

# Scarborough Harbour.

## BYE-LAWS

made by the Scarborough Harbour Commissioners, under and by virtue of the Scarborough Harbour Act, 1843, and the Scarborough Harbour Act, 1876, and the several Acts of Parliament therein recited, or some or one of them.

## INTERPRETATION.

In these Bye-laws, unless the context otherwise requires, the following words and expressions have the meanings hereby assigned to them respectively:—

The expression "Harbour Master" includes his Deputy and any person authorised by the Commissioners to assist the Harbour Master or to perform his duties during his absence from any cause whatever.

Harbour  
Master.

The word "vessel" includes ship, lighter, vessel, barge, boat, keel, barque, raft or craft, and any other kind of vessel whatsoever, and whether propelled by steam or otherwise.

Vessel.

The word "steamer" includes motor vessel, and any vessel propelled by mechanical power.

Steamer.

The word "master," where used in relation to any vessel, includes any person, whether the owner, master, pilot or other person, lawfully or wrongtully, having or taking command, charge or management of the vessel for the time being.

Master.



Fish Market.

The expression, "the Fish Market," means the Fish Market on the West Pier where the fish sales take place, and the fish sheds or any other places on the Commissioners' premises where fish is sold.

The Commissioners.

The expression "the Commissioners," means the Commissioners of the Harbour at Scarborough, appointed under or by virtue of the Scarborough Harbour Acts, 1843 and 1876, and the Scarborough Corporation Act, 1900, or any of them.

Harbour.

The "Harbour" means the Scarborough Harbour as defined by the Scarborough Harbour Act, 1843.

Other words and expressions.

Other words and expressions have the same meaning as in the Scarborough Harbour Acts, 1843 and 1876, unless the context otherwise requires.

Marginal notes and cross headings.

The marginal notes and cross headings in these Bye-laws shall not be taken as part thereof, or in any manner affect the interpretation or construction thereof.

## REGULATION OF VESSELS.

Vessels not to moor across or obstruct the entrance to the Harbour.

1. No master of any vessel shall anchor or moor across, or in any manner obstruct the fairway, or any entrance, to the Harbour or any approach thereto, or the fairway to any low water landing Pier, nor shall he, except in case of emergency, anchor at any time opposite to, or within, a Pier-head.

Vessels not to anchor so as to obstruct the arrival or departure of other vessels.

2. No master of any vessel shall anchor, moor, or permit the same to lie so as to obstruct the entrance of any other vessel into, or the departure of any other vessel out of, the Harbour.

3. No master of any vessel, entering or about to enter, or lying in, the Harbour, shall refuse to give the draught of water of his vessel, or give a false statement as to such draught, to the Harbour Master.

Persons in charge of Vessels to give the draught of water.

4. No master of any vessel shall bring, or attempt to bring, such vessel into the Harbour when there is not sufficient water to get her to a safe berth, and no person shall, by making a false statement as to the depth of water within the Harbour, or otherwise, induce or attempt to persuade such master or other person in charge so to bring in his vessel.

Vessels not to be brought into Harbour when insufficient water.

5. When the Harbour entrance is blocked by vessels aground between the end of the West Pier and the Vincent's Pier, on the flowing tide, a red flag will be hoisted on the Lighthouse Flagstaff, and no master of any vessel shall attempt to force his way into the Harbour when such flag is so hoisted.

Entrance not to be forced when red flag hoisted.

6. When such flag is so hoisted, the master of any steamer, before passing east of an imaginary line joining the end of the East Pier and the extreme south-west corner of the West Pier (new section) shall stop his propeller and keep it stopped until ordered by the Harbour Master to proceed.

When such flag is hoisted, steamers to be stationary.

7. The master of a vessel having a slipping Bowsprit shall, on entering the harbour, rig it in, or in the case of a square-rigged vessel, shall top her lower yards and have her jib-boom rigged in whilst in the Harbour.

Vessels before entering the Harbour to rig in Bowsprit, &c.

8. No person, other than the Harbour Master or a person authorised by him, shall, by hailing, calling, or otherwise, from any Pier, or from any part of the Harbour, give, or attempt to give, any directions or orders whatever to, or in any way

No unauthorised person to attempt to regulate or control traffic.



attempt to regulate, control, or alter the navigation or management of any vessel, whether such vessel be within or without the Harbour.

9. No master of any vessel within the Harbour shall permit the bell or whistle to be sounded unnecessarily or so as to cause any unnecessary annoyance, and every person so in charge shall cause such bell or whistle to cease sounding immediately on being requested so to do by the Harbour Master or by any servant of the Commissioners.

