

[ 1463 ]



SECOND SUPPLEMENT  
TO THE  
VICTORIA  
GOVERNMENT GAZETTE

OF FRIDAY, APRIL 27, 1900.

Published by Authority.

No. 43.]

TUESDAY, MAY 1.

[1900.

MELBOURNE HARBOR TRUST.

IN pursuance of the *Melbourne Harbor Trust Act 1890*, the Melbourne Harbor Trust Commissioners make the following Regulations:—

1. *Interpretation clause.*—In the construction of these regulations the following terms, viz.:—“the port,” “shore,” “Commissioners,” “vessel,” “ship,” “buoys and beacons,” “creek,” “river,” “person,” “ballast,” “Harbor-master,” “owner of a ship registered,” “owner” when used in relation to goods, and “the ratepayers,” shall, if not inconsistent with the context or subject-matter, have the respective meanings assigned to them in the above-mentioned Act. “Wharf” shall include pier, jetty, landing stage, quay, dock, slip, and platform over which the Commissioners have jurisdiction. “Master” shall include any pilot and any person having lawfully or *de facto* the command, charge, or management of the vessel for the time being. “The Secretary” shall include the person for the time being acting as Secretary to the Commissioners during the absence, sickness, or inability to act of the Secretary. “The Act” shall mean the *Melbourne Harbor Trust Act 1890*, and any Act amending the same.

PART I.

FOR THE COMPILATION AND REVISION OF THE ROLLS OF PERSONS ENTITLED TO VOTE IN THE ELECTION OF COMMISSIONERS.

2. *Rolls to be made out.*—The Secretary shall, between the 1st and 6th days of December in each year, make out, according to the forms in the First, Second, and Third Schedules hereto, rolls of the names of owners of ships registered at Melbourne, and of the names of merchants and traders entitled to vote in the election of Commissioners; and also of the persons entitled to vote as ratepayers of the respective municipalities of South Melbourne, Port Melbourne, Williamstown, and Footscray, in the election of Commissioners for the said municipalities; and shall arrange such rolls respectively according to the alphabetical order of surnames contained therein, and shall state in such rolls against the name of each person the several particulars indicated in the several columns of the said Schedules respectively.

3. *Inspection of rolls to be invited.*—The Secretary shall forthwith after making out the said rolls, notify by public advertisement the fact that copies of such Rolls are in his

custody and ready for inspection at his office, and shall keep such rolls to be inspected by any ship-owner, merchant or trader, or ratepayer as aforesaid, and permit such inspection at all reasonable hours between the 6th and 10th days of December in each year. Such public advertisement shall, so far as relates to the rolls of owners of ships, and merchants and traders, be made in some newspaper generally circulating in Melbourne; and so far as relates to the rolls of ratepayers, shall be made in some newspaper generally circulating in the municipality to which the rolls refer.

4. *Claims and objections may be lodged.*—Any person whose name has been omitted from any such rolls, and who claims to have his name inserted therein, shall, on or before the said 10th day of December, give or send by post to the Secretary notice thereof in writing, setting forth the particulars of the grounds upon which he claims to be so enrolled, and shall sign the same with his name; and every person whose name has been inserted in any of such rolls may object to any other person as not being entitled to have his name retained in such rolls, or as not entitled to have the number of votes set against his name therein; and every person so objecting shall, on or before the said 10th day of December, give or send by post to the Secretary, and also send by post to the last known address within the colony of Victoria of the person objected to, notice in writing of such objection, stating the particulars of the grounds of such objection, and shall sign the same with his name; and the Secretary shall cause lists to be prepared of all such claims and objections respectively.

5. *Revision of rolls.*—The said rolls of owners of ships and of merchants and traders, together with the said lists of claims and objections referring thereto, shall be submitted for revision by the Secretary to a police magistrate sitting in a Court of Petty Sessions at Melbourne, and the said rolls of ratepayers, together with the lists of claims and objections referring thereto respectively, shall also be submitted for revision to a police magistrate sitting in a Court of Petty Sessions at South Melbourne, Port Melbourne, Williamstown, and Footscray respectively, at such time as the police magistrate shall appoint between the 10th and the 20th days of December in every year; and the police magistrate shall, at the expense of the Commissioners, give three days' notice of the holding of a court for such revision, and of the time and place thereof, by advertisement in some newspaper generally circulating in Melbourne, and in each of the municipalities aforesaid to which the rolls refer.

6. *Instructions for revision of rolls.*—The police magistrate shall insert in the said rolls under revision the name of every person who has claimed as aforesaid, and is proved to his satisfaction to be entitled to be inserted in the said rolls, together with the number of votes to which such person is entitled, and shall retain on the said rolls the name of every person who has been objected to by any person, and the number of votes set against the same unaltered, unless the person so objecting appears by himself or by some one on his behalf in support of such objection, and proves the service of the requisite notices; and when the name of any person inserted in any such rolls, or the number of votes set against the same has been duly objected to, and the person objecting appears by himself or by some one on his behalf in support of such objection, the police magistrate shall require proof of so much of the qualification so objected to as is embraced in the grounds of objection so to be stated as aforesaid, and no more; and in case such qualification of such person is not proved to the satisfaction of the police magistrate, he shall expunge the name of every such person from such rolls, or shall alter and correct the number of votes set against the same (as the case may require), and shall expunge therefrom the name of every person who is proved to be dead, and shall correct any mistake or supply any omission which may appear to such police magistrate to have been made in any of the said rolls.

7. *Rolls to be signed and certified, &c.*—The police magistrate shall initial all alterations made in the said rolls respectively, and shall sign and certify the same as provided by the *Melbourne Harbour Trust Act 1890*, and shall forthwith deliver the same to the Secretary, who shall cause to be printed as many copies thereof as the Commissioners may direct; and any person whose name appears on either of such rolls shall be entitled to receive a copy thereof upon payment of One shilling for each copy.

THE MANAGEMENT AND CONDUCT OF ALL ELECTIONS OF COMMISSIONERS.

8. *Returning officer.*—In all cases of ordinary vacancy in the office held by any Commissioner elected by the owners of ships, or by merchants and traders, or by the ratepayers of the respective municipalities of South Melbourne, Port Melbourne, Williamstown, and Footscray, the Commissioners shall, not less than seven days prior to the time at which such vacancy would occur, appoint from among their own number (other than the person holding the office about to become vacant) a returning officer to conduct an election to supply the vacancy, and shall at the same time fix the time at which such election shall be held in the event of there being a greater number of persons nominated, as hereinafter provided, than the number of vacancies to be filled up.

9. *Deputies.*—The returning officer may appoint one or more deputy or deputies, as the case may require, to assist him or to act in his room at any such election; and such deputy or deputies may do all or any of the acts or things which the returning officer is hereby authorized or required to do.

10. *Notice of election—Mode of nomination—Fourth Schedule.*—Ten days before any such election the returning officer shall give public notice thereof by advertisement inserted in some newspaper generally circulating in Melbourne and in the municipality in which the election is to be held, and by such notice shall require all candidates at such election to be nominated at some place to be named in such notice, and between the hours of ten o'clock in the forenoon and four o'clock in the afternoon on some day before the day of nomination, which day of nomination shall not be less than three nor more than five days after the time of giving such notice, and named therein; and any person desirous of nominating a candidate shall, before four o'clock in the afternoon of the day next preceding the nomination day, cause to be delivered at the place aforesaid, to the returning officer or his deputy, a nomination paper in the form in the Fourth Schedule hereto, or to the like effect; and such nomination paper shall be signed by not less than four persons duly qualified to vote at such election, and also signed by the person named therein as a candidate in token of his assent to his being so named.

11. Every candidate who shall offer himself and shall be nominated for election as a Commissioner shall deposit with the Secretary to the Commissioners the sum of Ten pounds, and if at such election such candidate shall not poll a number of votes equal to at least one-fifth of the total number of votes polled by the lowest successful candidate thereat, then the deposit of the candidate not so polling such one-fifth shall be absolutely forfeited, and shall become the property of the Commissioners.

12. *Declaration of election where uncontested.*—If at the expiration of the time limited as hereinbefore provided for the nomination of candidates the number of persons who have become candidates as aforesaid does not exceed the number of Commissioners then to be elected, the returning officer shall then declare such candidates to be duly elected.

13. *Appointment of polling places.*—The returning officer may from time to time appoint and abolish such and so many polling places for taking the poll as he may see fit, and may also provide all necessary materials, and appoint poll clerks for any election.

14. *Contested election—Fifth Schedule—Notice and time and place of poll.*—If at the expiration of the time limited for the nomination of candidates the number of candidates exceed the number of Commissioners to be elected, the returning officer shall forthwith cause ballot-papers to be printed with the christian names and surnames of all the candidates in full in the form in the Fifth Schedule hereto, and shall forthwith give public notice by advertisement, inserted in some newspaper generally circulating in Melbourne and in the municipality in which the election is to be held, stating the names of the persons so nominated, and that a poll will be taken (at the place or places to be named therein) for the election of such Commissioners on the day appointed for holding the election and named in such notice, and such poll shall take place accordingly, and shall commence at eight o'clock in the forenoon and close at seven o'clock in the afternoon, except in the case of elections by owners of ships registered, and by merchants or traders, where the poll shall commence at nine o'clock in the forenoon, and close at four o'clock in the afternoon.

15. *Candidates may retire within certain time—Sixth Schedule.*—If after any poll shall stand appointed as aforesaid at any election any candidate for such election, and two of the persons having signed the paper nominating him, are desirous that he should retire from such candidature, such candidate and the persons aforesaid, not later than two days before the day of polling, may sign and deliver to the returning officer at any time before four o'clock in the afternoon a notice in the form in the Sixth Schedule, stating that such candidate so retires, and may publish in some newspaper generally circulating as aforesaid, a copy of such notice; and the returning officer, on receipt of such notice, and on sufficient proof of such publication as aforesaid (if the number of candidates is by such retirement reduced to the number of persons to be elected at such election) shall on the day appointed for the election declare the remaining candidates to be duly elected, and if the said number is not so reduced, shall omit the name of such person so retiring from the ballot-papers to be used at the said election, and if such ballot-papers shall have been already printed, shall erase such name therefrom, and such person shall not be capable of being elected at such election.

16. *Scrutineers—Who may be present in booth.*—Each candidate shall be entitled to appoint in writing one scrutineer to be present at each polling place, and such scrutineers and the returning officer or deputy or other person, and the poll clerks and any voters not exceeding six in number, actually engaged in voting, and to be named if necessary by such returning officer, or deputy or other person so appointed, shall alone be permitted at any one time to enter or remain in the polling place.

17. *Pencils and ballot-box.*—Each returning officer or his deputy, or other person so appointed, shall provide pencils in every polling place for the use of the voters; and also a locked box to be called the ballot-box, with a cleft or opening therein capable of receiving the ballot-papers; and such box shall be opened and exhibited to the poll clerks and scrutineers before the polling begins, and shall stand on a table opposite the returning officer or deputy, or other person so appointed, who shall keep the key of such box.

18. *Ballot-papers, how delivered and dealt with—Voter unable to read or write.*—Each returning officer or his deputy or other person so appointed shall deliver to every voter who shall require the same a ballot-paper; or if such voter appears by the roll to be entitled to give more votes than one, then so many ballot-papers as may be equal to the number of votes which such voter so appears to be entitled to give, such ballot-papers being in the form aforesaid and initialed by the returning officer; and every such voter shall, without leaving the booth, strike out from such paper or papers the name of every candidate for whom he shall not desire to vote; and in case any voter shall be unable to read or write, the returning officer or his deputy, or other person so appointed, if required, shall, in view of such one of the scrutineers as such voter may desire, strike out the names of such candidates as such voter may designate; and after such names shall be so struck out the ballot-paper or papers shall be forthwith deposited in the said box.

19. *Ballot-paper to be numbered.*—Before delivering any ballot-paper to a voter, the returning officer, or his deputy or other person so appointed, shall write upon the back of each such ballot-paper, as near as practicable to the lower edge thereof, the number corresponding to the number set opposite to the voter's name in the rolls of owners of ships, or of merchants and traders, or of ratepayers, as the case may be, and, if necessary, some mark to designate such roll; and shall thereupon, upon a copy of such roll, check off such voter's name as having voted, and shall number such name and the ballot-paper with a corresponding number.

20. *Certain indefinite votes to be void.*—If any voter shall suffer to remain upon any of his said ballot-papers a greater number of names not struck out than the number of members to be elected, the vote given on and by such paper shall be void and of no effect.

21. *Questions to be put to voter at elections.*—At each election the returning officer, or his deputy, or other person so appointed as aforesaid, may, if he see fit, or if required so to do by any candidate or scrutineer shall put to any person tendering his vote either or both of the following questions:—

(1) Are you the person whose name appears as (A.B.) on the roll of owners of ships (or of merchants and traders, as the case may be) now in force for Melbourne (or of ratepayers now in force for the city of South Melbourne, or the municipality of Port Melbourne, Williamstown, or Footscray, as the case may be)?

(2) Have you already voted at the present election? And no person who shall refuse to answer any of such questions, or who shall not answer the first of such questions absolutely in the affirmative, and the second of such questions absolutely in the negative, shall be permitted to vote.

22. *Personation.*—Any person claiming to vote at any election of Commissioners, and who shall refuse to answer any of the questions in the preceding regulation, or who shall make untrue answer thereto, shall be liable to a penalty of Twenty pounds.

23. *Votes of incorporated companies.*—The vote or all the votes of any incorporated company which appears on the rolls of owners of ships or merchants and traders may be recorded by any director or member of the board of management, or the secretary, or any other person holding the power of attorney thereof; and the vote or all the votes of any persons trading together in partnership not being incorporated may be recorded by any one of such persons, or by any agent of such persons acting under their power of attorney.

24. *Ascertaining result of polling—Declaration—Casting vote.*—Immediately upon the close of the poll, each returning officer, or his deputy or such other person so appointed at each polling place, shall proceed, in the presence and subject to the inspection of the poll clerks, and of so many of the scrutineers of the candidates as shall please to be present, to ascertain the number of votes for each candidate, and such returning officer and deputy or other person respectively shall abstain from inspecting the number written as aforesaid on any ballot-paper, and take care that the same is not seen by any person before being sealed up as herein provided, and the deputy or such other person shall immediately forward the ballot-papers, sealed up, together with a list made up under the inspection of the said scrutineers of the total number of votes for each candidate, to the returning officer; and the returning officer shall in like manner seal up the ballot-papers deposited in the polling place in which he shall have presided, and such returning officer shall, as soon as conveniently may be on or after the day of the poll, give public notice of the number of votes given to each candidate, and shall declare the candidates not exceeding the number of vacancies to be filled up who have received at all the polling places taken together the greatest number of votes to be duly elected as Commissioners, and shall forthwith publish, in some newspaper generally circulating in Melbourne and in the municipal district in which the election has been held, the names of the members so elected; and if two or more candidates shall have received an equal number of votes, the returning officer shall in each case have the casting vote.

25. *Disposal of ballot-papers.*—Each returning officer shall forthwith, after the declaration of the poll, cause all the sealed parcels of ballot-papers to be sealed up in a packet indorsed with a description of the contents thereof signed by him, and forward them to the Commissioners, who shall cause them to be safely and secretly kept for six months, and after the expiration of such period of six months, cause such ballot-papers to be destroyed.

26. *If vacancies unfilled, Commissioners to be notified.*—If at any election no members, or a less number of members than is necessary to fill the vacancies to fill which such election was held, shall be elected, the returning officer shall notify the same forthwith to the Commissioners.

