

No. VI.

HARBOURS.

An Act for the better preservation of the Ports Harbours Havens Roadsteads Channels Navigable Creeks and Rivers in New South Wales and the better regulation of Shipping in the same. [31st August, 1832.]

Preamble.

6 Geo. IV. No. 10.

Repealed.

Ballast rubbish &c.
not to be thrown or
unladen from any
vessel except on dry
land.

WHEREAS the laws for the regulation of shipping in the harbours of New South Wales require amendment and it has become expedient with this view to repeal an Act of the Governor with the advice of the Council passed in the sixth year of His late Majesty King George the Fourth intituled "*An Act for the regulation of Shipping in the Harbours of New South Wales and Van Diemen's Land respectively*" so far as the same relates to New South Wales and to make other regulations and provisions in lieu thereof for the better preservation of the ports harbours havens roadsteads channels and navigable creeks and rivers in New South Wales Be it therefore enacted by His Excellency the Governor with the advice of the Legislative Council That from and after the first day of October one thousand eight hundred and thirty-two the said recited Act shall be and the same is hereby repealed so far as the same relates to the harbours of New South Wales.

2. And be it further enacted That if at any time from and after the said first day of October one thousand eight hundred and thirty-two the master or any other person belonging to any ship boat or vessel of any description whatever shall discharge throw out or unlade or if at any time from and after the day aforesaid there shall be discharged thrown out or unladen from and out of any ship boat or other vessel whatsoever being or riding within any port harbour haven roadstead channel or navigable creek or river within the Colony of New South Wales or its Dependencies any ballast rubbish gravel earth stone wreck or filth excepting only upon the land where the tide or water never flows or runs the master or other person commanding such ship

Harbours.

ship boat or other vessel shall forfeit and pay a sum not less than five pounds nor more than ten pounds to be recovered before any one or more Justice or Justices as hereinafter mentioned.

3. And be it further enacted That if any ballast rubbish gravel earth stone wreck or filth be landed from any ship boat or other vessel upon any public pier quay or other place used for the landing of goods or passengers or on any place on which ballast rubbish gravel earth stone wreck or filth shall by a public notice be prohibited to be laid and the same shall not be removed to the place or places specially appointed for the depository thereof within twenty-four hours after the same shall have been landed then and in every such case the master or other person commanding the ship boat or other vessel from which such ballast rubbish gravel earth stone wreck or filth shall have been landed shall forfeit and pay for every such offence any sum not less than one pound nor more than five pounds to be recovered before any one or more Justice or Justices as hereinafter mentioned.

Ballast rubbish &c. not to be landed on any public pier or quay.

Penalty.

4. And be it further enacted That in the taking of ballast into any ship or vessel barge boat or other craft and also in the discharging of the same from any ship or vessel into any barge boat or other craft every such ship or vessel barge boat or other craft shall be provided with and shall make use of one or more tarpaulin or tarpaulins properly stretched and spread in order to prevent such ballast or any part thereof from falling into the sea or into any port harbour haven channel or navigable creek or river and in case any person or persons shall either take any ballast into any ship or vessel barge boat or other craft or shall discharge the same from any ship or vessel into any barge boat or other craft without using such sufficient tarpaulin or tarpaulins properly stretched and spread in order to prevent such ballast or any part thereof from falling into the sea or into any such port harbour haven channel or navigable creek or river all and every person or persons offending therein shall for every such offence forfeit and pay the sum of five pounds to be recovered before any one or more Justice or Justices as hereinafter mentioned.

Tarpaulins to be used in taking in and discharging ballast.

