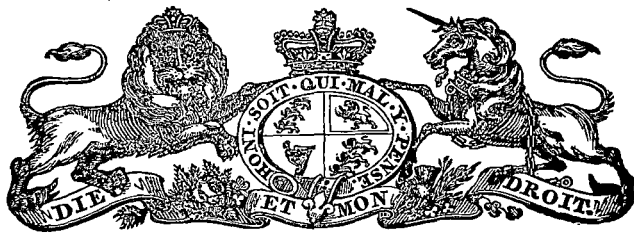


(No. 48.)



1880.

T A S M A N I A.

LEGISLATIVE COUNCIL.

HOBART TOWN MARINE BOARD:

BYE-LAW No. 12.

Laid upon the Table by Mr. Moore, and ordered by the Council to be printed,
August 11, 1880.



HOBART TOWN MARINE BOARD.

BYE-LAW No. 12.

For licensing Watermen and Boats plying for hire, and for regulating and controlling Steamers and other Ferry Boats.

IT is hereby ordered and directed as follows:—

1. If any person shall within the jurisdiction of the Hobart Town Marine Board (hereinafter called or referred to as "the Board") use or employ, or cause or permit to be used or employed, or shall directly or indirectly by himself or by or through any other person let out to hire or ply for hire with any boat (other than a Steamboat) for the conveyance or carriage of passengers, unless he shall have obtained and shall hold a Licence as hereinafter mentioned for such boat, such person shall forfeit and pay a penalty not exceeding £5; and in any proceeding the onus of proof that a Licence has been obtained and is in force shall lie upon the defendant.

2. Upon application in writing to the Board in such form as the Master Warden shall approve it shall be lawful for the Board, upon payment of the sum of Six Shillings, to grant a Licence (hereinafter called "a Boat Licence") for any boat in the form numbered 1 in the Schedule hereto, or to the like effect, and which shall be signed by the Master Warden, and shall continue in force (unless suspended or forfeited as hereinafter mentioned) for Twelve Months from the date of granting the same.

3. Every application for a Boat Licence shall state the true name and address of the applicant, and shall contain a description of the boat, and therewith shall be lodged the Custom House register of such boat for inspection by the Board; and if required by the Board the applicant shall also lodge with the Board a certificate of approval of the boat, signed by such Officer of the Board or other person as shall be appointed or approved by the Board for that purpose; and on such application being granted the Licensee shall forthwith cause his name in full to be legibly painted on the inside of the starboard gunwale of every such boat, and on the inside of the port gunwale thereof shall be legibly painted the number of passengers which such boat may carry under the provisions of this Bye-law; the letter "L" shall also be painted on the outside of the starboard bow, and the letter "B" upon the outside of the port bow of such boat, such letters not to be less than eight inches in length, and painted white if upon a dark ground, and black if upon a light ground.

4. The Board may annually, upon the expiration of any Boat Licence, renew the same for Twelve Months, on payment of a fee of Six Shillings and upon a certificate of approval as hereinbefore mentioned being lodged with the Board if required.

5. The number of persons any boat (including Steam Ferry Boats within the meaning of "The Marine Board Amendment Act, No. 4,") shall be permitted to carry at any one time shall be determined by the Board; persons over twelve years of age being considered as adults, and under that age two persons to be considered as one adult.

6. If any person shall within the jurisdiction aforesaid ply for hire or be employed as a waterman in any boat for the conveyance or carriage of passengers, whether such boat shall have been licensed or not, unless he shall have obtained and hold a Waterman's Licence hereinafter mentioned, such person shall forfeit and pay a penalty not exceeding Forty Shillings, and in any proceeding the onus of proof that a Licence has been obtained and is in force shall lie upon the defendant.

7. Upon application in writing to the Board, in such form as the Master Warden shall approve, it shall be lawful for the Board upon payment of the sum of Five Shillings to grant a Licence (hereinafter called a Waterman's Licence) to the applicant, in the form numbered 2

in the said Schedule, or to the like effect; and such Waterman's Licence shall contain the particulars therein set forth. It shall be signed by the Master Warden, and shall continue in force (unless suspended or forfeited as hereinafter mentioned) for Twelve Months from the date of granting the same.