27. *Extraordinary vacancies.*—When an extraordinary vacancy occurs in the office held by any Commissioner, the same course of procedure shall be adopted in and about the election of a person to supply such vacancy as is herein-before prescribed for an election to fill an ordinary vacancy, save that the appointment of the returning officer shall be made within fourteen days after such extraordinary vacancy has occurred.

28. *Expenses at election.*—No moneys shall be paid by the Commissioners for refreshments in connexion with the conduct of an election, and the only fees and expenses which shall be allowed or paid shall be a fee of £2 2s. to each deputy returning officer, and a fee of £1 1s. to each poll clerk employed at such election; and the expenses of providing booths when a public building cannot be had free of expense.

## FIRST SCHEDULE.

The Melbourne Harbor Trust Act 1890.

ROLL OF OWNERS OF SHIPS FOR THE YEAR 19 .

Number on Roll.	Name.	Address.	Amount of Tonnage owned.	Number of Votes entitled to.

(Signed)

Police Magistrate.

## SECOND SCHEDULE.

The Melbourne Harbor Trust Act 1890.

ROLL OF MERCHANTS AND TRADERS FOR THE YEAR 19 .

Number on Roll.	Name.	Address.	Number of Votes entitled to.

(Signed)

Police Magistrate.

## THIRD SCHEDULE.

The Melbourne Harbor Trust Act 1890.

RATEPAYERS' ROLL FOR THE YEAR 19 .

Number on Roll.	Surname of person entitled to vote.	Christian Names of same person.	Trade or Occupation.	Description and situation of property giving title to vote.	Number of Votes.

(Signed)

Police Magistrate.

## FOURTH SCHEDULE.

THE MELBOURNE HARBOR TRUST COMMISSIONERS.  
FORM OF NOMINATION.

We, the undersigned, being entitled to vote as [owners of ships or merchants and traders, or as ratepayers for the municipal district of South Melbourne, Port Melbourne, Williamstown, or Footscray, as the case may be] do hereby nominate

[stating christian and surname] as a candidate for the office of Commissioner of the Melbourne Harbor Trust at the election to be held on the day of A.D. 19 .

[Here are to follow the signatures.]

And I, the abovenamed , do hereby consent to such nomination.

(Signed)

## FIFTH SCHEDULE.

THE MELBOURNE HARBOR TRUST COMMISSIONERS.

[Melbourne, South Melbourne, Port Melbourne, Williamstown, or Footscray, as the case may be.]

Candidates' names (arranged in alphabetical order of surname):—

ALLAN, JOHN.  
BROWN, DAVID.  
COX, JAMES.  
DEAN ROBERT.

## Directions :

The voter is to strike out the name of the candidate or candidates for whom he does not intend to vote by drawing a line through the same with a pencil. He must be careful not to leave uncancelled the names of more than (the number of Commissioners to be elected) candidates, otherwise this ballot-paper will be invalid. The ballot-paper so marked by or for the voter is to be dropped by him into the ballot-box.

The voter is not permitted to take his ballot-paper out of the ballot-room or polling booth.

## SIXTH SCHEDULE.

## THE MELBOURNE HARBOR TRUST COMMISSIONERS.

We, the undersigned, nominators of as a candidate at the election of Commissioners of the Melbourne Harbor Trust, by (the owners of ships or by merchants and traders, or by the ratepayers of the municipal districts of South Melbourne, Port Melbourne, Williamstown, or Footscray, as the case may be), to be held on the day of do hereby withdraw the said as such candidate.

(Here follow the signatures of nominators.)

And I, the said do hereby retire from being such candidate.

(Signed)

## THE MANAGEMENT AND CONDUCT OF BUSINESS AT MEETINGS OF THE COMMISSIONERS.

29. *General conduct of business.*—In all cases not herein provided for resort shall be had to the rules, forms, and usages of the Legislative Assembly of Victoria, which shall be followed so far as the same are applicable to the proceedings of the Commissioners.

30. *Vice-chairman.*—The Commissioners may appoint one of their number to be vice-chairman, with such powers and duties, and for such term as they may see fit, and they may at any time revoke such appointment. The vice-chairman shall be *ex officio* a member of all committees, and he shall preside at all meetings of the Commissioners or of any committee at which the chairman shall not be present.

31. *Minutes of meeting to be read at next subsequent meeting.*—At every ordinary meeting of the Commissioners the first business thereof shall be the reading and putting a question for the confirmation of the minutes of the proceedings at the preceding meeting, and no discussion shall be permitted thereon except as to their accuracy as a record of proceedings; and the said minutes of proceedings at the preceding meeting shall then be signed as by law required.

32. *Order of business at periodical meetings—Order of business at special meetings.*—After the signing of the minutes, as aforesaid, the order of business of a periodical meeting shall be as follows, or as near thereto as may be practicable, but for the greater convenience of the Commissioners at any particular meeting thereof, it may be altered by resolution to that effect—

- (1) Reading of copies of letters sent by the authority of the Commissioners, if called for.
- (2) Reading letters received; and considering and ordering thereon.
- (3) Reception and reading of petitions and memorials.
- (4) Receiving deputations, as provided in clause 75.
- (5) Presentation of reports of chairman and of committees, and considering and ordering thereon. The postponed items of former reports of committee shall take precedence of new business brought up by committees.
- (6) Orders of the day, including subjects continued from proceedings of former meetings, and any business the chairman may think desirable, with the consent of the Commissioners.
- (7) Motions of which previous notice has been given.
- (8) Notices of motion for consideration at following meeting.

And the order of business at a special meeting shall be the order in which such business stands in the notice thereof.

33. *Motions.*—All notices of motion shall be dated, signed, and given by the intending mover to the Secretary, either at a meeting of the Commissioners, or three clear days at the least prior to the holding of any periodical meeting, and such Secretary shall enter the same in the notice of motion book in the order in which they may be received.

34. *How negatived motions for altering or revoking resolutions may be entertained.*—No motion for altering or revoking any resolution of the Commissioners which shall have been negatived, shall be again entertained during the same financial year, unless by the consent of at least two-thirds of all the Commissioners.

35. *Notice of motion to be given.*—No member other than the chairman shall make any motion initiating a subject for discussion, but in pursuance of notice given, as prescribed in clause 33.

36. *Petitions.*—No motion, except that for receiving the same, shall, unless under most urgent circumstances, be made on any petition, memorial, or other like application, until the next periodical meeting of Commissioners after that at which it has been presented.

37. *Motions to be moved in order in motion book.*—Except by leave of the Commissioners, motions shall be moved in the order in which they have been received and recorded by the Secretary in the notice of motion book; and if not so moved or postponed, shall be struck out.

38. *No motion to be proceeded with in absence of Commissioner giving notice of same except by his authority.*—No motion entered in the notice of motion book shall be proceeded with in the absence of the Commissioner who gave notice of the same, unless by some other Commissioner having authority from him to that effect.

39. *Draft of address or petition to be submitted at previous meeting.*—No motion for an address or petition shall be entertained unless the mover shall, at some previous meeting, have submitted a draft of the same.

40. *Order, &c., of debate.*—Any Commissioner desirous of making a motion or amendment, or taking part in discussion thereon, shall rise and address the chairman, and shall not be interrupted unless called to order, when he shall sit down until the Commissioner calling to order shall have been heard thereon, and the question of order disposed of, when the Commissioner in possession of the chair may, subject to the ruling of the chairman, proceed with the subject.

41. *Nature of motion to be stated.*—Any Commissioner desirous of proposing an original motion or amendment, must state the nature of the same before he addresses the Commissioners thereon.

42. *Motion not to be withdrawn without leave.*—No motion or amendment shall be withdrawn without the consent of the Commissioners.

43. *Motion to be seconded.*—No motion or amendment shall be discussed or put to the vote of the Commissioners unless it be seconded; but a Commissioner may require the enforcement of any standing order of the Commissioners by directing the chairman's attention to the infraction thereof.

44. *Mover of motion.*—A Commissioner moving a motion shall be held to have spoken thereon; but a Commissioner merely seconding a motion shall not be held to have spoken upon it.

45. *Priority of Commissioners.*—If two or more Commissioners rise to speak at the same time, the chairman shall decide which is entitled to priority.

46. *Chairman to rise in addressing Commissioners.*—The chairman shall rise in addressing the Commissioners to discuss any question, and shall not leave the chair on such occasions.

47. *Commissioners not to speak a second time on same question.*—No Commissioner shall speak a second time on the same question, unless entitled to reply, or in explanation when he has been misrepresented or misunderstood.

48. *Points of order.*—The chairman when called upon to decide upon points of order or practice shall state the provision, rule, or practice which he deems applicable to the case, without discussing or commenting on the same; and his decision as to order or explanation in each case shall be final.

49. *Commissioners not to digress, &c.*—No Commissioner shall digress from the subject-matter of the question under discussion, and all imputations of improper motives and all personal reflections shall be deemed highly disorderly.

50. *Commissioner called to order to sit down.*—A Commissioner called to order shall sit down, unless permitted to explain.

51. *Commissioners to apologize for disorderly, &c., expressions.*—Whenever any Commissioner shall make use of any expression disorderly or capable of being applied offensively to any other Commissioner, the Commissioner so offending shall be required by the Chairman to withdraw the expression and to make a satisfactory apology to the Commissioners; and if he refuse or neglect to do so before the rising of the Commissioners, he shall, for such breach of this regulation, be liable to a penalty of Ten pounds.

52. *Strangers.*—Any person not being a Commissioner who shall at any meeting of the Commissioners be guilty of any improper or disorderly conduct, or who shall not leave when requested by the Chairman so to do, may be forthwith removed.

53. *Call of Commissioners.*—It shall be competent for any Commissioner, without previous notice, to move for a call of all the Commissioners for the consideration of any subject at the next or any subsequent meeting; and if such motion be carried, notice thereof shall be recorded by the Secretary in the notice of motion book.

54. *Commissioners not attending order for call.*—All Commissioners shall attend in compliance with a call of all the Commissioners, and any Commissioner not attending in compliance with such a call, without a reasonable excuse satisfactory to the majority of the Commissioners, shall, for such

breach of this regulation, be punishable by a fine of Five pounds, provided nevertheless that the justices before whom proceedings may be taken for the recovery of such penalty may reduce the amount thereof to any sum not less than One pound.

55. *Commissioner may demand documents.*—Any Commissioner may of right demand the production of any of the documents of the Commissioners applying to the question under discussion, and may at any time during business hours have access to all the records and documents of the Commissioners.

56. *Voting.*—The Commissioners shall, when a division is called for, vote by show of hands, and all Commissioners present, not being disabled by law from so doing, shall vote.

57. *Question, how put—Divisions.*—The Chairman shall, in taking the sense of the Commissioners, put the question first in the affirmative, then in the negative; and the results thereof shall be recorded in the minutes. If a division be demanded by any Commissioner, the Secretary shall record the names of those voting for and against, and the result shall be declared by the Chairman.

58. *Motions, &c., if demanded, to be reduced into writing.*—At every meeting of the Commissioners all motions, whether original motions or amendments, shall, if required by the Chairman, be reduced into writing, signed by the mover, and be delivered to the Chairman immediately on their being moved and seconded.

59. *No second amendment until previous one disposed of.*—No second or subsequent amendment, whether upon an original proposition or on an amendment, shall be taken into consideration until the previous amendment is disposed of.

60. *Effect of rejection of words in original question.*—If any words of an original question be rejected, the insertion of other proposed words shall form the next question, whereupon any further amendment to insert other words may be moved.

61. *If amendment be negatived a second one may be moved.*—If an amendment be negatived, then a second may be moved to the question to which the first-mentioned amendment was moved; but only one amendment shall be submitted to the Commissioners for discussion at a time. If an amendment be carried, it shall become the original motion, and only one amendment shall be made thereon at a time.

62. *Mover of motion to have right of reply.*—The mover of every original proposition, but not of any amendment, shall have the right to reply, inmediately after which the question shall be put from the chair; but no Commissioner shall be allowed to speak more than once on the same question unless permission be given to explain, or the attention of the chair be called to a point of order.

63. *Motion for adjournment.*—A motion for adjournment of the Commissioners or of a debate may be moved at any time, but no discussion shall be allowed thereon. If on the question being put the motion be negatived, the subject then under consideration, or the next on the notice-paper, shall be discussed, or any other that may be allowed precedence, before any subsequent motion for adjournment be made.

64. *Protests.*—Any Commissioner may protest against any resolution of the Commissioners, and notice of intention to protest shall in every case be given forthwith on the adoption of the resolution protested against; and the protest shall specify the reasons for protesting, and shall be entered three days at least before the next ordinary meeting of the Commissioners by the protesting Commissioner in a book to be kept for that purpose in the office of the Secretary, and signed by such Commissioner, and shall be also entered in the minutes of the meeting at which notice of the intention to protest shall have been given previously to the confirmation thereof; but such protest may be expunged from the minutes if declared by a majority of Commissioners to be not in accordance with the truth or to be in its terms disrespectful to the Commissioners.

65. *Lapsed questions.*—If a debate on any motion moved and seconded be interrupted by the number of the Commissioners present becoming insufficient for the transaction of business, such debate may be resumed at the point where it was interrupted on motion upon notice.

66. *Lapsed order of the day may be restored.*—If a debate on any order of the day be interrupted by such insufficiency of number as aforesaid happening, such order may be restored to the notice-paper for a future day on motion upon notice, and then such debate shall be resumed at the point where it was so interrupted.

67. *Committees.*—Minutes of all proceedings of committees shall be entered in the committee's minute book.

68. *Meetings of committees.*—The Secretary shall convene every committee within ten days of its first appointment, or at any other time thereafter, on the order of the chairman of the committee or of any two members of committee.

69. *Petitions.*—No petition shall be presented after the Commissioners shall have proceeded to the orders of the day.

70. *Petitions to be respectful.*—It shall be incumbent on every Commissioner presenting a petition to acquaint himself with the contents thereof, and to ascertain that it does not contain language disrespectful to the Commissioners.

71. *Commissioners to affix their names.*—Every Commissioner presenting a petition to the Commissioners shall write his name at the beginning thereof.

72. *Petitions to be signed by one person on every sheet.*—Every petition shall contain the prayer of the petitioners at the end thereof, and be signed by at least one person on every sheet.

73. *To be signed by petitioners.*—Every petition shall be signed by the persons whose names are appended thereto, by their names or marks, and by no one else, except in cases of incapacity by sickness.

74. *No letters, &c., to be attached.*—No letters, affidavits, or other documents shall be attached to any petition.

75. *Commissioners confined to statement of certain facts.*—Every Commissioner presenting a petition to the Commissioners shall confine himself to a statement of the persons from whom it comes, of the number of signatures attached to it, of the material allegations contained in it, and to the reading of the prayer thereof.

76. *Deputation.*—Deputations wishing to be heard before the Commissioners in support of any petition or otherwise must send in an application in writing to the Secretary, stating the object of the proposed deputation, at least three days before the meeting of the Commissioners at which such deputation is desirous to be heard.

77. *Suspension of rules.*—Any one or more of the rules and regulations relating to the management and conduct of business at the meetings of the Commissioners may be suspended for a special purpose by the consent of two-thirds of the Commissioners present.

#### CONTROL AND GUIDANCE OF OFFICERS APPOINTED BY THE COMMISSIONERS; AND THE TIME AND MODE OF ACCOUNTING BY OFFICERS FOR MONEYS COMING TO THEIR HANDS.

78. *Receipt of Treasurer to collectors to be a sufficient discharge.*—Every collector other than the persons appointed to collect the wharfage rates, and every officer, clerk, or servant of the Commissioners who shall collect or receive any moneys for or on behalf of the Commissioners, shall daily pay over the same to the Treasurer to the account of the Commissioners, and the receipt of such Treasurer for the moneys so paid shall be a sufficient discharge to said collector, officer, clerk, or servant.

