



Harbours, Docks and Piers Clauses Act 1847

1847 CHAPTER 27

Harbour, Dock, and Pier Master

And with respect to the Appointment of Harbour-masters, Dock-masters, and Pier-masters, and their Duties be it enacted as follows :

LI Appointment of Harbour, Dock, or Pier Master.

The Undertakers may appoint such Harbour-masters as they think necessary (including in such Expression Dock-masters and Pier-masters, as herein-before defined), and from Time to Time, as often as they think fit, may remove any such Harbour-master.

LII Powers of Harbour, Dock, or Pier Master.

The Harbour-master may give Directions for all or any of the following Purposes ; (that is to say,)

For regulating the Time at which and the Manner in which any Vessel shall enter into, go out of, or lie in or at the Harbour, Dock, or Pier, and within the prescribed Limits, if any, and its Position, mooring or unmooring, placing and removing, whilst therein :

For regulating the Position in which any Vessel shall take in or discharge its Cargo or any Part thereof, or shall take in or land its Passengers, or shall take in or deliver Ballast within or on the Harbour, Dock, or Pier :

For regulating the Manner in which any Vessel entering the Harbour or Dock or coming to the Pier shall be dismantled, as well for the Safety of such Vessel as for preventing Injury to other Vessels and to the Harbour, Dock, or Pier, and the Moorings thereof :

For removing unserviceable Vessels, and other Obstructions from the Harbour, Dock, or Pier, and keeping the same clear :

For regulating the Quantity of Ballast or dead Weight in the Hold which each Vessel in or at the Harbour, Dock, or Pier shall have during the Delivery of her Cargo, or after having discharged the same :

Provided always, that nothing in this or the Special Act contained shall authorize the Harbour-master to do or cause to be done any Act in any way repugnant to or inconsistent with any Law relating to the Customs, or any Regulation of the Commissioners of Her Majesty's Customs.

LIII Penalty on Shipmasters not complying with Directions of the Harbourmaster.

The Master of every Vessel within the Harbour or Dock, or at or near the Pier, or within the prescribed Limits, if any, shall regulate such Vessel according to the Directions of the Harbourmaster, made in conformity with this and the Special Act; and any Master of a Vessel, who, after Notice of any such Direction by the Harbour-master served upon him, shall not forthwith regulate such Vessel according to such Direction, shall be liable to a Penalty not exceeding Twenty Pounds.

LIV Penalty on Harbourmaster for Misbehaviour.

If any Harbour-master, or any of his Assistants, without reasonable Cause, or in an unreasonable or unfair Manner, exercise any of the Powers or Authorities vested in the Harbour-master by this or the Special Act, the Person so offending shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

LV Penalty on offering Bribes to Dock Officers, and on Officers taking Bribes.

If any Person give or offer any Sum of Money, or any thing whatsoever by way of Reward or Bribe to any Harbour-master or any Officer employed in or about the Harbour, Dock, or Pier, for the Purpose of gaining an undue Preference in the Execution of his Office, or for the Purpose of inducing such Harbour-master or other Officer to do or omit to do anything relating to his Office, or if such Harbour-master or other Officer receive any such Reward or Bribe as aforesaid, every Person so offending shall be liable for every such Offence to a Penalty of Twenty Pounds.

LVI Harbour-master may remove Wrecks, &c.

The Harbour-master may remove any Wreck or other Obstruction to the Harbour, Dock, or Pier, or the Approaches to the same, and also any floating Timber which impedes the Navigation thereof, and the Expense of removing any such Wreck, Obstruction, or floating Timber shall be repaid by the Owner of the same, and the Harbour-master may detain such Wreck or floating Timber for securing the Expenses, and on Nonpayment of such Expenses, on Demand, may sell such Wreck or floating Timber, and out of the Proceeds of such Sale pay such Expenses, rendering the Overplus, if any, to the Owner on Demand.

LVII Unserviceable Vessles to be altogether removed from Harbour.

No Vessel which shall be laid by or neglected as unfit for Sea Service shall be permitted to lie within the Limits of the Harbour, Dock, or Pier, but the Harbour-master may cause every such Vessel to be, at the Expense of the Owner thereof, removed from the Harbour, Dock, or Pier, and laid on any Part of the Strand or Sea Shore, or other

Place where the same may, without Injury to any Person, be placed; and the Charges of removing or placing such Vessel may be recovered from the Owner of such Vessel by summary Complaint, in *England* or *Ireland*, before any Justice of the Peace, and in *Scotland* before the Sheriff; and in case of Refusal or Neglect of Payment of such Charges for the Space of Seven Days after having been awarded by such Justice or Sheriff, the Harbour-master may levy such Charges by Distress and Sale or Pounding and Sale of such Vessel, or of the Tackle, Apparel, or Furniture thereof, or any Part thereof, and the Justice or Sheriff shall issue his Warrant accordingly.