Penalty

5. And be it further enacted That if any ship or other vessel shall after the said first day of October one thousand eight hundred and thirty-two be sunk stranded or run on shore in any port harbour haven roadstead channel creek or navigable river within the said Colony or its Dependencies or having been previously sunk shall be permitted to remain so sunk and the owner or owners or some other person or persons having or pretending to have any property therein or the command thereof shall not clear such port harbour haven roadstead channel creek or navigable river of such ship or vessel and of all wreck and parts of the same within one calendar month after such owner or owners or other person shall be required so to do by a notice under the hand of the Harbour Master where there shall be one appointed or of any one Justice of the Peace or shall not appear and give security to the satisfaction of such Harbour Master or Justice for the removal of such ship or vessel and of all wreck and parts of the same within such other reasonable time as the said Justice or Harbour Master shall appoint then and in every such case it shall and may be lawful for any two Justices of the Peace and they are hereby authorized and required upon the complaint of the said Harbour Master Justice or other person to issue their warrant for seizing and removing such ship or vessel and also the rigging and tackle thereof in such manner as such Justices shall order and direct and for causing the same to be sold and with or out of the money arising from such sale to pay the charges and expenses of clearing the port harbour haven roadstead channel creek or river where such ship or vessel shall

Vessels sunk or stranded

to be removed within one month.

In default to be removed and sold.

Harbours.

lie and also the charges and expenses of seizing removing and selling such ship or vessel rigging or tackle paying the overplus if any to the Treasurer of the said Colony and if the money arising from such sale shall not be sufficient to defray the charges and expenses of seizing removing and selling such ship or vessel the excess of such charges and expenses beyond the amount of the money arising from such sale shall be chargeable to and against the owner or owners of such ship or vessel and if not paid within five days after having been demanded by authority of such Justices shall be levied and recovered as hereinafter mentioned.

Trees in or over navigable rivers or creeks to be removed.

6. And be it further enacted That if after the passing of this Act any tree or trees be felled on the bank of any navigable river or creek so that any part of such tree or trees shall be in or over the water or within high-water mark and the same be not removed within ten days after having been so felled the owner or occupier of the land from which such tree or trees shall be cut shall forfeit and pay the sum of ten shillings for every tree so cut and not removed to be recovered before any one or more Justice or Justices in manner hereinafter directed.

Timber or other bulky articles not to be left on any pier.

7. And be it further enacted That if any timber or other bulky article be left on any public pier or quay for more than two days so as to interrupt or hinder the free use thereof it shall be lawful for any two Justices of the Peace and they are hereby authorized and required to issue their warrant for seizing and removing such timber or other article and for selling the same and with or out of the money arising from such sale to pay the charges and expenses of such seizure removal and sale paying the overplus if any to the Treasurer of the Colony Provided always That twenty-four hours' notice in writing to remove such articles signed by the Harbour Master Officer of Customs Wharfinger or any one Justice of the Peace be given to the owner proprietor or person having charge of such timber or other article before such seizure or sale shall take place.

Penalty for persons wilfully injuring beacons or sea marks.

8. And be it further enacted That if any person shall remove or wilfully injure or destroy any buoy beacon or sea mark used for the convenience of navigation or for the preservation of vessels every such person shall on conviction before any two or more of His Majesty's Justices of the Peace for the said Colony be liable to forfeit and pay any sum not less than ten pounds nor more than fifty pounds.

Masters of vessels to furnish particulars of ship's crew passengers &c.

9. And be it further enacted That every ship or vessel arriving at any port or harbour in the Colony from parts beyond the seas shall be boarded by an Officer of Customs to whom the master or commander shall furnish such particulars of his voyage the ship's crew and passengers and shall deliver such documents in his possession respecting the same as shall be required of him and the said Officer of Customs shall deliver to the master or commander for his guidance a printed Abstract of this Act or Ordinance together with a printed copy of the Regulations in the Schedule hereunto annexed marked with the letter A.

Penalty for masters or commanders for non-observance of Port Regulations.

10. And be it further enacted That if the master or other person commanding any ship or vessel in Port Jackson shall in any case fail or neglect to observe all the Regulations contained in the Schedule hereunto annexed or any part thereof or shall do or commit any thing contrary to the true and plain meaning of any of the said regulations such master or other person so offending shall for every such offence forfeit and pay the sum of five pounds except in the case of a breach of the Regulation number one to be recovered as hereinafter mentioned.

All letters parcels &c. to be delivered up to the boarding officer.