79. *Duties of Treasurer as to making entries and lodgments—How cheques to be signed—Substitute of Secretary or Treasurer may be appointed.*—The Treasurer shall make true entries in the books provided by the Commissioners for that purpose of all moneys or cheques paid to or received by him for and on behalf of the Commissioners, and when such moneys or cheques shall amount to or represent a sum of Twenty pounds and upwards, he shall within twenty-four hours or such shorter period as the Commissioners may direct, after the same shall have come to his hands, pay the same moneys and cheques to the credit of the Harbor Trust Fund Account with such bank as the Commissioners shall from time to time appoint. No money shall be drawn out of such Harbor Trust Fund save by cheque signed by two Commissioners, being members of the Finance Committee, and countersigned by the Secretary and Treasurer. The Finance Committee, however, shall have power to appoint a substitute for either the Secretary or Treasurer for the purpose of countersigning cheques in the absence of either.

80. *Interim disbursements.*—It shall be lawful for the Treasurer of the Commissioners from time to time, on the written authority of some other person appointed by the Commissioners, to disburse such moneys as shall have been appropriated by the Commissioners for the purposes of the Act, and also such moneys, not exceeding in the whole, in any interval between two periodical meetings of the Commissioners, the sum of Two hundred pounds, as may be required for any necessary occasions.

81. *Common seal.*—The common seal of the Commissioners shall be kept in a box having two locks, of one of which locks the Chairman shall have a key, and of the other of which locks the Secretary shall have a key, and a duplicate of each of such keys shall be lodged at such bank as the Commissioners may direct, and the common seal shall not be affixed to any document unless the Chairman of the Commissioners and one other of the Commissioners, or in the absence of such Chairman, unless two Commissioners be present.

82. *Disqualification for becoming surety.*—No Commissioner or officer of the Commissioners, and no assessor or auditor of the Commissioners, shall be received as a surety for any officer appointed by the Commissioners, or for the performance of any contract made with the Commissioners.

83. *Officers not to be bribed.*—No owner or master of any vessel or other person shall give or offer a bribe to any officer or person employed by the Commissioners. Any breach of this regulation shall be punishable by a fine of Twenty pounds, provided nevertheless that the justices before whom proceedings may be taken for the recovery of such penalty may reduce the amount thereof to any sum not less than One pound.

84. *Officers to report breaches of Customs Acts.*—It shall be the duty of all officers or persons in the employment of the Commissioners to report to the nearest officer of customs

anything coming under their notice or to their knowledge whereby the general revenue may be defrauded, or the provisions of the Customs Acts be violated.

THE MANAGEMENT AND MODE OF MAKING CONTRACTS, AND THE CONDUCT OF THE SAME.

85. *Notice to be given by advertisement.*—Except in cases of emergency, no contract for the execution of any work or for furnishing materials or labour, to the amount of One hundred pounds or upwards, shall be entered into, unless five days previous to the date thereof tenders for the same shall have been invited by advertisement published in some newspaper circulating in Melbourne.

86. *Instructions to tenderers.*—All tenders shall be enclosed in a sealed envelope addressed to "The Melbourne Harbor Trust Commissioners," and marked "Tender for ———," as stated in such advertisement.

87. *Deposit with the tender to be placed in the envelope.*—Along with his tender, the tenderer shall enclose, in a sealed envelope, either in bank notes or by a marked cheque, payable to the Commissioners, the amount required by the conditions of tender as a preliminary deposit; but the Commissioners shall have no liability in the event of the loss of the said notes or cheque before the same shall reach the hands of the Treasurer.

88. *Commissioners not bound to accept any tender.*—The Commissioners shall not be bound to accept the lowest or any tender.

89. *Successful tenderer to have notice given him.*—Upon the acceptance of the tender, the Secretary shall notify the same to the tenderer, who shall be required within the time specified in such general condition or conditions of tender, to enter into a formal contract for the execution of the work or otherwise.

PAYMENT OF WHARFAGE RATES.

90. *Revised wharfage rates.*—The tolls, rates, and charges set opposite the items undermentioned shall be payable in respect of the several matters to which the same refer, and shall be in lieu of any wharfage rate or toll, if any, for the same matters respectively prescribed by the Act, viz.:—

On all ballast composed of sand and shingle, or of sand or shingle respectively, landed from any vessel at any wharf, dock, pier, jetty, landing-stage, slip, or platform, within the port	s. d.	0 3 per ton.
On all stone used exclusively for ballast, and not carried on freight, landed as aforesaid		0 3 per ton.
On all packages in which goods have been exported from the port, but which are returned empty, viz.:—On packages each measuring not more than 10 cubic feet		1 0 per dozen.
On packages each exceeding 10 cubic feet but not more than 20 cubic feet		2 0 per dozen.
On packages each exceeding 20 cubic feet		3 0 per dozen.
On any goods which by the Act are liable to pay a wharfage rate or toll at the rate of 5s. per ton, such rate or toll shall, so far as regards each package, wrapper, or case, in which the said goods are contained, be reduced to		3 0 per ton.
On all goods transhipped to any port outside this colony, or forwarded by railway to any part of New South Wales or South Australia, if so transhipped or forwarded within fourteen days after the expiration of forty-eight hours from the final discharge of the import vessel, to be rated according to weight or measurement, at the option of the Commissioners		1 0 per ton.
Provided that if any goods so forwarded by railway be re-introduced into the Colony of Victoria, the same shall be liable for all tolls, rates, and charges for which they were liable when first landed within the port.		
On all raw sugar landed in the port		0 3 per cwt.
Provided that should the importer, within twelve months from the time of such landing, make declaration in the form to be approved of by the Commissioners, and to their satisfaction, that the sugar has been kept in some refinery subject to the supervision of Her Majesty's Customs and authorities, and has been exported from the colony as refined sugar, the Commissioners may allow to the importer a rebate at the rate of four shillings per ton on so much thereof as has been so refined and exported.		

N.B.—No toll or rate is chargeable in respect of goods belonging to Her Majesty's Government, passengers' luggage, guano, bones, bone-dust, and live stock, and goods arriving coastwise from any place within Victoria.

91. *Drawback of wharfage.*—Where goods upon which the rates, tolls, and charges, imposed by section 110 of the Act, have been paid, shall be exported to any place outside Victoria, the Commissioners may allow or refund by way of drawback to the owner of the goods at the time of exportation, an amount equal to the rates, tolls, and charges previously paid on the goods so exported, less the sum of one shilling per ton, provided that the claim for such drawback be made before the 15th day of the month next following that in which such goods shall have been so exported. Such drawback shall be allowed in the case of all goods other than tea, only when such goods are exported in the original packages. The tonnage shall be ascertained in the case of all goods except tea, either by weight or measurement, at the option of the Commissioners, and in the case of tea by reckoning eight chests, or sixteen half-chests, or forty quarter-chests, or eighty boxes of the original packages, or eight hundred pounds of tea, repacked, as one ton measurement.

92. *Collectors to provide security.*—Each collector of wharfage rates shall provide security to the amount of Five hundred pounds, to be approved of by the Commissioners, for the due payment by him of all such moneys as he shall receive as such collector or otherwise on behalf of the Commissioners, and for the faithful execution of his office.

93. *Wharfage rates to be paid to collectors.*—Every person liable to pay wharfage rates to the Commissioners in respect of all goods, merchandise, and things (except goods belonging to Her Majesty's Government, passengers' luggage, guano, bones, bone-dust, and live stock, and goods arriving coastwise from any place within Victoria) landed from any vessel at any wharf, dock, pier, jetty, landing-stage, slip, or platform within the port, shall pay the said rates to a collector appointed to receive the same by the Commissioners.

94. *Receipt to be given.*—Every such collector shall, on demand, give to the person who shall pay such wharfage rates, when duly ascertained, a receipt signed by such collector for the amount of the rate received by him on the goods in respect of which the same is payable.

95. *British currency, weights, and measures.*—All rates shall be paid in British currency, and according to imperial weights and measures.

96. *Rates to be paid into certain banks.*—The collector shall daily pay the amount of the wharfage rates received by him without any deduction whatever, to the credit of the Harbor Trust Fund, into such bank as the Commissioners may from time to time direct, and until otherwise ordered into the banks hereinafter mentioned, and shall, on the day following the receipt by him of such moneys, deliver to the Treasurer a credit slip showing the receipt of such moneys by the bank. The collectors shall in alternate weeks lodge the wharfage rates collected daily as aforesaid in the National Bank of Australasia Limited and the Commercial Bank of Australasia Limited, respectively, or any such other bank or banks as the Commissioners may from time to time direct.

LEASES OF LAND, ETC.

97. *Leases may be granted.*—Leases may be obtained from the Commissioners for any period not exceeding twenty-one years for any of the purposes authorized by the Act, and will be granted upon such rent reserved and subject to such covenants and conditions as the Commissioners may think fit.

98. *Applications.*—Every application for a lease or a renewal of a lease shall be in writing, signed by the applicant and addressed to the Commissioners, and shall describe the land applied for and specify the purpose for which it is required, and the rent which the applicant is willing to pay.

99. *Deposit to accompany application.*—Every application for a lease or a renewal of a lease shall be accompanied by a deposit to be named by the Commissioners, and shall be paid by the applicant to the Commissioners. Such application shall stipulate that if the application be refused, such deposit will be repaid by the Commissioners to the applicant without interest; but if, after the application has been granted, the applicant refuse or neglect to execute the lease, or renewal of a lease, and a counterpart thereof within the time specified in these rules, the application will be deemed to be abandoned, and the said deposit shall become the property of the Commissioners, and be by them retained and accepted as liquidated damages for the loss sustained by such refusal or neglect, and not as or in the nature of a penalty.

100. *Form of lease, &c.*—Every lease and renewal of a lease shall, subject to the provisions of the Act, be in such form and subject to such covenants and conditions, and to the payment of such rent as the Commissioners may think proper, and shall be prepared at the expense of the applicant.

101. *Rent payable quarterly in advance.*—In every lease and renewal of a lease the rent shall be payable quarterly in advance, and before executing the lease the applicant shall pay to the Commissioners the first quarter's rent then due as reserved in the lease, and no lease will be granted until such first quarter's rent has been paid to the Commissioners.

102. *Applicants will be notified—Execution of lease.*—When the Commissioners determine to grant or refuse such lease they will cause notice of the decision to be given to the applicant, and if the application be granted the applicant must, within a week after such notice shall have been given, attend at the office of the Commissioners for the purpose of executing such lease and a counterpart thereof.

#### LICENCES OF LAND, ETC.

103. *Licences may be granted.*—Licences may be obtained from the Commissioners for any of the purposes authorized by the Acts hereinbefore referred to, and will be granted upon such rent reserved and subject to such conditions as the Commissioners may think fit, and all such licences may be either under seal of the Commissioners or signed by the Secretary.

104. *Shipping boxes, &c.*—No person shall erect, build, place, use, or occupy any shipping-box, ticket-box, or other structure upon any pier, wharf, or quay within the port unless he shall have obtained from the Commissioners a licence for that purpose. Applications for such licences must specify the nature and size of the proposed structure (not exceeding in any case 50 square feet), and the wharf, pier, or quay on which it is intended to place or use the same. The applicant shall be required to pay the fee fixed by the Commissioners within seven days after notice shall be sent to him of the acceptance of his application, otherwise his application will be deemed to have been abandoned. The fees payable are as follow, viz.:—

	Per Annum.
Every box or office covering an area of 30 square feet or under	£4 0 0
The like, if more than 30 square feet, but not exceeding 40 square feet	5 0 0
The like, if more than 40 square feet, but not exceeding 50 square feet	6 0 0

Licencees of special berths for shipping at any wharf, or of ferries, shall, while their licences remain in force, be allowed to use and occupy a shipping-box (not exceeding the dimensions hereby authorized) upon the wharf adjoining such special berth or ferry without the payment of any of the licence-fees hereinbefore imposed.

105. *Applications.*—Every application for a licence or permission or a renewal thereof shall be in writing, and shall be signed by the applicant, and addressed to the Commissioners, and shall state for what purpose the licence or permission or renewal thereof is required.

106. *Valuation fee.*—On receipt of an application for a licence or permission or renewal thereof in respect of any of the matters mentioned in the 90th section of the Act, the Commissioners, if they determine to entertain the same, will cause notice to be sent to the applicant that on his paying to the Commissioners the sum mentioned in such notice as and for a valuation fee, the Commissioners will cause a valuation to be made, pursuant to the said 90th section, by a person approved of by them, and should the said valuation-fee be not paid within seven days from the date of such notice the application will be deemed to be abandoned.

107. *Licences to be personal and not transferable except with consent.*—Every licence shall be personal, and the interest in any licence may not be transferred without the consent of the Commissioners and the payment of a transfer fee of One pound, and upon the sanction of the transfer thereof and surrender of the old licence a new licence will be issued to the transferee.

108. *Duration of licences.*—No licence shall be for a longer period than one year, and every licence shall bear date on the day on which it is issued, and shall continue in force for the period therein specified, but not later than the 31st day of December in each year, and shall be subject to any conditions and restrictions that the Commissioners may think fit to impose.

109. *Licences to be produced.*—Every licence shall be produced by the holder thereof when asked so to do by a duly authorized officer of the Commissioners.

110. *Fees payable in advance.*—The amount payable for a licence or permission shall in each case be fixed by the Commissioners, and shall be paid in advance.

#### INQUIRIES INTO COMPLAINTS.

111. *Complaints, how to be made.*—Every complaint shall be by application in writing, signed by the complainant, and addressed to the Commissioners or their Secretary, and delivered at their office. It shall state the complainant's address or place of abode or business, and the substance of his complaint, and whether he desires it to be publicly or privately inquired into and decided on.

112. *Inquiries into complaints.*—On receipt of such application the Commissioners will depute one or more, not exceeding three, of their body to inquire into the complaint, and will appoint a time and place for the hearing thereof, which shall commence within a week from the time that such Commissioner or Commissioners shall have been deputed to inquire into the same.

113. *Notice of time, &c., to be sent to complainant.*—The Commissioner or Commissioners so deputed as aforesaid shall cause notice to be sent to the complainant of the time and

place fixed for holding the inquiry, which notice shall be posted to the address, or place of abode or business, mentioned in the application of the complainant, and the complainant shall attend with his witnesses, if any, at the time and place appointed.

114. *Adjournment of inquiries.*—The Commissioner or Commissioners holding the inquiry shall have power to adjourn the inquiry from time to time as he or they may think fit.

115. *Examination, &c., of witnesses.*—The mode of examining or cross-examining witnesses and the procedure at all inquiries shall be in as close conformity as possible with the practice adopted before justices on inquiries had before them.

116. *Person to take down evidence.*—The Commissioner or Commissioners deputed to hold any inquiry may appoint a competent person to take down the evidence thereat.

117. *Personal complaint to Commissioners may be made.*—Any person not requiring a public inquiry, but desirous of stating any complaint personally to the Commissioners, may do so after making an application to the Secretary of the Commissioners for that purpose.

