



Western Australia.

ANNO SEXAGESIMO

VICTORIÆ REGINÆ.

\*\*\*\*\*

No. XXV.

AN ACT to regulate the Carriage of Passengers by Vessels engaged in the Coasting Trade.

[Assented to, 27th October, 1896.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Colonial Passengers Act, 1896, and shall apply to all British ships (including the ships of any other British possession) in the same manner as to ships of Western Australia.

Short title and application of Act.

See Merchant Shipping Act, 1894 (Imp.), s. 736.

2. THE Acts mentioned in the First Schedule to this Act are repealed, and a reference in any Act to the repealed Acts shall be deemed to be a reference to the corresponding portion of this Act:

Repeal.

Provided that the Acts hereby repealed shall, notwithstanding such repeal, remain in full force, so far as relates to anything done, or

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any contract, agreement, deed, proclamation, or instrument made or issued, right or privilege acquired, security taken or agreed to be taken under the authority of or with reference to such Acts, or any of them, or any offence committed against, or any forfeiture, penalty, or liability incurred by virtue of any of such Acts, or any proceeding or prosecution instituted under the authority of or to enforce the same.

Interpretation.

3. IN this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby assigned to them, that is to say :

“Coasting Voyage” shall mean any voyage from port to port or place to place within this Colony :

See Merchant Shipping Act, 1894 (Imp.), s. 726.

“Colonial Coasting Vessel” shall mean any kind of sea-going vessel, whether a Western Australian ship or not, and whether British or foreign, engaged for the time being in the coasting trade of this Colony ; but shall not include any of Her Majesty’s ships of war, or any vessels belonging to or in the pay of the Imperial or Local Government :

25 Vic., 9, ss. 1, 15.

“Master” shall mean the person borne on the ship’s articles as master, or who, for the time being, is in charge or command of any colonial coasting vessel :

“Mate” shall mean the person borne on the ship’s articles as mate :

“Port Authority” shall mean the Collector of Customs, or the acting principal officer of Customs, and any officer authorised by the Collector of Customs to act for him in any port :

“Statute Adult” shall mean a passenger of the age of fourteen or upwards, or two passengers above the age of one year and under the age of fourteen.

Port authority, aided by Water Police, to carry Act into execution.

4. THE port authority at every port shall carry this Act into execution, and all constables and members of the Water Police shall act in aid of the port authority in so doing.

Master to give facilities to port authority. *Ibid.*, s. 3, abridged.

5. THE master of every colonial coasting vessel fitting, advertised, or intended for carrying passengers on a coasting voyage, shall afford to the port authority, at any port in this Colony, every facility for inspecting such vessel, and for communicating with the passengers, and for ascertaining that this Act has been complied with.

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6. IF this Act has been complied with in regard to a colonial coasting vessel, the port authority shall give the master a certificate to that effect, and such vessel shall not clear out or proceed to sea until the master shall have obtained such certificate.

Vessel not to clear out till port authority has certified compliance with this Act.

*Ibid.*, s. 4, abridged.

7. THE master of a colonial coasting vessel shall not obtain a clearance or proceed to sea with a greater number of persons on board (including the master, crew, and passengers, if any, and counting two children above the age of one year and under that of fourteen as one person) than in the proportion of one person to every two tons of the registered tonnage of such colonial ship or vessel, who can be duly accommodated under the deck to the satisfaction of the port authority. If there be on board of any such vessel, at or after the time of clearance, weighing anchor, or proceeding to sea, a greater number of persons than in the proportion hereinbefore mentioned, or if any passengers shall not be duly accommodated under the deck, the master of such vessel shall be liable, on conviction, to a fine not exceeding Five pounds for each person constituting any such excess, or for each passenger not duly accommodated as aforesaid.

Number of Passengers limited.

27 Vic., 9, s. 1.

Penalty.

