



THE
NEW ZEALAND GAZETTE.

Published by Authority.

WELLINGTON, THURSDAY, OCTOBER 10, 1867.

G. GREY, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, the tenth day of October, 1867.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by "The Marine Act, 1867," it is enacted that it shall be lawful for the Governor in Council, from time to time, to make such Regulations as may be found necessary respecting the watering and ballasting and discharging of ballast of or from vessels, and respecting cargo and passenger vessels and boats, and to fix the fees to be paid for licenses to be issued for or in respect of cargo boats, ballast boats, tank boats, lighters, watermen's and other boats, and the fees for licenses to be paid by watermen, masters, boatmen, and others, employed in working or navigating the same:

Now therefore, His Excellency the Governor, with the advice and consent of the Executive Council of New Zealand, in pursuance and exercise of the above cited power and authority, doth hereby make the following Regulations as to ballast, ballasting, ballast lighters, and tank boats, and respecting cargo and passenger vessels and boats, for the Province of Otago; and doth order that the same shall come into operation and take effect from and after the twelfth day of October, one thousand eight hundred and sixty-seven.

REGULATIONS.

Ballast, Ballast Lighters, and Tank Boats.

1. No ballast, shingle, stone, or shells, or any part of the soil on public reserves, or below high water mark, shall be removed without the permission of the Harbour Master, or in the absence of the Harbour Master, of a Resident Magistrate, under a penalty of five pounds.

2. No rubbish or filth is to be landed or deposited on any lands belonging to the Crown, except in such places as the Harbour Master may point out, under a penalty of five pounds, to be paid by the person landing or depositing such rubbish or filth.

3. No ballast, rubbish, gravel, earth, stones, earthenware, glass, or filth, is to be thrown overboard from any vessel or boat within the harbour, but is to be landed and placed where the Harbour Master may direct; and no gravel, earth, stones, earthenware, glass bottles, filth, or rubbish, is to be placed by any other means at any place below the high water mark within the harbour; and proper tarpaulins are to be used in discharging or taking in ballast, coals, rubbish, gravel, earth, or filth of any kind, so as to prevent any part thereof falling into the harbour; and no ballast is to be taken on board or discharged from any vessel after sunset or before sunrise without permission, in writing, from the Harbour Master; and any person who shall offend against any of the provisions of this regulation shall be liable to a penalty not exceeding twenty pounds.

4. All ballast lighters must be licensed by the Superintendent, the license to be granted and be in force from the date of issue till the first of July then next ensuing. Every such license shall be numbered, and shall contain the name of the vessel for which the same is granted, and of the master and owner thereof, and shall be carried by the person in charge of such vessel, and, upon demand, produced to any person employing the same. All such lighters or boats employed in carrying ballast shall have the numbers of their respective licenses painted on both bows, and shall have a mark cut upon the stem and stern posts, showing the draught of water for every five tons weight they carry—such marks and corresponding draughts of water to be endorsed upon their licenses; and for every such license the person obtaining the same shall pay the sum of two guineas. Any person offending against

this regulation shall be liable to a penalty of ten pounds.

5. The head of the Harbour Department or any person authorized by him may at any time inspect or so measure any ballast lighter, or test the accuracy of such measurement, and appoint the time, place, and manner, when, where, and in which, such measurement or inspection shall be made; and any person failing to comply with any order of such authorized person shall be liable to a penalty not exceeding ten pounds.

6. The expense of measuring, remeasuring, and marking ballast lighters, shall be borne and paid by the owner or owners of such ballast lighters.

7. All water-tank boats must be licensed by the Superintendent, the license to be in force from the date of issue till the first of July then next ensuing. Every such license shall be numbered and contain the name of the vessel for which the same is granted, the master and owner thereof, and the number of gallons she carries when full; and for every such license the person obtaining the same shall pay one pound. Any person supplying water from, or plying with any water-tank boat without such license, or committing any offence against this regulation, shall be liable to pay a penalty not exceeding ten pounds.

Cargo and Passenger Vessels and Boats.

8. Every person who shall be in charge of any vessel whether propelled by steam or not, plying for hire in any port within the Province of Otago, shall obtain from the Superintendent a license to ply for hire, for which he shall pay the sum of two pounds two shillings. Such license when granted shall be in force from the date of issue till the first of July then next ensuing. Every such license shall be numbered, and contain the name of the person to whom the same is granted, and, upon demand, shall be produced to any person by whom he may be employed. Any person offending against this regulation shall be liable to a penalty of ten pounds.

9. Any licensed master found guilty of dishonest or improper conduct, or of using abusive or insulting language, shall be liable to be deprived of his license.

10. Every vessel or boat used for the purpose of carrying passengers or cargo for hire in any harbour or river in the Province of Otago, whether propelled by steam or not, and whether decked or undecked, shall be licensed for that purpose by the Superintendent of the said Province, and such license, being granted by the inspecting officer, shall be in force for six months from the date of issue; and a certificate of license shall be given to the owner of the boat upon his paying a half-yearly port charge not exceeding sixpence per register or measured ton of the burthen of such vessel or boat, and shall be produced for inspection when demanded by the Harbour Master or his deputy; and the name and number of the boat for which the certificate of license is issued, and the name of the owner and the quantity of cargo or number of passengers which the vessel or boat is licensed to carry shall be stated in the certificate, and shall be also legibly painted on some conspicuous part of the boat; and the owner of any boat which shall be used for carrying passengers or cargo for hire who shall not comply with the above regulation shall forfeit for every offence a sum not exceeding ten pounds.