#### PART II.

#### REGULATIONS TO BE OBSERVED WITHIN THE PORT OF MELBOURNE.

118. <i>Signals.</i> —	
Harbor Pilot	The ensign at the foremast-head.
Health Officer, Hobson's Bay	Ensign at the mainmast-head, with blue flag underneath.
Quarantine	Yellow flag at the mainmast-head.
Sea Pilot	The union jack at the foremast-head.
Water Police	Day signal—The ensign at the mainmast-head. Night signal—Two lights vertical at any mast-head or the peak, having 5 feet between the two.
Customs Boat	Union jack at the peak.
Steam-boats	Rendezvous flag at the peak or mizzenmast.
Explosives on board	Union jack at the main.
Medical assistance	Letter B at the peak.
Boarding officer	Blue flag at the main.
Mails on board	White flag at the fore, to be kept flying till the mails are out of the ship.
Government emigrants on board	Ensign at the mizzenmast-head.
Clearance officer outwards	White flag at the mainmast-head when the master is on board.
Launching vessels from patent slips or building yards	Square red flag to be hoisted on a flagstaff one hour before launching.
Ballast	Letter S at mizzen.
Water	Letter M at mizzen.
Blasting operations	Square red flag to be hoisted on the work.

119. *Firearms.*—All vessels shall unshot their guns before entering the port, and no guns or firearms shall be discharged by any person on board any ship or boat, or within the port, nor any blue lights, rockets, or other combustibles burned, unless permission in writing has been previously obtained from the Harbor-master, except only when urgent assistance is required.

120. *Berthing vessels.*—The Harbor-master, or a person to be deputed by him, shall appoint the place where all vessels, lighters, and boats shall lie or take up an anchorage within the port, and no vessel shall be anchored in such place of anchorage or brought or placed alongside of any wharf without his authority or contrary to his directions.

121. *Harbor-master to berth.*—All ships and steam-ships within the port being at any of the public piers, jetties, or wharfs thereof, shall be subject to the orders of the Harbor-master in regard to mooring or shifting, and in regard to the extent of the accommodation such ships or steam-ships may require from each other.

122. *Heave to for boarding officer.*—While any vessel is entering, departing from or within the port, the master shall by every means in his power, consistent with the safety of such ship, assist every duly authorized officer of the Government or of the Commissioners in boarding or leaving such ship, and no person on board any such ship shall interfere with or obstruct any such officer or any pilot whilst carrying out their duties respectively.

123. *National colours.*—Every ship shall, between sunrise and sunset, hoist and keep flying her national colours under the following circumstances:—

- (1) When entering the port, from the time of entering until the vessel has arrived at her final destination.
- (2) On Sundays and public holidays, while lying in port, weather permitting.
- (3) On leaving port.

124. *Crew on board.*—All ships plying or berthed at any wharf within the port must be in charge of a competent master, and also be manned by a sufficient number of experienced seamen.

125. *Anchor buoys.*—All ships must have proper buoys and sufficient buoy-ropes for their anchors. Any anchor, kedge, cable, or mooring slipped, parted, or cut from, if not weighed within twelve hours, may be weighed by order of the Harbor-master at the risk and expense of the owner, unless the permission, in writing, of the Harbor-master to allow such anchor, kedge, cable, or mooring to remain unweighed has been previously obtained.

126. *Vessels moored.*—Vessels moored with two anchors must always have both cables clear. Vessels lying at single anchor must have the second anchor clear. In both cases the cables must be kept in readiness to be slipped, veered, or hove in, in case of fire or other accident.

127. *Boats, &c., astern of vessels.*—The master of any vessel at anchor shall not permit any boat or lighter to ride astern of and be attached to such vessel at a greater distance from such vessel than three fathoms, nor shall the master permit any deeply-laden boat, log or logs of timber, or other floating object, likely to injure other vessels or boats, to remain astern of and be attached to any such vessel at anchor.

128. *Beacons not to be made fast to.*—No interference with lights, &c.—No person in charge of any vessel shall moor or make fast, or cause or permit to be moored or made fast, such vessel to any buoy or beacon not being a compass-adjusting, mooring, or warping buoy or beacon, and no vessel shall be moored, made fast, or hung on to any mooring buoy without the permission of the Harbor-master. No person shall in any way interfere with any light, light beacon, or sea mark.

129. *Watch on board.*—All vessels in port shall always have at least one seaman at watch on deck, except—(1) Vessels laid up, coal hulks, ballast or other lighters lying within such limits as the Harbor-master may have authorized them to occupy, but all such last-mentioned vessels shall have always one person on board. (2) Vessels (not being vessels moored to or lying at any wharf) and boats lying within the limits prescribed in the next succeeding regulation. All persons on watch or on board as aforesaid, and all persons in charge of boats, shall at once answer the challenge of the water police or other public officer. Where there is no master, the owner or agent of such vessel, or person having or claiming to have *de facto* the control thereof, shall be liable for any breach of this regulation.

130. *Anchor lights—Limits.*—All vessels at anchor shall, from sunset to sunrise, exhibit a bright white light in a globular lantern, of eight inches in diameter, and so placed as to show a clear, uniform, and unbroken light visible all round the horizon, and at a distance of at least one mile. This regulation shall not apply to vessels moored to the shore, or to any wharf, or to vessels within the following limits, viz. :—

- (1) A line drawn from the end of the Port Melbourne town pier to the south end of the steam-boat jetty on the east side of the Port Melbourne railway pier.
- (2) A line drawn from the south end of the steam-boat jetty on the west side of the Port Melbourne railway pier to the red dolphin at the northern side of the entrance to the River Yarra Yarra.
- (3) A line drawn from the black dolphin at the southern side of the entrance to the River Yarra Yarra to the end of the Ann-street wharf, and thence to the end of the railway and breakwater piers at Williamstown.

131. *Lights on vessels in tier.*—A vessel lying in tier outside a vessel moored to the shore or to any wharf shall, from sunset to sunrise, exhibit from her bow and also from her stern a light of the same character, and so placed as to effect the same purpose as is in the preceding clause prescribed for vessels at anchor.

132. *Touting not permitted.*—No person shall, upon any wharf or vessel within the port, tout for or solicit any one to proceed as a passenger by any steamer, or to take up his or her residence at or proceed to any boarding-house or hotel.

133. *Launching ways.*—No person shall use the slips or launching ways of the Commissioners for the purpose of launching any vessel unless he shall have obtained written permission from them to do so, and shall have paid the fees fixed by them and have given the security and agreed to comply with the other conditions to be prescribed by them for such use. The fees for the use of the slip or launch way shall be £10, and the applicant will be required to deposit with the Treasurer to the Commissioners the sum of £30 as security that he will properly take up, and at the end of the time allowed for launching purposes will relay the roadway to the satisfaction of the engineer to the Commissioners, and remove all launching ways, cradles, and materials used by him, so that the public convenience and traffic may not be interfered with. Not more than twelve consecutive hours will be allowed for launching purposes, and a sum of £5 for every hour after the time herein allowed shall be payable by the applicant. If the applicant fails to do the work required of him, the Harbor-master may without notice do it for him,

and the cost thereof and any sum due as aforesaid for delay shall be deducted from the said deposit so far as the same will go, and the balance, if any, must be paid to the Commissioners within twenty-four hours after demand made.

134. *Careening, &c.*—Masters requiring to careen, heave down, or haul their vessels or boats on shore for the purpose of inspection or repairs, must obtain permission of the Harbor-master for that purpose.

135. *Gangway, ladder, or stage—Nets.*—Every vessel lying in the bay and not alongside any wharf shall be provided with a good and sufficient gangway ladder. Every vessel lying alongside any wharf, or alongside any vessel moored to any wharf, shall be provided with a good and sufficient stage for the use of persons coming from or going on board such vessel, and every such stage shall be made of not less than two (2) inch planks, and to be at least two (2) feet six (6) inches broad for passenger steamers, and two (2) feet broad for other vessels, with cross battens and ropes on both sides from the vessel to the wharf, or from vessel to vessel, supported by wooden or iron stanchions not less than three (3) feet high, and also with a good and sufficient net placed underneath the stage to prevent accidents, to be approved by the Harbor-master. At night, a good and sufficient light shall be provided for every such gangway, ladder, and stage. So much of this regulation as refers to providing nets shall not extend or apply to tug steamers or small vessels which trade within Port Phillip Bay, or to vessels moored to any wharf in the Yarra Yarra or the Saltwater Rivers.

136. *Removing vessels.*—The Harbor-master at any time may order any vessel, lighter, boat, timber, or other article to be removed from any berth alongside any wharf or from alongside any vessel or pier or from any anchorage to any other part of the harbor. No vessel shall be removed from any wharf at which she is berthed without the authority of the Harbor-master.

137. *Spars of vessels to be closely rigged in.*—All masters of vessels shall, when called upon by the Harbor-master, immediately strike their topgallant yards and masts, have their jib, spanker, and all booms rigged close in, top up and brace fore and aft all yards, and moor with two anchors or clear hawse, and further shall obey all lawful orders of the Harbor-master, and generally follow such directions as the weather, the crowded condition of the port, or other circumstances may render necessary or expedient, in the judgment of the Harbor-master, for the safety and interests of the whole shipping, or for the preservation of the wharf to which such vessel may be moored.

138. *Compulsory removal of vessels.*—In the event of any hostile attack or other emergency rendering necessary, in the Harbor-master's opinion, the immediate removal of any vessel from one part to any other part of the harbor, the Harbor-master may order such vessel to be removed at once; and should the owner or master, on being called upon, not immediately take the most prompt measures to carry the Harbor-master's orders into effect, the Harbor-master may hire such steam-tugs and men, tackle and ballast, as may be required, and effect such removal; and the expense of such removal shall be paid by the owner or master of such vessel; and no responsibility shall attach to the Harbor-master for any damage that may be occasioned by his act done in such emergency in accordance with this rule.

139. *Extra warps, &c.*—The master of any vessel berthed alongside any wharf, or moored or anchored within the port, shall run out such extra warps, moorings, chains, and anchors for securing such vessel as the Harbor-master may direct.

140. *No vessel to lie in fairways—Ropes across river, &c.*—No ship, lighter, boat, or raft shall be anchored in any fairway or in the channel of any river; but if detained there, it shall lie close over on either side of such fairway, channel, or river; nor shall any cable, chain-hawser, rope, or other obstruction be placed across any such fairway, channel, or river, without permission from the Harbor-master; and the Harbor-master may define, by bearings or otherwise, as he may deem most convenient, the limits of the fairway, channel, or river within which no ship or vessel shall bring up.

141. *Vessels to rig jibbooms.*—All vessels anchored close to any fairway or to any wharf, shall have their jibbooms rigged in close to the bowsprit cap, or their running bowsprits close in to the stem head.

142. *Ropes to be slacked.*—Every master of any vessel which shall be moored or navigated on any part of the river with a warp hawser, rope, or chain across the river, or which shall have a rope across the river for any purpose whatever, unless in the act of entering or departing from any dock, swinging basin, or removing to and from any berth, shall cause the same to be slacked down when practicable on the approach of any other vessel which shall be proceeding, dropping, steaming or sailing up or down the river, so that such last-mentioned vessel may pass safely and without delay.

143. *Hobson's Bay anchorage.*—A pilot in charge of any vessel (not coming within the explosives anchorage regulations), entering the port, shall ascertain from the master whether such vessel is to discharge her cargo at any of the wharfs at Port Melbourne or Williamstown, and shall moor her accordingly; but should there be no vacant berth, or should the vessel not be going alongside any wharf there, or to any wharf in the River Yarra Yarra, he is to moor such



vessel with two anchors in a clear berth within the inner anchorage, as close over to the Port Melbourne or Williams-town side as her draught of water will permit.

144. *Masters to comply with clauses 23 and 26.*—Masters of vessels exempt from pilotage shall comply with clauses 139 and 142, so far as relates to the anchorage within the Port.

145. *Fairways to be kept clear.*—Whenever by unavoidable circumstances it has become necessary to let go an anchor in any fairway, channel, or river, the person in charge of the vessel from which it has been so let go shall, as soon as possible, lift the same, and place it in such a situation as not to interrupt or interfere with the free passage of other vessels.

146. *Collision, &c., to be reported.*—Should any vessel ground in the river or bay, or should any anchor or article be let go or fall into the river or bay from any vessel, whereby the navigation of the river or bay is likely to be obstructed or attended with danger to other vessels; or should a collision take place whereby damage is caused to any vessel, the master of every such vessel so grounding or colliding, or from which any anchor, article, or thing has been let go or fallen, as aforesaid, must immediately report the circumstances in writing to the Harbor-master.

147. *Anchors.*—No vessel shall be navigated or lie in the river with the anchor or anchors hanging by the cable perpendicular from the hawse unless the stock be hove up close to the hawse pipe, except during such time as shall be absolutely necessary for cutting or fishing the said anchor or anchors, or during such time as may be absolutely necessary for getting such vessels under way.

148. *Anchors.*—No vessel shall be navigated or lie in the river with its anchor or anchors acockbill, except while fishing such anchor or anchors, or during such time as may be absolutely necessary for getting such vessel under way, or bringing it to anchor.

149. *Yards to be peaked or braced, and booms, &c., to be rigged in.*—Every vessel in tow of a steamer proceeding up or down the River Yarra Yarra or Saltwater River shall have the yards apeak or braced fore and aft, and the jibboom and flying jibboom rigged in to within three feet from the cap, and all running bowsprits run in close to the stems; the quarter and stern davits, the main and mizzen booms and bumpkins rigged in; and every vessel while moored at or alongside of any wharf at Melbourne, or while lying in the River Yarra Yarra, above or below Junction Point, or in the Saltwater River, shall have the yards peaked or braced fore and aft, and obey such further directions as the Harbor-master may give.

150. *Master to furnish copy of manifest.*—The master or agent of any vessel shall after its arrival forthwith deliver to the Harbor-master, at his office, in Melbourne, a statement in writing signed by such master or agent, and showing the registered tonnage and the gross tonnage of the cargo on board of his ship which is to be delivered within the port, the ship's draught of water, and if required by the Harbor-master, also a copy of the ship's manifest. Before any vessel shall leave the port having cargo on board, the master or agent shall within twenty-four hours deliver to the Harbor-master as aforesaid, a statement signed by him of the gross tonnage of the cargo laden within the port, and the place where the same was so laden.

151. *Timber rafts to be lighted.*—No rafts of timber shall lie in the navigable channel of the river. Rafts lying in the river or anchored or lying in Hobson's Bay must, between sunset and sunrise, exhibit a proper light on a pole 12 feet high fitted properly on one end or part of such raft. Where the raft is over 200 feet in length lights of the description above mentioned must be fitted and exhibited on each end thereof.

152. *Rafts proceeding up the river.*—No raft or timber shall be taken up the River Yarra Yarra without a written order from the Harbor-master, and any raft intended to be made fast in the river shall be secured close to either bank in such place as the Harbor-master may direct; and all rafts of timber must be hauled up and removed from the river within forty-eight hours after arrival at the wharf.

153. *Vessels not to be docked without the sanction of the Harbor-master.*—No vessel shall be taken up the River Yarra Yarra for the purpose of being admitted into any graving dock, nor shall any vessel be docked, undocked, or removed to or from any wharf or anchorage, or to or from any dock or dock-wharf unless with the sanction of the Harbor-master.

154. *Vessels not to be hauled up, launched, or removed without consent of Harbor-master.*—No vessel above 30 tons register shall be hauled up or launched from or removed to or from any patent slip, slipway, or launching way within the port without the permission of the Harbor-master; nor shall any vessel be removed to or from any graving dock unless and until the master or person in charge of such vessel shall have given to the Harbor-master twelve hours' previous notice in writing of the intention so to remove the said vessel, and have obtained the consent of the Harbor-master thereto.

155. *Ships to be berthed in rotation.*—All vessels, on application being made to the Harbor-master, will be provided with berths when vacant in rotation, according to their time of arrival in the port. Any vessel on being appointed to a

discharging berth must immediately proceed to occupy it, and go on discharging, otherwise the berth may be given to the vessel next in turn.

156. *Water closets on vessels.*—Every vessel on or before entering the Victoria Dock shall have each and every water closet thereon thoroughly cleaned and locked up, and no person shall use any such water closet while the vessel is in the dock.

