

No 1

209

# MARINE BOARDS.

NEW ZEALAND.

ANNO VICESIMO SEXTO

## VICTORIÆ REGINÆ.

No.

A BILL, INTITULED—

*An ACT to establish Marine Boards for the general Control and Management of Ports, Pilots, Lighthouses, and other Matters relating to Navigation. and to regulate Port Charges and other Rates.*

**W**HEREAS it is expedient that the general control and management of Ports, Harbours, Wharves, Docks, Pilots, Lighthouses, and other matters relating to navigation and shipping should be vested in Marine Boards:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand, in Parliament assembled, and by authority of the same, as follows:—

1. The short title of this Act shall be, "The New Zealand Marine Board Act, 1862."

2. In the construction and for the purposes of this Act, and of all proceedings under this Act, the following words shall have the meanings hereinafter assigned to them, unless there is something in the context of the Act repugnant to such construction:—

"Board" shall mean the Marine Board of the Port in relation to which the term is used.

"Warden" shall include Master Warden.

"Port" shall extend to and include any port, harbour, or haven, or navigable creek or river within the jurisdiction of the Boards respectively.

"Wharf" shall extend to and include any public wharf, quay, or pier, or any

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place used for the landing of goods or passengers situate within any "Port," the management of which is otherwise provided for by law.

"Collector of Customs" shall include the person acting as such at the Port in respect of which the term is used.

"Harbour Master" shall extend to and include any Deputy Harbour Master, or person for the time being acting as such Harbour Master or Deputy.

"Master" shall extend to and include the person, not being a Pilot, commanding, or for the time being having the principal or actual charge, custody, or control of a vessel.

"Colonial Ports" shall mean all Ports within the Colony, and within the Australian Colonies.

"Colonial trader" shall mean and intend a vessel the master of which has at any time made more than two consecutive voyages to and fro between the Port in this Colony in which the vessel may be and any other Colonial Port, and which is actually trading between Colonial Ports.

"Ponderous matter" shall mean coal, ballast, rubbish, earth, stone, wreck, filth, or other like matter.

Governor to exercise Powers of the British Board of Trade.

3. The Governor shall have and exercise within the Colony all the powers, *mutatis mutandis*, which are, in and by the Acts of the Imperial Parliament entitled "The Merchant Shipping Act, 1854," vested in the Board of Trade.

Certain Powers to be vested in the Governor in Council.

4. Where, by the said "Merchant Shipping Act, 1854," any power may be exercised by the Board of Trade, with the assistance of the Commissioner of Customs, such power may be exercised by the Governor in Council.

Marine Boards to be established.

5. The Governor in Council shall, as soon as conveniently can be after the passing of this Act, establish in the respective Provinces of New Zealand, at the principal Port of such Provinces respectively, Marine Boards, and shall distinguish such Boards respectively by such designations as he shall think fit, and shall define the limits of jurisdiction of such Boards, and may from time to time alter or amend such limits or jurisdiction.

Who shall compose Boards.

6. Such Boards shall respectively consist of five Wardens, and shall be constituted as hereinafter provided; and such Wardens shall, as soon as may be after the establishment of the Board, except otherwise provided in the case of the Chief Marine Board, elect one of their number to be the Master Warden of the Board; and from time to time, as any vacancy occurs in the office of Master Warden, the Wardens shall, as soon as may be after their number is complete, in like manner elect a Master Warden to supply such vacancy.

Governor may appoint Chief Marine Board and President thereof.

7. It shall be lawful for the Governor in Council to appoint one such Marine Board to be the Chief Marine Board of the Colony, and to appoint some person to be President of Marine Boards, who shall act as Master Warden of such Chief Marine Board, and from time to time to revoke and cancel such appointments.

*Ex-officio* Members.

8. The Superintendent of the Province and Collector of Customs for the time being at the principal Port of the Province, shall, *ex officio*, be two of the Wardens,

and together with three other persons appointed to be Wardens by the Governor in Council, shall constitute the Marine Board for every Province.

9. Every appointment by the Governor in Council of a Warden shall be made by warrant, of which a notice shall be published in the *Government Gazette* of the Colony, and also of the Province to which the same shall relate.

Appointments to be Gazetted.

10. If any Warden is declared insolvent, or ceases or neglects to attend the sittings of the Board for a period of three months at one time, except in case of illness, certified by a duly qualified medical practitioner, or of absence by permission of the Board, it shall be lawful for the Board to declare such Warden's seat vacant, and it shall thereupon be vacant accordingly.

When Warden's Seat vacant.

11. The Governor in Council is hereby empowered, at pleasure, at any time, to remove from his office any Warden not holding office, *ex officio*, and thereupon such Warden's seat shall be vacant.

Warden may be removed.

12. Upon every vacancy among the Wardens appointed by the Governor in Council, a new Warden shall be nominated and appointed in manner aforesaid to supply such vacancy.

New Appointment of Warden.

13. Such Boards respectively shall be bodies corporate by the respective names aforesaid, and by those names respectively shall have perpetual succession, and be capable of suing and being sued, and of taking, purchasing, and holding land and personal estate, and of alienating, mortgaging, leasing, and disposing of the same, and shall respectively have a common seal; and, in all cases of legal proceedings, service or notice thereof upon the Master Warden for the time being shall be sufficient service on the Board.

Boards shall be Corporations and have a Seal.

14. Provided that every purchase and every alienation, mortgage, lease, and disposition of land by such Board, shall be approved of by the Governor in Council.

Conveyances must be approved.

15. It shall be lawful for the Governor of the Colony, with the advice of his Executive Council, to grant and dispose of any land reclaimed, or which may be reclaimable from the sea, and of any land below high-water mark in any harbour, arm, or creek of the sea, or on any navigable river, or on the sea coast, to any Marine Board for the Province in which such land is situate, or to which it is adjacent, in such manner and upon such terms as shall be thought fit; and such land so granted shall be held subject to the provisions of this Act.

Governor may grant reclaimed Land.

#### GENERAL POWERS AND DUTIES OF BOARDS.

*Jurisdiction of Boards.*

16. The Boards respectively, besides the special powers and duties hereinafter vested in and imposed on them, are hereby empowered and required to perform the following general functions and duties following:—

Definition of Powers and Duties.