10. No master of any steamer shall allow the propeller to be used when his vessel is aground in the Harbour.

11. No master of any vessel shall moor the same to the framework or piles of the Piers, or otherwise than to the posts, rings or chains provided for the purpose.

12. The master of any vessel moored alongside the Lighthouse Pier, or at the lowest berth above the bridge on the north side of the Vincent's Pier, or lying on the ground at or immediately within any entrance to the Harbour, shall at all times between sunset and sunrise exhibit a light, sufficient to warn vessels entering the Harbour.

13. The master of any trawler shall rig in his trawl boards, and shall not berth alongside the pier or quay until such trawl boards are rigged in.

14. The master of any vessel within the Harbour shall either himself attend on board during tide time, and whilst such vessel is afloat, in order to receive the Harbour Master's directions, or shall cause some competent person so to attend on his behalf.

Bells and whistles of vessels in the Harbour not to be unnecessarily sounded.

Propeller not to be used when vessel aground in the Harbour.

Vessels not to be moored except to the rings or chains provided.

Vessels lying near the entrance to the Harbour, etc., to exhibit a warning light between sunset and sunrise.

Trawl boards to be rigged in.

Master of vessel or other person to attend on board during tide time to receive Harbour Master's directions.

15. No owner or master of any wooden vessel, of which the keel is not ironshod, shall permit such vessel to be laid up in the same position in the Harbour for more than one calendar month.

16. No owner of any vessel which is neglected or unseaworthy shall permit the same to be laid up in the Harbour, except when undergoing necessary repairs.

17. The master of any vessel being in the Harbour, loading or unloading ballast, coals, cinders, stones, bricks, tiles, clay, dung, or any other loose matter or thing, shall cause a canvas, cloth, or other sufficient shoot with close bottoms, and in good repair, to be nailed, fixed, or otherwise fastened to and to extend from such vessel to the quay or to any other vessel into or from which she is loading or discharging, in such a manner as to prevent any part of such materials from falling into the Harbour.

18. The master of any vessel having an opening in the deck shall, during the whole of the time between sunset and sunrise, when the vessel is not being actually loaded or discharged, have such opening either securely covered or properly lighted.

19. The master of any vessel containing explosives, within the meaning of section 3 of the Explosives Act, 1875, shall cause all fires and lights to be kept extinguished whilst the vessel is in the Harbour, except the prescribed red signal light at night, and shall see that an efficient watch is kept by a watchman approved by the Harbour Master, and no person, other than the master or such watchman, shall be on board such vessel during any part of the time between sunset and sunrise.

No vessel with keel not ironshod to be laid up in same position in Harbour for more than one calendar month.

No vessel unfit for sea to be laid up in the Harbour.

Shoots to be used in loading or unloading vessels.

Openings in vessels not discharging or loading to be securely covered or properly lighted between sunset and sunrise.

Vessels containing explosives.



## PASSENGER STEAMERS.

20. The owner or master of every steamer landing or embarking passengers on any of the Piers, shall provide and use a proper gang-way for that purpose, with handrails or ropes on each side, affixed to stanchions well secured.

Proper gang-ways to be used on passenger steamers.

## PLEASURE BOATS.

21. No person in charge of a pleasure boat shall take in passengers or ply for hire at any of the steps of the piers and quays, except with the express consent of the Harbour Master.

Pleasure boats not to ply for hire or take in passengers at the steps of the piers and quays without permission.

## FERRY BOATS.

22. No boat shall be plied for hire as a ferry boat within the Harbour, unless the owner thereof has first obtained a licence for such boat from the Commissioners, nor shall any boat be plied for hire during the time that such licence is suspended.

Ferry boats not to be plied for hire without a licence.

23. No person shall act as a ferryman, or take charge of or work any boat as a ferry boat, within the Harbour, without first obtaining a licence from the Commissioners so to do, nor during the time that such licence may be suspended.

No person to act as ferry boatman without a licence.

24. Every licence to be granted for a ferry boat shall specify the period for which it is granted and the number of persons to be allowed to be carried in such boat, and the owner of a licensed ferry boat shall cause his name and the number of persons allowed to be carried therein to be painted in letters and figures not less than one inch in length, on some conspicuous part of the interior of the boat, and shall also, on the outside of such boat, on each bow above the water line, have the words **FERRY BOAT** painted in plain letters of not less than six inches in length.

Licences for ferry boats to specify number of passengers to be carried, and the period during which the licence is in force.