8. THE master of a colonial coasting vessel carrying passengers shall, before obtaining a clearance, sign two lists, according to the form in the Second Schedule to this Act, correctly setting forth, in the manner therein directed, the name and other particulars of the vessel, and of every passenger on board thereof, and the port authority shall thereupon countersign such lists, and the master shall deliver them to the collector or principal officer of customs, from whom a clearance is demanded, who shall thereupon deliver to the master one of such lists, and the master shall deliver such last mentioned list to the principal officer of customs at the port or place of discharge

Passenger lists to be made out before clearance.

25 Vic., 9, s. 6.

9. (1.) EVERY person found on board any colonial coasting vessel with intent to obtain a passage therein without the knowledge or consent of the owner, charterer, consignee, or the master, or a mate thereof, and every person aiding and abetting him in such intent, shall be liable to a fine not exceeding Five pounds and, in default of payment, to imprisonment with or without hard labour for not more than three months, and every such person so found on board may be taken before a Justice of the Peace without warrant, and such Justice may hear the case and, on proof of the offence, convict the offender.

Persons attempting to obtain passage without consent of owner, master, etc

*Ibid.*, s. 7.

(2.) Every person who goes to sea in a colonial coasting vessel without such consent as aforesaid shall, so long as he remains on the vessel, be deemed to belong to the vessel and be subject to

Merchant Shipping Act, 1894 (Imp.), part s. 237.

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the same laws and regulations for preserving discipline, and to the same fines and punishments for offences constituting or tending to a breach of discipline, as if he were a member of, and had signed the agreement as one of, the crew.

Vessel to be commanded by certificated master and, with certain exceptions, to carry certificated mate; and certain steamships to carry two certificated engineers.

See 25 Vic., 9, s. 9,  
32 Vic., 14, s. 2, 49  
Vic., 6, s. 1.

**10.** (1.) EVERY colonial coasting vessel shall be commanded by a master possessing a master's certificate from the Board of Trade or from the Marine Examining Board constituted under this Act, or from any authority appointed by the Government of a British possession to grant such certificates, and shall carry, as second in command, a mate possessing a master's certificate as hereinbefore mentioned, or a mate's certificate from the Board of Trade or the said Marine Examining Board, or such other authority as aforesaid; and if the vessel is a steamship of one hundred nominal horse-power or upwards, she shall carry at least two engineers duly certificated as aforesaid: Provided that, if the voyage is only between Cape Naturaliste and the North-West Cape, or between Albany and Eucla, or is only for any part of either of those distances, it shall not be necessary for the vessel to carry a mate.

(2.) If any person—

See Merchant Shipping Act, 1894 (Imp.), s. 92.

(a.) Having been engaged as one of the above mentioned officers, goes to sea as such officer, without being duly certificated; or

(b.) In contravention of this section, employs an officer without ascertaining that the officer so serving is duly certificated, that person shall be liable for each such offence to a fine not exceeding Fifty pounds.

(3.) An officer shall not be deemed duly certificated, within the meaning of this section, unless he is the holder, for the time being, of a valid certificate from one of the authorities hereinbefore mentioned in that behalf of a grade appropriate to his station in the ship or of a higher grade.

Requirements as to crew, boat, buoy, provisions, etc.

25 Vic., 9, part s. 9.

**11.** EVERY colonial coasting vessel shall be manned with an efficient crew for her intended voyage, and shall carry a sufficient number of boats of a suitable size and seaworthy, and shall have a sufficient number of life-buoys, properly suspended, to the satisfaction of the port authority, and such boat, and life-buoy, shall be kept clear at all times for immediate use at sea: And no part of the cargo or of the provisions, water, or stores, whether for the use of the passengers or crew, shall be carried on the upper deck, unless it shall be placed to the satisfaction of such port authority so as not to endanger the ship or interfere with the accommodation of the passengers.

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**12.** THE water laden on board every colonial coasting vessel shall be carried in tanks or in casks to be approved by the port authority, and, when casks are used, they shall be sweet and tight, of sufficient strength, and properly charred inside, and shall not be made of fir or soft wood staves, nor be capable of containing, severally, more than two hundred gallons each.