To fix and regulate the Wharfage Rates to be paid at any wharf or other

- landing place within the jurisdiction of the Board, on goods entered to be landed at any Port, not exceeding those specified in the schedule :
- To fix and regulate the Fees to be paid for services performed by Harbour Masters, not exceeding those specified in the schedule :
- To regulate and determine, subject to the rates specified in the schedule, the nature of the service for which Pilotage Rates and Charges shall be payable ; the amount, payment, and remission of such Rates and Charges ; and the amount to be paid for detention of Pilots on board vessels under quarantine or otherwise :
- To superintend and maintain sea or harbour marks, buoys, and beacons now or hereafter erected or placed :
- To license Boatmen plying for hire in any Port, and fix the Fees to be paid for such Licenses, and also the Penalties on persons plying for hire without being licensed ; to regulate the Fares to be charged by Licensed Watermen plying for hire within the Ports in their jurisdiction ; to fix places at which Licensed Watermen shall ply, and otherwise regulate their conduct and proceedings ; and to regulate and control steam or other ferry boats plying for hire at wharfs or public thoroughfares :
- To license tugs, if necessary, for conducting vessels into and out of Port ; and to fix the Fees to be paid for such Licenses, and the Rates to be charged for the services of such tugs :
- To regulate the berthing of vessels at wharves and in docks, and the mooring, unmooring, and removal of vessels, and the number of days during which a vessel shall be permitted to occupy any berth, and to fix and determine the depth of water to which vessels in any dock may be loaded whilst in such dock :
- To license ballast boats, and tank boats, and as far as possible to regulate the supply of ballast and water to the shipping :
- To regulate the duties and conduct of the Pilots, Harbour Masters, and other persons employed and acting in carrying out and effectuating the several objects of this Act ; the limits to which the powers and duties of Harbour Masters shall extend ; the mode in which masters of vessels shall apply for and obtain the services of the Pilots and Harbour Masters :
- To make Quarantine Regulations : Provided that all such regulations shall, before coming into operation, be approved of by the Governor in Council, and published in the *Government Gazette* of the Colony, and of the Province to which they relate :
- To make and enforce rules, in cases where such shall not have already been provided by law, for the convenience of persons walking upon or landing on or embarking from any wharf ; for regulating the shipping or landing of goods, merchandise, or other commodities, at or from any dock or wharf ; the nature of the goods, merchandise, or other commodities which may or may not be shipped or landed, and the mode and time of shipping and landing the same ; for the effectual preservation of docks and wharves ; for the governing and regulation of porters, carters, carmen, and others carrying goods, or using or driving horses, wagons, carts, drays, trucks, or other carriages for conveying passengers, goods, merchandise, or other commodities to or from docks or wharves ; for the con-

venience of persons using or resorting to the same; and otherwise generally for the better governance, regulation, and management, safety, and protection of the ports, docks, wharves, and shipping, as to such Boards respectively seem necessary or desirable.

LIGHT-HOUSES.

*Light-houses.*  
Light-house  
Marine Board.

17. The Chief Marine Board shall have the management and control of, and is hereby charged with the maintenance and reparation of the several Light-houses and Light-ships within this Colony, and, subject to the provisions of this Act, shall have all the powers and jurisdiction in respect of such Light-houses and Light-ships which the guild or fraternity, commonly called the Corporation of the Trinity House of Deptford Strond, has and exercises, or may hereafter have and exercise within the United Kingdom.

18. For the purpose of erecting any new Light-house, or stationing any Light-ship within the limits of any Province, the Marine Board or Boards for such Province and the Chief Marine Board shall form a consolidated Board, of which the President of the Marine Boards shall be the Chairman; and such consolidated Board is hereby authorized and required to meet from time to time, as occasion requires, for the purpose of determining the necessity or expediency of establishing new Light-houses or Light-ships; and such consolidated Board is hereby authorized to do all things necessary for the erection and establishment of any new Light-houses or Light-ships which such consolidated Board may determine to be necessary or desirable.

Provision for  
erection of  
Light-houses,  
&c.

19. All the provisions of this Act relating to the Board or any Warden shall apply to the Boards respectively, and the Wardens of such Board in respect of the Ports and other matters to which such provisions relate, which are within the jurisdiction of the respective Boards; and all provisions of this Act relating to any Harbour Master or other Officer shall apply to such Harbour Master or other Officer in respect of the Port of which he is such Harbour Master or other Officer.

Provisions of  
Act to apply to  
each Board  
and Officer re-  
spectively.

GENERAL PROVISION AS TO PENALTIES.

*General Pro-  
vision as to  
Penalties.*

20. If any person fails, refuses, or neglects to do, or in any manner obstructs, impedes, or interferes with the doing of anything enjoined or authorized to be done, or wilfully does anything prohibited by this Act, or molests, or makes use of any threatening or abusive language to any Warden, Harbour Master, Pilot, or other Officer whilst in the execution of his duty under this Act, or in any other respect offends against any of the provisions of this Act, or any regulation duly made under authority of this Act, every such person in any such case so offending shall, where no other penalty is in that behalf specifically provided, forfeit a penalty not exceeding Fifty Pounds.

Offences incur-  
ring Penalty.

21. Any breach whatsoever of any of the provisions of this Act, or of any by-law

Summary Pro-

cedure for  
Breach of By-  
laws.

made thereunder, shall, where no other mode or remedy is by this Act specifically provided, be heard and determined in a summary way, before any Resident Magistrate or two or more Justices of the Peace.

What shall be  
sufficient Aver-  
ment.

22. In any proceeding for any offence against this Act, the averment that such offence was committed within the limits of the Port within which the same is alleged to be committed, shall be sufficient without proof of such limits, unless the contrary is proved.

Funds eligible  
under this Act.

#### CHARGES PAYABLE UNDER THIS ACT.

Light-house  
Dues.

23. The Light-house dues, specified in the schedule to this Act shall be payable and paid to the Collector of Customs at any Port, in respect of all vessels arriving at such Port, by the master of every such vessel; and such dues shall be paid over to the Colonial Treasurer, and be carried by the Colonial Treasurer to a separate account; and the whole amount of such dues shall, from time to time, be paid by the Colonial Treasurer, upon the warrant of the Governor, to the Chief Marine Board, and shall form a fund to be applied exclusively to the erection, maintenance, and repair of Light-houses.

Wharfage  
Rates.

24. The wharfage rates or dues on goods landed on any wharf under the jurisdiction or control of the Board at any Port, not exceeding those specified in the schedule to this Act, which may from time to time be fixed by the Board by any by-law made under the authority of this Act, shall be payable and paid, by the persons landing the same, to the Collector of Customs, or to such person or persons as the Governor may from time to time in that behalf appoint at such Port.

Pilotage Rates.

25. The Pilotage rates and dues, specified in the schedule to this Act, in respect of Pilot services within any Port, shall be paid by the master of the vessel piloted to the Collector of Customs, or to such person or persons as aforesaid.

General Dues  
and Rates.

26. Subject to any alteration made by or under authority of this Act, and until other provision is made in that behalf under the authority of this Act, all Port, Pilotage, Wharfage, and other dues, rates, and charges now payable by law within any of the Ports of this Colony, shall continue to be levied, and shall be paid to the Collector of Customs, or other person or persons as aforesaid, at the Port where the same are payable.

