks after. Did not report to Shipping Master or Custom House having done so, or registered any other qualified officer as in charge. Was in Hobart Town at completion of voyage, and re-entered vessel on 14th March, 1876, on return as Master.

2. Samuel Kennedy, Master of *Asia*, cleared for whaling voyage on — April, 1875. Left her in November, 1875, in charge of John C. Jones, First Mate.

Samuel Kennedy cleared the *Bella Mary* at Custom House as Master on 11th January, 1876, for a voyage to Auckland; and on return of *Asia*, 15th April, 1876, re-entered vessel at Custom House as her Master.

RETURNED to the Hon. the Attorney-General with Admiral Barnard's remarks, and suggestions for the Amendment of the Act of Parliament, 38 Vict. No. 3.

GEORGE GILMORE,
30th May, 1876.