25. The Commissioners may from time to time alter the number of persons to be carried in any ferry boat licensed by them.

Alteration of number of passengers allowed.

26. There shall be paid to the Commissioners for each licence for a ferry boat the sum of one shilling and sixpence, and for each licence for a ferryman the sum of one shilling.

Charges for licences.

27. No person in charge of a licensed ferry boat shall carry, or permit to be carried, more persons than the number allowed by the licence thereof.

Excess number of passengers not to be carried.

28. No person in charge of a licensed ferry boat shall refuse, without reasonable excuse, to convey to or from the piers, free of charge, any servant of the Commissioners, when on duty, or any constable on duty.

Ferry boatmen to convey any servant of the Commissioners, or any constable, when on duty, free of charge.

29. No person in charge of any ferry boat, plying from pier to pier, shall charge more than one penny for each passenger of twelve years of age and upwards, or more than one halfpenny for each passenger under that age.

Charges for ferry boats.

30. No boatman, ferryman or other person shall tout on any of the piers, quays or steps of the Commissioners for passengers for any boat.

Touting forbidden.

31. The person in charge of any ferry boat licensed by the Commissioners shall carefully examine the same immediately after the setting down or disembarkation of a fare, and in case of property being left in such boat by any person who may have hired or used the same, the person in charge of such boat shall immediately deliver up such property to the person who may have so left the same, or, in case the owner thereof cannot at once be found, such property shall, within the space of six hours after being so left, be taken by the person in charge of such ferry boat, in the state in which it is found, to the Police Office or the Harbour Master's Office, and there be deposited for reclamation.

Property left in ferry boats.

32. If the owner of any licensed ferry boat, or any licensed ferry boatmen, shall neglect or refuse, or fail to observe or comply with these

Licences may be suspended or revoked.



Bye-laws, or any of them, or shall act contrary to the terms of his licence; or if any licensed ferry boat shall become defective, either in respect to safety, state of repair, condition, or cleanliness, the licence of such boat or boatman may be suspended or revoked, in the discretion of the Commissioners, without prejudice to any penalty to which such boatman or owner may be liable in consequence of such non-observance of or non-compliance with these Bye-laws.

Licence to be produced on request.

33. Every owner of a licensed ferry boat and every licensed ferryman, shall, when requested by the Harbour Master or any person authorised by the Commissioners, produce his licence for inspection, and in case such licence shall have been suspended or revoked, shall forthwith return the same to the Commissioners.

#### PIERS, QUAYS AND SLIPWAYS.

34. No person shall stand or loiter on the piers or quays, or on any of the Commissioners' premises, so as in any way to impede or interrupt the transaction of business, or to obstruct or inconvenience any servant of the Commissioners in the execution of his duty.

Loitering on the piers and quays, and interrupting business.

35. No person who shall be on the piers, quays or other premises of the Commissioners, otherwise than on lawful business, shall remain thereon after being requested to leave by the Harbour Master or other servant of the Commissioners, and every person thereon shall, when requested by the Harbour Master or any servant of the Commissioners, state the nature of his business.

No person to remain on the piers or quays except on lawful business.

36. No person shall use the piers, quays, or Harbour for the purpose of any demonstration, meeting or religious service, without the sanction, in writing, of the Commissioners.

Meetings and services.

37. No person shall use the piers, quays or Harbour for the purpose of betting or gambling.

Gambling.

38. Any person who shall deposit any spars, timber or any other article or thing on the piers,

Spars and timber not to be left deposited.

quays or slipways, or in the Harbour, or on any of the approaches thereto, shall forthwith remove the same.

Obstructions not to be placed upon the roads or slipways leading into the Harbour.

39. No person shall place or lay any vessel or obstruction of any kind upon any road or slipway leading into the Harbour.

Stalls or stands not to be erected and goods not to be sold by retail, without permission.

40. No person shall place any stall, stand or other erection on the piers or quays, nor shall any person place for exhibition or offer for sale, by retail, any goods, articles or things on any of the piers or quays or in the Harbour or on any vessel therein, without the written consent of the Commissioners.

Foot passengers to keep to the right hand.

41. Every foot passenger, having occasion to cross any bridge in the Harbour, shall pass over and keep to that side which shall be on his right hand, and shall remain upon the said bridge for such time only as may be reasonably necessary for crossing the same.

Vehicles and animals on the piers and quays.

42. No person shall drive, ride or propel any motor car, carriage, cart, waggon, bicycle or other vehicle, or any animal, along the piers or quays otherwise than at a walking pace, and no person in charge of such vehicle or animal shall ply for hire thereon, or permit such vehicle or animal to remain thereon longer than shall be reasonably necessary for the purpose of loading or unloading or the taking up or setting down of passengers.