Fines and Pe-  
nalties.

27. All fines and penalties for offences against this Act, or any by-law made under the authority hereinafter contained, shall be paid over to the Colonial Treasurer, and shall be applied for the purposes of this Act.

Disposal of  
Rates, &c.

28. All sums of money whatsoever other than Light-house dues, by this Act directed to be paid, shall be paid over by the person or persons by whom the same shall be received to the Colonial Treasurer, who shall carry the same, and all fines and penalties paid to him for the purposes of this Act, to a separate account, and shall from time to time pay such moneys, upon the warrant of the Governor, to the Board

within whose jurisdiction the same were paid or levied; and such moneys shall be applied by the Board to and for the purposes and objects of this Act, and shall be funds at its disposal for such purposes.

#### ACCOUNTABILITY OF BOARDS.

##### *Accountability of Boards.*

29. An annual account of all moneys received and expended by the Boards respectively for the purposes of this Act, signed by the Master Warden, or two of the Wardens, made up to the thirty-first day of December in each year, shall, before the end of the then next January, be transmitted by the Board to the Auditor of the Province within which such Board is established, who shall immediately cause the same to be published in the *Government Gazette* of the Colony, and also of the Province to which the same shall relate; and such account shall specify the total sum received, and the different heads of expenditure, and the amounts actually expended under each head; and every such account shall be audited by the Provincial Auditor as soon as conveniently may be.

Annual Account to be transmitted, audited, and published.

30. All sums of money received by the Board by virtue and for the purposes of this Act, of which the application or disposition for the purposes of this Act is not duly shown or accounted for by the Board, or for the payment and disbursement of which for such purposes no legal or proper voucher or receipt is produced by the Board to the satisfaction of the Auditor of Public Accounts, or which is wrongly or improperly retained by the Board or any member thereof, shall be and be recoverable as a debt upon record from the Board to her Majesty.

Sums unaccounted for to be deemed Crown Debts.

31. All necessary and lawful expenses incurred by the said Boards in the execution of this Act, or of any powers or duties at any time vested in such Boards by law, shall be defrayed out of the funds at the disposal of such Boards respectively.

General Expenses.

#### MAINTENANCE OF WHARVES, DOCKS, AND ROADS.

##### *Maintenance of Wharves, &c.*

32. The Board is hereby authorized and required, so far as the funds at its disposal will admit, from time to time, and at all times hereafter, to maintain, support, amend, repair, and cleanse the wharves, quays, piers, and docks which have been made and constructed at the time of the establishment of the Board, or which hereafter may be completed, made, or constructed; and also to complete and maintain such roadways through, over, or adjoining to any such wharf, quay, or dock as may be deemed expedient by the Board; and generally to do and perform, and cause to be done and performed, all works, acts, matters, and things which may from time to time be necessary for effectuating all or any of such purposes.

Boards to complete and construct Works on certain Lands.

33. It shall not be lawful for any person to commence or undertake the construction of any new or additional wharf, quay, dock, pier, or other harbour work in any Port, within the jurisdiction of any Board, until he shall have laid before the Board detailed plans and specifications of such proposed roads, nor until the same

Plan of Construction of additional Wharves, &c., to be laid before Board.

shall have been approved of by the Board, and notice in writing of such approval shall have been given to such person accordingly.

Sheds and  
Lights on  
Wharves, &c.

34. The Board is hereby authorized and required to construct, erect, and maintain such cranes, buildings, and sheds for the security of goods as the Board deems necessary or expedient for effecting the purposes of this Act; and to set up such and so many lamp-posts and lamps for lighting the said wharves, quays, or docks, and the roadways adjoining and extending through and along the same as aforesaid, now or hereafter made and constructed, as the Board thinks proper and convenient, and to light the same accordingly, and to do all acts which may be necessary for such purposes.

Board may  
make Con-  
tracts.

35. It shall be lawful for the Board to enter into such contracts with any persons for the making, doing, executing, and completing of all or any of the works, matters, and things necessary for effectuating the purposes of this Act, or in otherwise touching or concerning the same, or for supplying any of the materials for the same, as the Board deems expedient: Provided, that the Board shall take security for the due fulfilment of every such contract by bond entered into by such person so contracting, and two or more sufficient sureties, conditioned to be void on the due fulfilment of such contract.

Penalty for  
Obstruction.

36. If any person wilfully obstructs, molests, or hinders any engineer, surveyor, workman, labourer, or other person employed by the Board, in the performance of his duty or employment in the execution of this Act, every person so offending shall forfeit, for every such offence, a penalty not exceeding Twenty Pounds.

Penalty for  
wilful Damage  
to Works.

37. If any person wilfully breaks, throws down, destroys, or in any-wise damages or injures any wharf, quay, pier, dock, shed, roadway, building, or other work whatsoever which is under the charge of the Board, every person so offending shall, for every such offence, forfeit a penalty not exceeding Fifty Pounds over and above the amount of injury or damage done.

Penalty for  
wilful Damage  
to Lights.

38. If any person wilfully or negligently breaks, throws down, damages, or takes away any lamp, lamp-post, lamp-iron, or other work set up for the purpose of lighting any such wharf, quay, pier, or dock as aforesaid, or any such adjoining roadway or street as aforesaid, or wilfully extinguishes any light within any such lamp, every person so offending shall forfeit, for every such offence, a penalty not exceeding Twenty Pounds over and above the amount of injury or damage done.

Limits of  
Wharves and  
Docks.

#### LIMITS OF WHARVES AND DOCKS.

Governor may  
define Limits.

39. For the prevention of doubts and disputes as to the limits of any wharf, quay, pier, or dock, under the charge of any such Board, it shall be lawful for the Governor in Council, from time to time as occasion may require, by proclamation for that purpose published in the *Gazette*, to define the limits and boundaries for the purposes of this Act, of any wharf, quay, pier, or dock under the charge of the Board; and such proclamation from time to time to revoke, and in manner afore-



said to re-define such limits and boundaries; and every wharf, quay, pier, or dock so defined or re-defined shall be a wharf, quay, pier, or dock within the meaning and for the purposes of this Act, and the limits and boundaries so defined or re-defined shall be deemed to be the limits and boundaries of the same.

#### REGULATION OF PORTS, WHARVES, AND DOCKS.

*Regulation of  
Ports,  
Wharves, &c.*

40. The Board is hereby authorized and required, from time to time as occasion may require, to appoint places within the Port in or upon which ponderous matter may be discharged, landed, or deposited from, or for the purpose of being put on board of any vessel or boat.

*Places where  
ponderous  
Matter may be  
discharged.*

41. Any person who discharges, throws out, or unloads, or causes to be discharged, thrown out, or unladen, any ponderous matter, from or out of any vessel or boat within any Port or Dock, except upon dry land, where no tide ever flows, or in or upon any such place as by the Board has been so appointed for that purpose, or who casts or throws, or causes to be cast or thrown, any ponderous matter into any Port or Dock, shall, for every such offence, forfeit a penalty not exceeding Fifty Pounds.