11. And be it further enacted That the master or commander of any ship or vessel arriving at any of the said ports or harbours shall deliver up to the Officer of Customs or other person duly authorized all

Harbours.

all public despatches letters and parcels addressed to the Governor or any Public Officer of the Government Post Office mails and letters whether the same be in parcels or loose upon such boarding officer or other authorized person signing a receipt for the same and the master or commander of such ship or vessel shall repair to the Post-office so soon after his arrival as shall be practicable and shall there subscribe the declaration required by a certain Act of Parliament passed in the fifty-fifth year of the reign of His late Majesty King George the Third intituled "*An Act for granting certain Rates on the Postage of Letters to and from Great Britain the Cape of Good Hope the Mauritius and the East Indies and for making certain Regulations respecting the Postage of Ship Letters and of Letters in Great Britain*" of his having duly delivered all such despatches letters parcels and Post-office mails as aforesaid intrusted to his charge which declaration shall be produced by the said master at the Custom-house before making his report at that place and any master or commander failing or neglecting so to do shall forfeit and pay the sum of fifty pounds to be recovered in the manner hereinafter directed.

12. And be it further enacted That it shall be lawful for the Governor of New South Wales to grant licenses to persons duly qualified to act as pilots for any of the ports and harbours of New South Wales and that every license so granted shall contain the name age stature complexion and place of abode of every such pilot and shall further certify for what port he is duly qualified to act as pilot. Pilots to be licensed.

13. And be it further enacted That from and after the passing of this Act the master or other person in command of every ship or vessel not being a coasting vessel arriving from parts beyond the sea at or off any port or harbour in New South Wales wherein any pilot shall have been appointed for the purpose of entering any of the said ports or harbours shall deliver and give in charge such ship or vessel to the pilot who shall first board or go alongside of such ship or vessel in order to conduct the same into port and such pilot shall if required by such master or commander produce his license to act as pilot as hereinbefore mentioned and no master or commander of any such ship or vessel shall proceed to sea from any of the said ports or harbours or quit his station or anchorage in any of the same in order to proceed to sea without receiving on board some pilot appointed as aforesaid to conduct the said ship or vessel to sea and if any ship or vessel shall enter any of the said ports or harbours or shall attempt to proceed to sea without receiving on board thereof some pilot as aforesaid the master or person in command thereof shall forfeit and pay a fine equal in amount to such sum as the pilotage of such ship or vessel would have amounted to if a pilot had been received on board. All vessels arriving and departing shall receive pilots
on penalty equal to amount of pilotage.

14. And be it further enacted That the rates and charges of pilotage on ships or vessels into and out of any such port or harbour from or to a distance of two leagues out at sea shall be the same as are respectively inserted described and set forth in figures in the Table to this Act annexed marked with the letter B Provided always that no pilotage shall be charged for any ship or vessel registered in Sydney or any steam vessel while respectively employed in the coasting trade from any port of New South Wales to another unless the master or commander of such ship or vessel shall require and receive the assistance of a pilot. Charges of pilotage.
Proviso.

15. And be it further enacted That no pilot as aforesaid shall be in anywise bound to conduct any ship or vessel to sea until the full amount of the outward pilotage of such ship or vessel shall be first paid or secured to be paid to the satisfaction of such pilot. Pilots not bound to conduct vessels out until pilotage be paid.

Harbours.

Pilots detained on board ship forty-eight hours to receive 8s. per day.

16. And be it further enacted That every pilot in charge of any ship or vessel in or entering or proceeding from any such port who shall remain on board any such ship or vessel for a period exceeding forty-eight hours either on account of stress of weather or under quarantine shall be entitled to demand and receive over and above the amount of pilotage charged under the regulations hereinbefore mentioned the sum of eight shillings for each and every day he shall so remain on board such ship or vessel.

Penalty for pilots neglecting or refusing to take charge of vessels.

17. And be it further enacted That every pilot licensed by virtue of this Act or Ordinance who shall refuse neglect or delay to take charge of any ship or vessel unless upon good and sufficient cause to justify such refusal neglect or delay or who shall quit any such ship or vessel or decline the piloting thereof after he has been engaged or before the service shall have been performed for which he was hired or shall by drunkenness render himself incapable of conducting any ship or vessel or do any injury to the same or to the tackle or furniture thereof shall on conviction before any two or more Justices of the Peace forfeit any sum not exceeding twenty pounds.

Duties of the Harbour Master.

