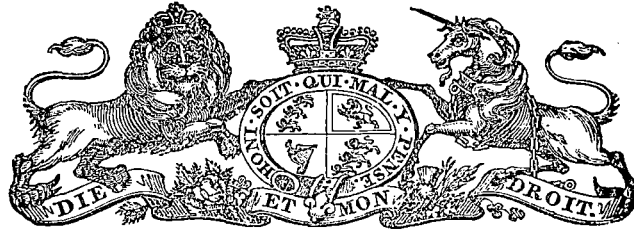


(No. 120.)



1880.

T A S M A N I A .

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

MARINE BOARDS :

**REPORT OF SELECT COMMITTEE, WITH MINUTES
AND EVIDENCE.**

Brought up by Mr. Balfe, and ordered by the House to be printed,
October 5, 1880.



SELECT COMMITTEE appointed on the 11th August, 1880, to enquire into the Working of the Hobart Town Marine Board, with power to send for Persons and Papers.

MEMBERS OF THE COMMITTEE.

MR. ADYE DOUGLAS.
MR. A. I. CLARK.
MR. SALTER.
MR. RISBY.
MR. LEWIS.

MR. BELBIN.
MR. GELLIBRAND.
MR. COOTE.
MR. BALFE. (*Mover.*)

DAYS OF MEETING.

- No. 1. Thursday, 19th August. Present—Mr. Balfe, Mr. Lewis, Mr. Risby, Mr. Coote.
No. 2. Friday, 20th August. Present—Mr. Balfe, Mr. Risby, Mr. Coote.
No. 3. Tuesday, 24th August. Present—Mr. Balfe, Mr. Clark, Mr. Coote.
No. 4. Wednesday, 1st September. Present—Mr. Balfe, Mr. Belbin, Mr. Douglas, Mr. Risby, Mr. Coote.
No. 5. Thursday, 2nd September. Present—Mr. Balfe, Mr. Douglas, Mr. Risby, Mr. Coote.
No. 6. Wednesday, 8th September. Present—Mr. Balfe, Mr. Belbin.
No. 7. Tuesday, 21st September. Present—Mr. Balfe, Mr. Belbin, Mr. Douglas, Mr. Coote.
No. 8. Tuesday, 5th October. Present—Mr. Balfe, Mr. Lewis, Mr. Risby.

WITNESSES EXAMINED.

Mr. James Macfarlane.

Mr. Charles Dowdell.

R E P O R T.

THE Select Committee appointed by your Honorable House to enquire into the working of the Marine Boards of Hobart Town and Launceston, with power to send for persons and papers, have the honor to report that, having held many meetings and examined a number of competent witnesses, and acquainted themselves with the various systems adopted in the Australian Colonies to carry out the objects for which Marine Boards and all such cognate Institutions are created, have agreed to the following Resolutions, which are respectfully submitted for the consideration of your Honorable House :—

1st Resolution.—The Marine Boards, as they are constituted under the amended Act of 1874, do not work so well, or give even so much satisfaction to the mercantile and shipping community, as when organised under the Act of 1857.

2nd Resolution.—That new legislation on the subject has become necessary for the purpose of reconstructing the Boards on a broader and more efficient basis, and more in accordance with the interests and views of the shipping and commercial interests of the Colony.

3rd Resolution.—That, in order to accomplish these ends, the electoral body should represent to a larger and more faithful extent the shipping and mercantile interests than it does at present; and, so far as local circumstances will permit, be reconstructed on the principles laid down in the 9th Section of the New South Wales Navigation Act, 35 Victoria, No. 7.

4th Resolution.—That the Boards should consist of five Members, two of whom should be *ex officio*; viz., the Collectors of Customs and the Mayors of Hobart Town and Launceston, and three elected. That two of the elected Wardens should be nautical men. That the Master Warden, whose tenure of office should continue for at least three years, should in all cases be an experienced Commander in the Naval or Mercantile Marine, and fully competent to conduct Examinations in Navigation and Seamanship.

5th Resolution.—That the Boards shall have the general superintendence of all matters within their jurisdiction relating to wrecks; to the issue and cancellation of certificates of competency and service; the passing of harbour regulations; the preservation of ports, harbours, havens, and navigable creeks and rivers within the jurisdiction; the licensing and appointment of pilots; the regulation of light-houses; the superintendence of lights and other sea and river marks; the placing or removing of moorings; the licensing and regulation of watermen's boats and boats plying for hire, steam and other ferry boats, harbour and river steamers; and the inspection of the machinery of ocean steamers by officers appointed by the Executive, but subject after appointment to the control of the Boards of Hobart and Launceston.