Motor vehicles on the Vincent's Pier

43. No person shall drive or propel any motor vehicle on the Vincent's Pier without the permission of the Harbour Master.

Spitting and smoking where goods are being landed, discharged, or stored.

44. No person shall spit or smoke in any shed or on any other part of the Piers or Quays where goods are being landed, discharged, or stored.

Fishing Vessels to be removed from the West Pier immediately after landed.

#### FISH AND FISH TRADE.

45. The master of any fishing vessel, after landing his fish, shall immediately, or so soon thereafter as the vessel is afloat, remove the same from alongside the West Pier.



Shell fish to be landed only on the West Pier.

46. No person shall land any shell fish, except on the West Pier, without the permission of the Harbour Master.

Washing nets and pumping bilge water into the Harbour.

47. No master of any fishing vessel shall permit any of the nets belonging to such vessel to be washed in the Harbour, nor shall he permit any bilge water from such vessel to be discharged into the Harbour.

Fish, before being sold, to be reported to the Collector of Dues.

48. No person shall sell any fish, on which Harbour rates are payable, by private contract or dutch auction, until such fish, and the weight thereof, have been reported to the Collector of Dues.

Packing.

49. No person shall pack fish elsewhere than in the stands assigned for the purpose, except that on the West Pier and the sheds thereon it may be packed at such times and in such manner as not to obstruct or interfere with the transaction of business.

Boxes and packages not to be left on the piers or quays after the close of each day's market.

50. No person, being the owner or in charge of any box, barrel or package, shall permit the same to be left on any pier or quay, or in any of the sheds in the Fish Market, after the close of each day's Market.

Dressing and curing of fish.

51. No person shall, except with the written permission of the Commissioners, dress or cure, or cause to be dressed or cured, fish of any kind upon any pier, quay, or jetty.

Refuse from fish to be removed after dressing.

52. Any person who shall dress or cure fish within the sheds or on any part of the premises of the Commissioners, shall forthwith clear away, and remove, all refuse resulting therefrom, or place the same in the receptacles provided for the purpose.

Fish not to be offered for sale except in the sheds or on the stands provided

53. No person shall expose or offer for sale, by retail, any fish on any of the premises of the Commissioners, except in the sheds or stands provided for the purpose.

54. No person shall spit or smoke in the Fish Market, or on any part of the Commissioners' premises where fish is exposed for sale, or being dressed, cured, or packed.

Smoking and spitting forbidden in the Fish Market.

55. No person in charge of a dog shall bring the same into the Fish Market, or on to any part of the Commissioners' premises where fish is being sold, or exposed for sale, or being dressed, cured, or packed.

Dogs not permitted in the Fish Sheds.

### GENERAL.

56. No person shall attempt to enter any vessel or boat after being informed by any person employed on such vessel or boat or by any servant of the Commissioners, that the number of persons allowed by the licence is on board such vessel or boat.

No person to enter vessel or boat when the same are full.

57. No person shall bathe within the Harbour after eight o'clock in the morning or before eight o'clock in the evening, or at any time except by permission of the Harbour Master, and then only when wearing a dress or covering sufficient to prevent indecent exposure of the person, and only in such places as may be assigned by the Harbour Master for that purpose.

Bathing in the Harbour.

58. No person shall fish with a fixed or drop net within the Harbour or its limits.

No fishing with a fixed or drop net.

59. No person shall write or paint anything upon, or deface or disfigure by scribbling, drawing, placarding, or otherwise howsoever, any post, lamp-post, fence, railing, hoarding, wall, erection or building upon any of the piers or elsewhere on the Commissioners' premises, or on any vessel, piling or buoy within the Harbour, nor shall any person affix, or cause to be affixed, any bill, notice or paper within the Harbour or on any other part of the Commissioners' premises, without their permission in writing.

Disfiguring or placarding erections or vessels.



Defacing notices.

60. No person shall deface or injure any table of tolls or rates, notice-board, or written or printed notice, placed or set up by the Commissioners.

Damaging or life saving or fire apparatus.

61. No person shall cut, damage or unlawfully remove from its place any life-buoy, life-line, hose, or other apparatus for the saving of life or the extinguishing of fire, placed on the piers or on any other part of the Commissioners' premises.

Loaded firearms.

62. No person shall carry, use or fire any loaded gun or other loaded firearm on any of the piers or quays, or in the Harbour, or in any vessel within a distance of one hundred and fifty fathoms from the Harbour.