18. And be it further enacted That whenever any ship or vessel not being a ship or vessel registered in Sydney and employed in the coasting trade from one port of New South Wales to another shall arrive within any of the said ports or harbours the Harbour Master of the port where such ship or vessel shall arrive shall with due diligence repair on board such ship or vessel and shall appoint the place where every such ship or vessel shall cast anchor and as often as the master or commander of any such ship or vessel shall be desirous of removing the same from one place of mooring or anchorage to another such master or commander shall notify to the Harbour Master his desire and the said Harbour Master shall with all convenient speed go on board of such ship or vessel and unless he see good and sufficient reason to the contrary shall direct the removal thereof and for every such service so performed such Harbour Master shall be entitled to receive the several fees and charges as the same are respectively inserted described and set forth in figures in the Table to this Act annexed marked with the letter C and the amount which shall be so collected by the said Harbour Master shall be paid by him into the hands of the Colonial Treasurer to be applied as hereinafter is directed.

Harbour Master's fees.

Rates for water.

19. And be it further enacted That the masters or commanders of all ships and vessels who shall take water from the pipes conveying the same to the Dock-Yard in Sydney shall pay for the same into the hands of the Harbour Master after the rate of one shilling per ton and that no ship or vessel shall be cleared out at the Custom House until a certificate under the hand of the Harbour Master be produced to shew that the water taken has been fully paid for.

Entry and clearance fees.

20. And be it further enacted That the master or commander of every ship or vessel arriving at or departing from the harbour of Port Jackson or any other port or harbour in the said Colony where an Officer of Customs may be stationed shall pay into the hands of the Collector or other Officer of Customs as aforesaid the several charges for entry inwards and clearance outwards of every ship or vessel as the same are respectively inserted described and set forth in figures in the Table to this Act annexed marked with the letter D and all sums of money which shall be so received shall be paid without any deduction whatever to the Colonial Treasurer to be applied as hereinafter is directed Provided always that all vessels duly registered in the port of Sydney and not exceeding fifty tons shall while employed in the coasting trade from one port of New South

Proviso exempting Colonial coasting vessels under 50 tons from port dues.

Wales

Harbours.

Wales to another be exempted from the payment of all fees and port dues of every description.

21. And be it further enacted That the master or commander of every ship or vessel above the burden of fifty tons which shall arrive or come within the Heads of Port Jackson shall pay into the hands of the Collector of Customs or his deputy towards the maintenance of the Light-house at the entrance of the said port the several dues as the same are respectively inserted described and set forth in figures in the Table to this Act annexed marked with the letter E and all sums of money which shall be so received by the Collector of Customs or his deputy shall be paid without any deduction whatsoever to the Colonial Treasurer for the maintenance of the said Light-house.

22. And be it further enacted That the several rates and charges for wharfage on goods merchandise and packages landed at the King's Wharf Sydney shall be paid into the hands of the Collector of Customs or his deputy as the same are respectively inserted described and set forth in figures in the Table to this Act annexed marked with the letter F and the said Collector of Customs or his deputy shall pay over the amount so received by him to the Colonial Treasurer to be applied as hereinafter is directed.

23. And be it further enacted That any person except the Pilot Custom-house Officer or Harbour Master or such other person as shall or may be specially authorized by the Governor who shall upon any account or pretence whatever go on board or alongside of any ship or vessel arriving at any of the said ports or harbours with convicts before all such convicts shall have been discharged and landed from and out of such ship or vessel shall forfeit and pay a sum not less than two pounds nor more than ten pounds to be recovered as hereinafter directed.

24. And in order to prevent any ships or vessels lying in any of the said ports harbours havens roadsteads channels creeks or rivers of the said Colony from being piratically seized by convicts be it further enacted That all masters or commanders of ships or vessels so lying as aforesaid shall cause a sufficient watch or guard to be kept on deck both by day and night of not less than two men if the ship or vessel shall exceed the burthen of one hundred tons measurement or of one man if the ship or vessel be of less tonnage or shall forfeit and pay for every neglect in so doing a penalty of five pounds to be recovered as hereinafter directed.

25. And be it further enacted That if any person in charge of any ship boat or other vessel in any of the said ports harbours havens roadsteads channels creeks or rivers shall not answer to the challenge of any Officer of the Customs sentry or other person acting in the discharge of his duty such person in charge as aforesaid shall forfeit and pay the sum of twenty shillings to be recovered as hereinafter directed.