6th Resolution.—That the Meetings of the Boards, like those of all others having the control of the expenditure of public money, should be open to the press and public,—the practice of holding such meetings with closed doors being calculated to create suspicions which, although not always well founded, afford justifiable grounds for dissatisfaction and complaining among those who are taxed to uphold the Department.

J. D. BALFE, *Chairman.*

Committee Room 5th October, 1880.

MINUTES OF THE MEETINGS.

No. 1.

THURSDAY, AUGUST 19, 1880.

Present.—Mr. Balfe (Chairman), Mr. Lewis, Mr. Risby, Mr. Coote.

1. The Committee met at 11 o'clock.
2. Resolution appointing the Committee (V. and P. No. 3, Session 1880,) read.
3. Committee order Mr. James Macfarlane and Mr. Charles Dowdell to be summoned for next meeting.
4. Committee adjourned until Friday (to-morrow), at 11.

No. 2.

FRIDAY, AUGUST 20, 1880.

Present.—Mr. Balfe (Chairman), Mr. Risby, Mr. Coote.

1. Committee met at 11 o'clock.
 2. Mr. Coote handed in (1) Bye-laws Adelaide Marine Board; (2) Marine Board Act, South Australia; (3) Marine Board Act, New South Wales.
 3. Mr. James Macfarlane and Mr. Charles Dowdell examined.
 4. Committee adjourned at 12 o'clock till 11 o'clock on Tuesday.
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No. 3.

TUESDAY, AUGUST 24, 1880.

Present.—Mr. Balfe (Chairman), Mr. Coote, Mr. Clark.

1. The Committee met at 11 o'clock, and after short discussion adjourned until Wednesday, 1st September, at 11 o'clock.
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No. 4.

WEDNESDAY, SEPTEMBER 1, 1880.

Present.—Mr. Balfe (Chairman), Mr. Coote, Mr. Clarke, Mr. Risby, Mr. Belbin, Mr. Adye Douglas.

1. Minutes of last meeting read and confirmed.
 2. The Committee proceeded to consider the draft Report.
 3. Ordered, that the letters marked A and B be addressed to the Collector of Customs and Master Warden respectively.
 4. The Committee adjourned until to-morrow, at 11 o'clock.
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No. 5.

THURSDAY, SEPTEMBER 2, 1880.

Present.—Mr. Balfe (Chairman), Mr. Risby, Mr. Coote, Mr. Adye Douglas.

1. Minutes of last meeting read and confirmed.
 2. Letter from the Collector of Customs read (C).
 3. Letter from Captain Gilmore (D) read. Not put in, being private to Mr. Douglas.
 4. After deliberation Committee adjourn to a day to be fixed by the Chairman.
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No. 6.

WEDNESDAY, SEPTEMBER 8, 1880.

Present.—Mr. Balfe (Chairman), Mr. Clark, Mr. Belbin, Mr. Salier, Mr. Risby, Mr. Douglas.

1. Letter read from the Master Warden of Hobart Town (E²) in reply to communication from Committee (B).
 2. Replies from Captain Gilmore put in and read (F).
 3. Committee after deliberation adjourned until Friday, at 10 o'clock, when Chairman to submit Draft Report.
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No. 7.

TUESDAY, SEPTEMBER 21, 1880.

Present.—Mr. Balfe (Chairman), Mr. Belbin, Mr. Adye Douglas, Mr. Coote.

1. Minutes of last meeting read and confirmed.
 2. Letter put in from Mr. C. M. Maxwell (marked G) amending his former evidence.
 3. Adjourn to Thursday, at 11.
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No. 8

TUESDAY, OCTOBER 5, 1880.

Present.—Mr. Balfe (Chairman), Mr. Lewis, Mr. Risby.

1. Minutes of last meeting read and confirmed.
 2. Draft Report submitted by the Chairman. Read and adopted.
 3. Committee separated.
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EVIDENCE.

FRIDAY, AUGUST 20, 1880.

MR. JAMES MACFARLANE *examined.*

1. *By the Chairman.*—You are familiar with the working of the Marine Board? Only as one of the outside public, not having been a member.

2. Does the present mode of working the Board give satisfaction? I think opinion is much divided on that point.

3. Would it be an improvement were more of the nautical element in it? I think not.

4. Then you don't think it necessary the Chairman should be a nautical man? I certainly think he should be acquainted with the necessities of trade.

5. In the absence of nautical men is it not likely the Harbour Master would not have any check upon his actions? The late Harbour Master complained that he was not supported by the Board.

6. If a shipowner complained of injustice there is no one to decide whether the Harbour Master is right or not? Such points are unlikely to arise, as they generally relate to the mere moving of ships.

7. Do you think such boards should be under Government? Yes, I do, undoubtedly.

8. It has been suggested that the Chairman should be permanently appointed by Government. Do you concur in that? Yes, I do.