LVIII Harbourmaster may remove Vessels within Docks, &c,

If the Master of any Vessel in or at the Harbour, Dock, or Pier, or within the prescribed Limits, if any, shall not moor, unmoor, place, or remove the same according to the Directions of the Harbourmaster, or if there be no Person on Board of any such Vessel to Attend to such Directions, the Harbour Master may cause such Vessel to be moored, unmoored, placed, or removed as he shall think fit, within or at the Harbour, Dock, or Pier, or within the prescribed Limits, and for that Purpose the Harbour-master may cast off, unloose, or out the Rope, or unshackle or break the Chain by which any such Vessel is moored or fastened; and all Expenses attending the mooring, unmooring, placing, or removing of such Vessel shall be paid to the Undertakers by the Master of such Vessel c Provided always, that before the Harbour-master shall unloose or cut any Rope or unshackle or break any Chain by which any Vessel, without any Person on board to protect the same, shall be moored or fastened, he shall cause a sufficient Number of Persons to be put on board of such Vessel for the Protection of the same,

LIX Vessels entering Harbour or Dock to be dismantled as Harbour, master shall direct.

Before any Vessel shall enter the Harbour or Dock or approach the Pier the Master thereof shall cause her to be dismantled as directed by the Harbour-Master ; and if any Vessel shall enter the Harbour or Dock or approach the Pier without being dismantled in the Manner required by the Harbour-master, after Notice shall have been given to' the Master of such Vessel so to dismantle the same, such Master shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

LX Vessels to have their Sails lowered when-entering and navigating Dock.

Before any Vessel shall enter into the Dock, the Master of such Vessel shall cause ker Sails to be lowered or furled; and if the Master of any Vessel shall navigate the same under sail into or in the Dock he snail for every such Offence be liable to a Penalty not Exceeding Ten Pounds.

LXI Vessels to have Hawsers, &c. fixed to Moorings.

Every Vessel in the Harbour or Dock or at or near the Pier snail have substantial Hawsers; Tow-lines, and Fasts, fixed to the Dolphins, Booms, Buoys, or mooring Posts, when required by the Harbour-master; and if an)' Vessel shall be in the Harbour or Dock or at or near the Pier without substantial Hawsers, Tow-lines, or Fasts fixed as aforesaid, after Notice from the Harbour-master to the Master of such Vessel to furnish or fix the same, such Master shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

LXII Penalty for wilfully cutting Moorings.

Every Person other than the Harbour-master who shall wilfully cut, break, or destroy the Mooring or Fastening of any Vessel lying in the Harbour or Dock or at or near the Pier shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

LXIII Penalty on Vessels lying near the Entrance of Harbour or Dock without Permission.

As soon as the Harbour or Dock shall be so far completed as to admit Vessels to enter therein, no Vessel, except with the Permission of the Harbour-master, shall lie or be moored in the Entrance of the Harbour or Dock, or within the prescribed Limits, and if the Master of any Vessel either place it or suffer it to remain in the Entrance of the Harbour or Dock, or within the prescribed Limits, without such Permission, and do not, on being required so to do by the Harbour-master, forthwith proceed to remove such Vessel, he shall be liable to a Penalty not exceeding Five Pounds, and a further Sum of Twenty Shillings for every Hour that such Vessel shall remain within the Limits aforesaid, after a reasonable Time for removing the same has expired after such Requisition.

LXIV Vessels may be removed for the Purpose of repairing Harbour or Dock.

Whenever the Undertakers shall deem it necessary, for the Purpose of repairing, scouring, or cleansing the Harbour, Dock, or Pier, that any Vessel lying therein or thereat shall be removed therefrom, the Master of such Vessel shall, within Three Days after Notice in Writing signed by the Harbour-master has been given to him, remove such Vessel according to such Notice; and in case of his neglecting so to do, such Master shall be liable to a Penalty not exceeding Ten Pounds.

LXV Harbourmaster may remove such Vessel if the Master thereof neglect or refuse so to do.

If the Master of such Vessel cannot be found, or if he neglect or refuse to remove the same, as required by the said Notice, the Harbour-master may remove such Vessel to such Station as he shall select, and the Expenses of such Removal shall be paid to the Undertakers by the Owner of the said Vessel or the Master thereof: Provided always, that previous to the Repair of Harbour, Dock, or Pier which shall require the Removal of the Vessels therefrom, the Harbour-master shall give Three Days Notice of such Repair and of the Necessity for such Removal to the Collector and Comptroller of the Customs of the District within which the Harbour, Dock, or Pier is situate, or which shall be specified for that Purpose in the Special Act, and cause a like Notice to be affixed on some conspicuous Part of such Custom House and of the Office of the Undertakers.