157. *Closets for officers on shore.*—The water closets on shore which are reserved for the use of officers belonging to vessels in the Victoria Dock are to be kept locked except when in use; the keys for such water closets will be delivered to the officer in charge of such vessel on her arrival in the dock, and must be returned to the man in charge at the dock-head on the vessel's departure.

158. *Hatches to be out.*—All vessels, when not engaged in loading or unloading (except the hopper or other well barges belonging to the Commissioners, open lighters, boats, half-decked yachts or watermen's boats), having a hatchway or any large opening in the deck for the reception of machinery or otherwise, shall, between sunset and sunrise, have such hatchway or opening closed and properly secured, or properly lighted and watched by a special watchman.

159. *Vessels to tie head up stream.*—Every vessel arriving at a river berth shall lie with her head up stream, unless permission is granted for her to swing head down before berthing.

160. *Vessels coming up the river.*—Vessels proceeding up the river shall give way to vessels proceeding down the river.

161. *White flag.*—The master of any ship outward bound requiring his clearance shall hoist a white flag at the main-mast-head when the ship is ready for sea.

162. *Hand lanterns for use of passengers when landing.*—Every steamer carrying passengers when arriving at or departing from any wharf or landing place within the port after dark shall have and use a sufficient number of lights, consisting in no case of less than three hand-lanterns, and so placed or carried as to enable passengers to get on board or to land with safety.

163. *Steamer's furnace.*—The masters of steam vessels shall as soon as their vessels are berthed, cause the furnaces and dampers to be so regulated as to prevent, as far as possible, accidents by fire, and shall so adjust their furnace doors and temper their furnace fires as that no more than the smallest practicable quantity of smoke shall pass therefrom.

164. *Steamers with vessels in tow.*—When steamers have vessels in tow, and are steering opposite courses, both steamers, on approaching each other, shall slack their speed, when practicable, until they with their tow shall have passed each other.

165. *Manner of towing.*—The master of any steamer employed in towing any vessel shall not in the River Yarra Yarra or the Coodle Canal or the entrance to the Victoria Dock tow such vessel alongside or abreast of such steamer, excepting when two steamers are employed in towing; nor shall he tow any vessel alongside or abreast of another or stern foremost; nor shall he tow vessels in train when such train exceeds 160 yards in length. This regulation shall not apply to the dredges of the Commissioners.

166. *Admiralty lights.*—Vessels of all descriptions over fifteen tons register whilst in tow of a tug steamer shall exhibit a red light on the port side and a green light on the starboard side, to be fitted with shades, and of the character prescribed in the Admiralty Regulations. Vessels of all descriptions under fifteen tons register whilst in tow of a tug steamer shall carry the lights prescribed in Clause 295 of Harbor Regulations.

167. *Steamers passing ferries.*—The master of every steamship shall, at least 300 yards from any licensed ferry, slow the engines of his vessel to "dead slow," and when his vessel is at a distance of 100 yards from such ferry shall stop the engines and not put them on ahead again until his vessel shall have passed 50 yards clear of such ferry and the ferry-bont's chains.

168. *Passing moored ferries.*—No vessel when being navigated in the River Yarra Yarra shall pass or approach within 50 feet of any part of any steam ferry-boat while such ferry-boat is moored in her dock on either side of the river.

169. *Passing dredges, &c.*—The master of every steamship shall, at least 300 yards from any dredging machines, spoon barges, diving punts, or rock-boring machines belonging to the Commissioners, put the engines of his vessel to "dead slow," and when his vessel is passing over or along the mooring chains of the said machines, barges, or punts, he shall stop the engines until his vessel has passed 50 yards clear of such mooring chains.

170. *Dredge.*—All vessels passing any dredge shall pass on the side indicated by a red ball or flag displayed by day and by two vertical red lights by night; when the ball is down they may pass on either side.

171. *Passing silt works.*—Whenever works are being executed by the Commissioners, or silt is being landed from barges or punts, a red flag shall be hoisted upon a pole on the river bank at each end of the station or works or silt-landing depot, and when any steamship is abreast of the red flag nearest to it the master of such steamship shall reduce the

speed of the engines to dead slow until his vessel shall have passed at least 50 yards beyond the flag at the other end of any such work, silt depôt, barges or punts.

172. *Rate of speed—Speed in Cooke Canal.*—No steam-ship shall be navigated—(1) between the Queen's-bridge and the east end of the Cooke Canal, or when passing works in progress on the banks of the river, vessels at anchor or aground, tug steamers with trains in tow, sunken vessels, or vessels moored at any wharf, at a greater rate of speed than a maximum rate of four nautical miles per hour over the ground; (2) in or through Cooke Canal at a greater rate of speed than five nautical miles per hour over the ground; (3) from the west end of the Cooke Canal to the dolphins at the entrance of the River Yarra Yarra at a greater rate of speed than a maximum rate of seven nautical miles per hour over the ground; (4) or within any other part of the port at a greater rate of speed than a maximum rate of eight nautical miles per hour over the ground. This regulation shall not (except as to the Cooke Canal) apply to steam-lighters, steam-launches, or small steamers drawing less than seven feet of water, and whose engines are under 25 horse-power nominal.

173. *Not to anchor in Cooke Canal.*—No vessel shall anchor in the Cooke Canal or moor or make fast to the warping piles on its banks, and should any vessel from any cause whatever be detained in the Cooke Canal, the master must immediately procure a steam-tug and cause such vessel to be removed therefrom.

174. *Timber rafts in Cooke Canal.*—No rafts or logs of timber shall be anchored or made fast in the Cooke Canal.

175. *Sailing in Cooke Canal.*—No sailing vessel of any description shall enter the Cooke Canal unless there shall be a commanding breeze which will enable such vessel to navigate the Cooke Canal without tacking or luffing up.

176. *Punting in Cooke Canal.*—No vessel shall track or pole up or down the Cooke Canal.

177. *Steam vessels passing each other.*—When steam-ships proceeding in opposite directions approach each other, their helms shall at a proper distance be put to port, and when at a distance of not less than 100 yards apart, their engines shall be slowed, and the vessels respectively be kept as near as possible to the right or starboard side of the river, so as to afford all possible facility for passing each other. This regulation shall not apply to dredging machines in course of being shifted from one place to another, or to tugs with trains of punts or barges in tow; but the master of every steam-ship meeting such dredges or tugs, and the masters of such dredges and tugs, must use every exertion to avoid collision.

178. *Swinging at the compass-adjusting buoys.*—Masters of vessels using the compass-adjusting buoys in Holson's Bay must not use the propelling power of any such ship for swinging the ship round the central or other buoys moored off Sandridge Bend or the buoy moored off St. Kilda Shoal, but must either warp or employ a steam-tug to tow the ship round the above-named buoys.

179. *Man on look-out.*—The master of every steam vessel, when under way, shall be and remain on the bridge or on one of the paddle-boxes of such steam vessel, and, in addition, there shall be a man at the helm, and a competent person in charge of and attending to the engine; and, whilst any such steam vessel is plying between sunset and sunrise, or during fogs, a proper look-out forward must be kept. The utmost care must be taken to prevent accidents to other vessels and boats.

180. *Passenger steam vessels.*—The master of every passenger steam vessel shall give notice, in writing, to the Harbor-master at his office, of the time his vessel will sail, at least twelve hours before the hour notified in the public newspapers as the time for sailing; and such steam vessel shall depart punctually at the hour so notified, unless prevented by an unavoidable accident. If any such accident arises, it shall be immediately reported at the Harbor-master's office.

181. *Steam whistles.*—No steam whistle shall be used on board any vessel within the port, or while moored alongside any wharf, nor whilst swinging in the basin, nor for any other purpose except that laid down in the Admiralty Regulations in connexion with fogs, or to avoid collision in the river, when one short blast may be used, whether as a signal of arrival or departure, or for any other purpose whatever; but a bell may be rung for a reasonable time previous to the departure of any steamer from the wharf.

182. *Engines of steam vessels not to be worked alongside wharfs.*—No owner or master of any steam vessel shall, without the permission of the Harbor-master, work the engines of such vessel, or allow the same to be worked, while such vessel remains moored alongside any wharf; and such owner or master shall, in addition to any penalty incurred hereunder, be liable to pay whatever damage may have arisen by reason of such working.

183. *Work on Sundays.*—No vessel (except steamers plying with passengers only) shall be unmoored on Sundays from her anchorage, or from her berth alongside any wharf; and no work shall be done on any ship in harbor on Sundays, except such as may be necessary for the cleanliness or safety of the ship, or for the navigation of the steamers aforesaid, unless by the express permission in writing of the Harbor-master.

184. *Government boats.*—All boats alongside of ships or wharfs shall give way to Government boats and the boats of the Commissioners on duty.

185. *Boats near wharfs.*—No lighter or boat shall anchor at less distance than one hundred fathoms from any wharf, except for the purpose of immediately hauling alongside.

186. *Boats at landing place.*—No boat shall remain at any landing place after discharging her cargo and passengers, or make fast to the steps or handrail belonging thereto, unless there be some person in charge ready to remove such boat when required to do so by the Harbor-master or person deputed by him.

187. *Landing stages.*—No goods, cargo, luggage, baskets of fish, including shellfish, or fish in bulk, or materials or articles of any description shall be placed or allowed to remain upon any landing place or upon the steps or approaches leading thereto; nor shall any boat be placed or allowed to remain upon the stage of any landing place or hove down alongside thereof on any pretext.

188. *Ropes not to be made fast.*—No person shall make fast any rope or mooring to any wharf (except to the mooring piles or rings provided for the purpose), or to any shed or pillars supporting the same, or to any lamp-post, or to any crane or other erection.

189. *No ship repairs to be done on wharfs.*—No person shall make, repair, dress, or scrape spars or masts, or do any kind of carpenter, smith, boiler-maker or rigging work on any wharf, or under any shed, or hang or put up sails, masts, spars, or any other thing to or upon any of the beams or joists of the sheds without the authority of the Harbor-master.

190. *Stray boats, &c., to be handed to Harbor-master.*—All stray boats, timber, or other articles found within the port shall be immediately delivered up to the Harbor-master, in whose custody they shall remain until claimed by the proper owners, who shall pay all reasonable expenses thereon.

191. *Boiling pitch, tar, &c.*—No pitch, tar, resin, oil, or other such-like combustible matter shall be heated by fire on board any vessel or boat without the permission in writing of the Harbor-master. But this rule is not to be understood to prevent the burning of any lamp or candle for giving light on board, or the lighting of any fire for the purpose of cooking or working the machinery of any vessel.

192. *Fires—Smoking ships.*—Between the hours of ten o'clock p.m. (10 p.m.) and four a.m. (4 a.m.) no fires, except the furnaces of steamers, shall be lighted, nor shall any unenclosed lights be allowed to burn on board any vessel in that part of the port where vessels lie for the purpose of loading and discharging cargo or effecting repairs; nor shall any vessel be fumigated or smoked, unless the vessel be moored at a safe and sufficient distance from other vessels, and permission in writing be obtained from the Harbor-master. All fires and lights allowed must be properly enclosed.

193. *Fire buckets.*—All vessels under four hundred tons must be provided with fire buckets in the proportion of four to every hundred tons, one-half of which buckets shall be constantly hung up in some convenient place, with lanyards attached ready for drawing water.

194. *Lights must be enclosed.*—The master of every ship shall see that no artificial light is used in any part of any vessel except the same be securely enclosed, and in charge of some trustworthy persons.

195. *Lights out.*—After work has ceased for the day on board of any vessel all hatches shall be put on and properly closed, to prevent accidents, and before closing the hatches the master or officer in charge shall go into the hold and into the between decks and satisfy himself (1) that there are no signs of fire; (2) that all lights have been put out except those authorized in Clause 192; and on each day an entry of these facts shall be made in the log-book.

196. *Ship on fire.*—In the event of any fire occurring on board any vessel in port, all persons in charge of or otherwise belonging to any vessel or boat then in port shall afford such assistance towards extinguishing the fire and the protection of neighbouring vessels as the Harbor-master, or person deputed by him, may demand.

197. *Dead animals.*—No person shall throw, place, or leave any dead animal or putrefying matter into or on any part of the port.

198. *Throwing rubbish &c., into the port.*—No ballast, rubbish, gravel, earth, stone, sand, wreck, filth, coal, cinders, or refuse, or any other material whatsoever, shall be thrown or dropped by any person into the port, river, or anchorage, or be placed, landed, or shipped in the port, except at the places and in the manner pointed out by the Harbor-master; and all such ballast, gravel, rubbish, earth, stone, sand, wreck, filth, coal, cinders, or refuse, or other material placed contrary to the instructions of the Harbor-master shall be removed at such times and to such places as the Harbor-master may direct.

199. *Stones, &c., on wharfs.*—No person shall lay down any stone, sand, lime, gravel, or other matter upon any wharf, footpath, or road within the port without the consent of the Harbor-master.

200. *Sunken vessels, &c.*—If any vessel be sunk or stranded within the Port, or if any obstruction shall impede the navigation and use of the port, or any part thereof, the master, owner, or agent of such vessel, or the owner of the property by which such obstruction is caused, shall immediately notify

the Harbor-master of the position of such obstruction, and shall exhibit on or near such vessel or obstruction such flags, masts, or lights as the Harbor-master may direct.

201. *Coamings.*—No ballast lighter, scow, or other similar open vessel shall ply within the port without having sufficient coamings at least 8 inches high above the deck planking.

202. *Bathing.*—No person shall bathe in any part of the port except at such places and at such times as the Commissioners may appoint for bathing purposes, and no person shall wantonly or indecently expose his person within the said port.

203. *Baths.*—The licensees, owners, or occupiers of baths wholly or partly within the boundaries of the Trust shall not use or allow the same to be used by bathers unless and until they have, for safety and public decency, enclosed and screened off the whole outside boundaries of the baths to the satisfaction of the Harbor-master, nor unless the depths of water in such baths are kept exhibited on notice-boards within the baths.

204. *Bathing of horses.*—Bathing of horses is prohibited from any part of the foreshore or of the port after nine o'clock in the forenoon of any day.

205. *Death on board.*—In the event of the death of any person on board of any vessel in the port, the master of such vessel shall cause the body to be buried on shore according to law; but peculiarly thereto he shall report the particulars to the police.

206. *Mail-boats.*—All mail-boats shall, during such time as they are occupied in shipping or landing mails, have a preference of berth, whether alongside vessels or wharfs.

207. *Netting fish, undersized fish, shooting fish.*—No person shall use for the purpose of catching fish any net or fixed engine (as defined by the *Fisheries Act 1890*) in any waters within the jurisdiction of the Commissioners, or drag or draw therefrom on to the dry land any net containing fish, or catch or take therefrom any fish of any of the species mentioned in the Second Schedule of the *Fisheries Act 1890*, of a less weight than the weight set after the names of such fish in such schedule, or shoot any fish therein.

#### WHARFS AND JETTIES.

208. *Time allowed ships at wharfs.*—The time during which vessels with full general cargoes on board may occupy berths at all wharfs under the control of the Commissioners for the purpose of discharging cargo shall not exceed the following, viz.:—

For vessels under 101 tons register...	2 days
"    from 101 tons to 200 tons register	3 "
"    "    201 "    300 "    "	4 "
"    "    301 "    400 "    "	5 "
"    "    401 "    500 "    "	6 "
"    "    501 "    600 "    "	7 "

and then at the rate of one (1) additional day for every additional 200 tons register. The time to be allowed to vessels not having full general cargoes on board shall be in the same proportion to the above number of days as such cargo bears to the register tonnage. Sundays and holidays are excluded from the above computation.

