



THE
NEW ZEALAND GAZETTE.

Published by Authority.

WELLINGTON, THURSDAY, JUNE 25, 1868.

G. F. BOWEN, Governor.
ORDER IN COUNCIL.

At the Government House, at Wellington, this
twenty-fifth day of June, 1868.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

HIS Excellency the Governor, with the advice and consent of the Executive Council of New Zealand, and in pursuance and exercise of the powers and authorities in him vested by "The Marine Act, 1867," doth hereby make the following Harbour and Quarantine Regulations and Bye-laws for the several Ports and Harbours of the Colony of New Zealand (as defined in the interpretation clause of the said Act), and doth with the like advice and consent hereby order that the same shall come into operation and take effect from and after the first day of September, one thousand eight hundred and sixty-eight; and doth hereby with the like advice and consent, order, that from and after the said first day of September, one thousand eight hundred and sixty-eight, all Harbour and Quarantine Regulations, and all other Rules and Regulations, regarding the management of shipping, boats, piers, jetties, wharves, and docks, the removal and storing of gunpowder in harbours, the flags and other special signals to be displayed by, and used in communication with vessels entering, leaving, or being in any port or harbour, and the general regulation of traffic, and for the protection of life and property in the same, shall be cancelled and annulled; and with the like advice and consent doth hereby revoke and annul from and after the said first day of September, 1868, all delegations of the powers contained in the seventeenth section of "The Marine Act, 1867." Provided that all other powers delegated by the Governor under the provisions of "The Marine Act, 1867," in that behalf contained, and all bye-laws and regulations hitherto duly made and continued under the authority of the said Act, for fixing light dues, rates of pilotage, Harbour Master's fees, and other port charges, the fees for licenses to be paid for 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 engaged in working or navigating the same shall remain valid, unrevoked, uncancelled, and in full force, anything in this Order to the contrary notwithstanding.

HARBOUR AND QUARANTINE REGULATIONS FOR
THE PORTS OF NEW ZEALAND.

I.—LIMITATION OF REGULATIONS AND DEFINITION
OF TERMS.

1. Nothing contained in these regulations shall be deemed to apply to any ship, boat, or gunpowder, the property of Her Majesty, so long as the said gunpowder is in charge of officers in Her Majesty's service, or to any ship of war of any foreign nation, or to any gunpowder in charge of officers in the service of the Government of the Colony, and having charge thereof by virtue of their office.
2. The Resident Magistrate at or nearest to any port for which no Harbour Master or Deputy Harbour Master is appointed, may exercise all such powers as are hereinafter given to Port and Harbour Masters.
3. The Resident Magistrate at or nearest to any port for which no Health Officer or acting Health Officer is appointed, may exercise all such powers as are hereinafter given to Health Officers.
4. Where in these regulations the term "Superintendent of the Province" or "Superintendent" is used, it shall be held to mean the Superintendent of the Province in which the port, harbour, or place, in or with reference to which any act, matter, or thing is to be done by such Superintendent, is situate; and the terms "Superintendent" and "Superintendent of the Province" shall, when such port, harbour, or place is not situate within any Province, be deemed to mean such person as the Governor shall by warrant under his hand nominate and appoint to be the officer to perform for such port, harbour, or place, all such acts, matters, and things, as by these regulations may

be done or performed by a Superintendent within a Province; and where the term "Harbour Master" is used, it shall be held to mean the Port Officer, or Harbour Master, or the Chief Officer of the Harbour Department of any port by whatever title he is locally known, or if there be no such Port Officer, Harbour Master, or Chief Officer, or Assistant, or Deputy to any such officer, such term shall mean the Resident Magistrate at or nearest to such port; and where the term "lazaret" is used it shall be held to mean and include the whole of any land set apart by the Superintendent for the performance of quarantine by the passengers or crew of any vessel, together with all buildings erected on such land.

5. Where in any of these Regulations the term "Master," "Master of any vessel," or words to that effect are used, they shall be held to mean the master of any vessel to which the said regulation applies, or in the master's absence, or in the event of there being no master, they shall mean the acting master or other principal officer on board.

II.—PILOTS AND PILOTAGE.

6. The flag which must be carried at the mast or mainmast head of all vessels whose masters hold a certificate of exemption for any port, while entering the same, shall be a **WHITE FLAG** not less than six feet long and four feet broad.

7. When impracticable for pilots to cross any bar for the purpose of conducting vessels into or out of any harbour or river where there is a pilot establishment, the vessel shall be piloted through the navigable channel by means of shore signals.

8. Every pilot shall carry his license with him, and shall produce it to the master of any ship or vessel boarded by him on its being demanded, or be liable to a penalty not exceeding forty shillings.

9. Pilots shall offer their services to the inward bound vessel nearest to them having a pilot signal flying, unless another vessel shall be observed running into danger, in which case every exertion shall be made to board and assist the latter vessel, it being always understood that a preference shall be given to Her Majesty's ships, and mail packets regularly employed in the postal service, except in cases of urgency as aforesaid.

10. The master of any vessel employing other than a duly licensed pilot, if such shall have offered his services, shall be liable to a penalty not exceeding fifty pounds.

11. A copy of these Regulations shall be delivered by the boarding pilot or Harbour Master, to the master of any vessel entering any harbour, provided however that it shall not be necessary in any case to issue a second copy of the regulations to the master of the same vessel, unless on the demand of such master, and in such case only on the payment of a fee of two shillings and sixpence, to be accounted for by the Harbour Master or boarding officer.