Water tanks or casks to be approved.

25 Vic., 9, s. 12.

**13.** BEFORE any colonial coasting vessel shall obtain a clearance, the port authority shall survey, or cause some competent person to survey, the water and other provisions and stores placed or to be placed on board for the use of the passengers and crew and others, and shall be satisfied that such provisions are of good, wholesome, and suitable quality, and in a sweet and good condition, and are sufficient in quantity to secure a reasonable and suitable board and maintenance for the passengers, crew, and others throughout the voyage, in addition to any provisions of their own, such quantities not being less than shall be required by the Governor by any proclamation: And if a clearance be obtained for any such vessel without this section being complied with, or if the passengers, or any one or more of them, be not supplied daily with suitable board and maintenance, the owner or owners, charterer, consignee, or master shall be liable to a fine not exceeding Fifty pounds.

Water and other provisions to be surveyed before clearance.

*Ibid.*, s. 10.

**14.** IF the port authority is of opinion that any of the water, or other provisions or stores, are not of a good and wholesome quality, or are not in a sweet and good condition, the port authority may reject and mark the same, or the packages in which they are contained, and direct the same, if on board, to be landed, and if they are not thereupon forthwith landed, or if, being on shore, they are shipped, or after being landed they are re-shipped on board such vessel, the owner, charterer, consignee, or master thereof shall be liable to a fine not exceeding Fifty pounds, or, if the same are shipped or re-shipped into any other ship or vessel, the person causing the same to be so shipped or re-shipped shall be liable to the like fine.

Port authority empowered to condemn provisions, etc.

*Ibid.*, s. 11.

**15.** IF any colonial coasting vessel, not being unavoidably detained by wind or weather, does not put to sea and proceed on her intended voyage on the day appointed by any contract made by the owner, charterer, or master of the vessel, or their or his agent, with or on behalf of any passenger who shall, on that day, be on board the vessel, or ready to go on board, the owner, charterer, or master, or their or his agent, at the option of such passenger, shall pay to such passenger subsistence money after the rate of five shillings for each statute adult in respect of each day of delay until the final departure of the vessel on her voyage; and such subsistence money may be recovered in like manner as any fine imposed by this Act.

Passengers' subsistence money in case of detention of vessel.

*Ibid.*, s. 13, slightly altered.

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Requirements as to  
chronometer, com-  
passes, and hose.

See 39 Vic., 5, s. 3,  
and Merchant Ship-  
ping Act, 1894  
(Imp.), s. 432.

16. (1.) EVERY colonial coasting vessel shall have on board a chronometer in proper working order, and, if a steamship, shall have her compasses adjusted from time to time, and shall be provided with a hose capable of being connected with the engines of the ship and adapted for extinguishing fire in every part of the ship: And these requirements shall be complied with to the satisfaction of the port authority.

(2.) If any colonial coasting vessel goes to sea from any port in this Colony and any requirement of this section is not complied with, then, for each matter in which default is made, the owner (if in fault) shall be liable to a fine not exceeding One hundred pounds, and the master (if in fault) shall be liable to a fine not exceeding Fifty pounds.

*Marine Examining Board.*

Examinations for  
masters and mates  
and engineers by the  
Marine Examining  
Board.

See 32 Vic., 14, part  
s. 2, and ss. 3 and 4.

17. (1.) THE Governor shall, from time to time, appoint a Marine Examining Board to consist of not less than three members, and may, from time to time, remove any of such members and appoint another in his place.

(2.) It shall be the duty of the Marine Examining Board to examine all persons who may desire to obtain certificates of competency as master, mate, or engineer, and to deliver to every applicant who passes the examination satisfactorily, and has given satisfactory evidence of his sobriety, experience, and ability, a certificate of competency as master, mate, or engineer, as the case may be.