209. *Timber ships.*—The time during which vessels with full cargoes of timber on board may occupy berths as above shall not exceed the following, viz.:—

For vessels under 151 tons register...	3 days
"    from 151 tons to 200 tons register	4 "
"    "    201 "    250 "    "	5 "
"    "    251 "    300 "    "	6 "
"    "    301 "    400 "    "	7 "
"    "    401 "    500 "    "	8 "

and then at the rate of one (1) additional day for every additional 200 tons register. The time to be allowed to vessels not having full timber cargoes on board shall be in the same proportion to the above number of days as such cargo bears to the register tonnage. Sundays and holidays are excluded from the above computation.

210. *To move when directed.*—No vessel shall, be allowed to keep a berth longer than the prescribed period, although a portion only of her cargo may have been loaded or discharged, but she must give place to the next in turn when the Harbor-master so directs.

211. *Taking in cargo.*—Vessels, after having discharged or taken in their cargo, shall remove to any berth or anchorage pointed out by the Harbor-master.

212. *Discharging.*—Vessels discharging cargo shall have prior claim to the wharf to vessels taking in cargo.

213. *Space occupied.*—The cargo of any vessel loading or discharging at any wharf shall not occupy a greater space on any such wharf than the length of such vessel, except by special permission of the Harbor-master.

214. *Cargo from western ports of Victoria.*—No cargo from any of the western ports of the colony of Victoria shall be landed or discharged at any of the berths, numbers one to eleven inclusive, on the north side of the River Yarra Yarra.

215. *Outside berth.*—Vessels discharging or taking in cargo at outside berths shall be allowed two days for one of the scale mentioned in Clause No. 208.

216. *Cargo may be discharged over another vessel.*—Cargo may be discharged from or taken in by any ship lying at an outside berth over and across the deck of any vessel lying

alongside of any wharf. The inside vessel shall allow and afford such facilities for the purpose as the Harbor-master may direct.

217. *Wharfs to be cleared of rubbish, &c.*—The master of every vessel moored to or lying alongside any wharf shall not remove his vessel therefrom until the portion of the wharf opposite to or required for the use of such vessel has been thoroughly cleared of all rubbish and swept clean to the satisfaction of the Harbor-master, by some person belonging to such vessel, or hired by the master or owner thereof. All stages, planks, gangways, horse-boxes, or other articles used for loading or unloading such vessel shall be taken on board such vessel or be removed to such place as the Harbor-master may direct.

218. *Placing goods on jetty.*—All goods or other articles landed on any wharf shall be so placed as to keep the mooring posts or rings free, and allow a clear passage of at least five (5) feet from the edge of the wharf nearest the vessel, upon which space no goods shall be allowed to remain. All fire plugs must be left clear with a space of three (3) feet all round each, and a passage of three (3) feet wide leading up thereto.

219. *Space round cranes to be kept clear.*—No goods, carts, carriages, or other articles shall be placed or deposited within 25 feet of any public crane, or so as to prevent the free use and working of the cranes.

220. *Goods not to be left on wharfs without permission.*—No goods other than goods imported or intended for export shall be left or allowed to remain upon any wharf or road without the permission of the Harbor-master.

221. *Goods on wharf.*—All goods imported and landed upon any uncovered wharf or in any open shed, as well as all goods placed thereon or therein for the purpose of export, shall be removed therefrom within twenty-four hours after having been so landed or placed thereon or therein; and unless such goods shall be so removed they may be removed by the Harbor-master and stored in any bonded or other warehouse, on behalf and at the risk and expense of the owners thereof, and payment of the cost, charges, and expenses attending such removal and storage may be enforced and recovered in the same manner as tolls, rates, charges, and expenses are enforceable and recoverable under section 117 of the Act. Provided that no goods liable to duty shall be removed unless with the consent of the landing surveyor in charge of the Customs station, who shall nominate the warehouse to which such goods shall be removed.

222. *Paying berths.*—Subject as hereinafter mentioned, and so long as any of the berths herein referred to are not at any time appropriated for the exclusive accommodation of any particular person in accordance with the provisions of the Act, there shall be paid to the Commissioners in respect of the use by any vessel of any of the berths in the River Yarra Yarra eastward of No. 8 berth on the north of the river, and of No. 10 berth south of the river and berth G, or such other unoccupied berth at the coal wharf, the sum of One halfpenny for every ton of the net register tonnage of such vessel for each day or part of a day that such vessel uses the whole or any part of any of the said berths; but the total sum to be paid for each day or part of a day that any vessel uses or occupies any of the said berths shall not exceed the sum of Two pounds, nor be less than Five shillings.

223. *Crane berth.*—Nothing contained in the last preceding regulation shall apply to any vessel using the said crane berth solely and exclusively for the purposes of discharging or taking in heavy lifts.

224. *Coal landed at paying berths.*—The owner, master, or agent of every vessel which shall use or occupy any of the said berths at the coal wharf shall, before the vessel leaves the said berth, remove or cause to be removed from the wharf adjoining the said berth all coal or goods discharged upon the said wharf from the said vessel; and if any part of such coal or goods be not so removed, the said owner, master, or agent shall pay to the Commissioners One farthing for every ton of the net register tonnage of such vessel for each day or part of a day that the said coal or goods are so left on the said wharf, but the said charge shall not be more than One pound or less than Five shillings per day. Nothing in this clause contained shall effect any power, right, or remedy of the Commissioners or the Harbor-master to remove the said goods from the wharf, or any other liability either of the owner, master, or agent of the ship, or of the owner of the said goods, for not removing the same.

225. *Coal landed at free berths.*—All coal discharged at the south wharf westward of berth G must be entirely removed from the wharf and site at the rate of 150 tons per day, dating from the commencement of the discharge of the vessel from which the same has been landed.

226. *Combustibles not to lie on wharfs, &c.*—No lime, tar, pitch, resin, spirituous liquors, turpentine, aquafortis, oil of vitriol, kerosene, or other combustible thing shall be placed or allowed to remain on any wharf or on the deck of any vessel, unless the same is under the protection of a watchman; and the owner of such lime, tar, pitch, resin, aquafortis, oil of vitriol, spirituous liquors, turpentine, or kerosene, or other combustible thing must remove the same to a place of safety within two hours after being required to do so by the Harbor-master. In the case of goods left on any wharf, the owner of such goods shall be liable to the penalties

in respect of every such breach of this regulation as aforesaid; and in case of goods left on the deck of any vessel, the master or owner of such vessel shall be liable to the penalties in respect thereof.

227. *Goods outward.*—No goods shall be placed on any wharf for shipment until the vessel for which the goods have been entered outwards has been berthed at the wharf.

228. *Defacing sheds, posting bills, depositing refuse, &c.*—No person shall soil, deface, mark, or injure, or, without the consent of the Commissioners, write or paint or place any placard or other document upon any shed, waiting-room, barricade, railing, fence, wharf or wharf post, nor shall any person place or deposit any rubbish, refuse matter, or article of any offensive character, or likely to create a nuisance upon any of the piers, wharfs, or wharf roads, except at the places and in the manner pointed out by the Harbor-master.

229. *Vehicles not to be on or near wharfs unless employed.*—No cart, car, lorry, or vehicle of any description shall be backed up against the wharfs or be permitted to stand upon any wharf, unless while the same is being actively employed in loading or unloading goods, or in the transport of passengers to and from the wharfs or piers.

230. *Life-saving gear.*—No person shall interfere with any life-saving gear, life-hook, drag, grapple, life-buoy, or other apparatus placed within the port, and intended to be used for the purpose of saving life from drowning, unless such interference be for the purpose of saving life, or by the police in dragging for drowned persons.

231. *Improper use of wharfs.*—No person shall sort, bulk, or repack any goods, or repair casks or cases on any wharf; nor shall goods or articles of any description be placed on any wharf which, in the opinion of the Harbor-master, are likely to occasion damage to such wharf, or to be an impediment to the wharf approaches or to the removal of other goods from the wharf; nor shall any lorry, dray, or wheeled vehicle of any description (other than hand-trucks) be allowed in any shed for loading or discharge of any cargo, stores, or luggage, except by permission of the Harbor-master.

232. *Limits for discharging coals south of river.*—No coals shall be discharged or placed at or upon any of the wharfs between the Queen's-bridge and the western end of the swinging basin on the south side of the River Yarra Yarra.

233. *No coals, &c, allowed on wharfs north of river.*—No coals shall be discharged or placed upon any of the wharfs on the north side of the River Yarra Yarra: provided that coals being the property of the Metropolitan Gas Company, and intended for use solely in the making of gas, may be carried direct from the ship's side into the said company's works; and provided also that coals the property of the Victorian Railways Commissioner, and intended for use solely in the working of the Victorian Railways, may be discharged from the ship's side into trucks, and carried direct to the coal depot of the said Commissioner.

234. *Coals for steamer's own consumption.*—Notwithstanding anything contained in clauses 232 and 233 last preceding it shall be lawful for the Harbor-master to grant permission to place on any of the wharfs mentioned in the said clauses coals required solely for use and consumption on board of any steam-ship moored or to be moored within 24 hours after such placing alongside any of the said wharfs; provided that such coals shall be in proper bags, and placed or stacked in such quantities and in such places as the Harbor-master may approve; but nothing herein contained shall prevent the Harbor-master from requiring the removal of any coals placed or stacked on the said wharfs for the purposes aforesaid, should he find it necessary to do so in the interest of the port, and the owner of such coals must remove the same when so directed. Any person committing or suffering a breach of this regulation shall be liable to a penalty of not less than £50, and not more than £500.

235. *Height of coal stacked on wharf.*—No coal, whether in bulk or in bags, which shall be discharged or landed on the coal wharf, on the south side of the River Yarra Yarra, shall be stacked or placed or deposited upon such wharf in stacks or heaps of a greater height than 6 feet.

236. *Wharf may be fenced off.*—If at any time the Commissioner of Customs shall require any portion of a wharf fronting any Custom-shed to be fenced off, the Harbor-master may authorize such fencing to be erected for such period as to him may seem fit.

237. *Dragging or grappling.*—No person shall, without the written permission of the Harbor-master, use drags or grapplings within the port for the purpose of lifting articles or things from the bed thereof or which shall disturb the bed of the port.

238. *Iron, &c., on wharfs.*—No pig-iron, timber, stone, machinery, or heavy merchandise, or commodity of any kind, shall be tilted or thrown out of any cart, lorry, or jinker, or from any vessel on to any wharf, but the same shall be laid down by the hand. And no pig-iron or other heavy article shall be deposited upon any wharf except in such manner as shall be pointed out by the Harbor-master.

239. *Landing timber.*—No logs or planks of timber of a greater length than 40 feet will be permitted to be landed on any wharf, nor transported along the roadways of wharfs; nor shall any ship discharging alongside of a wharf be permitted to unload timber from the bow or stern ports.

240. *Cartage of timber.*—No two-wheeled cart, waggon, or vehicle of any description shall ply or be used on any wharf or wharf road for the transport of planks or timber of any kind of a greater length than 20 feet.

241. *Ferry-men and others to obey Harbor-master—Cabs not to ply on piers, &c., without consent.*—For the preservation of good order and for the convenience of the shipping generally, all watermen, ferry-men, stevedores, steam-hoist drivers, porters, carters, and others engaged on any wharf, shall obey the lawful orders of the Harbor-master; and no owner or driver of any carriage, cab, dray, or other vehicle drawn by-horses or other animals shall ply on any wharf without the permission of the Harbor-master; nor shall any person without such permission, bring, or leave, or permit, or suffer to be brought or left, any carriage, cab, waggon, lorry, dray, or other vehicle, or any horse, or other animal upon such wharf, nor shall any horse or carriage of any kind be ridden, led, or driven upon any such wharf beyond a walking pace, nor shall any steam-hoist be placed on any wharf or pier without permission of the Harbor-master.

242. *Obstructions on wharf roads, &c.*—No person shall ride or drive upon or along any footpath of any wharf, road, or street within the port, or pull or wheel any barrow or carriage, or burn any shavings or other materials thereon, or place any obstruction whereby life or limb is likely to be endangered thereon, or upon any such wharf, road, or street; or without the permission of the Harbor-master place any materials upon any wharf, road, street, or footpath, or draw or trail any sledge, timber, or other heavy material thereon, or upon any such wharf, road, or street to the injury of such footpath, or wharf, road, or street.

243. *Furious driving, &c.*—No person shall furiously or negligently ride or drive through, upon or along any wharf, road, or street within the port, nor shall drive on the wrong side of the road, nor be away from his horse or cattle so as to be unable to have the full control of such horse or cattle.

244. *Driving two carts at once.*—No person shall drive two vehicles at the same time upon any wharf, road, or street aforesaid, or obstruct or prevent the lawful use of such road or street, or leave any dead beast thereon.

245. *Driving pace over floating bridges.*—No person shall drive or take any cart or carriage or ride or lead any horse on, across, or over the floating or pontoon bridges now or at any time hereafter under the control of the Commissioners except at a walking pace.

246. *Weight that may be taken over floating bridges.*—No person shall take or attempt to take upon or across the floating or pontoon bridges at the entrance of Wright, Orr, and Company's Dock, Duke's Dock, Victoria Dock, the entrance to the Railway Coal Canal, or any other floating or pontoon bridge now or hereafter under the control of the Commissioners, any cart or carriage having a greater weight or load than five tons; nor shall he take or attempt to take upon or across any such bridge any cart or carriage if there be at the same time any other cart or carriage thereon, the weight of which, and of the cart or carriage requiring to be taken across, shall exceed five tons.

247. *Precedence in crossing.*—Carts or carriages shall cross any such bridge in the order in which they respectively reach such bridge.

248. *Carters, &c., to be licensed.*—No carter, hackney coachman, or driver of a cab, dray, lorry, or other vehicle shall ply for hire within the port, unless duly licensed by the council of the City of Melbourne, or by some other authorized body; and each carter, hackney coachman, or driver shall conform to and obey the rules, regulations, and by-laws laid down and enacted by the council or other authority by which he has been licensed, so far as not inconsistent with these regulations, and may exact the fares from time to time fixed by such Council and no more. But nothing herein contained shall prevent the Harbor-master from prohibiting the driver of any carriage, cab, lorry or other vehicle, even though licensed as in this regulation mentioned, from plying for hire within the port should he consider it necessary to do so.

249. *Disorderly persons.*—No drunken, idle, or disorderly persons shall be allowed to be in or upon any wharf or shed within the port.

250. *Smoking and loitering—Indecency.*—No person shall smoke in, under, or near to any shed, or loiter therein, or upon any wharf, or lounge or sleep among the cargo placed in or under any shed, or upon any wharf; or play at any game, or, without the written consent of the Commissioners, address any assemblage of persons in any shed, or on any wharf, or any approach thereto.

[Note.—As the sheds on the wharfs are public places within the meaning of the Police Offences Act, any person who sings any obscene song therein, or writes or draws any indecent or obscene word or representation, or uses threatening, abusive, or insulting language or behaviour, is liable to punishment.]

251. No person shall be at or upon or use any wharf or shed without the permission of the Harbor-master. This regulation shall not apply to persons being at or upon or using such wharf or shed in the ordinary course of their business.

252. *Bathing of dogs.*—Bathing of dogs is prohibited from any wharf, passenger landing stage, or from any part of the foreshore, or of the banks of the river within 100 yards of any wharf.

253. *Steam-hoists—Not to be used without licence.*—No master of any ship, nor any person under his command, shall permit any steam machinery to be used on any wharf for hoisting cargo into or out of such ship, nor for any other purpose in connexion with such ship, unless the owner of such steam machinery shall have obtained a certificate from the Harbor-master, which certificate shall be uncancelled, that such machinery is in good order, and that the person in charge thereof is duly qualified; and every such owner shall, on demand, deliver up to such master such certificate; and such master or other person shall retain possession of the certificate aforesaid while the said machinery is being so used, and shall from time to time produce the certificate, on demand, to the Harbor-master.