12. Every master to whom a copy of the Harbour Regulations shall have been delivered, shall give on demand an acknowledgment thereof in writing to the Harbour Master or other officer delivering the said copy; and any Harbour Master or pilot failing to demand, or any master of a ship or vessel refusing on demand to give such acknowledgment, shall be liable to a penalty not exceeding five pounds.

13. When a pilot is detained on board a vessel longer than forty-eight hours, whether by stress of weather, quarantine, or otherwise, fifteen shillings per day, is to be paid in addition to the regular pilotage, for the first three days of such detention, and ten shillings per day as aforesaid for the remainder of such detention, so long as the pilot is absent from his station, and if the said pilot has been carried

to a distance the ship will be further liable for his travelling expenses in returning to his station.

14. The master of any vessel requiring a pilot to conduct her to sea, must make an application in writing, at least twenty-four hours previously, at the Harbour Master's office.

15. No pilot shall in any case conduct a vessel to sea until she has been regularly cleared at the Custom House, and in proof of this the master shall be bound to show his clearance to the pilot if asked, and no pilot shall be bound to take a vessel to sea without seeing such clearance.

16. No pilot shall be bound to take a vessel to sea on a Sunday.

17. In cases where it is necessary to tow a vessel under pilot charge, and the pilot boat's crew have that duty to perform, or be otherwise employed for the said vessel at the request of the master, the pilot shall have a right to make an extra charge to be agreed upon with the master of the vessel before commencing the towing or other service at a rate per man not exceeding the sum of five shillings for every tide during which they are so employed.

18. Each pilot shall be stationed at such place within the limits of his license as the Harbour Master may from time to time direct, and shall obey his instructions at all times, and no pilot shall absent himself from his station, unless on duty, without permission from the Harbour Master. For the purposes of this clause all Deputy Harbour Masters, keepers of signal stations, and other subordinate officers of the Harbour Department, shall be considered pilots.

19. Pilots shall duly train in the duties of a pilot any apprentice who may from time to time be appointed by the authorities in whom the appointment of pilots is vested.

20. Pilots shall by every means in their power aid and assist vessels in distress.

21. Vessels in distress, and whaling vessels putting into any port through stress of weather, or for water or provisions, or to refit, are to be exempt from all port dues and from pilotage, except where the services of a pilot are actually made use of.

22. Steam and sailing vessels from other Colonies, or from beyond seas, calling at more than one port in the Colony on any one voyage, shall be considered as coasters in calculating light-dues at every port of call after the first at which such dues are paid.

III.—HARBOUR REGULATIONS.

23. The master of every vessel entering any port, must as soon as it arrives within signalling distance of the signal station, hoist or cause to be hoisted the vessel's number or distinguishing flag, and keep the same flying till answered from the signal station.

24. Masters of all vessels having mails on board are, on approaching the anchorage, to hoist or cause to be hoisted Marryat's telegraph flag at the main, which flag must be kept up until the mails are taken out of the vessel.

25. The master of any vessel arriving at any New Zealand port shall, when entering, hoist or cause to be hoisted and keep flying the flags prescribed in the Quarantine Regulations.

26. The pilot, master, or other person in charge of any vessel entering, departing from, or within any port, shall by every means in his power consistent with the safety of such vessel, assist every duly authorized public officer in boarding or leaving such vessel, and no person on board of such vessel shall interfere with or obstruct any Government officer or pilot whilst carrying out his duties, and any person offending against this regulation shall be liable to a penalty not exceeding twenty pounds.

27. No waterman or other person in charge of any boat, steamer, or lighter, shall go alongside or otherwise communicate with, and no person shall go on board of, any vessel arriving in port, except officers on duty and persons who hold a written authority from the Superintendent until such vessel has been moored or secured by at least one anchor, and has been cleared by the Health Officer or the officer acting as such, nor shall any person quit any vessel so entering any port until she has been moored, and cleared by the Health Officer as aforesaid, and any person offending against this regulation shall be liable to a penalty not exceeding ten pounds.

28. All vessels must unshot their guns before entering any port or harbour, and no guns or firearms are to be discharged, or blue lights, rockets, or other combustibles burned or discharged from any ship, vessel, or boat, or within the limits of the harbour in the vicinity of the usual anchorage, unless permission in writing has been obtained from the Harbour Master, and except only when assistance is urgently required; and any person who shall offend against this regulation (including as well any sportsman or other person) shall be liable to a penalty not exceeding five pounds.

29. The master of every vessel shall anchor or moor where the Harbour Master or person deputed by him may direct, and he shall not unmoor or quit the anchorage until permission be given by the Harbour Master, and any master offending against this regulation shall be liable to a penalty not exceeding five pounds.

30. The master of any vessel who shall anchor in the fairway of any channel, or so as to obstruct the approach to any wharf, pier, or jetty, shall be liable to a penalty not exceeding fifty pounds.

31. All vessels moored or at anchor are to have both cables clear and in readiness to slack away when required, and in default thereof the master shall be liable to a penalty not exceeding ten pounds.

32. All vessels moored or anchored within the limits of any port are to have sufficient buoys and buoy-ropes to their anchors to show their position, but the said buoys and buoy-ropes shall be removed if so ordered by the Harbour Master, and all such vessels as aforesaid are to exhibit where it can best be seen, at a height not exceeding twenty feet above the hull, a bright light, from sunset to sunrise, and any master offending against any of the provisions of this regulation shall be liable to a penalty not exceeding twenty pounds.