26. And in order to prevent the escape of convicts from the said Colony be it further enacted That the master of every ship or vessel about to leave any of the ports or harbours of the Colony shall at the time of clearing out at the Custom-house deliver to the Collector or Controller of Customs a statement or list containing the names of the officers crew and passengers intending to leave the Colony in the same ship or vessel which list is to be attached to the clearance of the said ship or vessel And it shall and may be lawful for the clearing Officer or any other Officer of Customs and his assistants to search every such ship or vessel and to detain any person or persons found on board the same whose name or names shall not be contained in the said list and to cause him or them to be brought on shore or otherwise detained as circumstances may require and if the master or commander of any ship or vessel shall permit any person to embark on board

his

Harbours.

his ship or vessel whose name has not been entered in the list delivered to the Collector or Controller of Customs as aforesaid every such master or commander shall forfeit and pay the sum of ten pounds to be recovered as hereinafter directed.

Penalty for resisting.

27. And be it further enacted That if any person shall resist the master or other person commanding any ship or vessel or any Officer of Customs or his assistants in his or their endeavours to search for or secure a convict on board such ship or vessel or shall aid or assist in the release of any convict who may be discovered and apprehended on board the same every such person so resisting shall be deemed guilty of felony and being convicted thereof shall be transported for seven years.

No boats to be towed by a vessel when under weigh.

28. And be it further enacted That no boat excepting such boat as shall belong to such ship or vessel shall be towed or kept alongside of any ship or vessel whilst under weigh proceeding from any of the said ports or harbours without the permission of the Harbour Master Officer of Customs or Pilot on board And in case any person shall act contrary to this regulation and shall not remove his boat from such ship or vessel upon being required so to do by such Harbour Master Officer of Customs or Pilot every person so offending shall for every such offence forfeit and pay the sum of ten pounds to be recovered as hereinafter directed.

Watermen taking any convict on board of any ship about to sail to be fined

29. And be it further enacted That if any waterman or other person shall at any time convey by a boat or otherwise to any ship or vessel about to sail from any port or harbour in the said Colony any convict or person under sentence of transportation knowing him or her to be such every such waterman so offending shall forfeit and pay the sum of fifty pounds and if any such waterman or other person shall between the hours of sun-set and sun-rise take or convey any person whomsoever by a boat or otherwise to any ship or vessel about to sail from any port or harbour in the said Colony and shall fail to report the same immediately to the master or mate of such ship or vessel such waterman or other person shall for every such offence forfeit and pay a sum not less than twenty nor more than fifty pounds to be recovered as hereinafter mentioned one moiety whereof to be paid to the informer and if such waterman or other person so offending be a transported felon or offender he shall be liable upon conviction before any two Justices of the Peace to be sentenced to hard labor in irons on the roads or public works of the Colony for the period of two years.

and to report to the master any person whom they may take on board between sun-set and sun-rise.

If the waterman be a convict to be otherwise punished.

Penalty on masters of vessels not delivering up convicts knowing them to be concealed on board.

30. And be it further enacted That if any master or other person commanding any ship or vessel shall know that any convict is concealed on board such ship or vessel and shall not immediately deliver every such convict so concealed into the charge of a Peace Officer or the Principal Superintendent of Convicts for the time-being such master or other person commanding such ship or vessel shall be and be deemed and taken to be guilty of a misdemeanor and shall be subject and liable to all such and the like pains and penalties as persons contriving aiding abetting or assisting in the escape or intended escape of convicts from the said Colony are subject and liable by law.

Punishment of convicts found on board vessels with intent to escape or without lawful authority.

31. And be it further enacted That any convict found on board a ship or vessel about to leave the Colony with intent to escape therefrom shall be guilty of a misdemeanor and on conviction before any Court of General Quarter Sessions shall be transported to a penal settlement for fourteen years and any convict found on board any ship or vessel without lawful authority shall be liable on conviction before any two or more Justices of the Peace to be kept to labor in irons on the roads or public works of the Colony for twelve calendar months.

Harbours.