*Penalty for  
such Discharge  
at other Places.*

42. Any person who discharges, lands, or deposits, or causes to be discharged, landed, or deposited, any ponderous matter, whether from or out of, or for the purpose of being taken into any vessel or boat, or otherwise, upon any wharf in or upon any place other than has been so appointed by the Board for that purpose; or, if no such place has been appointed, and until such places are appointed, at a distance less than forty feet from the water-edge of such wharf, or at a distance less than twenty feet from the water-edge of any wharf, being the side of any dock, shall forfeit a penalty not exceeding Ten Pounds.

*Penalty for  
such Discharge  
within Dis-  
tance of  
Wharf, &c.*

43. All ponderous matter which is discharged, landed, or deposited upon any wharf, shall be cleared away and removed, or put on board a vessel or boat within forty-eight hours after the same has been so discharged, landed, or deposited; and any person having so discharged, landed, or deposited, or caused to be discharged, landed, or deposited, any ponderous matter, who does not, within the time aforesaid, clear away and remove the same, or cause the same to be taken on board a vessel or boat, shall, for every such offence, forfeit a penalty not exceeding Ten Pounds, and a further penalty, not exceeding Five Pounds, for every succeeding day that such ponderous matter remains not cleared away, or removed or taken on board a vessel or boat, as the case may be: Provided always, that it shall be lawful for the Board to extend for any fixed period the time limited for any such purpose as herein last aforesaid in any case in which it appears necessary or expedient so to do.

*Ponderous  
Matter must  
be removed.*

44. The Harbour Master within every Port, or other person authorized by the Board in that behalf, is hereby authorized to cause to be cleared away and removed any ponderous matter which has been so discharged, landed, or deposited as last aforesaid, and not cleared away and removed, or taken on board a vessel or boat, within the time for that purpose fixed as aforesaid; and the costs and charges of

*Harbour Mas-  
ter may re-  
move such  
ponderous  
Matter.*

such clearing away and removing of such ponderous matter by such Harbour Master or other person, shall be paid by the master of the vessel or boat from which, or for the purpose of being taken on board of which such matter was discharged, landed, or deposited as aforesaid to the Collector of Customs at the Port.

Arrangements  
for Loading  
and Discharg-  
ing ponderous  
Matter.

45. No ponderous matter shall be discharged or landed from, or be taken on board of any vessel or boat within any Port or Dock, unless tarpauling or other material of sufficient size, and properly stretched and spread, be used so as to prevent any part of such matter from falling into such Port or Dock; and any person who offends in any such case shall forfeit a penalty not exceeding Ten Pounds.

Penalty for  
Damage to, or  
Obstructions  
on Wharf.

46. Any person who deposits, or causes to be deposited, any cargo from any vessel or boat, or for the purpose of being taken into any vessel or boat, upon any wharf, in such quantities or in such manner as to damage, or to be likely to damage, such wharf, or to obstruct the public use thereof, shall forfeit a penalty not exceeding Five Pounds; and any person who has so deposited, or caused to be deposited, any such cargo, and who does not remove the same upon notice in writing so to do being given to him by a Harbour Master, or such other person as last aforesaid, shall forfeit a penalty not exceeding Five Pounds for every day that such cargo remains on such wharf after such notice has been so given.

Stranded Ves-  
sels and Tim-  
ber to be re-  
moved.

47. The owner of, or person having property in, or the command of any vessel or boat which has been sunk, stranded, or run on shore in any Port or Dock, and the owner of any baulk of timber or other bulky article, which is in the water in any Port or Dock, who does not clear such Port or Dock of such vessel or boat, or remove such baulk of timber or other bulky article, upon being required so to do by a notice under the hand of a Harbour Master, or of such other person as aforesaid, or of any Justice of the Peace, within such reasonable time as may be mentioned for that purpose in such notice, shall, for every such offence, forfeit a penalty not exceeding Five Pounds for every day that such Port or Dock remains uncleared, or such baulk of timber or other bulky article remains unremoved, as the case may be, after the expiration of the time so mentioned in such notice; and it shall be lawful for any Justice, upon the complaint of any other person, to issue his warrant for the clearing of such Port or Dock, or the removing of such baulk of timber or other bulky article, in such manner as he directs, and for causing such vessel or boat, baulk of timber, or other bulky article, to be sold, and, out of the money arising from such sale, to pay the charges of such clearing or removal, as the case may be, paying the overplus, if any, to the Collector of Customs at the Port for the purposes of this Act.

Penalty and  
Procedure in  
case of Non-re-  
moval.

48. The owner of any timber, or other bulky article, which has been left on any wharf for the space of forty-eight hours, who does not forthwith remove the same upon notice so to do being given to him by a Harbour Master, or other person appointed in that behalf, shall forfeit a penalty not exceeding Five Pounds for every day that such timber, or other bulky article, remains unremoved after such notice has been so given as aforesaid; and if the owner of any timber, or other bulky article, which has been left on any wharf for the space of forty-eight hours cannot be found, or is not known, it shall be lawful for the Board, after fourteen days'

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notice of its intention so to do for that purpose given in the *Gazette*, and in one newspaper published in the city or town within or nearest to which such timber, or other bulky article, has been so left as aforesaid, if such timber, or other bulky article, is not in the meantime claimed and removed, to cause the same to be sold by public auction; and the proceeds thereof, after deducting the cost of advertising, shall be paid to the Collector of Customs at the Port for the purposes of this Act.

INJURIES AND OBSTRUCTIONS TO NAVIGATION.

*Injuries and Obstructions to Navigation.*

49. If any tree is felled by the owner or occupier of any land, or by any person employed or authorized by him, on the bank of any navigable river or creek, so that any part thereof is in or over the water below high-water mark, and the same is not removed within two days after having been so felled, such owner or occupier shall forfeit a penalty not exceeding Forty Shillings, and a further penalty of Forty Shillings for each day beyond the two days aforesaid during which any such tree so felled as aforesaid so continues on the bank of such navigable river or creek; and if any tree is so felled by any unauthorized person, such unauthorized person shall, for every such tree so felled, forfeit a penalty not exceeding Five Pounds, together with the cost of removing the same.

Trees felled to be removed from Rivers, &c.

50. All buoys, beacons, and sea-marks within any Port shall be vested in the Marine Board of such Port.

Buoys, &c., to belong to Marine Board.

51. Any person who wilfully injures, removes, or destroys any buoy, beacon, or sea-mark used for the convenience of navigation or for the preservation of vessels, shall be guilty of felony, and, on conviction of the said offence, shall be liable to penal servitude for a period not exceeding Four Years.