(3.) The Governor shall, from time to time, cause such examinations to be held, and may make rules as to the qualifications of the candidates and the subjects, times, and places of the examinations, and the fees to be paid by the candidates, and the remuneration to be paid to the members of the said Board, and generally may do all such acts as he thinks expedient for carrying into effect the said examinations.

*Suspension and Cancellation of Certificates—Board of Marine  
Inquiry.*

Cancellation, etc., of  
certificate on convic-  
tion.

Merchant Shipping  
Act, 1894 (Imp.), s.  
469.

18. THE Governor may suspend or cancel the certificate of any master, mate, or engineer if it is shown that he has been convicted of any offence.

Inquiry into cases of  
incompetency or mis-  
conduct of masters,  
mates, and engi-  
neers.

19. IF the Governor has cause to believe that any master, mate, or engineer holding a certificate from the Marine Examining Board is, from incompetency or misconduct, unfit to discharge his duties on a coasting voyage, the Governor may appoint a Board of Marine

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Inquiry consisting of a Police Magistrate or a Barrister, the principal Officer of Customs at the port at which or nearest to which the Board is directed to commence its sittings, and one or more nautical assessors, with authority to institute a formal inquiry, and may appoint the President of such Board: And the Governor may direct the Board to sit at or near the place at which it will be most convenient for the parties and witnesses to attend, and at such other place or places as the Governor may think fit, and thereupon the Board shall institute the inquiry, and shall inform the master, mate, or engineer specifically and in writing of the charges against him, and shall summon him to appear, and shall hear the evidence in support of such charges, and shall give him full opportunity of making a defence in person or otherwise.

*See 32 Vic., 14, s. 5.*

**20.** IT shall be the duty of any person who has brought the charge of incompetency or misconduct to the notice of the Governor, to superintend the management of the case, and to render such assistance to the Board as is in his power; and, if the Governor so direct, such person shall be deemed to be the party having the conduct of the case.

Duty of person bringing the charge of incompetency or misconduct.  
*See 32 Vic., 14, s. 5. Merchant Shipping Act, 1894 (Imp.), s. 466 (5), s. 471 (4), and ss. 729 and 730.*

**21.** (1.) EVERY member of the Board acting in the execution of this Act shall have the powers of two Justices of the Peace in petty sessions, and may exercise them in like manner with the necessary alterations, and in particular:

Powers of Board of Marine Inquiry and of members thereof.  
*See Merchant Shipping Act, 1894 (Imp.), s. 729.*

- (a.) May go on board any ship and inspect the same or any part thereof, or any of the machinery, boats, equipments, or articles on board thereof to which the provisions of this Act apply, not unnecessarily detaining or delaying her from proceeding on any voyage; and
- (b.) May enter and inspect any premises the entry or inspection of which appears to him to be requisite for the purpose of the report which he is directed to make; and
- (c.) May, by summons under his hand, require the attendance of all such persons as he thinks fit to call before him and examine for the purpose of decision and report, and may require answers or returns to any inquiries he thinks fit to make; and
- (d.) May require and enforce the production of all books, papers, or documents which he considers important for the purpose of decision and report; and

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(e.) May administer oaths, or may, in lieu of requiring or administering an oath, require every person examined by him to make and subscribe a declaration of the truth of the statements made by him in his examination.

(2.) Every witness summoned under this section shall be allowed such expenses as would be allowed to a witness attending on subpoena to give evidence before the Supreme Court; and in case of any dispute as to the amount of those expenses, the same shall be referred to the master of the Supreme Court, who shall, on request made to him for that purpose, ascertain and certify the proper amount of those expenses.

(3.) If any person refuses to attend as a witness before the Board, after having been required to do so in manner provided by this section and after having had a tender made to him of the expenses (if any) to which he is entitled under this section, or refuses or neglects to make any answer, or to give any return, or to produce any document in his possession, or to make or subscribe any declarations which the Board or a member of it is hereby empowered to require, that person shall, for each offence, be liable to a fine not exceeding Ten pounds.

Penalty for obstructing members of Board.

Merchant Shipping Act, 1894 (Imp.), s. 730.