Miscellaneous offences.

63. No person employed in the Harbour or on the piers, quays and premises of the Commissioners, or whether so employed or not while on any vessel therein or within the distance of one hundred and fifty fathoms therefrom, and no person who for the time being shall be in the Harbour, or on any of the piers or quays thereof, shall use any profane, obscene, indecent, threatening, insulting or abusive language, or throw or discharge any missile, or commit any nuisance or act of indecency, or assault, resist, obstruct, impede or disobey the lawful orders or directions of the Harbour Master or of any servant of the Commissioners, or aid or incite any other person to commit any of the above mentioned offences.

## PENALTY FOR BREACH OF BYE-LAWS.

Penalty for breach of Bye-laws.

64. Any person who shall offend against any of the foregoing Bye-laws, shall for every such offence forfeit a sum not exceeding five pounds, to be recoverable before a Court of Summary Jurisdiction, in the manner provided by the Summary Jurisdiction Acts.

## COMMENCEMENT OF BYE-LAWS.

Date of commencement.

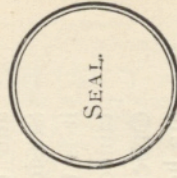
65. These Bye-laws shall come into operation so soon as the same shall have been allowed by the Justices assembled at some General or Quarter Sessions of the Peace for the North Riding of the County of York.

Repeal of existing Bye-laws.

66. From and after the date on which these Bye-laws come into operation, all Bye-laws made under the Scarborough Harbour Acts, 1843 and 1876, shall be repealed.

Given under the Seal of the Commissioners  
this 10th day of May, 1912.

W. HASTINGS FOWLER,  
JOSEPH L. HOPWOOD,  
WM. W. GIBSON,  
JOSHUA ROWNTREE,  
JAMES PIRIE,  
THOMAS HOLLOWAY,  
JAMES W. HICK,  
BURLINSON W. HICK,  
*Commissioners.*



F. G. STEPHENSON,  
*Clerk to the Commissioners.*

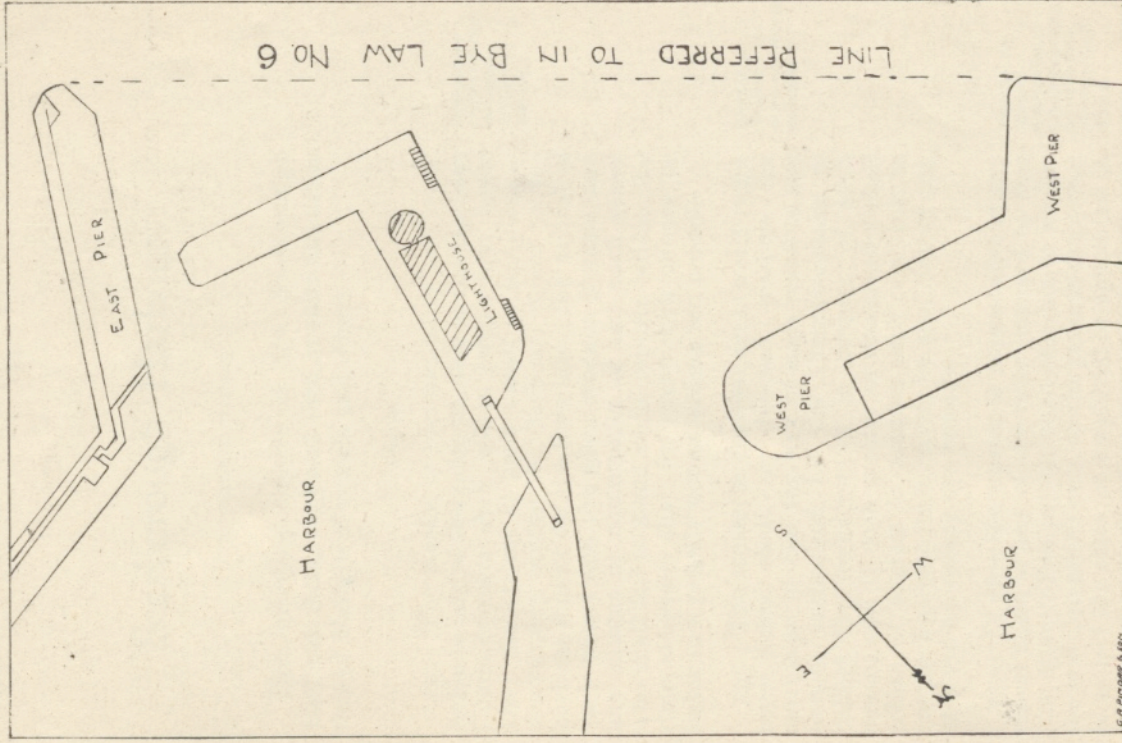


North Riding } At the General Quarter  
of } Sessions of the Peace, holden  
Yorkshire. } at Northallerton, in and for  
Midsummer } the said Riding, on Thursday,  
Sessions, } the 4th day of July, 1912.  
1912.

