

No. XXXII.

STEAM NAVIGATION. An Act to extend the provisions of an Act passed in the eleventh year of the reign of Her present Majesty intituled “ *An Act for the regulation of Steam Navigation and for requiring sea-going Vessels to carry Boats* ” to all Steam Vessels. [1st October, 1850.]

Preamble.

11 Vic. No. 3.

Provisions of 11 Vic.
No. 3 extended to all
steam vessels.

WHEREAS by a certain Act of the Governor and Legislative Council of New South Wales passed in the eleventh year of the reign of Her present Majesty Queen Victoria intituled “ *An Act for the regulation of Steam Navigation and for requiring sea-going Vessels to carry Boats* ” certain provisions were made for the inspection and better regulation of sea-going steamboats and other vessels carrying passengers and for preventing the occurrence of accidents in Steam Navigation and for requiring sea-going vessels to carry boats And whereas the provisions contained in the said Act have been found beneficial to the public and it is deemed necessary to extend the same and to make provision for such vessels as may be employed in navigating the harbours rivers and inland waters of the said Colony Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That from and after the passing

Steam Navigation.

passing of this Act all steam vessels of whatsoever tonnage employed in navigating any harbour river or inland water or in the conveyance of passengers or goods within the Colony of New South Wales shall be amenable to the provisions of the said recited Act so far as the same may apply and also to such other regulations as are by this Act provided.

2. And be it enacted That it shall be lawful for the Governor of the said Colony to nominate and appoint in any port harbour or district to which the provisions of this Act shall be extended any number of persons not exceeding the number of five who when so appointed shall form a Board and shall have full power and authority to act in and do all such matters and things as are provided for in and by the said recited Act and to grant and refuse all certificates and licenses to such steam vessels as shall be plying in and from any ports harbours rivers or inland waters within the district to which such Board shall have been appointed Provided always that a second certificate or license shall not be required in any case where a certificate or license shall have been granted by any other authorized Board and shall still remain in force.

Governor may appoint persons not exceeding five to carry into effect the provisions of said recited Act and this Act.

3. And be it enacted That it shall be lawful for the said Governor to extend this Act to such parts and places in the Colony of New South Wales and its Dependencies as he from time to time shall think fit by Proclamation in the *New South Wales Government Gazette* and all powers and authorities which may at the time of such Proclamation be vested in the Sydney Board by virtue of the said recited Act shall cease and determine so far as the same may apply to vessels employed in navigating the waters in the district to which such Proclamation shall apply and shall vest in such District Board as shall be appointed for that purpose as aforesaid.

Governor may extend provisions of this Act to such places as may be appointed by Proclamation.

4. And be it enacted That all steam vessels plying in the harbours rivers or inland waters in the Colony of New South Wales shall not be entitled to ply for the conveyance of passengers goods or otherwise unless the owner or master thereof shall have first obtained a certificate or license from the Board appointed for that purpose for the district in which such vessel is intended to ply which certificate or license the said Board is hereby authorized to give and which certificate or license shall be in the form marked A and B to this Act annexed and shall be in force for the space of three months from the date of granting the same and shall be renewable on such terms and conditions as are hereinafter provided and any owner or master of any steam vessel who shall ply his vessel or carry any passengers or goods without having first obtained such license or certificate as aforesaid shall for every day such vessel shall be so employed forfeit and pay a penalty not exceeding ten pounds.

All steamers plying in inland waters to be licensed in manner and form hereby appointed.

5. And be it enacted That before any certificate or license be granted or renewed it shall be proved to the satisfaction of such Board that the vessel so requiring a license or certificate is in every way tight and staunch that the engines and boilers are in safe and working condition and that the vessel is in every way suitable for the purposes for which it is required Provided always that this quarterly survey shall only be applicable to such vessels as are propelled by high pressure engines the half-yearly survey and certificate being deemed sufficient for those propelled by low pressure engines.

Under a penalty.

Before such licenses be granted steamers to be certified as being in safe and good working condition.

6. And be it enacted That the owner or master of any steam vessel whether employed in the coasting trade or in the navigation of the harbours rivers or inland waters of New South Wales and its Dependencies shall produce to the Board previous to obtaining a certificate or license a certificate made by some competent ship builder as also one from some competent engineer (who shall first have been approved of

Proof of condition to lie on owner or master in manner and form hereby prescribed.

by

Steam Navigation.

by the Board) the same to be verified by solemn declaration before a Justice of the Peace which certificates shall be respectively in the forms to this Act annexed marked C and D to the effect that he has duly surveyed the vessel and machinery as the case may be and that the same are in his opinion safe and sufficient for the purpose for which they are required.