254. *Conditions on which half-yearly certificates may be granted—To be examined every six months—Certificate may be cancelled.*—Such certificates will be issued by the Harbor-master, subject to the following conditions, and those relating to machinery shall be in force for six months and no longer:—

- (1) That all steam-hoisting engines, and the persons in charge thereof, must be examined by the officer appointed by the Commissioners for that purpose, and passed by him, and that the prescribed fees be paid.
- (2) Such engines shall be examined once every six months.
- (3) A certificate may at any time be cancelled or suspended if, in the opinion of the Harbor-master, the engine is out of repair, or the engine-driver has been guilty of any misconduct in connexion with the working of any engine.

255. *Goods not to go into sheds.*—No gasoline, benzine, naphtha, petroleum, kerosene, turpentine, casks containing oils, castor oil in cases, matches of any kind or in any description of case, inflammable acids of any description, vitriol in packages of any description, kegs or casks of white lead or casks of any kind of paint, bales of kapok, bales of cotton waste, bales of old rags, bales of wool, bales of hemp, bales of flax, bales of tow, pigs of lead, rough salt in bags, manure of any kind, green skins or hides, iron in bar or bundles, casks of hardware, casks of cement or whiting, bags of bark, cases, kegs, or casks of nails or hardware, galvanized fencing wire, bundles or bales of fibre, shall be landed or placed in any of the transit sheds. No wooden doors, windows, sashes, or any kind of woodenware shall be placed in any transit shed without the permission of the Harbor-master.

256. *How stored.*—All goods intended to be placed in any shed shall be placed and stacked therein in such a manner as may be pointed out by the Harbor-master, and as far as possible as may be convenient for the Customs officers; and all persons engaged in the depositing, stacking, sorting, or removing of any goods at, in, or from any of the aforesaid sheds, shall obey the orders of the Harbor-master in connexion therewith.

257. *Goods in sheds.*—Except as hereinafter mentioned, all imported goods placed in any closed shed shall be removed therefrom, whether entered for transhipment or otherwise, within six days after the same are landed from any steamer, or four days after the same are landed from any sailing vessel, and no unentered goods shall be permitted to remain in any of the transit sheds, longer than the periods above mentioned, after which periods they will be removed by the Harbor-master, at the expense of the owner or consignee of such goods, to the Queen's Warehouse, or any bonded or other warehouse approved of by the Collector of Customs.

258. *Bulk cargoes.*—Bulk cargoes of goods (other than tea) discharged from any vessel and placed in any transit shed will be allowed to remain therein free of rent for a time equal to 48 hours for every 120 tons of such cargo; and in the case of cargoes of tea, for a time equal to 24 hours for every 100 tons of such cargo. In all cases time will begin to run from the hour when the first portion of any consignee's cargo is discharged. In computing time within the meaning of this clause, Sundays and public holidays shall be excluded, and if, in the opinion of the Harbor-master, goods could not have been removed by reason of wet weather, he may grant an extension of time equal to the time lost by wet weather, provided the consignee or owner of the goods applies to him for such extension of time within six hours after the alleged prevention has arisen.

259. *Storage fees.*—If any goods shall not be removed from the transit sheds within the times respectively specified in the preceding clauses, there shall be payable to the Commissioners as and by way of storage rent in respect thereof the sum of One shilling per ton for the first week, and for every subsequent week the sum of Threepence per ton additional to the amount per ton payable for each immediately preceding week, i.e., One shilling and threepence per ton for the second week, One shilling and sixpence per ton for the third week, and so on. For the purposes of this clause, a fraction of a ton shall be deemed a ton, and a part of a week shall be reckoned as one week. Nothing herein contained shall

prevent the Harbor-master, without notice, from removing or ordering the removal to some bonded warehouse of any such goods at any time after the respective times hereinbefore appointed for their removal, and the owner of such goods shall pay all charges and expenses connected with such removal, including the warehouse rent and charges.

260. *Goods for transhipment.*—When goods, whether dutiable or free, are intended for transhipment, the owner thereof shall give written notice of such intention to the Harbor-master within 24 hours of such goods being landed on any wharf, or placed in any transit shed belonging to the Trust. And if such notice be not given, or if although given the goods be not transhipped within the time prescribed in Clause 89 of Part I. of these regulations, the goods shall be deemed not to be or to have been intended for transhipment, and the owner shall be liable for all the tolls, rates, and charges, and to all the penalties provided by the Act and regulations in respect of goods not intended for transhipment, and the goods shall be dealt with in accordance with the regulations.

261. *Sorting.*—No sorting, bulking, or repacking of goods will be permitted in any transit or other sheds, except for examination by the Customs authorities for the purpose of duty and the repacking rendered necessary thereby; nor shall casks, cases, crates, or packages of any other description be repaired in any of the said sheds, except by permission of the Harbor-master.

262. *Tool-boxes.*—No person shall construct or place any tool-box, locker, or any other receptacle for workmen's tools in any of the transit sheds of the Commissioners, nor use any tool-box or locker belonging to the Commissioners, unless licensed by the Commissioners so to do.

263. *Coopering and repairing.*—No person other than an officer of Her Majesty's Customs or a holder of a licence as last aforesaid shall open, close, or repair any case, box, barrel, or package in any of the said transit sheds unless he holds an uncancelled licence from the Commissioners as last aforesaid, or unless he be in the employment of any such licensee, or of the owner of any goods in any of such sheds, and be approved of by the Harbor-master.

264. *Licence to be produced.*—Every person as aforesaid shall produce his licence or authority to any officer of the Commissioners or of Her Majesty's Customs whenever required so to do.

265. *Tool-boxes may be searched.*—Every person licensed to construct or place any tool-box or locker in any of the said transit sheds, or to use any tool-box or locker of the Commissioners, shall open such box or locker for the inspection of any officer of the Commissioners, or of Her Majesty's Customs, as and when such officer may require.

266. *Licence-fee.*—There shall be paid for every annual licence to construct or place a tool-box or locker in any of the transit sheds, or to use any tool-box or locker of the Commissioners, the sum of One pound.

267. *Liability of owners of goods.*—Except where otherwise provided herein, the owner of all goods placed on any wharf for the purpose of import or export shall be bound to see that the regulations of the port in all matters affecting such goods are properly observed and carried out, and shall be liable for every breach of such regulations, whether committed by himself or those acting for him in relation to such goods.

BOAT RACES.

268. *Boat races.*—No boat race or procession of boats will be permitted to take place on the River Yarra Yarra below the Queen's bridge, or in the Cooke Canal across Fisherman's Bend, without the permission of the Harbor-master, who may impose such conditions as he may see fit for the safety of the public and the convenient navigation of the river; nor will any steamer be allowed to accompany any race unless the master or owner has previously obtained the written consent of the Harbor-master; but not more than two steamers, in addition to the Harbor Trust launch, will be permitted to take part in or follow any race, one to carry the umpire of the race and the other to carry passengers or spectators; and no steamer following a race shall approach nearer than 100 yards to the sternmost boat.

THE WHARF CRANES.

269. *Wharf cranes.*—Application for the use of the wharf cranes must be made to the Harbor-master, who may grant permission to use them on payment of the following fees:—

Fees for the Use of Cranes.

Crane.	No.	Capacity	Type	Location	Per Hour or Part of Hour.	
					s	d
No. 1,	5 ton,	Hand,	Melbourne	...	1	6
" 2,	15 "	Hydraulic	" "	from 7.30 a.m. to 5 p.m.	10	0
				from 5 p.m. to 7.30 a.m. and on all holidays and after noon on Saturdays	15	0
" 3,	2 "	Hand,	Port Melbourne	...	1	0
" 4,	4 "	" "	" "	...	1	6
" 5,	2 "	" "	Williamstown	...	1	0
" 6,	3 "	" "	" "	...	1	6
" 7,	10 "	" "	" "	...	2	6
" 8,	3 "	" "	Footscray	...	1	6

The time to be computed for hand cranes from the receipt of the handles and key from the Harbor-master until their return to him; and for hydraulic cranes from the time the engineer is present ready to commence work.

## EXPLOSIVES

270. *Gunpowder flag*.—No vessel or boat shall approach any licensed powder-boat or vessel nearer than 200 yards, unless duly authorized; and every person in charge of a vessel or boat shall observe due caution when approaching any vessel having the "explosives" flag hoisted.

271. *No fire allowed—Master to take precautions against fire*.—No fire or light shall be burnt on board any vessel or boat during the time explosives are being discharged from or taken or remain on board of such vessel or boat, and the master or person in charge of such vessel or boat shall take every precaution against loss or damage by fire or otherwise to the shipping, wharfs, buildings, and property within the port.

272. *Stores*.—All explosive materials retained on board any vessel as stores shall during the time such vessel is within the port be securely kept in a suitable copper magazine to be approved of by the Harbor-master.

273. *Boats licensed to carry explosives*.—All boats specially licensed to convey explosives either to or from ships, wharfs, or other places shall be subject to all the regulations, so far as the same may be applicable, in force for the time being for the management of hulks containing explosives; and no boat having explosives on board shall be towed by a high-pressure open-decked steam boat whose furnaces are exposed, nor shall any such boat be towed by any other steamer with less tow-line between her and the steamer than 60 feet.

274. *Boats laden with explosives unable to discharge between seven a.m. and five p.m. to anchor within certain limits*.—No explosives shall be received into or discharged from any boat within the port or conveyed in any boat to or from any vessel or authorized magazine except between the hours of seven a.m. and five p.m. No boat containing explosives shall remain at anchor in any part of the port except while engaged in receiving or discharging the cargo within the hours aforesaid. If the whole of the cargo has not been discharged between the said hours, the boat containing the same shall forthwith return to and anchor within the limits prescribed in accordance with the *Explosives Act 1890*.

275. *Anchorage*.—No boat or vessel licensed to carry explosives within the port shall anchor or moor except in such place and in such manner as the Harbor-master may direct.

276. *Shipping explosives*.—No explosive shall be shipped on board any vessel within the port either as cargo or as stores unless in the quantity and in the manner approved of or prescribed by the Inspector of Explosives.

277. *Dangerous cargoes*.—No vessel having as cargo any oils, chemicals, or other materials of a dangerous or inflammable character, shall be permitted to anchor within the port except in such place as may be pointed out by the Harbor-master; and no such vessel shall discharge any such cargo except at the landing place or anchorage, and in the manner prescribed by the Harbor-master, nor shall any such cargo be carried or water-borne by any vessel, lighter, or vehicle, unless such vessel, lighter, or vehicle shall have been previously approved of by the Harbor-master.

## BALLAST.

278. *Raising ballast*.—No sand ballast or other material shall be raised from below high-water mark except under conditions approved by, and at places appointed by, the Harbor-master.

279. *Sand not to be removed*.—No person shall raise or take sand from above high-water mark within the port without having first obtained a licence from the Commissioners, which licence may be issued by the Commissioners in such form and on such terms and conditions as the Commissioners may think fit.

280. *Working drays*.—No person shall cart or convey any sand or stone ballast upon, over, or along any wharf unless he is the holder of a carter's licence, entitling him to use the wharf for such purpose.

281. *Tarpaulins to be used*.—Proper tarpaulins or sheets shall be used in discharging or taking in stone, ballast, coals, rubbish, gravel, earth, sand, or filth, so as to effectually prevent any part thereof falling overboard; and no ballast shall be taken on board or discharged from any vessel after dark without special permission of the Harbor-master.

282. *Ballast vessels and person in charge to be licensed*.—No person in charge of a ballast lighter or other craft shall supply ballast to any ship unless he, as well as the ballast lighter or craft, shall have been duly licensed by the Commissioners; and no master or other person in charge of a vessel shall receive ballast into the same from any lighter until the person in charge of the lighter or craft shall have delivered up his licence, together with the licence for the said lighter, to such master or person in charge of such vessel. The licensed person in charge of the lighter or craft shall remain on board the same while ballast is being supplied to such vessel; and the master or other person in charge of such vessel shall, while such lighter is employed supplying ballast to the vessel,

keep possession of such licences, and shall produce the said licences on demand to the Harbor-master or other officer deputed by him.

283. *Applications for licences*.—Applications for licences must be in writing, signed by the applicant, and addressed to the Commissioners. On such applications being lodged, the Harbor-master shall certify thereon his approval or disapproval, as the case may be, and shall immediately forward the application so certified to the Commissioners, who upon payment of the fee in that behalf prescribed in Regulation No. 325, may issue a licence upon and subject to such terms and conditions as they may think fit.

284. *Register of ballast lighters*.—A register for the licensed ballast lighters will be kept at the several Harbor Offices for the inspection of the public during office hours.

285. *Conditions upon which certificates will be granted*.—Licences will be issued subject to these Regulations, and, *inter alia*, to the following conditions:—

- (1) All ballast lighters and persons in charge thereof shall be examined by an officer acting under the orders of the Harbor-master, and passed by him.
- (2) All ballast lighters shall be surveyed once in every twelve months, or within such shorter period as may be found necessary by the Harbor-master.
- (3) Every ballast lighter shall have the number of her licence painted on both bows in figures (white on black ground) of not less than twelve (12) inches deep and two (2) inches wide.
- (4) Every ballast lighter shall have an iron batten three (3) inches wide secured to the sides of the stem and stern posts, or other convenient place to be decided by the Harbor-master or other officer acting under his orders, and so marked as to show the draught of water for every five (5) tons weight of ballast carried or discharged, such marks to be in white figures where practicable of not less than one and a-half (1½) inches in length, or of such dimensions as may be approved by the Harbor-master.
- (5) Every ballast lighter shall have two (2) grooves cut into the planking from stem to stern post of not less than two (2) inches in width, and painted white, to denote the leaded and light draught lines; the lower edge of these grooves to be on level with the water's edge to mark these measurements; such marks and corresponding draught of water shall be indorsed upon the licences.
- (6) Such licences may be cancelled or suspended when it shall be found to the satisfaction of the Harbor-master that the owner or master has defrauded or attempted to defraud the master, owner, or charterer of any ship by altering the marks or figures on any ballast lighter, or by delivering or attempting to deliver short weight of ballast to any vessel, or has been guilty of any such misconduct as in the opinion of the Harbor-master constitutes a sufficient cause for the cancellation or suspension of any such licence or certificate. Masters of vessels shall have power to inspect any lighter bringing ballast alongside such vessel for ballasting purposes, and to test the accuracy of the measurement of the ballast lighter, and the weight of ballast she supplies; and no master or owner of any lighter shall refuse to allow such master or owner of a ship to examine such lighter, or to test the weight of the ballast during her discharge, or shall refuse to pump out water from the said lighter when requested so to do.

286. *Licences to be produced as demanded*.—The master or person in charge of any ballast lighter shall, on the demand of the Harbor-master, produce and deliver up to him the licence of such ballast lighter, to be dealt with in such manner as the Commissioners may determine.

287. *Lighters to be inspected*.—The Harbor-master, or any person acting under his orders, may inspect or re-measure any ballast lighters, or test the accuracy of such measurement, and appoint the place and method where and how such measurement shall be made.

288. *Expense of marking ballast lighters*.—The expense of measuring and marking ballast lighters shall be borne and paid by the owner or owners of such ballast lighters.