Penalty for removing or defacing Buoys, &c.

52. Any person who makes any vessel, boat, timber, or other article fast to any buoy, beacon, or sea-mark, and any master or owner of a vessel being navigated without having a Pilot on board, or the owner of any boat by which any such buoy, beacon, or sea-mark is accidentally removed, injured, or destroyed, who does not forthwith, and either with or without demand, make good such damage, or pay to the Collector of Customs at the Port, for the purposes of this Act, a sum in the judgment of the Board sufficient to cover the expense of so doing, shall, for every such offence, forfeit a penalty not exceeding One Hundred Pounds.

Accidental Injuries to be repaired under Penalty.

REGULATIONS ON ARRIVAL OF VESSELS IN PORT.

*Regulations on Arrival of Vessels in Port.*

53. Every vessel arriving from beyond sea shall be boarded by the Harbour Master, or some person for that purpose deputed by the Board; and, for the purpose of enabling such Harbour Master or person deputed as aforesaid to board such vessel, the master or Pilot shall bring to such vessel; and such master shall furnish to such Harbour Master or person deputed as aforesaid, such particulars of the ship's voyage, and concerning her crew and passengers, and shall deliver such documents in his possession concerning the same respectively, as may be then lawfully required

Procedure on Arrival of Vessel.

of him, together with all mails and letters directed for persons in this Colony, as by the laws now or hereafter in force for the regulation of the Post Office in this Colony is or may be prescribed.

Waterman,  
&c., not to  
board Vessel  
till moored.

54. No waterman or other person in charge of any boat shall go alongside of or board, or suffer or permit any person to board, any vessel arriving at any Port from beyond sea until such vessel is properly secured at her anchorage: Provided, that nothing herein contained shall be construed to prevent the boarding of any such vessel by the owner or agent, or any other person having the written permission of the owner or agent, or by any Immigration Agent, Pilot, Boarding Officer, Officer of Customs, or Health Officer, or other person acting in the execution of his duty under this Act.

Copy of Rules  
to be handed  
to Master.

55. The Harbour Master or person boarding any such vessel as aforesaid shall deliver to the master a copy of the Rules and Regulations of the Port of this Colony in which such vessel arrives; and thereupon such master shall give a receipt in writing for the same to such Harbour Master or person boarding as aforesaid.

Gunpowder  
Regulations.

56. All vessels arriving in any Port having gunpowder on board exceeding the quantity of twenty-five pounds in weight, shall hoist a Union Jack at the main; and if any vessel is moored or anchored at the usual anchorage in any Port before all the gunpowder on board exceeding that quantity has been secured in such magazine as may from time to time be appointed for that purpose by the Board, and conformably with such regulation, if any, as are for the time being in force for that purpose, the master of such vessel shall forfeit a penalty not exceeding Fifty Pounds: Provided that nothing herein contained shall apply to gunpowder on board any of her Majesty's ships or vessels of war, or the ships of war of foreign nations.

Guns to be  
unshotted  
when ap-  
proaching a  
Port.

57. The master of every vessel, excepting her Majesty's ships or vessels of war, entering any Port shall unshot the guns of such vessel at a distance of two miles from the anchoring station of the Port.

Regulations  
for Vessels  
lying in  
Port.

#### REGULATIONS FOR VESSELS LYING IN PORT.

Rules for  
berthing Ves-  
sels, with Pe-  
nalty.

58. If any vessel occupies any berth alongside any Wharf, or in any Dock, beyond the period for that purpose fixed and regulated by the Board, and any other vessel is ready and waiting at or after the expiration of such period to occupy such berth, of which notice in writing shall be given by the Harbour Master to the master or owner of such vessel so occupying such berth beyond such period as aforesaid, such vessel as last aforesaid shall, if of the burthen of two hundred tons or under, be liable to a charge of Ten Pounds; and, if above the burthen of two hundred tons, to a charge of Twenty Pounds for every day, Sundays excepted, during which such vessel continues to occupy such berth after such notice has been so given as aforesaid, which charge such master or owner is hereby required to pay to the Collector of Customs for the purposes of this Act, and the same shall be a Port charge upon such vessel.

59. If any vessel whilst in any Dock is loaded to a greater depth than by any By-law or Regulation of the Board is in that behalf directed, the master or owner of such vessel shall forfeit and pay a penalty not exceeding Fifty Pounds.

Penalty for overloading.

60. If the master or owner of any vessel employed in coasting only, or the owner of any boat, does not forthwith, upon notice in writing so to do being given to him by the Harbour Master, or any person appointed by the Board in that behalf, remove such vessel or boat from any berth alongside any wharf, or in any Dock, or from or to any part of any Port, such master or owner shall forfeit a penalty not exceeding Twenty Pounds.

Coasters to remove from Wharf on written Notice.

61. If the master of any vessel in any Port refuses or neglects to get the sprit-sail yard fore and aft, or to rig in the jib and driver boom, or to strike any yard or topmast, or to top any yard, or to get in any anchor or swinging boom, or to slack down any bower or stream chain of such vessel when in any such case so required by any Harbour Master, or other such person as aforesaid, such master shall forfeit a penalty not exceeding Ten Pounds.

Regulations as to Spars and Moorings.

62. No master of any vessel shall unmoor such vessel, or cause her to quit her anchorage in any Port, without the previous permission of the Harbour Master; nor, having unmoored or set sail with the intention of going to sea, shall any such master again bring such vessel to anchor without permission of the Harbour Master, unless compelled so to do by some unavoidable cause; and if any such vessel again comes to anchor as aforesaid, such master shall, on demand, deposit his clearance with the Harbour Master until again about to sail, and shall not again weigh anchor without permission from the Harbour Master or a Warden.

No Vessel to quit Anchorage without Harbour Master's Permission.

63. No pitch, tar, resin, oil, or other such like combustible matter, shall be lighted or heated on board of any vessel in any Port or Dock; but the same shall be lighted or heated in such place as may be appointed for that purpose by the Board.

No Pitch, &c., to be heated on Board in Port.

64. When any person dies on board of any vessel lying in any Port, the master shall, as soon afterwards as conveniently may be, cause the body of the deceased to be brought on shore and interred.

Master to inter Persons dying on Board.

#### HARBOUR MASTERS.

65. The Boards respectively are hereby empowered, from time to time, to appoint and remove all such Harbour Masters and other Officers for the several Ports within their respective jurisdiction as the Boards respectively deem necessary, and to pay to such Harbour Masters and other Officers such reasonable salaries as the Boards respectively shall think fit: Provided, that all Harbour Masters and other Officers in office at the time of the commencement of this Act shall continue in office under this Act until removed by the said Boards respectively, and shall be subject to the control of such Boards respectively as if appointed under this Act.

Harbour Masters.

