

(No. 122.)



1878.

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TASMANIA.

HOUSE OF ASSEMBLY.

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**HOBART TOWN MARINE BOARD:**

BYE-LAW No. 12.

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Laid upon the Table by the Colonial Treasurer, April 22, 1879; and ordered by the House to be printed.



## 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 keep, use, ply for, or let to hire within the jurisdiction of the Hobart Town Marine Board (hereinafter called "the Board") a boat propelled otherwise than by steam for the conveyance or carriage of passengers, animals, or vehicles, unless a Licence has been obtained as hereinafter is mentioned for such boat and is then in force, every such person shall for any such offence forfeit and pay a penalty not exceeding Five Pounds; and in any proceeding for any such offence it shall not be necessary to prove that such Licence has not been obtained or is not in force, but the onus of proof that such Licence has been obtained and is in force shall lie upon the defendant.

2. Upon application in writing 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 such boat, and every such Licence may be in the form numbered "1" in the Schedule hereto or to the like effect, and shall contain the particulars therein set forth, and shall be signed by the Master Warden, and shall not include more than one boat, and shall be in force until and not longer than the thirty-first day of December then next, except during any suspension thereof, and unless forfeited as hereinafter provided. Every application for a Boat Licence shall state the true name and address of the applicant, and therewith shall be lodged for inspection by the Board the Custom House Register and description of every such boat, and the Certificate hereinbefore referred to; 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.

3. Every boat in respect of which a Licence is applied for must be first inspected and approved by such officer or person as the Board may appoint or name for that purpose, who will grant a Certificate in writing of such inspection and approval.

4. Every such Licence as aforesaid may, at the discretion of the Board, be renewed annually at the expiration thereof upon payment of a fee of Six Shillings, and the Board may, upon any renewal, dispense with the Certificate hereinbefore mentioned.

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 keep or use any boat or ply therewith for hire or let the same to hire for the conveyance or carriage of passengers, animals, or vehicles, or shall ply for hire, or be employed as a waterman within the jurisdiction of the Board, unless such person has

obtained a Licence so to do, as hereinafter mentioned, and such Licence is then in force, every such person shall for every such offence forfeit and pay a penalty not exceeding Forty Shillings, and in any proceeding for any such offence the onus of proving his Licence shall, as provided in Section 1, lie upon the Defendant.

7. Upon application in writing, in such form as the Master Warden shall approve, it shall be lawful for the Board upon the payment of the sum of Five Shillings to grant a Licence hereinafter called a "Waterman's Licence" to the person applying for the same, and such Licence may be in the form numbered 2 in the said Schedule or to the like effect, and shall contain the particulars therein set forth, and shall be signed by the Master Warden, and shall be in force until and not longer than the Thirty-first day of December then next, except during any suspension and unless forfeited as hereinafter provided.

8. Every application for a Waterman's Licence shall state the true name and address of the applicant; and there shall be lodged with such application, unless dispensed with by the Board, a Certificate in writing, signed by such officer or person as the Board may appoint or name for that purpose, of the ability of the applicant 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, above the elbow and upon the left arm, 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. Every Waterman's Licence may at the discretion of the Board be renewed annually at the expiration thereof, without payment of any fee.

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 or 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 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.

17. The Board may at any time upon the report of such officer or person so 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. 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 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 twentieth day of February, one thousand eight hundred and seventy-nine, from and after which date Bye-law No. 2 shall be and be deemed to be repealed.

Made and passed by the Hobart Town Marine Board (when a majority in number of the Wardens were present), this seventh day of February, 1879.

EDW. K. BARNARD, *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, of \_\_\_\_\_ is hereby licensed until the thirty-first day of December 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 Badge.)

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_  
*Master Warden.*

HOBART TOWN MARINE BOARD.

*Watermen's Fares.*

	<i>s.</i>	<i>d.</i>
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
Horse, or other beast of burden, or horned cattle....	2	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 flagstuffs 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.

*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