**22.** IF any person wilfully impedes a member of the Board in the execution of his duty, whether on board a ship or elsewhere, that person shall, for each offence, be liable to a fine not exceeding Ten pounds, and may be seized and detained by the member, or by any person whom the member may call to his assistance, until the offender can be conveniently taken before some Justice of the Peace.

Power of Board as to certificates.

See Merchant Shipping Act, 1894 (Imp.), ss. 470 and 471.

**23.** (1.) THE Board may suspend or cancel the certificate of a master, mate, or engineer, and make such order with regard to the costs of the inquiry as they think fit, and whether such cancellation or suspension is resolved on or not, shall, at the conclusion of the case, or as soon afterwards as possible, state in open court the decision to which they have come with reference to such cancellation or suspension.

(2.) The Board shall in all cases send a full report on the case with the evidence to the Governor, and shall also, if they decide to cancel or suspend a certificate, send the certificate cancelled or noted with a memorandum of suspension to the Governor with their report.

(3.) A certificate shall not be cancelled or suspended under this section unless a copy of the report or a statement of the case on which the inquiry has been ordered, has been furnished before the commencement of the investigation or inquiry to the holder of the certificate.

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**24.** THE Governor may, if he thinks fit, by warrant under his hand, direct the whole or any part of the costs of the inquiry to be paid out of the consolidated revenue of this Colony.

Costs of inquiry may be paid by the Government.

*See Ibid.*, s. 466 (g).

**25.** A MASTER, mate, or engineer, whose certificate is cancelled or suspended by the Board, shall deliver the same to the Board, and, in default, shall be liable to a fine not exceeding Fifty pounds.

Certificate cancelled or suspended to be delivered up.

*See Ibid.*, s. 473.

**26.** THE Governor may, if he thinks the justice of the case requires it, re-issue and return the certificate of a master, mate, or engineer which has been cancelled or suspended, or shorten the time for which it is suspended, or grant in place thereof, a certificate of the same or any lower grade.

Power to Governor to restore certificate.

*See Ibid.*, s. 474.

**27.** (1.) WHERE an inquiry into the conduct of a master, mate, or engineer has been held under this Act, the Governor may order the case to be re-heard, either generally, or as to any part thereof, by the Board or by the Supreme Court, and shall so order—

Re-hearing of inquiries.

*See Ibid.*, s. 475.

(a.) If new and important evidence, which could not be produced at the inquiry, has been discovered; or

(b.) If for any reason there has been, in the Governor's opinion, ground for suspecting that a miscarriage of justice has occurred.

(2.) Where, on any such inquiry, the Board has given a decision with respect to the cancelling or suspension of the certificate of a master, mate, or engineer, and an application for a re-hearing under this section has not been made, or has been refused, an appeal shall lie from the decision to the Supreme Court. Such appeal shall be by way of re-hearing, and, when any conditions or regulations are prescribed by rules made in relation thereto under the powers contained in this Act, the appeal shall be subject to and conducted in accordance with such conditions and regulations.

**28.** THE following section shall apply to any seaman engaged by or on behalf of the master of any colonial coasting vessel to go to sea from any port in this Colony, provided the master has entered into an agreement in writing with such seaman, dated at the time of the first signature thereof, signed by the master before the seaman signs the same, and containing the following particulars as terms thereof (that is to say):—

The following section to apply to seaman engaged for colonial coasting vessel by agreement in writing containing certain terms.

39 Vic., 9, s. 1.

1. The nature, and, as far as practicable, the duration of the intended voyage or engagement;
2. The number and description of the crew, specifying how many are engaged as sailors;

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3. The time at which such seaman is to be on board or to begin work ;
4. The capacity in which such seaman is to serve ;
5. The amount of wages which such seaman is to receive ;
6. A scale of the provisions which are to be furnished to such seaman.

Offences of seamen  
and their punish-  
ments.

*Ibid.*, s. 2.

Desertion.