Persons wilfully making false declarations or giving false certificates punishable by fine and imprisonment.

7. And be it enacted That any person wilfully making a false declaration or giving a false certificate of survey shall be guilty of a misdemeanor and being thereof lawfully convicted before any Court of competent jurisdiction shall suffer such punishment by fine and imprisonment as the Court or Judge before whom the conviction takes place may award.

Recovery and appropriation of fines and penalties.

8. And be it enacted That all fines penalties and forfeitures imposed by this Act shall be recovered and levied in the same manner and form as is directed in and by the said recited Act and shall be appropriated as follows that is to say one moiety thereof to Her Majesty Her Heirs and Successors for the public uses of the said Colony and in support of the Government thereof and shall be applied in such manner as may be from time to time directed by any Acts of the said Governor and Legislative Council and the other moiety to the use of the informer or party prosecuting who shall also be entitled to his or her costs and charges over and above such fines penalties and forfeitures to be ascertained and assessed by the Justices before whom the case is heard and the informer or party prosecuting under this or the said recited Act shall in all cases be deemed and taken and is hereby declared to be a competent witness.

Informer a competent witness.

SCHEDULES REFERRED TO.

A.

Certificate of Registry of Declaration.

WE hereby certify that we have this day registered the declarations of Messrs. _____ and _____ of the sufficiency and good condition of the hull and machinery of the Steam Vessel _____ under the provisions of the Act of Council 11 Victoria No. 3 and 14 Victoria No. 32.

Given under our hands at _____ this _____ day of _____ one thousand eight hundred and _____

Steam Navigation.

B.

River License for Steam Vessels under the Act of Council 14 Victoria No. 32.

It having been proved to the satisfaction of the undersigned that the Steam Vessel
 of the burthen of tons and of horse power
 and at present employed in is together with her engines flues
 and boilers in good and safe condition and fit for the conveyance of passengers and goods.

We have this day granted this our license to be in force for a period of
 months and the said Steam Vessel is hereby duly licensed accordingly.

Given under our hands at this day of
 18 .

C.

Ship Builder's Certificate.

I of Sydney ship builder duly approved by the Board appointed
 under the provisions of the Acts of Council 11 Victoria No. 3 and 14 Victoria No. 32 to
 survey and examine the hull of the Steam Vessel at present employed in
 (here state whether the vessel is employed in the coasting trade or in river or harbour naviga-
 tion) and of the burthen of tons and engine of power
 do solemnly and sincerely declare that on the day of I carefully
 examined and surveyed the above named Steam Vessel and that I found the same to be
 strong stanch seaworthy and in every way fit and sufficient for the purposes for which she
 is stated to be employed in and I further declare that the said vessel was (here state whether
 aground or afloat at the time of survey) at the time I so examined her And I make this
 solemn declaration conscientiously believing the same to be true and without fear favor or
 affection without having any interest either directly or indirectly in the aforesaid vessel and
 in conformity with the provisions of an Act of Council 9 Victoria No. 9 intituled "An Act
 for the more effectual abolition of Oaths and Affirmations taken and made in various Depart-
 ments of the Government of New South Wales and to substitute Declarations in lieu
 thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits."

Taken and declared before me at this
 day of

A.D. 185 .

J.P.

D.

Engineer's Certificate.

I of Sydney engineer duly approved by the Board appointed
 under the provisions of the Acts of Council 11 Vict. No. 3 and 14 Vict. No. 32 to survey
 and examine the engines flues and boilers of the Steam Vessel at
 present employed in (here state whether the vessel is employed in the coasting trade or in river
 or harbour navigation) the same being pressure engines of horse
 power do solemnly and sincerely declare that on the day of I carefully
 examined the engines flues and boilers of the above named vessel the same being at the
 time in working order and steam up that I have tested the pressure of steam in the
 boiler to the weight of pounds on the square inch and that I have found the engines
 flues and boilers in good sound safe and working order and in every way sufficient for the
 purposes for which they are required And I make this solemn declaration conscientiously
 believing the same to be true and without fear favor or affection having no interest either
 directly or indirectly in the aforesaid vessel and in conformity with an Act of the Governor
 and Legislative Council of the 9th Vict. No. 9 intituled "An Act for the more effectual
 abolition of Oaths and Affirmations taken and made in various Departments of the Govern-
 ment of New South Wales and to substitute Declarations in lieu thereof and for the sup-
 pression of voluntary and extra-judicial Oaths and Affidavits."

Taken and declared before me at
 this day of

A.D. 185 .

J.P.