32. And be it further enacted That all fines and forfeitures Recovery of penalties. incurred under and by virtue of this Act which are not specially directed to be sued for in the Supreme Court or to be recovered before one Justice of the Peace shall be recoverable upon conviction in a summary way before any two or more Justices of the Peace of the Colony and if any such fines and forfeitures shall not be paid within seven days after such conviction as aforesaid it shall and may be lawful for the Justice or Justices as the case may be to issue his or their warrant to levy such fines and forfeitures together with the expenses of the conviction upon the goods and chattels of the party or parties against whom such conviction shall be obtained as aforesaid and in default of such goods and chattels the Justice or Justices may cause the body or bodies of the said party or parties to be arrested and committed to prison there to remain for six calendar months unless such fines and forfeitures with the expenses of conviction shall be sooner paid.

33. And be it further enacted That if any person not being a Appeal to Quarter Sessions. transported felon or offender convicted of any offence or offences punishable by this Act before any one or more Justice or Justices of the Peace as aforesaid shall think himself or herself aggrieved by the judgment of such Justice or Justices such person shall have liberty to appeal from any such conviction to the next Court of Quarter Sessions of the Peace which shall be held nearest to the place where such offence shall have been committed and that the execution of every judgment so appealed from shall be suspended in case the person so convicted shall with two sufficient sureties immediately before such Justice or Justices enter into a bond or recognizance to His Majesty His Heirs and Successors in the penal sum of double the amount of the penalty so incurred or forfeited which bond or recognizance respectively such Justice or Justices is and are hereby authorized and required to take and such bond or recognizance shall be conditioned to prosecute such appeal with effect and to be forthcoming to abide the judgment and determination of the said Court of Quarter Sessions and to pay such costs as the said Court shall award on such occasion and the Justices at the said Court of Quarter Sessions are hereby authorized and required to hear and determine the matter of the said appeal and to award such costs as to them shall appear just and reasonable to be paid by either party and such decision shall be final between the said parties to all intents and purposes.

34. And be it further enacted That no conviction before any No conviction to be quashed for informality. Justice or Justices under this Act nor any adjudication made on appeal therefrom shall be quashed for want of form or be removed by writ of *certiorari* or otherwise into the Supreme Court and no warrant or commitment shall be held void by reason of any defect therein provided it be therein alleged that the party has been convicted and that there be good and valid conviction to sustain the same.

35. And be it further enacted That if any action or suit shall Actions to be commenced within three months. be commenced against any person or persons for any thing done in pursuance of this Act then and in every such case such action or suit shall be prosecuted within three months after the fact committed and not afterwards and the defendant in every such action or suit shall Defendants may plead the general issue. and may plead the general issue and at the trial thereof give this Act and the special matter in evidence and if the matter or thing complained of shall appear to have been done under the authority and in the execution of this Act or if any such action or suit shall be brought after the time limited for bringing the same then the jury shall find for the defendant and if the plaintiff shall become nonsuit or discontinue his or her action after the defendant shall have appeared or have a verdict against him or her or if upon demurrer judgment shall be

Harbours.

be given against the plaintiff the defendant shall and may recover treble costs and have the like remedy for recovery thereof as any defendant hath in any case by law.

Appropriation of
fines.

36. And be it further enacted That all fines and forfeitures together with all sums collected under this Act and not otherwise specially appropriated shall go to His Majesty His Heirs and Successors for the public uses of the said Colony and the support of the Government thereof.

SCHEDULE A. REFERRED TO.

PORT REGULATIONS TO BE OBSERVED BY ALL MASTERS AND
COMMANDERS OF SHIPS OR VESSELS IN PORT JACKSON.

Vessels arriving at Port Jackson with gunpowder to hoist an Union Jack and none to be laden or unladen higher up than Neutral Bay.

Penalty.

1. All ships or vessels arriving in the harbour of Port Jackson having gunpowder on board exceeding the quantity necessary as stores for their use are to hoist an Union Jack at their main and shall not proceed higher up the harbour than Neutral Bay until the gunpowder on board be landed according to law and all ships or vessels taking gunpowder on board shall not be permitted to do so higher up than Neutral Bay And if any master or commander of any ship or vessel shall offend against either of these regulations he shall forfeit and pay the sum of ten pounds.