8. Every application for a Waterman's Licence shall state the true name and address of the applicant, and (unless dispensed with by the Board) be accompanied by a Certificate in writing, in the form numbered 3 in the said Schedule, or to the like effect, signed by two householders to be approved of by the Board and by such Officer or person as the Board may appoint or name for that purpose, certifying that the applicant is a person of good character and conduct and able to manage or work a boat.

9. With every such Waterman's Licence shall be issued a Badge, which shall be worn exposed to view by the Licensee while plying for hire or employed in or about any licensed boat, upon the left arm and above the elbow, and such Badge shall bear the same number as the Licence which it represents, and every such Badge shall, upon the expiration or forfeiture of such Licence, be returned to the Board.

10. The Board may annually, upon the expiration of any Waterman's Licence, renew the same for Twelve months on payment of a fee of Five Shillings.

11. Every holder of a Licence under this Bye-law shall, in the event of any alteration in his address or in the name of any boat mentioned in any Licence so held, give notice thereof in writing to the Board within Seven days after such event shall occur.

12. The fares which may be demanded by a licensed Waterman shall be at the rate and as set out in the Schedule hereto; and every licensed Waterman shall have, and on request shall produce to any person demanding inspection thereof, a card or paper on which shall be legibly printed or written the fares for the time being authorised by the Board to be charged by licensed Watermen.

13. The Board and any member thereof, and any such officer or person as may be appointed or named for the purpose, may at any time inspect any boat in respect of which a Licence has been issued; and if the Board is of opinion or is satisfied that such boat is not fit for the carriage or conveyance of passengers, or for the purposes for which the same is ordinarily used, or if the Licensee hinders or prevents or endeavours to hinder or prevent such inspection as aforesaid, it shall be lawful for the Board, by notice in writing delivered to or left for such Licensee at his address as aforesaid, to cancel such Licence.

14. If any licensed Waterman shall make use of any threatening, insulting, or abusive language, or shall refuse to employ his boat when thereunto required, between the hours of sunrise and sunset, without reasonable cause shown, or shall in any other manner misconduct himself, he shall for every such offence be liable, on conviction, to forfeit and pay a penalty or sum not exceeding Five Pounds; or in lieu of such penalty, the Justice or Justices by whom such licensed Waterman is convicted may suspend his Licence and any Licence for boats held by him for such period as such Justice or Justices may deem fit, or may cancel such Licence or Licences.

15. The owner or master of every Steam Ferry Boat, within the meaning of "The Marine Board Amendment Act, No. 4," plying for hire or conveying passengers, animals, or vehicles, or otherwise, within the jurisdiction of the Hobart Town Marine Board, shall, twice at least in every year, cause such Steam Ferry Boat, and all machinery thereof, to be surveyed by such officer or person as shall be approved of or be appointed or named by the Board for that purpose; and such owner or master shall obtain a declaration under the hand of such officer

or person of the sufficiency and good condition of the hull and machinery of such Steam Ferry Boat, and of the equipments thereof; and also, if the Board shall so require, a statement of the dimensions of such Steam Ferry Boat: such master or owner shall transmit every such certificate and statement, if any, to the Board within seven days after the date thereof.

16. Upon receipt of every such declaration and statement, if any, the Board shall register the same; and if satisfied that such Steam Ferry Boat and machinery and equipments are sufficient and in good condition, shall issue to the owner or master a Certificate, in such form as the Board may approve, to be called a "River Certificate," signed by the Master Warden, which Certificate shall not be in force for more than six calendar months, and shall set out therein the limits within which such Steam Ferry Boat is to ply, the name of such boat, the number of passengers the same is authorised under this Bye-law to carry, and the date at which such Certificate will expire; and the owner or master of such boat shall forthwith, on receipt of such Certificate, cause the same, or a true copy thereof, in distinct and legible characters, to be put up in some conspicuous part of such boat, so as to be visible to all persons on board the same, and shall cause it to be continued up so long as such Certificate remains in force and such boat is in use; and no such boat shall ply for hire or carry passengers without such Certificate, or copy thereof, being so put and kept up: and if any such boat shall ply for hire, or carry passengers without such Certificate, the owner of such boat shall forfeit and pay a penalty not exceeding £50.