289. *Ballast to be weighed, &c.*—Except in cases where the ballast line of a vessel has been accurately ascertained and marked under the direction of the Harbor-master, no carter or other person shall deliver ballast from any cart, waggon, dray, or other vehicle to any vessel lying alongside any wharf unless and until such ballast shall have been weighed upon a weighing machine provided by the Trust, or upon a public weighing machine, and such carter or other person shall at the time of each and every delivery produce and deliver the weighbridge ticket to the master or other person in charge of the vessel receiving the ballast.

## PORTERS.

290. *Porters to be licensed*.—No person shall ply for hire as a porter unless duly licensed by the Commissioners for that purpose, and every porter shall when so plying for hire wear a badge specifying his number in such a position that the same may be easily seen and recognised. No licensed porter shall transfer or lend his licence or badge to any person whomsoever.

291. *Application for licences.*—Applications for licences must be in writing and signed by the applicant and addressed to the Commissioners, and licences may be issued on payment of the prescribed fee.

292. *Conduct of porters.*—When a vessel just arrived in the port shall come to on the outside of another vessel lying at any wharf, no porters shall stand on the top of the paddle-boxes or bridges, or on the side of the inner vessel, but they shall arrange themselves in the middle of the inner vessel. But if the vessel just arrived shall occupy an inside berth, they shall then arrange themselves on the wharf, at least five feet from the edge thereof, until regularly called and passed on board by an officer of the vessel on arriving. And no porter, on being engaged to carry luggage, shall attempt to transfer it to another, but shall himself accompany his employer agreeably to his engagement.

293. *Riotous behaviour.*—No porter plying for hire shall go in an unseemly, noisy, or disorderly manner on board of any vessel, nor take hold of or seize any passenger's luggage or article of any kind until first hired to carry the same, nor use any abusive or insulting language.

294. *Licence to be produced.*—Every licensed porter, when required by any constable on duty, or by any officer of the Commissioners, or by any persons wishing to hire or having hired him, shall produce his licence for the inspection of the person so requiring the same.

295. *Porterage rates.*—Licensed porters shall be entitled to be paid the following rates, and no more:—

	s.	d.
For luggage 28 lbs. weight and under conveyed from the vehicle to the deck, or <i>vice versa</i> ...	0	6
For luggage above 28 lbs. and under 100 lbs. conveyed from the vehicle to the deck, or <i>vice versa</i> ...	0	9
If hired by time—For the first hour ...	1	0
"    "    For every extra quarter of an hour ...	0	3
"    "    by distance—For the first mile ...	1	0
"    "    For every extra quarter of a mile ...	0	3

#### BOATS.

296. *Boats to carry lights.*—Crafts or boats of every description, whether pulling or sailing, which do not carry the Admiralty description of side lights when plying at night within the port, shall carry a lantern having a green slide on the one side and a red slide on the other side, and on the approach of or to any vessel such lantern shall be exhibited in sufficient time to prevent collision, and so that the green light shall not be seen on the port side nor the red light on the starboard side.

297. *Steam-boats must carry lights.*—Steam-boats of every description when plying at night within the port, shall carry the masthead and side lights required by the Admiralty Regulations and sailing directions.

298. *Boats to be licensed.*—No boat or other vessel for carrying passengers (not being a steamer or ferry boat) shall ply for hire to or from any wharf, jetty, or passenger stair within the port, unless the same shall have been previously licensed by the Commissioners.

299. *Conditions.*—The Commissioners, on application of the owner or owners of any such boat or vessel, may license the same under the following regulations:—

- (1) *Applications.*—Applications for a licence must be in writing, addressed to the Commissioners, and must be signed by the owner, or one of the owners if more than one, and must state the length, breadth, and midship depth of the boat or vessel, its name, if any, the number of passengers such boat or vessel is intended to carry, and that the same is in good repair and fit for sea.
- (2) *Fees.*—No licence will be issued until payment of the prescribed fees has been made.
- (3) *Passengers.*—Every licence will specify the maximum number of passengers to be carried at any one time, and a statement of the maximum number of passengers to be carried at any one time must be painted within the stern of such boat or vessel in letters and figures of not less than two inches in height.
- (4) *Number.*—A serial number will be assigned to each licensed boat or vessel, which number shall forthwith be painted on the outside of each bow of such boat or vessel in figures of not less than four inches in height. The name of the owner or owners must be painted within the stern of such boat or vessel in letters of not less than two inches in length.
- (5) *Letters to be painted.*—All letters and figures shall be painted black upon a white ground, or white upon a black ground.
- (6) *Change of ownership.*—Upon any change of ownership of any licensed boat or vessel, the licence of such boat or vessel shall lapse, and it must be re-licensed before it can ply for hire within the port.

300. *Boats to be efficiently manned.*—To deliver left property.—Every licensed boat while plying for hire shall have on board an efficient crew, and a full complement of oars, masts, sails, and gear, and shall be maintained by the owner in good order. All goods or property left in any boat

shall be delivered by the master or owner of the boat to the Harbor-master as soon as practicable after the same shall have been found. Any breach of this regulation shall be punishable by a fine or penalty of Five pounds.

#### BOATMEN AND WATERMEN.

301. *Boatmen to be licensed.*—No person shall ply for hire as a boatman or waterman within the port unless he is the holder of a licence from the Commissioners.

302. *Applications for licences.*—Applications for licences must be in writing, signed by the applicant, and addressed to the Commissioners, and licences may be issued on payment of the prescribed fees.

303. *Licences to be produced.*—Every boatman or waterman shall, on demand, produce his licence to the Harbor-master or to any policeman on duty within the port.

304. *Charges and regulations to be produced.*—Every licensed boatman or waterman shall have a printed copy of the charges and regulations, and shall produce the same on demand to any person hiring his boat.

305. *Offensive language not to be used.*—No licensed boatman shall use any insulting or offensive language to any passenger or any other person while lying at any wharf or passenger stair within the port, or while hired by or carrying any passenger.

306. *Harbor master to be obeyed.*—Every boatman, while lying with his boat at any wharf or passenger stair, shall obey every reasonable direction of the Harbor-master.

307. *Badge to be worn.*—Every licensed boatman or waterman in the port of Melbourne shall wear a badge having inscribed thereon the number of his licence, which badge he must wear firmly sewn to the left breast or arm of his coat or other external body dress, or on the front of his hat or cap, so that the same may be distinctly seen at all times during the hours he may lawfully be required to ply his boat.

308. *Excessive fares not to be demanded.*—No licensed boatman or waterman shall demand a higher charge or fare than that from time to time appointed by the Commissioners.

#### FERRY-BOATS AND FERRYMEN.

309. *Ferry boats to be licensed.*—No ferry-boat shall ply within the port unless the same is licensed by the Commissioners; and the machinery of all steam ferry-boats must be inspected half-yearly by an officer appointed by the Commissioners for that purpose.

310. *Applications for licences.*—Applications for licences must be in writing, signed by the applicant, and addressed to the Commissioners, and licences may be issued on payment of the prescribed fees.

311. *Contents of licence.*—Every licence shall contain the number of passengers which such ferry-boat is licensed to carry at any one time; such number, together with the owner's or owners' names, must be painted in some conspicuous place inside the gunwale, the letters and figures to be not less than two inches in height, and painted black on white ground or white on black ground. Upon each change of ownership the licence of such boat shall lapse, and such boat must be re-licensed before it can again ply for hire within the port.

312. *How to approach steamers.*—No ferry-boat shall approach within 20 yards of any steam vessel in the river, either to put on board or remove passengers or goods, unless the master or person in charge of such steamer shall have previously stopped the engines.

313. *Overcrowding.*—The boatman in charge of any ferry-boat shall not allow a greater number of persons on his boat than that stated in his licence. And no person shall attempt to force his way into any ferry-boat after being informed that the licensed number of passengers is on board.

314. *Removal of boats.*—No person shall remove, unmoor, interfere with, cast-off, or take away from any wharf or place appointed by the Harbor-master for the mooring of boats, any boat, without the permission of the owner, or in the case of a licensed waterman's boat, of the licensee thereof.

315. *Licence to be produced to Harbor Trust officer.*—All boatmen or ferrymen plying within the port shall be in possession of an uncancelled annual licence from the Commissioners, which shall be produced on demand to any Harbor Trust officer or any policeman on duty.

316. *Steam ferries.*—So long as the Commissioners think fit to provide any steam ferry for public use, the hours during which the same or any row ferry-boat shall ply respectively shall, unless in the case of accident, be as follow, viz.:—

For steam ferry, from 6 a.m. to 7 p.m. in summer, and from 7 a.m. to 5 p.m. in winter.  
For row boats for passengers only, and when the steam ferry is not running, from 5 a.m. to 12 p.m.

317. *Fares and tolls for ferries.*—The fares and tolls in respect of the use of the steam ferry or row boats shall be payable in advance, and shall be not more than as follow, viz.:—

	s.	d.
For every passenger crossing the river between the hours of 5 a.m. and 10 p.m., per single journey ...	0	1
Or, per week ...	0	6
For every passenger crossing the river between 10 p.m. and 12 p.m., per journey ...	0	2

	Going and Returning on Same Day.		Per Day.
	s. d.	s. d.	
For every vehicle drawn by one horse ...	0	4	2 0
For every vehicle drawn by two horses...	0	6	2 6
For every vehicle drawn by three horses...	0	9	3 0
For every vehicle drawn by four horses...	2	0	6 0
For all vehicles drawn by more than four horses the rate must be by special arrangement, and the weight of load approved before the load is allowed to cross.			
			s. d.
For every horse ...	...	...	0 2
„ cow or bullock ...	...	...	0 2
„ pig ...	...	...	0 0½
„ sheep ...	...	...	0 0¼
„ „ per score ...	...	...	0 4

**ITINERANT VENDORS OF FRUIT, ETC.**

318. *Hawkers of fruit, &c.*—No person shall vend or sell within the port any fruit, vegetables, hop beer, summer drinks, oysters, shell fish, or articles of any kind, by hand or in baskets, hand-carts, wheelbarrows, or vehicles of any description, unless duly licensed to do so by the Commissioners; nor, except as aforesaid, shall any person on any wharf within the port sell or offer for sale goods of any description.

**ITINERANT NEWSVENDORS.**

319. *Hawkers of newspapers and periodicals.*—No person shall vend or sell within the port any newspaper, periodical, magazine, or book, unless duly licensed by the Commissioners for that purpose; and every itinerant newsvendor shall, when engaged in selling, wear conspicuously exposed a badge supplied by the Commissioners, denoting that he has been licensed by them, and shall produce his licence to any officer of the Commissioners, or to any constable, on demand.

320. *Indecent publications prohibited.*—No newspapers, magazines, periodicals, books or pictures which, in the opinion of the Commissioners, are of an objectionable nature, are to be sold or displayed anywhere within the port.

**CONSTRUCTION OF TRAMWAYS.**

321. *Licence to construct tramways.*—No person shall construct or erect any tramway upon, over, or above any part of the property vested in the Commissioners, unless he has first obtained a licence from them for that purpose.

322. *Applications for licence—Plans, &c., of tramways.*—All applications for a licence as aforesaid shall be in writing, addressed to the Commissioners, and signed by the applicant, and shall be accompanied by plans and specifications of the proposed work, and of the materials of which the same is to be constructed.

323. *Conditions of licence—Valuation.*—Every licence shall be for such period, not exceeding seven years, and in such form, and subject to such terms, payments, conditions, and stipulations as the Commissioners may, in their discretion, appoint; but no licence shall be granted unless the Commissioners shall have obtained from some person approved of or appointed by them a valuation, signed and certified by such person according to the best of his judgment and belief, of the true and fair worth or value of such licence to the applicant for the same.

**LICENCES.**

324. *Duration, &c., of licences.*—The licences referred to in the preceding subdivisions, “Ballast,” “Porters,” “Boats,” “Boatmen and Watermen,” “Ferry boats and Ferry-men,” “Itinerant Vendors of Fruit, &c.,” and “Itinerant Newsvendors,” will be issued annually, and will not be in force beyond the 31st December in each year; but no licence shall, except to itinerant vendors of fruit, &c., and itinerant newsvendors, be issued to any person under the age of 21 years.

325. *Power to cancel licences.*—If a holder of any of the licences mentioned in the preceding clause of these Regulations shall, in the opinion of the Commissioners, commit any breach of the Regulations, or be convicted of any offence thereunder or in respect of any property intrusted

to him as the holder of such licence, the Commissioners may suspend such licence for a stated time, or may wholly revoke the same if they think fit; and every licence when so suspended or revoked shall be delivered up to the Commissioners, together with the badge of office, if any, used by virtue of such licence.

326. *Licence-fees.*—The following fees shall be payable in respect of the several licences hereinbefore specified, viz. :—

<b>BALLAST.</b> —For every ballast lighter or other craft of 40 tons and under, per annum ...	£1 1 0
For every additional ton, per annum ...	0 0 3
For every person licensed to supply ballast in a licensed lighter, per annum ...	0 5 0
For digging or raising sand within Trust boundary, per annum ...	5 0 0
For each dray employed in carting sand or stone along or over any wharf within the port, excepting any dray employed in carting sand from a vessel, per annum ...	3 0 0
For the weighing in or out of any ballast craft of 20 tons or under ...	1 0 0
For every additional ton, per ton ...	0 1 0
<b>PORTERS.</b> —For every licence the sum of ...	0 5 0
<b>BOATS.</b> —For every boat propelled by oars only ...	0 1 0
For every sailing boat licensed to carry 10 passengers ...	0 10 0
<b>BOATMEN AND WATERMEN.</b> —For each licence the sum of ...	0 5 0
<b>FERRY-BOATS AND FERRYMEN.</b> —For every pulling ferry-boat ...	0 5 0
For every steam ferry-boat ...	10 0 0
For ferryman ...	0 5 0
<b>STEAM HOIST.</b> —Fees for every half-yearly examination, each ...	0 10 0
Person in charge thereof ...	1 0 0
<b>ITINERANT VENDORS OF FRUIT, &amp;c., per annum, with dray, for each dray ...</b>	3 0 0
Do. do., with basket or barrow ...	1 0 0
<b>ITINERANT NEWSVENDORS.</b> —Issued without charge.	-
<b>COOPERS' BOXES.</b> —To place a tool box or locker in any transit shed, or to use any tool box or locker of the Commissioners, per annum ...	1 0 0

327. *Liability of masters, owners, &c., of vessels.*—In every case in the above regulations where any act is forbidden or required to be done in relation to any ship or vessel, the duty of performing such act or forbearance shall rest upon the master of such ship or vessel, or where there is no master, on the owner, agent, or other person having or claiming to have the charge or control of the same, unless where otherwise expressly directed to the contrary.

328. *Officers not to be bribed.*—No owner or master of any vessel or other person shall give or offer a bribe to any officer or person employed by the Commissioners.

329. *Penalties.*—Any person offending against any of the foregoing Regulations, Part II., headed “Regulations to be observed within the Port of Melbourne,” and numbered 117 to 330, both inclusive, shall be liable to a penalty not exceeding £20, and not less than £1, except in those cases where a specific penalty is already hereinbefore provided for any particular offence.

330. *Computation of time.*—Except where otherwise specially provided, Sundays and public holidays shall be counted in the computation of time required by these Regulations; but where the last day on which any act falls to be done happens to be a Sunday or public holiday, then such day shall be excluded from such computation.

331. *Repealed.*—All Regulations in force at the date hereof so far as inconsistent herewith are hereby repealed.

The common seal of the Melbourne Harbor Trust Commissioners was hereunto affixed by order of the Commissioners this 28th day of March, 1900, in the presence of—

JOHN BLYTH, Chairman.  
WM. JNO. MOUNTAIN, Commissioner.  
J. H. HAYDON, Secretary.

Approved by the Lieutenant-Governor in Council  
the 23rd April, 1900.

THOS. BRISBANE,  
Acting Clerk of the Executive Council.