11. All cargo boats shall be constructed with good and sufficient bulkheads, so that when the cargo hatches are ordered to be battened down and locked by the officer of customs or other officer authorized to order the same, all communication from the fore-castle, cabin, or deck, to the hold shall be completely stopped; and the master and owner of any such

cargo boat shall not receive a license until he shall have fitted such bulkheads to the satisfaction of the Harbour Master or other inspector duly authorized by the Superintendent to inspect such fittings; and if the bulkheads become out of repair, and the master or owner of such cargo boat fail to make such repairs as shall be satisfactory to the Harbour Master or other inspector as aforesaid, the license of the vessel may be cancelled or suspended by the Superintendent at his discretion.

12. The Harbour Master, or any person authorized by him, may at any time inspect any cargo or other boats, and if found to be not fully equipped with proper gear, and not in a seaworthy condition, or if found to be overloaded, the license of said vessel may be cancelled.

13. Every boatman not being in charge, but employed in any boat plying for hire, shall be licensed by the Superintendent of the Province, after having been examined by the Harbour Master, or other competent authority, and found by him to possess a competent knowledge of seamanship and of the management of a boat, and such license being granted by the inspecting officer, upon payment of a fee not exceeding one pound one shilling, shall be in force for one year from the date of issue, and every person plying for hire as a boatman without being so licensed shall forfeit a sum not exceeding five pounds.

14. Every boatman shall carry his license, which, together with a printed copy of the regulations, fares, and rates, he shall produce to any person by whom he may be employed, on their being demanded, or forfeit a sum not exceeding forty shillings.

15. Any licensed boatman found guilty of dishonest or improper conduct, or of using abusive or insulting language, or plying with a boat which the Harbour Master, or other duly authorized officer, shall consider to be not fully equipped with proper gear, and not in a seaworthy condition, shall be liable to be deprived of his license.

16. Any licensed boatman lending his license to any other person shall be liable to a penalty of forty shillings.

17. But any licensed boatman being in charge of or employed in any such boat who by sickness may be prevented from plying, may, on depositing with the Harbour Master a certificate from a duly qualified medical practitioner to that effect, together with his license, be permitted to nominate a substitute, and should the Harbour Master be satisfied of the efficiency of the said substitute, he may issue a certificate authorizing him to serve in the place of the licensed boatman who is disabled by sickness for a period not exceeding one month, and such certificate may from time to time be renewed during the illness of the said licensed boatman so long as his license shall be so deposited with the Harbour Master.

18. No boat shall be of less beam than four feet six inches. Boats under five feet beam shall be allowed to carry one person for every three feet in length; boats of five feet beam, and not less than five feet six inches beam, shall be allowed to carry one person for every two feet in length; and for every six inches of additional beam above five feet six inches, one person in addition may be carried for every two feet in length. The above numbers to include the crew of each boat.

19. Each boat shall carry eight pounds of luggage (if required) with every passenger, without extra charge, or one hundred-weight of luggage in lieu of every person less than the complement allowed.

20. Every licensed boatman who shall carry in any boat more passengers or cargo than the boat has been licensed to carry, shall be liable to a penalty of not less than three pounds nor more than twenty pounds, and any such boatman who shall demand more than

the proper fare, or who shall without sufficient reason refuse or neglect to employ his boat when required, shall be liable in a penalty not exceeding five pounds.

21. Any person desirous of returning by a boat which he had engaged may do so by paying half-fare, in which case he may detain the boat for fifteen minutes, and no longer, without incurring an extra charge, and any person detaining a boat over fifteen minutes shall pay one shilling, and an additional shilling for every quarter of an hour's detention.

22. Any crew consisting of four men, when required by any person or persons, shall be entitled to charge treble fare.

23. Whenever a blue flag is hoisted half-mast high at the Dunedin Jetty, Jetty Street, and at the flagstaff, Port Chalmers, one-half more than the regular fares may be charged, and a waterman will not then be required to carry passengers against his will, even at the advanced rate of fare. Between sunset and sunrise double fares may be charged.

24. The following are the ordinary fares authorized to be charged by licensed watermen:—

One shilling for the first quarter of a mile for each passenger, and sixpence for every additional quarter of a mile.

Each hundred-weight of luggage over the eight pounds authorized to be carried free being charged for as a passenger.

25. To prevent disputes, the distances between the points specified shall be reckoned according to the following

TABLE OF DISTANCES.

	Miles.
From Dunedin Jetty, Jetty Street,	
To Burn's Point, Anderson's Bay ...	1 $\frac{1}{4}$
" Pelichet Bay Jetty ...	1 $\frac{1}{4}$
" Red Beacon, Western Channel ...	2 $\frac{1}{2}$
" Burke's Brewery ...	4 $\frac{1}{2}$
" Arden Bay... ..	5 $\frac{3}{4}$
" Sawyer's Bay ...	7
" Half-way Island ...	8
" Port Chalmers ...	9
" Macandrew's Bend ...	4 $\frac{1}{2}$
From Port Chalmers	
To No. 4 Black Buoy... ..	0 $\frac{3}{4}$
" Taylor's Point ...	2 $\frac{3}{4}$
" Maori Village, Landing Place ...	5
" The Heads... ..	7
" Portobello ...	2 $\frac{1}{2}$

FORSTER GORING,
Clerk of the Executive Council.