17. The Board may at any time, upon the report of such officer or person so approved of or appointed as aforesaid, or if otherwise satisfied, that any Steam Ferry Boat, or the machinery or equipments thereof, is not in good condition or is insufficient, cancel such certificate as aforesaid by notice in writing to the owner or master of such boat; such notice to be delivered personally, or to be left for such owner or master and addressed to him on board such boat.

18. The fares which may be demanded by the owner or master of a Steam Ferry Boat shall not exceed the rates set out in the Schedule hereto, and if the owner or any person in charge of any Steam Ferry Boat shall receive on board thereof, or if any Steam Ferry Boat shall at any time have on board any greater number of passengers, whether deck or other passengers, than the number authorised by this bye-law, the owner, master, or any such person having the charge of such boat shall, on conviction, forfeit and pay for such offence a penalty not exceeding Fifty Pounds.

19. If any person shall fail to comply with or commit any breach of the provisions of this bye-law, such person shall in respect of every such offence, not otherwise provided for herein, forfeit and pay a penalty not exceeding Forty Shillings.

20. This Bye-law shall commence and take effect on the 12th day of May, one thousand eight hundred and eighty, from and after which date Bye-law No. 2 shall be and be deemed to be repealed.

Made and passed by The Hobart Marine Board
(when a majority in number of the Wardens
were present), this 30th day of April, 1880.

W. TARLETON, *Master Warden.*

THE Schedule above referred to.

No. 1.

HOBART TOWN MARINE BOARD.

No.

Boat Licence.

In accordance with Section 88 of "The Marine Board Act," and Bye-law No. 12, is hereby licensed until the

day of _____ next to keep, use, let to hire, and ply within the jurisdiction of the Hobart Town Marine Board, with Boat numbered _____, named _____, being of the following dimensions:—Length _____, breadth _____, depth _____, and to carry _____ persons inclusive of crew and no more at any one time.

Dated this _____ day of _____ 18

Master Warden.

No. 2.

HOBART TOWN MARINE BOARD.

Waterman's Licence.

No. (of Badgo.) _____

In accordance with Section 88 of "The Marine Board Act," and Bye-law No. 12, of _____ is hereby licensed until the _____ day of _____ next as a Waterman within the jurisdiction of the Hobart Town Marine Board.

Dated this _____ day of _____ 18

Master Warden.

No. 3.

WE hereby certify that _____ is a person of good character and conduct, and competent to work and manage a boat.

} *Householders.*

Officer appointed by Board.

No. 4.

HOBART TOWN MARINE BOARD.

Waterman's Fares.

	s.	d.
To or from a vessel in harbour, each person	1	0
To a vessel in harbour and back again, if not detained alongside more than ten minutes	1	6
Sheep, goat, or pig	0	4
Bushel of grain	0	2
Wine, spirits, or oil, per keg	0	8
Per hogshead	2	0
Per pipe	4	0
Poultry, per dozen	0	6
Luggage under 50 lbs., free.		
Luggage above that weight and under 100 lbs., fare for one adult.		

Luggage for every additional 50 lbs., half such fare.
If a vessel is lying in the stream unmoored, half as much again as the above rates.

The limits of the said harbour shall be a line drawn from Macquarie Point to Sandy Bay Point intersected by a line bringing the two flagstaves on Battery Point in one.

No waterman to be compelled to take his boat higher up the river than five miles or lower than Sandy Bay Point, and the same distance on the side of the river opposite to Sandy Bay Point.

No. 5.

FARES to be charged by Steam Ferry Boats and Licensed Watermen between Hobart Town and Kangaroo Point.

	s.	d.
For each person not more than	2	0
Head of horned cattle, horse, or mare	4	0
Foal, if with its mother	1	0
Foal, if separate from its mother	2	0
Calf	1	6
Sheep	0	4
Pig	0	6
Dog or goat	0	3
Empty cart or two-wheeled carriage	4	0
Empty four-wheeled carriage	5	0
Ton of hay	7	6
Ton of straw	5	0
Ton of bark or charcoal	6	0
Ton of potatoes	5	0
Ton of wood	3	0
Loaded cart, &c.	10	6
Tierce, cask, or hogshead, pork or beef	2	0
Faggots, per hundred	3	0
Grain, per bushel	0	1½
Sugar, salt, and oysters, per bag	0	4