Neglecting or refus-  
ing to join, or to  
proceed to sea, ab-  
sence within twenty-  
four hours before  
sailing and absence  
without leave.

Quitting without  
leave before ship is  
secured.

Act of disobedience.

**29.** WHENEVER any seaman who has been engaged by or on behalf of the master of any colonial coasting vessel to go to sea from any port in the Colony, under an agreement in writing pursuant to the foregoing section, commits any of the following offences, he shall be liable to be punished summarily as follows (that is to say):—

- (1.) For desertion, he shall be liable to imprisonment for any period not exceeding twelve weeks, and also to forfeit all or any part of the clothes and effects he leaves on board, and all or any part of the wages or emoluments which he has then earned ; and also to satisfy any excess of wages paid by the master or owner of the ship from which he deserts to any substitute engaged in his place at a higher rate of wages than the rate stipulated to be paid to him.
- (2.) For neglecting or refusing, without reasonable cause, to join his ship, or to proceed to sea in his ship, or for absence without leave at any time within twenty-four hours of the ship's sailing from any port, either at the commencement or during the progress of any voyage, or for absence at any time without leave, and without sufficient reason, from his ship or from his duty not amounting to desertion or not treated as such by the master, he shall be liable to imprisonment for any period not exceeding ten weeks, and also, at the discretion of the Court, to forfeit out of his wages a sum not exceeding the amount of two days' pay, and, in addition, for every twenty-four hours of absence, either a sum not exceeding six days' pay, or any expenses which have been properly incurred in hiring a substitute.
- (3.) For quitting the ship without leave after her arrival at her port of delivery and before she is placed in security, he shall be liable to forfeit out of his wages a sum not exceeding one month's pay.
- (4.) For wilful disobedience of any lawful command, he shall be liable to imprisonment for any period not exceeding four weeks, and also, at the discretion of the Court, to forfeit out of his wages a sum not exceeding two days' pay.

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- (5.) For continued wilful disobedience to lawful commands, or continued wilful neglect of duty, he shall be liable to imprisonment for any period not exceeding twelve weeks, and also, at the discretion of the Court, to forfeit, for every twenty-four hours' continuance of such disobedience or neglect, a sum not exceeding six days' pay, or any expenses which have been properly incurred in hiring a substitute. Continued disobedience.
- (6.) For assaulting any master or mate he shall be liable to imprisonment for any period not exceeding twelve weeks. Assault on officers.
- (7.) For combining with any other or others to disobey lawful commands, or to neglect duty, or to impede the navigation of the ship or the progress of the voyage, he shall be liable to imprisonment for any period not exceeding twelve weeks. Combining to disobey.
- (8.) For wilfully damaging the ship, or embezzling or wilfully damaging any of her stores or cargo, he shall be liable to forfeit out of his wages a sum equal in amount to the loss thereby sustained, and also, at the discretion of the Court, to imprisonment for any period not exceeding twelve weeks. Wilful damage and embezzlement.
- (9.) For any act of smuggling of which he is convicted and whereby loss or damage is occasioned to the master or owner, he shall be liable to pay such master or owner such a sum as is sufficient to reimburse him for such loss or damage; and the whole or any part of such seaman's wages may be retained in satisfaction or on account of such liability, without prejudice to any further remedy. Acts of smuggling causing loss to owner.

Any imprisonment under this section may be with or without hard labour. Merchant Shipping Act, 1894 (Imp.), s. 225 (2).

**30.** NOTHING in the last preceding section shall take away or limit any remedy by action which an owner or master has for any breach of contract in respect of any of the matters constituting an offence under that section; but an owner or master shall not be compensated twice in respect of the same damage. Punishment not to affect civil remedies. *Ibid.*, s. 226.

**31.** EVERY person offending by any act of commission or default against sections five, six, eight, eleven, or twelve of this Act, shall be liable to a fine of not more than Fifty pounds: Provided that nothing in this Act shall take away or abridge any right of Penalties not otherwise provided. *See* 25 Vic., 9, s. 14.