9. Do you approve of the constituent body (the Government and the Chamber of Commerce) who now elect the Board? Yes; but I think it could be improved.

10. In New South Wales the voting is regulated by the interest in ships: would not such a body be an improvement? Yes; for a great deal of trade is brought to the port by those who are not shipowners, who, of course, have a large interest in the working.

11. Would it be better to have the proceedings open to the public? Yes, certainly; people would have more confidence in the working of the Board.

12. Do you not think a permanent Chairman would be better? Yes, I think so.

13. If an improved constituency were established would it not be better to extend the powers of the Board? Well I do not know, for the powers of the Board are very large.

14. Would you recommend that the Collector of Customs be a member of the Board? Yes, I would.

15. Some witnesses have recommended that a majority—say 3 out of 5—should be nautical men? I do not think the duties of the Board would necessarily be better judged of by nautical men whose duties have been on board ship all their lives.

16. Have you known of inconvenience to shippers and shipowners through the action of the Marine Board sometimes? Yes, occasionally in the berthing of ships; but that is a matter for the Harbour Master.

17. Of any inconvenience or loss through cargo being allowed or disallowed to remain on the wharves? Yes, sometimes.

18. The examination of Masters and Mates—should that be in the Marine Board as elsewhere? Yes, but in that case it would require nautical men.

19. *By Mr. Cooté.*—Would you feel confidence in the present Board if one of your ships came into collision? I would rather put it before a nautical board.

20. If any of the cargo were damaged by sea water? I should prefer the decision of a nautical board.

21. Can you offer any suggestions to improve the working of the Board? I think the admission of the press would be advisable, because to a great extent the Board is a responsible body. We alone must give them £1300 or £1400,—even in the last few months we have paid them £240 from the Union Steam Ship Company.

22. Our captains must come here two or three times before they are exempt. I would suggest that they should be licensed instead of the other plan: the granting of the certificate to a particular steamer should be granted to the man, not to the ship; at present if our captains change ships they have to pay pilotage again.

23. *By Mr. Risby.*—Are you aware there is not any person now authorised to issue certificates? I believe there is not any one now.

Mr. Macfarlane then withdrew.

MR. CHARLES DOWDELL *examined.*

24. *By the Chairman.*—Mr. Dowdell, you are a merchant, shipowner, exporter, and importer? Yes.

25. As the Marine Board is now constituted, is it to the benefit of the community? I think under the old Act it works pretty well, but it would be better to assimilate it to the constitution of the New South

Wales Board. The head of the Board should be a nautical man, holding a master's certificate of competency, or a naval man, so as to enable him to enquire into cases of wrecks, &c. The Master Warden should be elected for at least three years.

26. How many members do you think there should be on the Board? The same as at present.

27. Is it objectionable to hold the meetings with closed doors? Well, considering that they handle a large sum of money, and to prevent suspicion, I think it would be better that the press should be admitted.

28. Now that Admiral Barnard is not here I suppose the Harbour Master is the only nautical man to look to? Yes; I look on this as a very strong point too, showing that the Master Warden should be a nautical man, or a naval officer holding a certificate of competency, as now in New South Wales.

29. Would you recommend that the Board should have powers regarding wrecks? Yes, as in the New South Wales Board, where all the members are nautical men with the exception of the Vice-President.

30. Would you recommend the Collector of Customs as a member? Yes, I think it of importance as questions of wharfage, &c. come under him.

31. What about the management of the wharves? I think it is very good; more accommodation is afforded here than in any other port in the colonies.

32. *By Mr. Cooté.*—Would you approve then of the Board being elected by the shipowners and importers? Yes, I would.

33. I wish to add, that I think it is a great reproach to the present system that our young men have to go elsewhere for examination. Nearly all objections, however, are met by the N. S. Wales system. I don't think it necessary for the Board to have more than two nautical men, the Master Warden and one elected member.

APPENDIX.

A.

House of Assembly, 1st September, 1880.

SIR,

By direction of the Select Committee on Marine Boards I have to apply to you to furnish the Committee, before their next meeting at 11 o'clock to-morrow, with a Return of the number of Importers of Goods of £500 per annum and over, for the Ports of Hobart Town and Launceston.

Your obedient Servant,

J. D. BALFE, *Chairman.*

The Collector of Customs.

B.

SIR,

By direction of the Committee on Marine Boards I beg to intimate to you that, before presenting their Report to the House, the Committee will be glad to receive any suggestions which the Board may deem it advisable to offer in connection with the subject referred to the Committee.

Your most obedient Servant,

J. D. BALFE, *Chairman.*

W. TARLETON, *Esq., Master Warden.*

C.

Custom House, 2nd September, 1880.