33. All masters or other persons in charge of vessels are immediately to strike their topgallant yards and masts, to have their jib and spanker booms rigged close in, and moor or clear hawse, when called upon by the Harbour Master or his deputy or assistant to do so, and are generally to follow such directions as the state of the weather, the crowded condition of the port or river or other circumstances may render necessary or expedient in the judgment of the Harbour Master, with a view to the safety and interest of the whole shipping; and any master or other person offending against this regulation shall be liable to a penalty not exceeding ten pounds.

34. Any anchor, kedge, or cable slipped, cut, or parted from, must be weighed within twenty-four hours, or as soon thereafter as the Harbour Master may direct: Where a sufficient buoy with buoy-rope shall have been attached, the penalty for a breach of this regulation shall be a sum not exceeding twenty pounds; and where no buoy with buoy-rope shall have been attached, such penalty shall not exceed fifty pounds.

35. If said anchor, kedge, or cable be not weighed by the owner or master of the vessel from which the same has been slipped or cut or has parted within such

reasonable time as may be fixed by the Magistrate awarding the penalty aforesaid, at the time of hearing the information or complaint, it may be weighed by the Harbour Master at the risk and expense of the master or owner of said vessel.

36. After a vessel has been unloaded and sufficiently ballasted, it will be at the option of the Harbour Master to moor her out clear of the shipping to make room for vessels requiring berths to unload.

37. In the performance of any such service by the Harbour Master or his deputy, the master of the vessel and the crew thereof are required to give and afford to such Harbour Master or deputy all possible aid and assistance to effect the same; and in effecting any such service, or any other service in the execution of his duty, the Harbour Master or his deputy is empowered to make fast and attach any rope or other tackle to any other vessel, and if there is no crew on board of the vessel to be moved, 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 such vessel is not sufficient to enable the Harbour Master or his deputy to effect such removal, he is 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 or charges of the master or owner of such vessel, and such cost and charges such master or owner is required to pay to the Harbour Master or his deputy, to be accounted for to the proper authorities; and if any person, without the consent or authority of the Harbour Master or his deputy, cuts or casts off any such rope or tackle, so made fast and attached to any vessel as aforesaid or refuses to assist the Harbour Master or interferes with him in the performance of his duty or otherwise or in any other manner infringes this regulation, such person shall be liable to a penalty not exceeding twenty pounds.

38. Into vessels when discharged in whole or in part in open roadsteads, there shall be bound to be taken from day to day such quantity of ballast as shall suffice to keep them in fair sea-going trim, to the satisfaction of the Harbour Master, in case of their being compelled to put to sea; and any master neglecting to comply with this regulation shall for every such offence be liable to a penalty not exceeding twenty pounds.

39. The Harbour Master or any deputy of the Harbour Master, is empowered to take such means and to give such orders and directions as he may deem necessary for the purpose of preventing risk or accident, confusion or over-crowding of boats alongside of vessels, and any person wilfully disobeying any orders so given, shall be liable to a penalty not exceeding five pounds.

40. Any person obstructing or impeding the navigation of any channel, river, inlet, or creek, or obstructing any landing place, by any vessel, cable, boat, warp, or other article, shall be liable to a penalty not exceeding ten pounds; and in case such obstruction or impediment be not removed when ordered by the Harbour Master, or pilot, or any other lawfully appointed officer of the port, the Harbour Master or pilot, may remove, cast off or cut any such obstruction.

41. It shall be competent for the Harbour Master or a person deputed by him to order that any vessel, lighter, boat, or timber, be removed from any berth alongside any wharf, or from any anchorage to any part of the harbour, whenever such removal shall in his opinion be proper for the general accommodation of the shipping. And any person who shall fail to obey such order, or otherwise offend against this regulation, shall be liable to a penalty not exceeding ten pounds.

42. If any vessel or boat be sunk, stranded, or run on shore, or if any baulk of timber or other bulky article be in the water in any port or harbour, and if the master of such vessel, or owner or part owner, or charterer or hirer thereof, or the person who shall have been in charge of such vessel or boat at the time of the sinking, stranding, or running on shore thereof, or the owner of such timber or bulky article, or the person who placed put or threw such timber or bulky article in the water, or the master of the vessel or boat from which such timber or other article may have fallen into the water shall not clear the port or harbour of such vessel, timber, or article as the case may be, within such time as the Harbour Master or other officer of the port shall require, by notice in writing, every such person shall be liable to a penalty not exceeding fifty pounds; and every such person shall be liable to a further penalty not exceeding fifty pounds for every period of twenty-four hours after the expiration of the first twenty-four hours after the expiration of the time fixed in such notice, that he shall permit such vessel, boat, timber, or article to remain unremoved.

43. There must be at all times on board any vessel at anchor in any port, with the undermentioned exceptions, a sufficient number of men to perform any services required for the safety of such vessel, and the master or person in charge of any such vessel shall at all times in port, as well by day as by night, have at least one seaman in charge of the deck of such ship or vessel; and the person having such charge, and all persons having the charge of or being on board of any boat within any port, shall answer to the challenge of the water police, or other duly authorized public officer. Exceptions—Vessels laid up, coal hulks, ballast or other lighters, are exempt from this regulation but so long only as they are lying within such limits as the Harbour Master may authorize such exempted vessels to occupy. Any master or other person in charge of any vessel who shall offend against this regulation shall be liable to a penalty not exceeding twenty pounds.