Application having this day been made to this Court by the Scarborough Harbour Commissioners for the confirmation of the foregoing Bye-laws, and it appearing that notice of the intention of the said Commissioners to apply for the confirmation of the same appeared in the "Scarborough Weekly Post" newspaper on the 10th day of May, 1912, the "Scarborough Evening News" newspaper on the 11th day of May, 1912, and the "Yorkshire Herald" newspaper on the 11th day of May, 1912, and that a copy of such Bye-laws has for one month at least before the hearing of such application been kept at the principal office of the said Commissioners, so that the same might be inspected by any person, and the Justices assembled at such Quarter Sessions having enquired into such Bye-laws, it is therefore, pursuant to the provisions contained in the Scarborough Harbour Act, 1843, **Ordered** that the said Bye-laws be and the same are hereby confirmed.

By the Court,

WILLIAM C. TREVOR,  
Clerk of the Peace.





## Scarborough Harbour.

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The following clauses of the Scarborough Harbour Acts, 1843 and 1876, require the attention of Masters of vessels and others:—

### 1843.

132. The master or commander of any vessel liable to any of the rates payable to the Harbour Commissioners shall within twenty-four hours after the arrival of such vessel at her place of discharging within the harbour, report to the harbour master for the time being the arrival of such vessel and the place whence it came, and any master or commander of any such vessel who shall fail to make such reports within the time aforesaid, shall for every such offence be liable to a penalty not exceeding ten pounds.

Masters to  
report arrival  
of vessels  
within the  
harbour.

133. The master or commander of every registered vessel shall, on demand, produce the certificate of the registry of such vessel to any person authorised by the Commissioners to collect the tonnage-rates in respect of such vessel, and if such master or commander shall refuse or neglect to produce such certificate to any such person on demand, he shall forfeit any sum not exceeding ten pounds.

Master of  
vessel to pro-  
duce certificate  
of registry.

135. In case the master or commander of any vessel liable to any of the rates imposed by this Act, or any other person, shall obstruct or hinder the said Commissioners, or the persons employed to collect the rates, or employed or appointed to admeasure vessels in pursuance of this Act, from going on board such vessels or taking

Penalty on  
master  
obstructing  
Commissioners  
in collection  
of rates and  
duties.



admeasurement thereof, such master, commander or other person shall for every such offence forfeit a sum not exceeding five pounds.

140. The rates payable to the said Commissioners in respect of any goods, articles or things unshipped upon the piers, or within the limits of the said harbour, shall be paid by the owner or consignee of such goods, either before the expiration of two calendar months next after the same shall have been unshipped or previous to the removal of the same from the premises of the said Commissioners, which shall first happen.

Rates on goods  
by whom and  
when payable.

144. If any master or commander of any vessel shall evade the payment of any rates payable to the Commissioners, he shall pay to them three times the amount of such rates, and the same shall be recovered from such master or commander in the same manner as penalties imposed by this Act are directed to be recovered, or by action in any of the superior courts.

Penalty on  
evading pay-  
ment of rates.

148. It shall be lawful for the said Commissioners, whenever they shall see occasion, to summon before them by writing under their hands or under the hand of their clerk, at any time or place within the borough of Scarborough, any person, being the master or commander of any vessel liable to the payment of any of the rates by this Act granted, and to examine him of and concerning any goods or other articles liable to the payment of any of the said rates or otherwise concerning the execution of this Act; and in case any person, so summoned before the said Commissioners, shall not appear at the time and place in such summons mentioned, or appearing shall refuse to make answer and discover what he knows or believes concerning the matters to be examined or inquired into, he shall forfeit any sum not exceeding ten pounds for every such offence.

Commissioners  
may examine  
persons liable  
to the duties.

149. It shall be lawful for the said Commissioners to remove or cause to be removed all live stock, goods, articles and things as shall be and remain upon the said quays, wharfs, piers and other places beyond the space of twenty-four hours, and to detain and keep the same till the charges incurred by such removal and keeping, to be ascertained by a justice of the peace, shall be paid.