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action which may accrue to any person for the breach of any contract with the master, charterer, or owner of any colonial coasting vessel.

Punishment of offences and imposition of fines, penalties, etc.

**32.** ALL offences against this Act may be punished on summary conviction before a Resident Magistrate, or two Justices of the Peace in Petty Sessions, who may impose all fines and penalties, and (save as otherwise provided) declare all forfeitures under this Act and enforce the same.

Right of appeal.

**33.** ANY person aggrieved by any order, decision, or conviction by a Resident Magistrate or two Justices under this Act, may appeal therefrom to the Supreme Court at the next sitting thereof which shall happen after one month from the making or pronouncing of such order, decision, or conviction: And the Court shall hear and determine the matter of such appeal, and shall summon all necessary parties and witnesses, and shall make such order affirming, reversing, or altering the order, decision, or conviction, and as to the costs of the appeal as to the Court shall seem fit; and, except where a conviction is affirmed, shall enforce its decision in like manner as a judgment of the Court: Provided that within twenty-one days from the making or pronouncing of the order, decision, or conviction appealed against, the appellant shall give written notice of such appeal to the Resident Magistrate or the Justices or one of them from whose order, decision, or conviction the appeal is brought, and shall lodge with the Master of the Supreme Court a sum not exceeding Twenty pounds to secure the costs of the appeal, or shall give security to his satisfaction for the payment of the costs of the appeal not exceeding Twenty pounds.

Sections of Shortening Ordinance.

**34.** SECTIONS C, F, and G of the Schedule to "The Shortening Ordinance, 1853," shall be incorporated with and taken to form a part of this Act, to all intents and purposes, and in as full and ample a manner as if the said sections had been introduced and fully set forth in this Act.

Governor may make rules.

**35.** THE Governor may, from time to time, make rules and regulations for carrying into effect this Act, such rules and regulations as relate to proceedings in the Supreme Court being made after consultation with the Judges, or the majority of them, and the same shall be published in the *Government Gazette* and shall be laid before both Houses of Parliament, if Parliament be then sitting, and if Parliament be not then sitting, within fourteen days after its next meeting, and when so published shall have the force of law unless repealed or altered by the Governor in Council or disallowed by both Houses of Parliament.

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**36.** FOR the purpose of this Act the length of the voyage between any Ports or places in the Colony shall, from time to time, be determined by the Governor and published by Proclamation in the *Government Gazette*.

Governor may proclaim length of coasting voyage.

**37.** THIS Act shall not come into operation until Her Majesty's pleasure thereon has been publicly signified in this Colony.

Act suspended for Queen's approval. See Merchant Shipping Act, 1894 (Imp.), s. 736.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Governor's Deputy.

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Section 2.

### Schedule I.

25 Vict., No. 9	...	...	The Colonial Passengers Ordinance, 1861.
27 Vict., No. 9	...	...	An Ordinance to amend the Colonial Passengers Ordinance, 1861.
28 Vict., No. 7	...	...	An Ordinance to rectify a clerical error in the Ordinance entitled "An Ordinance to amend the Colonial Passengers Ordinance, 1861."
32 Vict., No. 14	...	...	The Colonial Passengers Ordinance, 1868.
39 Vict., No. 5	...	...	The Colonial Passengers Amendment Act, 1875.
39 Vict., No. 9	...	...	An Act to make provision for the Maintenance of Discipline among the Crews of Coasting Vessels.
42 Vict., No. 20	...	...	An Act to explain the Colonial Passengers Ordinance, 1868.
49 Vict., No. 6	...	...	The Colonial Passengers Amendment Act, 1885.

Section 8.

### Schedule II.

#### FORM OF PASSENGER LIST.

Ship's Name and Tonnage.	Names of Passengers.	Age.	Calling.

The above is a correct list of the names and descriptions of all the passengers.

(Signed)

Master.

(Countersigned)

Superintendent of Water Police.

Officer of Customs at

Dated 189 .