44. Masters requiring to careen, heave down, or haul their vessels on shore for the purpose of inspection or repairs, must apply to the Harbour Master of the port for permission.

45. Accidents involving personal injury, loss of life or property, or loss or collision of vessels or boats, are to be reported in writing by the person in charge to the nearest Harbour Master and principal officer of Customs, as soon as possible.

46. In the event of the death of any person on board of any vessel in port, the master of such vessel is to cause the body to be buried on shore, previously reporting the particulars to the police.

47. Any person drowning any animal in the harbour and leaving the carcass therein, or throwing a dead animal into the harbour, or placing any dead animal below high water mark therein, shall be liable to a penalty not exceeding five pounds, and an additional penalty of one pound for every day during which any such animal remains in the harbour, or below high water mark, or unburied on the beach above high water mark: Provided that no such penalty and additional penalty shall together exceed the sum of twenty pounds for any one offence.

48. Any person removing shingle, stone, shells, or driftwood, or any part of the soil below high water mark, from any lands belonging to the Crown, without permission from the Harbour Master, shall be liable to a penalty not exceeding ten pounds; a rate of one shilling per ton may (at the discretion of the Superintendent) be charged for ballast removed by authority from within the limits of the Harbour.

49. 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.

50. No ballast, rubbish, gravel, earth, stones, earthenware, glass, or filth, is to be thrown overboard from any vessel or boat within any 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 high water mark within the harbour. 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. Any person who shall offend against any of the provisions of this regulation shall be liable to a penalty not exceeding twenty pounds.

51. No pitch, tar, resin, or other combustible matter, shall be lighted or heated on board of any vessel or boat while lying alongside or near any wharf or vessel in the harbour, nor shall any vessel be fumigated or smoked for the extermination of vermin, without permission in writing from the Harbour Master; and any person who shall offend against this regulation shall be liable to a penalty not exceeding twenty pounds, nor less than five pounds.

52. All complaints against any person connected with the Harbour Department must be made in writing to the Harbour Master.

IV.—WHARVES AND JETTIES.

53. The time allowed to vessels to occupy berths at quays, jetties, or wharves, for the purpose of discharging cargo shall be (exclusive of Sundays and holidays, and the day of removal):—

For ships under 100 tons	...	...	2 days
For ships from 100 to 150 tons	...	...	4 "
" " 150 to 200 tons	...	...	5 "
" " 200 to 250 tons	...	...	6 "
" " 250 to 300 tons	...	...	7 "

and so on at the rate of one day for every additional fifty tons register.

54. Ships discharging cargo at outside berths to be allowed two days for every one of the foregoing scale.

55. Cargo may, with the consent of the Harbour Master, be discharged from any ship lying outside, over and across the deck of any ship lying alongside any quay. Vessels taking in cargo to have an unoccupied berth, which is to be given up when required for any other purpose by the Harbour Master.

56. Tame cattle or thoroughbred stock imported for breeding purposes, may be landed or shipped on or from any wharf or jetty, subject to the approval of the Harbour or Pier Master, whose permission in writing must first be obtained, and who shall fix the time at which they must be landed or shipped. All other descriptions of cattle must be landed at such places and times as the Superintendent or other person appointed by him for that purpose, may from time to time direct, and any person landing or shipping cattle or other stock from or into any vessel or boat, except in accordance with this regulation, shall be liable to a penalty not exceeding twenty pounds.

57. The master of any vessel arriving at any wharf or jetty connected with any railway shall cause the discharge or loading of such vessel to be commenced and continued till completed by working at such hours as the person in charge of such wharf or jetty shall, with the approval of the Collector of Customs, direct, notwithstanding any clause in these regulations to the contrary.

58. In the event of there not being a sufficient number of hands on board any vessel loading or discharging at a pier or wharf where a steam crane

or other steam power is used, to keep such steam crane or other steam power working at fair and reasonable speed, it shall be competent for the person in charge of such pier or wharf to employ such number of additional hands on board such vessel as will keep the crane or other steam power going, and charge the expense so incurred against the master of such vessel, and such charge must be paid before clearance or receipt is given for cargo.

59. The masters of all vessels discharging or loading at any wharf or jetty, are held accountable for the proper slinging of all goods, and are responsible for any damage that may occur either from the breakage of slings or from the goods being imperfectly slung.

60. All goods landed on any quay, wharf, or jetty, or brought thereon for shipment, are to be placed as the Harbour Master or other authorized person may direct, and so as to keep all mooring posts or rings free, and all rail or tramways clear; and any person offending against this regulation shall be liable to a penalty not exceeding five pounds.

61. No timber, or any other article, shall be left on any public jetty, wharf, or landing place, for a longer period than twenty-four hours; and any person offending against this regulation shall be liable to a penalty not exceeding ten pounds; and it shall be lawful for the Harbour Master, when in his opinion the public convenience requires it, at any time during or after the expiration of such period, to cause such timber or other article immediately to be removed from any such jetty, wharf, or landing place, or approach thereto, to any place he may think proper, at the expense and risk of the owner, or his agent, or the person in charge of such timber or other article.