Marine Boards may appoint and pay Harbour Masters.

Regulations  
and Fees for  
mooring and  
shifting Ves-  
sels.

66. Whenever a vessel, not employed in coasting only, arrives within any Port, some Harbour Master shall appoint the place where she is to cast anchor or be moored; and as often as the master of any vessel is desirous of removing from one place of anchorage or mooring to another, he shall notify in writing such desire to some Harbour Master, who shall thereupon, unless he sees sufficient reason to the contrary, direct the removal thereof accordingly; and the Harbour Master is hereby authorized and empowered to remove or to order the removal of any vessel from any berth alongside any wharf or in any Dock, or from or to any part of any Port, whenever such removal is, in the opinion of such Harbour Master, desirable and proper for the general accommodation of the shipping; and for every such service so to be performed by any such Harbour Master, such sum as may from time to time be fixed by the Board, not exceeding the sum specified in the Schedule, shall be paid to the Collector of Customs for the purposes of this Act by the master or owner of such vessel, and the same shall be a Port charge on the vessel.

Crew to assist  
Harbour Mas-  
ter, who may  
shift and bal-  
last Vessels.

67. In the performance of any such service by or by the order of a Harbour Master, the master of the vessel and the crew thereof are hereby required to give and afford to such Harbour Master all possible aid and assistance to effect the same; and in effecting any such service the Harbour Master is hereby empowered to make fast and attach any rope or other tackle to any other vessel; and if there is no crew of the vessel to be removed, or the crew thereof refuse or fail to aid and assist as aforesaid, or if the crew or tackle or quantity of ballast on board of such vessel is not sufficient to enable the Harbour Master to effect such removal, he is hereby empowered to hire and employ such other assistance and tackle, and to purchase and put on board such vessel such other quantity of ballast as to him seems requisite, at the cost and charge of the master or owner of such vessel, and such costs and charges such master or owner as aforesaid is hereby required and enjoined to pay to the Collector of Customs for the purposes of this Act, and the same shall be a Port charge upon the vessel; and if any person, without the consent or authority of a Harbour Master, cuts or casts off any such rope or tackle, so made fast and attached to any other vessel as aforesaid, such person shall forfeit a penalty not exceeding Fifty Pounds.

Penalty on  
Harbour Mas-  
ter for Neglect,  
&c.

68. Any Harbour Master, or other Officer or person, who refuses or neglects to perform any duty imposed on him by this Act, or who through negligence or drunkenness does or occasions any injury to a vessel or to the tackle or furniture thereof, or who, while in the execution of his duty as such Harbour Master, makes use of any threatening or abusive language to the master of any vessel, shall forfeit a penalty not exceeding Fifty Pounds.

Appointment  
of Pilots.

69. The Chief Marine Board is hereby empowered to appoint, license, suspend, or dismiss all Pilots within the colony.

Pilots to be  
examined.

70. No person shall be appointed to be a Pilot at any Port unless he shall have first undergone an examination before the Marine Board of such Port, or before examiners appointed by the Board, and shall have received a certificate of competency; and such examination shall be conducted, and such certificate shall be given, subject to regulations to be made by the Chief Marine Board in that behalf,

and not otherwise : Provided, that no such regulations shall take effect unless they shall have been submitted and approved of by the Governor in Council.

### PILOTS AND PILOTAGE.

#### *Pilots and Pilotage.*

71. It shall be lawful for any Board, at any time as it may deem necessary, to suspend any Pilot from acting as such for a port within its jurisdiction : Provided that every such suspension, and the cause thereof, shall be forthwith reported to the Chief Marine Board, whose decision shall be final.

Pilots may be suspended from Duty.

72. It shall be the duty of the Board to settle the remuneration to be paid to Pilots, and to pay such remuneration out of the funds at its disposal under this Act, and to settle how Pilots' establishments are to be upheld and maintained.

Boards may appoint and regulate Pilots.

73. If any person, unless in the case of some unavoidable necessity, acts as Pilot without being licensed, or after he has been suspended or dismissed, such person shall forfeit a penalty not exceeding Fifty Pounds.

Penalty on Person illegally piloting.

74. Every Pilot who, at the time of the commencement of this Act, is legally licensed as a Pilot, shall, during the continuance of such license, and until such license is revoked by the Board, be deemed to be licensed as a Pilot under this Act.

Pilots who have been licensed under former Law to act.

75. It shall be lawful for the Board, from time to time, by by-laws made and published as hereinafter provided, to fix and establish the rates of Pilotage on vessels entering into and departing from the Port ; and no such Pilot as aforesaid shall, in any case, be bound to conduct a vessel to sea from any Port until the full amount of Pilotage, according to the rates so for the time being fixed and established for such Port, has been paid : Provided, that such rates of Pilotage, so to be fixed and established as aforesaid, shall not exceed the rates specified in the schedule.

Rates of Pilotage to be fixed and prepaid.

76. The Board is hereby empowered to grant certificates of exemption from Pilotage to such colonial traders as the Board thinks fit, which certificates shall state that the master of the colonial trader, specifying his name, and that of the vessel, is qualified to conduct and navigate his vessel into the Port or Ports where the exemption is claimed ; and a register, in the nature of a counterpart of each certificate, shall be kept by the Board of all such colonial traders, and the master thereof, who shall have received certificates accordingly, and every such master shall sign such register ; and all colonial traders, in respect of which such exemptions are granted and in force, shall, unless the master actually requires the services of a Pilot, and employs one accordingly, be exempt from payment of more than one full rate of Pilotage in and out of such Port in each year, accordingly : Provided, that no such vessel shall be so exempt from Pilotage unless the master produces such certificate of exemption when required by a Harbour Master, or by any licensed Pilot who may board such vessel, and permits the same to be read by such Harbour Master or Pilot : Provided, also, that no such vessel shall be entitled to such exemption from Pilotage unless, from the time of approaching within six leagues

Regulates Exemption from Pilotage.

of the shore up to the time of her anchoring in the Port, there is kept flying at her mast or main-mast head, as the case may be, such distinguishing flag as the Board from time to time for that purpose directs: Provided, also, that all vessels exempt from Pilotage at the time of the commencement of this Act shall continue so exempt for six months thereafter, and no longer, unless the vessel is then exempt under the provisions of this Act.

Penalty on Masters evading Pilotage.

77. If any vessel not exempt from Pilotage, or not employed in coasting only, proceeds to sea from any Port for which a Pilot is so licensed as aforesaid, or quits her station or anchorage in such Port, in order to proceed to sea, without receiving on board some Pilot so licensed for the purpose of conducting her to sea, the master of such vessel shall, over and above the amount which would have been payable for Pilotage if a Pilot's services had actually been engaged, forfeit a penalty not exceeding Fifty Pounds.

Penalty on Master refusing or hindering Pilot.