Goods, &c.,  
may be re-  
moved from  
quays.

150. It shall be lawful for the harbour master or his deputy for the time being to give directions for all or any of the following purposes: (that is to say,)

Powers of  
harbour  
master.

For regulating the time and manner in which any vessel shall enter into, go out of, or lie in the limits of the said harbour, or within the distance of one hundred and fifty fathoms, to be measured from the southern extremity of the breakwater or eastern pier in every direction seaward, and over all lands not included in the limits of the said harbour within the said distance of one hundred and fifty fathoms when covered with the tidal waters, and the position, mooring or unmooring, placing or removing of any vessel within the said limits and distance of one hundred and fifty fathoms;

For regulating the manner in which any vessel shall take in or discharge its cargo or any part thereof, or shall take in or deliver or throw out ballast within the limits of the said harbour and the said distance of one hundred and fifty fathoms;

For regulating the government of any vessel within the said limits and distance of one hundred and fifty fathoms.



Penalty on  
harbour  
master, &c.

151. In case any harbour master or deputy harbour master appointed or continued under this Act shall, without reasonable excuse, exercise any of the powers or authorities vested in him by this Act, he shall for every such offence forfeit a sum not exceeding five pounds.

Penalty for not  
obeying orders  
of harbour  
master.

152. The master or commander of every vessel within any part of the limits of the said harbour, or within the distance of one hundred and fifty fathoms, shall regulate such vessel according to the directions of the harbour master or his deputy for the time being made in conformity with this Act, and any master or commander of any vessel who shall wilfully disobey, or refuse or neglect to comply with such orders and directions as shall from time to time be given to him by the said harbour master or his deputy shall be liable to a penalty not exceeding five pounds.

Penalty on not  
complying  
with directions  
of harbour  
master.

153. The master or commander of every vessel approaching the said harbour within the said distance of one hundred and fifty fathoms, shall obey the signals made to him by the said harbour master or his deputy for the time being; and every master or commander of every vessel within any part of the limits of the said harbour shall regulate such vessel according to the directions of the harbour master or his deputy made in conformity with this Act; and any master or commander of any vessel who, when approaching the harbour within the said distance of one hundred and fifty fathoms, shall wilfully disobey any signal made to him by the said harbour master or his deputy, or who when within any part of the limits of the said harbour shall not forthwith regulate such vessel according to the orders given by the said harbour master or his deputy, shall for each and every such offence be liable to a penalty not exceeding five pounds.

Power of  
harbour  
master to  
remove vessels

154. If the master or commander of any vessel within any part of the said harbour, or the distance of one hundred and fifty fathoms as aforesaid, shall not moor, unmoor, place or remove such vessel according to the directions of the said harbour master or his deputy for the time being given to the said master or commander, it shall be lawful for any such harbour master or his deputy to cause such vessel to be moored, unmoored, placed or removed according to the directions aforesaid, and to employ a sufficient number of persons for that purpose; and the expenses attending such mooring, unmooring, placing or removing, shall be paid by such master or commander, and shall, together with the costs of ascertaining and recovering the same, be ascertained and recovered from any such master or commander in the same manner as any damages, for the ascertaining and recovering of which no special provision is contained in this Act, are hereby directed to be ascertained and recovered.

Penalty on  
master or  
commander  
for obstructing  
harbour  
master.

155. If any master or commander of any vessel within the limits of the said harbour, or the distance of one hundred and fifty fathoms as aforesaid, or any person on board the same, or any other person whatsoever, shall hinder the said harbour master or his deputy, or any person employed by him in mooring, unmooring, placing or removing such vessel in manner aforesaid, such master or commander or other person shall forfeit for every such offence a sum not exceeding five pounds.

Harbour  
master may  
cut ropes.

156. If any master or commander, or other person on board of any vessel which shall be moored or fastened within the limits of the said harbour, or the said distance of one hundred and fifty fathoms, shall not upon demand of the said harbour master or his deputy unloose or slacken



the rope or chain by which such vessel shall be moored or fastened, or if there shall be no person on board of any such vessel so moored or fastened, it shall be lawful for the said harbour master or his deputy to cut the rope or slacken and cast off the chain by which such vessel shall be so moored or fastened as aforesaid: Provided always, That before the harbour master or his deputy shall cut any rope or slacken and cast off any chain by which any vessel without any person on board shall be moored or fastened, he shall cause a sufficient number of persons for the protection of the same to be put on board such vessel, and all expenses thereby incurred shall be paid by the master or commander of such vessel.