62. Before any vessel or boat is removed from any wharf or jetty, the master or other person in charge of the said vessel or boat shall cause all dirt or rubbish to be thoroughly cleared from that portion of the said wharf or jetty occupied by such vessel or boat, such dirt or rubbish to be deposited at such places as may be appointed by the Harbour Master. Breach or neglect of this regulation will subject the offender to a penalty not exceeding ten pounds.

63. No boat shall be made fast to any steps or landing place, or so near thereto as to obstruct the approach of other boats, or lie longer alongside than required for landing passengers, and any person offending against the provisions of this regulation shall be liable to a penalty not exceeding five pounds.

64. All boats alongside of vessels or jetties, or public landing places, shall give way to Government boats on duty, and any person offending against this regulation shall be liable to a penalty not exceeding five pounds.

65. Any person taking a cart or other vehicle on any wharf or jetty on which carts, vehicles, or horses are permitted by the Superintendent to be taken, shall walk at the head of and lead his horse or horses, and remain by the same so long as the vehicle is on the said wharf or jetty, and no person shall ride on horseback on any wharf or jetty, but shall dismount and lead his horse. Any person infringing this regulation, or taking any cart or other vehicle, or any horse, on any wharf or jetty on which they are not permitted by the Superintendent to be taken, shall for each offence be liable to a penalty not exceeding ten pounds.

66. All watermen, stevedores, porters, carters, or others engaged on any wharf or jetty shall be under the control of and obey the orders of the Harbour or Pier Master, and any person disobeying this regulation or making use of abusive or improper language on any wharf or jetty shall be liable to a penalty not exceeding five pounds.

V.—BALLAST LIGHTERS AND TANK BOATS.

67. All ballast lighters must be licensed by the Superintendent of the Province in which they are to ply, 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 ballast lighter, and produced upon demand to any person employing such lighter. 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. Any person supplying ballast from an unlicensed lighter or boat, or otherwise offending against this regulation, shall be liable to a penalty not exceeding ten pounds.

68. The Harbour Master or any person authorized by him may at any time inspect or 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 Harbour Master or authorized person shall be liable to a penalty not exceeding ten pounds.

69. The expense of measuring, remeasuring, and marking ballast lighters, shall be borne and paid by the owner or owners of such ballast lighters, and must be paid at the time of measuring or before delivery of the license, and no license is to be issued until such charges are paid.

70. All water-tank boats must be licensed by the Superintendent of the Province in which they are to ply, the license to be in force from the date of issue till the first day 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. 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 a penalty not exceeding ten pounds.

VI.—CARGO AND WATERMEN'S BOATS.

71. Every person who shall be in charge of any vessel or boat, whether decked or undecked, plying for hire in any part of the Colony, shall obtain from the Superintendent of the Province in which the said vessel or boat is intended to ply, a license to ply for hire. But a license shall not be issued to the master or person in charge of any such vessel or boat until he has been examined by the Harbour Master or other authorized examiner and has been found by him to possess a competent knowledge of the management of his craft. 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 plying for hire with any such vessel or boat as aforesaid, without being licensed under this regulation, shall be liable to a penalty not exceeding ten pounds.

72. Every person who wishes to ply as a waterman in any port, must make application in writing to the Superintendent of the Province for a license, such application to be countersigned by two respectable residents in the said port, who shall testify to the applicant's respectability. This application, if for

renewal of a license, must be sent in not less than fourteen days before the first of July in each year, but may be sent in at any time for a new license.

73. Every licensed waterman shall, in addition to his license, carry a printed copy of the watermen's regulations and a table of fares, any or all of which he shall produce to any person by whom he may be employed, on their being demanded, or be liable to a penalty not exceeding forty shillings.

74. Any master or waterman licensed under the provisions of clause 71 of these regulations, found guilty of dishonest or improper conduct, or of using abusive or insulting language, or of 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 on conviction thereof be liable to a penalty not exceeding five pounds and to have his license cancelled by order of the Justice or Justices before whom any such convictions shall have taken place.

75. Every licensed master or waterman as aforesaid, 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 two 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 to a penalty not exceeding five pounds.

76. Any licensed master or waterman lending his license to any other person, shall be liable to a penalty of forty shillings.

77. But any licensed master or waterman being in charge of any 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 person 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.

78. Every vessel or boat used for the purpose of carrying passengers or cargo for hire in any port, harbour, or river, in the Colony, shall be licensed for that purpose by the Superintendent of the Province, in which such vessel or boat is to ply; and such license being granted on the certificate of the inspecting officers, as hereinafter provided, shall be in force till the first of July next ensuing; and a certificate of license shall be given to the owner of the vessel or boat, and must at all times 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 vessel or boat which shall be used for carrying passengers or cargo for hire, who shall not comply with the above regulation shall for every offence be liable to a penalty not exceeding ten pounds.

79. Before a license is granted for any vessel or boat, as provided in the last preceding clause of these regulations she must be inspected by two or more competent persons appointed by the Superintendent, who will, on approval, grant a certificate as to her dimensions and the quantity of cargo, or the number of passengers she may be permitted to carry,

and such certificate must be produced on application for a license.

80. Notwithstanding any such license no vessel or boat can lighter cargo unless the Customs regulations in that behalf have been duly complied with.

81. When so ordered for any port by the Superintendent 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-cabin, cabin or deck to the hold shall be completely stopped; and in any such port no master or owner of any cargo boat shall 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, and the master or owner will become liable to the penalty imposed by clause 78 of these regulations should he carry cargo in any such boat whilst her license is thus cancelled or suspended.