78. If the master of any vessel not exempt from Pilotage, or not employed in coasting only, arriving from any place beyond sea, at or off any Port for which a Pilot is so licensed as aforesaid, and intending to enter such Port, does not immediately upon demand receive on board such vessel the licensed Pilot who first offers himself to conduct her into Port, or does not forthwith upon demand, and upon the Pilot producing, if required, his license, give the vessel in charge to such Pilot, the master so offending shall, over and above the amount which would have been payable for Pilotage if the Pilot's services had actually been accepted, forfeit a penalty not exceeding Fifty Pounds.

Extra Charge for Detention of Pilot.

79. If any Pilot in charge of a vessel entering into or proceeding out of any Port remains on board such vessel whilst under Quarantine, or is delayed in the performance of his duty by any act of the master, the master or owner shall, for every day the Pilot remains on board, or is delayed as aforesaid, pay, in addition to the amount of Pilotage so fixed as aforesaid, such sum as may from time to time be directed by the Board, by any by-law made and published by it under the authority of this Act, and such additional amount shall be a Port charge on the vessel.

Penalty on Pilots for Misbehaviour, &c.

80. Any Pilot who refuses, neglects, or delays to take charge of a vessel without good and sufficient cause in that behalf, or quits any vessel departing before the vessel has passed the point or distance which may be fixed for that purpose by the Board, or who, by drunkenness, renders himself incapable of conducting the vessel, or, by ignorance, or from want of due care, does or occasions any injury to the vessel or to the tackle or furniture thereof, or makes use of any threatening or abusive language to the master, shall, on proof of the offence to the satisfaction of the Board, forfeit a penalty not exceeding Fifty Pounds, and shall besides be liable to suspension and dismissal as hereinbefore provided.

#### TONNAGE HOW CALCULATED.

Tonnage, how calculated.

British Registry rule Tonnage.

81. Where any vessel has been registered at a Port in the United Kingdom, or any British possession, the amount of tonnage specified in the certificate of such



registry shall, for the purposes of this Act, be deemed to be the tonnage of such vessel.

82. In order to ascertain the tonnage of any vessel not registered as aforesaid, or as to which any question arises, it shall be lawful for any Officer of the Customs, or other person appointed in that behalf by the Collector of Customs at the Port in which such vessel may then be, to measure such vessel; and such Officer or person, in measuring such vessel, shall follow the regulations contained in the law regulating the measurement of shipping for the time being in force in this Colony.

Tonnage to be measured.

#### RECOVERY OF PORT CHARGES.

83. All sums of money which are by this Act declared to be Port charges on vessels shall be paid and recovered in the same manner as any Port charge is by law payable and recoverable; and the clearance of any vessel in respect of which any Port charge, or any other charge or sum of money has been imposed, or is payable under this Act, shall be withheld until all such Port charges and other charges and sums of money are duly paid, satisfied, and discharged, as by this Act required; and if the master of any vessel attempts to take such vessel to sea without such clearance such vessel may be detained.

*Recovery of Port Charges.*

Port Charges to be paid before Clearance.

84. All Light-house, Pilotage, and other dues and payments whatever hereby made payable by the master of any ship or vessel, or in respect of any ship or vessel, shall be deemed to be Port charges, and no such ship or vessel shall be entitled to clearance without payment thereof.

Light-house and Wharf Dues to be Port Charges.

#### EXEMPTION FROM PORT CHARGES.

85. In order to encourage the resort of vessels of all nations engaged in the whale fishery, and vessels arriving under the circumstances hereinafter mentioned, to the Ports of the Colony, all vessels of all nations outfitting for, or refitting from, the whale fisheries, and all vessels arriving and sailing in ballast, or which do not break bulk, or only to such an extent as may be necessary to provide funds for the repairs, refittings, or refreshments required by such vessels, and all vessels belonging to any Foreign Power with which a treaty in commerce, declared by any Royal Order in Council to be subsisting, has been made, which arrive at any Port for the purpose of landing any oil or whalebone, the produce of fish caught or taken by the crews of such vessels, and land such oil and whalebone at any wharf appointed by the Board for that special purpose, shall be, and the same are hereby wholly exempted from the payment of all Port charges, Light-house dues, and all Port dues whatsoever, except only those of Pilotage, in cases where the services of a Pilot have been actually required and received.

*Exemption from Port Charges.*

Whalers to be exempt from Port Charges.

86. Any such oil or whalebone so landed at any such wharf as last aforesaid shall be, and the same is hereby exempted from the payment of any charge for wharfage imposed or payable under this Act.

Oil and Whalebone to be exempt from Wharfage, &c.

Masters of  
Whalers ex-  
empt from Pe-  
nalties.

87. No master of any such vessel as last aforesaid shall, upon such vessel proceeding to sea from any Port, or arriving from any place beyond sea at or off any Port, be subject or liable to pay any fine or penalty by reason of such master not receiving on board a Pilot for the purpose of conducting such vessel to sea, or into Port, as the case may be.

Rules for  
mooring, &c.,  
such Vessels.

88. No such vessel as last aforesaid shall be anchored or moored in any Port, within the limits for the time being defined for the performance of the duties of the Harbour Master of such Port, unless with the permission of such Harbour Master for that purpose first obtained: Provided always, that nothing herein contained shall render any person liable to any penalty for anchoring or mooring any such vessel within any such limits, upon her first arriving, if no Harbour Master then repairs on board such vessel, and appoints the place where she is to be anchored or moored.

#### BY-LAWS.

By-Laws.

By-Laws.

89. The said Boards are respectively hereby empowered, from time to time, to make, publish, alter, modify, amend, or repeal such by-laws, as to such Boards respectively seem meet for regulating their own proceedings; and for carrying into effect, and enforcing the general powers and duties hereinbefore vested in and imposed on the Boards respectively, and also all other matters and things whatsoever which the Boards are respectively authorized to do, or cause to be done, under this Act; and for the collection of all dues and sums of money payable to such Boards for the purposes of this Act; and to appoint by such by-laws such penalties as are deemed necessary for enforcing the same: Provided, that no such penalty shall exceed the sum of Fifty Pounds; and no such by-law shall have any effect unless the same shall have been submitted to and approved of by the Governor in Council, and shall have been published in the *Government Gazette* of the Colony and of the Province to which the same shall relate: Provided, also, that no by-law to be made by the Board shall be repugnant to this Act, or to the general spirit and intention of the laws in force in this Colony.

By-Laws  
deemed part of  
Act.

90. All by-laws so made and in force as aforesaid shall be deemed to be incorporated with this Act, and shall be of the same force and effect as though the provisions of such by-laws were expressly enacted in this Act.

Proof of By-  
Laws.