Vessels allowed twenty-one days to discharge cargo after which to pay 6s. per day to tide-waiter until discharged.

2. Every ship or vessel arriving in the harbour of Port Jackson importing any goods or merchandise shall be allowed twenty-one working days to discharge her cargo after which period should she not be discharged the master or commander thereof shall pay to the tide-waiter on board the same at the rate of six shillings sterling per day until the whole of the cargo shall have been finally discharged.

No vessel or boat to be hauled up or guns or other articles landed without permission.

3. No vessel or boat shall be hauled on shore for the purpose of repair or otherwise nor shall any casks spars anchors guns timber or other articles be landed at the eastern side of Sydney Cove nor at the King's Wharf without permission being first had and obtained from the Collector or Controller of Customs and the Harbour Master.

Masters to get spritsail yards fore and aft and rig in jib and driver booms when required.

4. All masters and commanders of ships in Sydney Cove and Darling Harbour shall get their spritsail yards fore and aft and shall rig in their jib and driver booms when thereto required by the Harbour Master or his assistant.

No vessel to unmoor or quit anchorage without notice to the Harbour Master or again weigh anchor without permission.

5. No master or commander of any ship or vessel is to unmoor or quit the anchorage in Sydney Cove or Darling Harbour without giving previous notice in writing to the Harbour Master nor having unmoored and set sail with the intention of going to sea shall he again come to anchor within the Heads of Port Jackson unless compelled so to do by stress of weather or other unavoidable cause and in such latter case he is not to fail on demand to deposit his clearance with the Clearing Officer or Master of the Revenue Cutter until about to sail nor shall again weigh anchor without permission from the Officers of the Customs.

Vessels leaving to heave to to westward of Bradley's Head for examination and not afterwards to suffer any boat to come alongside.

6. And to prevent the escape of convicts the master or commander of every ship or vessel about to sail from Port Jackson and to leave the Colony shall heave to to the westward of Bradley's Head for examination and search and having sailed therefrom shall not bring up afterwards within the Heads of Port Jackson unless compelled by weather nor suffer his ship or vessel to be afterwards boarded by any boat or vessel whatsoever excepting the boats of the Customs and pilots.

Persons dying on board ship in harbour to be buried ashore.

7. When any person shall die on board of any ship or vessel lying in Port Jackson the master or commander of such ship or vessel shall cause the body of such deceased person to be brought on shore and interred.

Vessels

Harbours.

Vessels discharging at the King's Wharf to be allowed the following time Vessels discharging to have preference.

8. All vessels under one hundred tons at the King's Wharf are to discharge their cargoes at the north end thereof and to be allowed three days only for that purpose And all vessels above one hundred tons are to be allowed to lie at the front of the wharf the following number of days Sundays not included—

Vessels from 100 to 200 tons	6 days
200 to 300 tons	8 days
300 to 400 tons	10 days
400 to 500 tons	12 days
500 to 600 tons	14 days

Vessels discharging cargo to have preference to the wharf.

Vessels arriving to unshot their guns and no great guns to be fired in Sydney Cove or Darling Harbour.

9. All vessels entering Port Jackson are to unshot their guns before they come higher up than Neutral Bay No great guns are to be fired from any ship or vessel in Sydney Cove or Darling Harbour.

TABLES REFERRED TO.

B.

PILOTAGE RATES.

A Table of the rates of pilotage payable to licensed pilots on ships and vessels from and to a distance of two leagues and out at sea into and out of any port or harbour in New South Wales for which a pilot shall be appointed—Vessels registered in Sydney not exceeding fifty tons or while employed in the coasting trade from one port of New South Wales to another and steam vessels while so employed excepted unless the assistance of a pilot be required and received.