82. The Harbour Master or any person authorized by him may at any time inspect any cargo or other boat, 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 boat may be cancelled.

83. Each boat which is licensed to carry passengers shall carry twenty pounds of luggage (if required) with every passenger, without extra charge, and the sum to be paid for all luggage beyond the weight above stated, shall be at the rate of one passenger fare for every one hundred and fifty pounds weight, but for every one hundred and fifty pounds weight of luggage so carried one passenger must be deducted from the number which such boat is licensed to carry.

84. The fares which licensed watermen will be allowed to charge will be fixed by the Superintendent of each Province for the several ports therein.

85. In those ports in which night watermen are required all regulations concerning them will be made by the Superintendent as aforesaid.

86. In those ports in which "watermen's houses" are provided they shall be set apart solely for the use of licensed watermen, and no other person will be permitted to occupy them. Should any person persist in doing so the watermen on duty shall report the same to the police, who will cause such intruders to be removed, and any person persisting in returning to such "watermen's houses," after being warned by the police shall be liable to a penalty not exceeding forty shillings.

VII.—GUNPOWDER.

87. All vessels arriving at any port or harbour of the Colony having gunpowder on board exceeding fifty pounds weight shall hoist a red flag at the main and remain at the regular "gunpowder anchorage" until such gunpowder be taken out of the vessel.

88. No gunpowder shall be landed or shipped at any port except at such places as may be from time to time appointed, and then only under the supervision of the Harbour Master or other duly authorized officer of the port.

89. No gunpowder shall be received on board of any vessel in excess of any quantity necessary to make up her store to fifty pounds, except at the usual gunpowder anchorage.

90. No gunpowder is to be either received or issued by the keeper of the magazine, except between the hours of seven in the morning and five in the afternoon.

91. The master of every vessel from which gunpowder has been landed shall cause the same to be conveyed to the magazine immediately after its being landed.

92. All gunpowder so landed must be packed in barrels, containing not more than one hundred weight, closely joined and hooped, without any iron about the packages, and so secured that no portion of the gunpowder be in danger of being scattered in carriage.

93. All boats used for the conveyance of gunpowder to or from vessels from or to the shore or other vessels are to be provided with tarpaulins, and to be properly housed over, and to have a red flag flying when powder is on board.

94. No fire or light, is to be burning on board of any vessel or boat during the time gunpowder is being discharged from or taken on board of such vessel or boat.

95. Any person offending against any provision of any of the foregoing regulations respecting vessels or boats having gunpowder on board and the landing and shipment of the same shall be liable to a penalty not exceeding fifty pounds for every such offence.

VIII.—REGULATIONS FOR PREVENTING COLLISIONS AND ACCIDENTS IN PORTS.

96. Every steam vessel when navigating any narrow channel, shall, whenever it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such steam ship.

97. Steamers must not attempt to cross any bar having a confined channel should another vessel or a steamer having a vessel in tow be passing in or out at the time.

98. When steamers, having vessels in tow, are steering opposite courses in a confined channel, the steamer bound down channel shall, before meeting the vessel coming up, slack her speed, when practicable, until the other has passed her.

99. Steamers at all times when under weigh must have, in addition to the helmsman, a responsible person on the bridge in charge of the vessel, and also a responsible person in charge of and attending to the engine. The utmost care must be taken by the person or persons in charge to prevent accidents to other vessels and boats.

100. Steamers shall not, except in cases of emergency, proceed at more than half speed within any port after dark, and, if entering or leaving after dark, must sound the steam-whistle constantly.

101. Steamers shall, on nearing any vessel aground, slack their speed until safely passed.

102. Steamers about to pass any dredging machine at work in any river, or channel, or any licensed ferry, or public work in progress, must slow their engines to less than half speed for at least one hundred yards before arriving abreast of the dredge, ferry, or work.

103. No lower square-sails shall be set on any steamer whilst navigating amongst the shipping in any port.

104. The master or any person having charge of any vessel which is being navigated within any of the ports or harbours of the Colony, who shall neglect to observe the foregoing rules laid down for preventing collisions or other accidents, or any of the "Regulations for preventing Collisions at Sea," made by Her Majesty's Order in Council, of the ninth January, 1863, in pursuance of an Act of the Imperial Parliament intituled "The Merchant Shipping Act Amendment Act, 1862," (which regulations are by "The Steam Navigation Act Amendment Act, 1867," legally in force in the Colony, and in all the ports, harbours, and inland waters thereof) shall, in addition to any liabilities

he may incur by so doing, be liable to a penalty not exceeding twenty pounds for every such offence.

IX.—SIGNALS TO BE USED AT ALL NEW ZEALAND PORTS.

105. From and after the first day of September, 1868, the following *general signals* are to be used at all New Zealand Ports, and any person failing to use the proper signal when required, or showing wrong or unauthorized signals, shall, in addition to any liabilities which he may incur by so doing, be liable to a penalty not exceeding fifty pounds. But nothing herein contained shall prevent the use, in cases not provided for in these regulations, of private or local signals, in addition to the general signals herein prescribed, if such local or private signals shall have been previously authorized in writing by the Colonial Marine Engineer.

Tidal Signals.

106.—Tidal signals are to consist of one, two, or three balls, of any color which can best be seen at any port, *arranged vertically.*

Flood Tide.—Two balls vertical at masthead, not less than six feet apart.