91. In all proceedings the production of the *Gazette* containing any such by-law shall alone be sufficient *prima facie* evidence that all the provisions of this Act, relating to the making and confirmation of such by-law, have been duly complied with, and that such by-law is in full force and effect; and the *onus* of proving the contrary shall, in every case, be on the person disputing the validity of such by-law.

Local Boards  
at Outports.

Governor in

#### LOCAL BOARDS AT OUTPORTS.

92. It shall be lawful for the Governor in Council to appoint Local Boards at

such Outports as he may deem advisable, such Boards to consist of not less than three members; and the Boards so appointed shall have power to regulate the Pilot and Harbour Establishments of such Outport for which they may be so appointed, and otherwise to control the proceedings of the Harbour Master and his assistants, in accordance with the provisions of this Act, and subject to the general control and approval of the Marine Board, within the jurisdiction of which such Outport may be; and every Warden of the Principal Marine Board of the Province, when present, shall be, *ex officio*, a member of any such Local Board.

Council may establish Boards at Outports.

#### PROTECTION OF PERSONS EXECUTING THIS ACT.

*Protection of Persons executing Act.*

93. No plaintiff shall recover in any action commenced against any person for anything done in pursuance of this Act, unless such action be commenced within three months after the fact committed, and unless notice in writing has been given to the defendant one month before such action is commenced of such intended action, signed by the attorney of the plaintiff, specifying the cause of such action; nor shall the plaintiff recover in any such action, if tender of sufficient amends has been made to him or his attorney, by or on behalf of the defendant, before such action brought; and in case no such tender is made, it shall be lawful for the defendant, in any such action, at any time before issue joined, to pay into Court such sum of money as he thinks proper; and the defendant in every such action may plead the general issue, and give the special matter in evidence, and that the same was done in pursuance, and under the authority of this Act; and if the same appears to have been so done, or if such action or suit has been brought before the expiration of one month next after such notice has been given as aforesaid, or after sufficient satisfaction made or tendered as aforesaid, or after the time limited for bringing the same as aforesaid, then, and in every of such cases, the jury shall find a verdict for the defendant; and upon such verdict, or if the plaintiff is nonsuited, or discontinues his action, or if upon demurrer, or otherwise, judgment is given against the plaintiff, then, and in every such case, the defendant shall recover treble costs, and shall have the same remedy for recovering the same as any defendant has for his costs in any other cases by law.

Limitation and Regulation of Actions.

#### COMMENCEMENT OF ACT, AND REPEAL OF FORMER LAWS.

*Commencement of Act, &c.*

94. This Act shall take effect in and for each respective Province of the Colony, on and from a day to be fixed by the Governor, by order in Council to be made in that behalf.

Commencement of Act.

95. An Ordinance passed by the Legislative Council of New Zealand, intituled "An Ordinance to provide for the Regulation of Harbours," and another Ordinance passed by the said Legislative Council, intituled "An Ordinance to amend an Ordinance to provide for the Regulation of Harbours," are hereby respectively repealed: Provided that, until this Act shall have been made applicable to any Province, the said last-mentioned Ordinances, and all regulations made under the same, shall continue in force as regards such Province.

Acts, &c., repealed provisionally.

Existing Rules  
to remain in  
Force.

96. All rules and regulations made under the Ordinances which are in force when this Act comes fully into operation, shall continue in force as if made under this Act, until revoked or altered by the Board under the authority of this Act, and no longer.

Governor may  
delegate cer-  
tain Powers.

97. The Governor may, by any order in Council, from time to time delegate to the Superintendent of any Province all or any of the powers by this Act vested in him, either alone or in Council, except the powers under sections 13, 16, 22, 27, 33, and 72, subject to such regulations and restrictions as he shall think fit; such powers to be exercised by such Superintendents respectively within the limits of their respective Provinces, and he may from time to time revoke or alter any such delegation.

## SCHEDULE.

## HARBOUR MASTERS' FEES.

For every Service performed by a Harbour Master under this Act, a sum not exceeding *One Penny* per Ton of the Vessel in respect of which the Service is performed.

## PILOTAGE RATES.

For every Sailing Vessel, a sum not exceeding *Six Pence* per Ton Inwards, and the same sum Outwards.

For every Steam Vessel, a sum not exceeding *Four Pence* per Ton Inwards, and the same sum Outwards.

For every day that a Pilot is detained on board any Vessel whilst under Quarantine, or by any act of the Master, a sum not exceeding *Twenty Shillings* per day.

## LIGHT-HOUSE RATES.

For every Steam Vessel and for every Vessel employed in the Coasting Trade, on entering Inwards at the Customs of this Colony, *Four Pence* per Ton.

For every other Vessel entering Inwards at the Customs of this Colony, *Nine Pence* per Ton.

## WHARFAGE RATES.

	£	s.	d.
For every Tun Butt . . . . .	0	3	9
" Pipe or Puncheon . . . . .	0	2	0
" Hogshead . . . . .	0	1	6
" Barrel, Tierce, Quarter-cask or Octave . . . . .	0	1	0
" Case, Crate, Cask, Bale, Box, Trunk, Bag, or other large Package of Drapery, Ironmongery, Glassware, Earthenware, Stationery, or other Goods, Millstone, Bellows, or other bulky article . . . . .	0	2	0
" Chest of Tea, Case of Geneva or of Wine, or other Liquor in Bottle, small Case, Keg, Bag, or other small Package not otherwise enumerated . . . . .	0	0	9
" Half-chest or Box of Tea, Paint, Paint Oil, Turpentine, Varnish, or Spirits of Tar, in Keg, Case, Jar, or Bottle . . . . .	0	0	4
For Oars, Spades, Shovels, Forks, Frying-pans, or other similar articles, per dozen . . . . .	0	0	3
For every Bushel of Grain, Malt, or Pulse . . . . .	0	0	3
" Four-wheel Carriage . . . . .	2	0	0
" Two-wheel Carriage . . . . .	1	0	0
" Piano . . . . .	1	0	0
For Sugar, Coffee, Rice, Tallow, Potatoes, Flour, Meal, Salt, Cordage, Flax, Oakum, Iron, Steel, Lead, or other loose Metal, Machinery, and other heavy Goods not otherwise enumerated, per cwt. . . . .	0	0	4
" Coals, per ton . . . . .	0	2	0
" Brooms, Handles, Staves, Handspikes, Gun-stocks, and small Pieces of Shaped Wood, per score . . . . .	0	0	4
For every Table, Chest of Drawers, or Bureau . . . . .	0	2	0
" Chairs, or Tubs, each . . . . .	0	0	2
" Timber, per load of fifty cubic feet . . . . .	0	4	0

All articles for the use of her Majesty's Government, and all goods or merchandise the produce of this Colony, or of the fisheries thereof, as well as all oil and whalebone, landed in the Colony from any whaling vessel, to be exempt from wharfage.