For every vessel drawing	7 feet or under	...	...	£4	0	0
	8 feet and under 9 feet	...	...	4	5	0
	9 feet and under 10 feet	...	...	4	10	0
	10 feet and under 11 feet	...	...	5	0	0
	11 feet and under 12 feet	...	...	5	10	0
	12 feet and under 13 feet	...	...	6	0	0
	13 feet and under 14 feet	...	...	6	10	0
	14 feet and under 15 feet	...	...	7	0	0
	15 feet and under 16 feet	...	...	7	10	0
	16 feet and under 17 feet	...	...	8	0	0
	17 feet and under 18 feet	...	...	8	10	0
	18 feet and under 19 feet	...	...	9	0	0
	19 feet and under 20 feet	...	...	9	10	0
	20 feet and under 21 feet	...	...	10	0	0
	21 feet and under 22 feet	...	...	11	0	0
	22 feet and under 23 feet	...	...	12	0	0
	and so on one pound for every additional foot.					

C.

HARBOUR DUES.

A Table of the dues and charges payable to the Harbour Master for repairing on board and appointing the place of anchorage of ships and vessels entering any port or harbour in New South Wales or for the removal of the same from one place of anchorage or mooring to another not being for the purpose of leaving the port—Vessels registered in Sydney under fifty tons or while employed in the coasting trade from one port of New South Wales to another excepted.

				£	s.	d.
For every vessel under 100 tons	...	...	...	0	5	0
Of 100 tons and under 200 tons	...	...	...	0	10	0
200 tons and under 300 tons	...	...	...	0	15	0
300 tons and under 400 tons	...	...	...	1	0	0
400 tons and under 500 tons	...	...	...	1	5	0
500 tons and upwards	...	...	...	1	10	0

Harbours.

D.

CUSTOMS CHARGES.

A Table of the charges payable to the Collector or other Officer of Customs for the entry inwards or clearance outwards of ships and vessels at any port or harbour of New South Wales where an Officer of Customs is stationed—Vessels under fifty tons registered in Sydney excepted viz.—

	Entry.			Clearance.		
	£	s.	d.	£	s.	d.
For every steam vessel employed in the coasting trade } from one port of New South Wales to another ... }	0	1	3	0	1	3
For every vessel registered in Sydney and so employed } if above fifty and not exceeding one hundred tons }	0	4	0	0	4	0
For every such vessel so employed if above one hundred tons	0	10	0	0	10	0
For every other ship or vessel	0	15	0	0	15	0

E.

LIGHT-HOUSE DUES.

A Table of the rates payable to the Collector of Customs Sydney on ships and vessels above fifty tons arriving at Port Jackson towards the maintenance of the Light-house at the entrance thereof viz.—

	£	s.	d.
On every ship or vessel above fifty and not exceeding one hundred } tons employed in the coasting trade from one port of New South } Wales to another }	0	2	0
On every steam vessel the ton register measurement	0	0	0 $\frac{1}{4}$
On every other ship or vessel the ton register measurement	0	0	2

F.

WHARFAGE RATES.

A Table of the rates of wharfage payable to the Collector of Customs on articles landed at the King's Wharf Sydney—

	£	s.	d.
For every Ton butt	0	2	0
Pipe or punchcon...	0	1	0
Hogshead...	0	0	9
Barrel	0	0	6
Cask or keg of smaller size	0	0	3
Crate cask or case of hardware earthenware or } ironmongery }	0	0	9
Bale case or box not exceeding half a ton } measurement }	0	0	6
Ditto exceeding half a ton	0	1	0
Chest of tea	0	0	3
Half chest or box of tea...	0	0	1 $\frac{1}{2}$
Bag of sugar	0	0	1 $\frac{1}{2}$
Bag of coffee	0	0	1 $\frac{1}{2}$
Package of rice	0	0	1 $\frac{1}{2}$
Basket of tobacco	0	0	3
Bag of hops	0	1	0
Pocket of hops	0	0	6
Bushel of grain	0	0	1
Dozen of oars	0	0	2
One hundred of deals	0	2	6
One hundred of staves	0	1	0
Dozen of spades and shovels	0	0	1
Ton of iron steel lead or other metal including } shot }	0	2	6
Ton of salt	0	1	6
Ton of flax	0	1	0
Ton of cordage	0	2	6
Ton of potatoes	0	1	6
Bottle of paint oil or turpentine...	0	0	2
Millstone	0	2	0
Four-wheeled carriage	0	5	0
Two-wheeled carriage	0	3	0
Small package not otherwise enumerated	0	0	3
Ton of heavy goods not otherwise enumerated	0	2	6