Last Quarter Flood.—Three balls vertical at masthead, with not less than six feet between each.

Ebb Tide.—One ball at masthead.

Bar or Danger Signals.

107. Bar signals will be distinguished by their being arranged *horizontally.*

Wait for High Water.—A ball at each yard arm and one on mast half the length of the yard below the yard.

Stand on, take the Bar.—Four balls horizontal on yard, two on each side of mast.

Bar dangerous.—Three balls horizontal on yard, two on any one side of mast and one on the other.

Put to Sea.—Two balls horizontal on yard, on either side of mast.

NOTE.—Semaphore arms are to be used for piloting vessels over all bars where a pilot establishment is maintained, when pilots are not put on board, and the vessel being piloted is to be steered in the direction towards which the semaphore arm is pointed. When the semaphore arm is dropped the vessel is to be kept steady as she goes.

Manukau Harbour having several channels, special regulations will be issued by the local authorities for the guidance of vessels frequenting that port, and strangers are cautioned against attempting to enter without a knowledge of these local regulations.

108. Signals to be made from vessels entering or in harbour as required:—

Exempt from pilotage.—White flag at the main.

Pilot required.—Union Jack at the fore.

Steam Tug required.—Telegraph flag at the peak.

Mails on board.—Marryat's telegraph flag at the main.

Health or Boarding Officer wanted.—No. 8 of Marryat's code at the main.

Gunpowder on board.—Red flag at the main.

Government emigrants on board.—Ensign at the mizen.

Medical assistance wanted.—Union Jack over Ensign at the peak.

Custom boat wanted.—Union Jack at the peak.

Clearing Officer wanted.—White flag at the fore.

Police wanted (by day).—Ensign at the main.

Police wanted (by night).—Two white lights vertical at the peak, or at the same height where they can be best seen, four feet apart.

109. In addition to the above, every Pilot Station is to be provided with a set of Marryat's signal flags, which will be used as required.

110. Night signals for open roadsteads, &c. :—

(a.) *From Shore.*

A boat will come off.—Two white lights vertical (as to a steamer coming in).

Boat cannot put off.—Two lights vertical, upper red, lower white.

Wait till daylight, boat will put off then, weather permitting.—Two lights vertical, upper white, lower red.

Keep to sea—put to sea.—Two white lights horizontal with a red light between them (to be used for vessels approaching or at anchor).

(b.) *From Vessel.*

Will wait till daylight.—Two lights vertical, upper white, lower red.

Cannot wait.—Two lights vertical, upper red, lower white.

Cannot keep to sea—cannot put to sea.—Two white lights horizontal with a green light between them.

Waterman's Signal.

111. A ball will be exhibited on a staff in some conspicuous place near the usual landing to signify when bad weather fares may be charged as per local regulations.

X.—QUARANTINE REGULATIONS.

112. There shall for every port be a Health Officer, who shall from time to time be appointed and be removable by the Superintendent.

113. There shall for every Port be a Board of Health, which shall consist of the Resident Magistrate of the Port, one or more Justices of the Peace, to be appointed by the Superintendent, the principal Officer of Customs at the Port, the Health Officer at the Port, and, if the Health Officer be not a medical practitioner, one or more legally qualified medical practitioners, to be appointed by the Superintendent. The Resident Magistrate shall be Chairman of the Board.

114. It shall be lawful for the Superintendent, upon the recommendation of the Board of Health, to appoint any station or place within any port or harbour for the performance of quarantine, where all vessels liable to quarantine, and the crews, passengers, and other persons on board thereof shall perform the same, and also, if necessary, to appoint lazarets and other places where the crews, passengers, and other persons, and the goods, wares, and merchandise which shall or may be on board the said vessels shall and may be detained, landed, and kept for the performance of quarantine. Provided that any quarantine ground or lazaret, heretofore legally appointed by the Governor or by any Superintendent, shall be deemed to have been appointed under these regulations.

115. The master of any vessel arriving from any port in the Australian Colonies or New Zealand which may at any time, by a notice in the *New Zealand Gazette*, be duly declared an infected port, and the master of every vessel arriving from any port whatsoever not within the Australian Colonies or New Zealand shall, on approaching any port in New Zealand, cause the Health Officer's flag (No. 8 of Marryat's code), to be hoisted at the mast or mainmast head of the said vessel, and shall keep the same flying until she has been communicated with by the Harbour Master, Pilot, or other officer of the port, after which, if the vessel be considered clean, the said flag may be hauled down. If any such vessel shall call at more than one New Zealand port the flag herein prescribed shall be hoisted on arrival at each port.

116. Should it be considered necessary by the Harbour Master, Pilot, or other officer as aforesaid, that such vessel shall be visited by the Health Officer, the master shall on being directed so to do, cause the vessel to be anchored in the quarantine ground appointed for the harbour, and shall hoist the quarantine (or yellow) flag as hereinafter appointed.

117. The master of every vessel so anchored is to deliver to the Harbour Master, Pilot, or other person duly authorized by the Superintendent to receive the same, his bill of health, manifest, log book, and journal, and he is to fill up a report in the form and manner pointed out in the Schedule annexed.

