

(No. 140.)



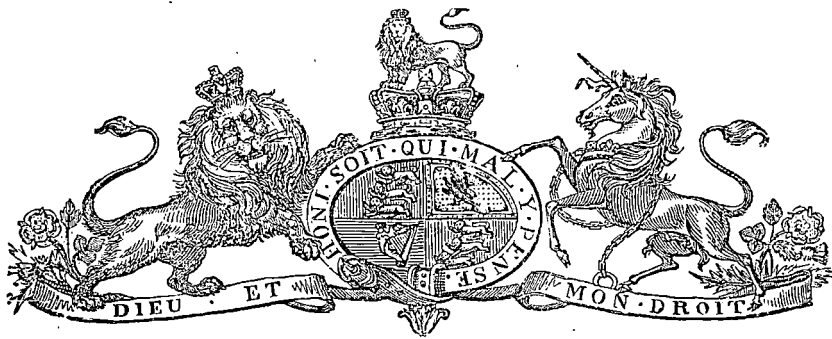
1861.

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LAUNCESTON MARINE BOARD.

BYE - LAW.

Laid upon the Table by Mr. Dowling, and ordered by the House to be printed,
16 January, 1862.



LAUNCESTON MARINE BOARD.

BYE - LAW No. 9.

WHEREAS under the provisions of *The Marine Board Act* it is enacted that all ponderous Matter, such as Coal, Ballast, Rubbish, Earth, Stone, Wreck, Filth, or the like, and all Timber or other bulky Articles shall be removed from the Wharf within Forty-eight Hours after the same has been landed or deposited, and the Owner or Consignee of such ponderous Matter, Timber, or bulky Article, unless he has the written authority of a Warden to, extend the time, is liable to a penalty of not exceeding Ten Pounds, and a further penalty of Five Pounds for every day such ponderous Matter, Timber, or bulky Article remains unremoved.

And whereas it is expedient in certain cases to grant permission for ponderous Matter, Timber, &c. to remain on the Wharf for a longer period than Forty-eight Hours, and to regulate and define the terms upon which such permission shall be granted.

It is hereby ordered and directed that, from and after the date of this Bye-Law coming into operation, it shall be lawful for the Launceston Marine Board to charge the Rates hereafter mentioned upon all ponderous Matter, Timber, or other bulky Articles that shall be left upon the Wharf for more than Forty-eight Hours after the Vessel from which the same has been landed is all discharged, or if intended to be put on board any Vessel, for more than Forty-eight Hours after the same has been deposited on the Wharf without any attempt made to place the same on board the Vessel in or upon which it is intended to be shipped.

The Owner or Consignee of any ponderous Matter, Timber, or bulky Article, who may wish to obtain permission for the same to remain upon the Wharf, may obtain such permission upon application to the Master Warden; and the Master Warden is authorised to grant permission for such ponderous Matter, Timber, or bulky Articles, to remain upon the Wharf for periods not exceeding One Week at any one time, provided in his opinion it will not interfere with or be injurious to the public interests, or obstruct the lading or discharge of other Vessels, and upon payment by the applicant for the quantity on the Wharf at the time of the application of one-half the Rates payable when permission has not been obtained as hereafter specified. The quantity, when not otherwise known, to be estimated by the Master Warden, or by some one of the Wardens, or the Harbor Master, and such estimate shall be considered the correct quantity unless proof to the contrary to the satisfaction of the Master Warden shall be produced by the Owner or Consignee.

Any Vessel that shall have ceased discharging cargo for the space of Eight Hours, during the working time allowed by the Customs' Regulations, shall be considered as wholly discharged, so far as any ponderous Matter, Timber, or bulky Article then landed is concerned, notwithstanding a portion of the cargo with which the Vessel was laden may have been kept or may still remain on board.

Nothing contained in this Bye-law shall be construed as intended to prevent, or shall prevent, the Wardens of the Marine Board, or Harbor Master, from removing any ponderous Matter, Timber, or bulky Article, or from enforcing the penalty which the Owner or Consignee of the same would have been liable to under the provisions of *The Marine Board Act*; and in the event of any information being laid against any such Owner or Consignee under that Act, and notwithstanding any conviction thereon, the said ponderous Matter, Timber, or bulky Article shall be liable to the charges directed by this Bye-Law, but the said charges shall not, together with the penalty awarded by the Magistrate under such conviction, in any case exceed the sum to which the penalty for not removing such ponderous Matter, Timber, or bulky Articles is limited by *The Marine Board Act*.

The following Rates shall be payable upon all ponderous Matter, Timber, or other bulky Articles for which no permission has been obtained for the same to remain upon the Wharf.

	<i>Ballast, Stone, Earth, &c. per ton.</i>	<i>Coals per ton, Timber per load of 50 cubic feet, and other bulky Articles per ton of 20 cwt. or of 40 cubic feet.</i>
For any portion of the First Week	2d.	6d.
Ditto of the Second Week.....	4d.	8d.
Ditto of the Third or any subsequent Week..	6d.	1s.

The charges herein directed to be paid shall be payable at the Port Office, and the amount received during any one Month shall be paid, on or before the last day of such Month, to the Collector of Customs, for the purposes of *The Marine Board Act*.

Any one or more of the Wardens, or the Harbor Master, shall have authority and may detain any ponderous Matter, Timber, or bulky Article which, having been left on the Wharf longer than the time allowed by law, and become liable to the charges herein directed to be paid, shall be about to be removed before those charges are paid.

Made and passed by the Launceston Marine Board, when a majority in number of the Wardens were present, this 22nd day of October, 1861.

GEORGE GILMORE, *Master Warden*.