SIR,

In acknowledging the receipt of your letter of 1st instant I have the honor to inform you that I do not quite understand the Return asked for: if it be the number of Importers of Goods to the value of £500 and upwards, the details in my office cannot give the information except by going through the daily entries, which will occupy at least a month, and will have to be done by extra clerical labour.

I have, &c.

THOMAS T. WATT, *Chairman.*

The Chairman Select Committee, Marine Board.

D.

RETAINED by Mr. Adye Douglas, being a private letter to him.

E.

Marine Board, Hobart Town, 2nd September, 1880.

SIR,

By direction of the Master Warden I have the honor to acknowledge the receipt of your letter of the 1st instant, and to acquaint you that he will submit it for consideration to the Marine Board at their Meeting to-morrow, the 3rd instant.

I have, &c.

*The Chairman of the Committee on Marine Boards.*HENRY SMITH, *Secretary.**Marine Board Office, Hobart Town, 3rd September, 1880.*

SIR,

I HAVE the honor to inform you that I have brought your letter of the 1st instant under the consideration of the Hobart Town Marine Board; and in reply I have been instructed to state that, as the Board is in entire ignorance of the nature and scope of the report which the Committee intends to bring up to the House of Assembly, it does not consider itself at present in a position to offer any suggestions thereon, but if the Committee will be good enough to furnish the Board with a draft copy of the same, it will be prepared to give to it immediate attention, and to make such recommendations in reference to the matters dealt with therein as may be considered desirable.

I have, &c.

*J. D. BALFE, Esq., M.H.A., House of Assembly.*W. TARLETON, *Master Warden.*

F.

MEMORANDA by Captain GILMORE.

1. Do you recommend any alteration as regards management of the Sub-Ports along the North Coast? Under "The Marine Board Amendment Act," No. 3, Vict. Reg., No. 30, (11th October, 1867) the Government have appointed and established Marine Boards at the Sub-Ports upon the North Coast and within the limits of their jurisdiction, possessing "the same rights and powers" as the Launceston Marine Board. I am not sufficiently acquainted with the working of the Local Boards to recommend any alteration in their management.

2. Are you aware whether charges are made upon vessels leaving Launceston for any or all these Ports? The only charges upon coasting vessels in Launceston by the Marine Board are those mentioned in reply to Question No. 3.

3. If any charges are made, what are they? Vessels leaving Launceston for the Sub-Ports on the Coast of Tasmania are not obliged to take a pilot. If they use the public wharf there is a charge of one penny per ton for each remove. If such trading vessels do not use the public wharf but go to a private wharf, there is no charge made by the Marine Board. Vessels frequenting the Market Wharf pay fees to the Municipal Council.

4. Are you aware that the *Devon* and *Rosedale* steamers have been called upon to pay dues at those Sub-Ports? I am aware that such a demand has been made. The *Devon* is not charged dues at Launceston as she is berthed at a private wharf.

5. Would it not be desirable that all vessels clearing out from local ports and going to local ports—say coasters—should be free from these charges? When coasting vessels make use of the public wharves at Launceston some small charge is fair and reasonable; one penny per ton for each remove, and for which they receive the assistance of the Harbour Master and his boat's crew. There are generally two removes; that is, 1*d.* per ton inwards and the same out. Coasters ought to be as free as possible from charges.

6. Will you refer to Sect. 92 of 21 Vict. No. 16, as the Regulations for Pilots and Harbour Establishments at those Out-Ports afford no power to collect these dues, and afford the Committee the benefit of your views thereon? By the authority vested in the Local Marine Boards at the Sub-Ports, by "The Marine Board Amendment Act," No. 3, Vict. Reg., No. 30, 11 October, 1867, Clause No. 3, in my opinion gives them the same "rights and powers" as the Launceston Marine Board. In Clause 64, 21 Vict. No. 16, the Launceston Marine Board is empowered under the Schedule of the Act, "Harbour Master's Fees," to charge one penny per ton for every service performed by a Harbour Master.

G.

Hobart Town, 8th September, 1880.

SIR,

I WISH to amend in one particular the evidence given by me on 13th February last, before the Select Committee of the House of Assembly on Marine Boards. I then stated, "I do not know of any other body which does not admit the press to its meetings." I know now that the press is not admitted to the meetings of the Marine Boards in Sydney or Brisbane, except when they are exercising judicial functions,—such as an enquiry in cases of collision or wreck. I believe also that the same practice is followed in New Zealand, where, however, the Light-houses and Harbours are managed not by Marine Boards but by some Government Departments, whose proceedings are not open to the press.

I have, &c.

JOHN D. BALFE, Esq., M.H.A., Chairman of Select Committee on Marine Boards.

C. M. MAXWELL.