118. No person shall go on board any vessel whilst the yellow quarantine flag is flying, and before she has been visited by the Health Officer, and if any person shall offend against this regulation he shall, in addition to other penalties which he may thereby incur, be liable to be compelled to remain on board or in the lazaret until the vessel or her passengers and crew be duly admitted to pratique, should they be thereafter placed in quarantine; and no person shall assist any one on board to leave such vessel or in any way assist to remove any goods, packages, or baggage soever, before such vessel has been duly visited by the Health Officer.

119. The Health Officer shall immediately visit any vessel which has hoisted the yellow flag, and has been brought up in the quarantine ground, and if he shall find that any sickness of an infectious or contagious nature exists or shall then recently have existed on board of her, he shall declare the vessel to be in quarantine, and shall submit full information in regard thereto to the Board of Health. But should he be satisfied that the sickness is not of a contagious nature he may authorize the hauling down of the yellow flag, and the removal of the vessel to the ordinary mooring ground.

120. The master of every vessel in quarantine is to hoist at the main a yellow flag of not less than six breadths of bunting by day, and a white light by night in an ordinary globe lantern not less than eight inches in diameter, and to keep the same respectively hoisted until released from quarantine. The said lantern at the main to be in addition to the usual anchor light provided for in the preceding regulations.

121. The master of every vessel in quarantine shall not either himself quit, or permit any seaman, passenger, or other person to quit the same until duly admitted to pratique, except by special authority from the Board of Health.

122. No seaman, passenger, or other person shall quit any vessel in quarantine or any lazaret to which he may have been removed from a vessel in quarantine, until admitted to pratique.

123. No master of any vessel in quarantine shall suffer any goods, wares, or merchandise, packets, package, baggage, books, letters or other articles, to be unshipped or landed from such vessel.

124. No person shall remove or aid and assist in removing from any vessel in quarantine or from any lazaret in which any persons are performing quarantine, any goods, wares, merchandise, packets, packages, baggage, books, letters or other articles or any of them.

125. No person shall knowingly receive any goods, wares, or merchandise, packets, package, baggage, books, or letters, or any other article whatever, from any vessel in quarantine or from any lazaret in which persons are performing quarantine.

126. No person without the authority of the Board of Health shall go within the limits of the quarantine station, when any vessel shall be then at anchor performing quarantine, or within the limits of any lazaret while the same is occupied by persons

performing quarantine, and any person offending against this regulation shall, in addition to any other penalties to which he may be liable, be liable to be detained and kept in quarantine as if he were himself subject to quarantine.

127. If any officer, or person entrusted with orders respecting quarantine, shall in any way neglect his duty, he shall be deemed guilty of an offence against these regulations.

128. If any person shall, contrary to the provisions of these regulations, quit any vessel in quarantine or any lazaret in which he may be performing quarantine, or go within the limits of any quarantine station or lazaret while the same is occupied by persons performing quarantine, and thereafter quit the same, it shall be lawful for any Peace Officer or Constable to apprehend him and carry him before a Justice of the Peace, who may, if he shall think fit, grant his warrant for conveying such person back to the vessel, quarantine station, or lazaret, which he shall have left, there to remain in quarantine, until admitted to pratique.

129. The Board of Health, or a majority of the members thereof, shall have authority to detain any such vessel as aforesaid in quarantine or the crew or passengers thereof in lazaret until every symptom of any infectious or contagious disease as aforesaid shall have disappeared, and until sufficient time to prevent the spread of such disease shall in the opinion of the Board have elapsed since the last case disappeared, and thereupon to release such vessel, passengers or crew from quarantine and admit the same to pratique.

130. The Board of Health shall have power to prescribe all measures necessary for cleansing, purifying, and disinfecting any vessel in quarantine, and the passengers and crew thereof, and the goods, wares, and merchandise therein, and, if necessary, to order the destruction of any clothing or materials which cannot be cleansed, purified, or disinfected.

131. During the detention of the crew or passengers of any vessel in quarantine, whether on board or on shore, the master of such vessel shall provide and supply provisions for the said crew and passengers on the same scale as during the voyage.

132. During the period any vessel may be in quarantine, the Health Officer and one or more other members of the Board of Health shall visit her alongside from time to time, and institute such regulations as the nature of the case may demand, and the master or commander shall carry such regulations into effect.

NOTE.—Any person offending against the provisions of any of these Regulations for the breach of which

no penalty is specifically provided is subject by "The Marine Act, 1867," to a penalty not exceeding fifty pounds.

Schedule.

1. What is the tonnage of the vessel and her name?

Answer.

2. What is the master's name, and are you the master?

Answer.

3. From whence do you come, and when did you sail?

Answer.

4. At what ports have you touched on your passage?

Answer.

5. What vessels have you had intercourse or communication with on your passage, and from whence did they come?

Answer.

6. Have you any, and what, bills of health?

Answer.

7. Did the cholera or any other highly infectious and dangerous disease prevail at the place from which you have sailed, or at any of the places at which you have touched, or on board of any vessel with which you have had communication? If so state when and where?

Answer.

8. In the course of your voyage, have any persons on board suffered from sickness of any kind; what was the nature of such sickness; and when did it prevail. How many persons were affected by it; and have any of them died in the course of the voyage?

Answer.

9. What number of officers, mariners, and passengers have you on board?

Answer.

10. What was the whole number of persons on board your vessel when you sailed?

Answer.

11. What is the whole number of persons now ill on board your vessel?

Answer.

12. If there be no sickness now on board, when did the last attack of disease appear, and when did it entirely disappear?

Answer.

FORSTER GORING,
Clerk of the Executive Council.