158. If the master or commander of any ship or vessel which shall cast anchor within the limits of the said harbour or the said distance of one hundred and fifty fathoms, shall not, immediately previously to so doing, cause to be tied or fastened a buoy to such anchor in such manner as that the said buoy shall float, and in a conspicuous manner, so that it may be plainly and easily seen in whatever place such anchor has been cast, such master or commander shall for every such offence forfeit any sum not exceeding five pounds, and shall, for every hour such anchor shall remain after one hour's notice shall have been given, without such buoy being tied or fastened thereto as aforesaid, forfeit a further sum of five pounds.

159. If any person, other than the harbour master or his deputy, shall cast loose, cut away, deface or take away any floating buoy within the limits of the said harbour or the said distance of one hundred and fifty fathoms, he shall, for every such offence, forfeit any sum not exceeding five pounds.

Penalty for not having a buoy to the anchors of vessels.

Penalty for removing or injuring buoys.

160. If any tar, pitch, rosin, spirituous liquors, turpentine, oil or combustible thing, being on any pier, quay or wharf belonging to the Commissioners, or on the deck of any vessel within the limits of the said harbour, shall not be removed from the place where the same may be to a place of safety within two hours after notice for that purpose shall have been given by the said harbour master or his deputy for the time being, to the owner or person having the charge of the same, every such owner or person shall, for every such offence, forfeit a sum not exceeding five pounds for every hour such combustible thing shall remain in any such place as aforesaid after the expiration of two hours from the time such notice shall have been given.

161. If any such combustible thing as aforesaid shall remain on any of the said piers, quays or works, or on deck of any vessel within the limits of the said harbour after daylight, the owner or person having charge of the same, or in his default the Commissioners at the expense of such owner or person, shall provide a sufficient number of persons to guard the same from one hour before sunset to one hour after sunrise, and such expense, if not paid to the Commissioners on demand, shall be ascertained and recovered in the same manner as damages, for the recovery of which no special provision is herein contained, are by this Act directed to be ascertained and recovered.

162. Every person who shall commit any of the following offences shall be liable to a penalty not exceeding five pounds: (that is to say,)

1. Every person who shall boil or heat any pitch, tar, rosin, turpentine, oil or other combustible matter in any vessel lying within the limits of the said harbour, or on any of the quays or piers thereof, or in any place within the said harbour,

Combustible matter on quays to be removed.

Combustibles to be guarded during the night.

Penalties against fire.

Boiling or heating pitch, &c.



except in such place or places and in such manner as shall be specially appointed for that purpose by the Commissioners or by the harbour master or his deputy ;

2. Every person who shall, without the permission of the Commissioners, bring or suffer to remain any gunpowder on the quays or works of the said harbour.

Gunpowder.

163. If any person shall throw or put any ballast, earth, dust, ashes, stones, rubbish or other thing into the said harbour or within the said distance of one hundred and fifty fathoms, or on any of the quays, jetties or landing places in the same, without the consent in writing of the said harbour master, he shall for every such offence forfeit a sum not exceeding five pounds.

Punishing persons who cast ashes or dirt into harbour.

164. If any person (other than the harbour master or his deputy in the execution of the powers of this Act) shall wilfully cut, break, cast loose, slacken, injure or destroy any rope, chain or other thing by which any vessel lying in the limits of the said harbour or the said distance of one hundred and fifty fathoms, shall be moored or fastened, he shall for every such offence forfeit a sum not exceeding five pounds.

Penalty for cutting ropes.

165. Every master, pilot, or other person having the charge of any vessel or float of timber, through whose wilful act or negligence any damage shall be done to the said harbour or the piers, quays or other works or property of the Commissioners, by means of such vessel or float of timber, shall pay for and repair all such damage, and all such damage, if the amount claimed does not exceed fifty pounds, shall be ascertained and recovered in the same manner as any damages, for the recovery of which no

Remedies for damage to quay, &c.

special provision is contained in this Act, are hereby directed to be recovered, and in addition to the remedies hereby provided for the recovery of the same, it shall be lawful for the justices before whom the same is recovered to cause the vessel or float of timber causing such damage, and any tackle and furniture thereof, to be distrained and detained until the amount of damage and costs awarded by him shall be paid ; and if the same shall not be paid within seven days after the taking of such distress, to cause the property so distrained or any part thereof to be sold, and out of the proceeds of such sale to pay the amount of damage and costs awarded by such justices, and all the charges incurred by the distress, detention and sale of such property.

166. If any person shall remove or displace any anchor, buoy, beacon, or sea mark, or extinguish or put out any light used in or about the said harbour for the protection or assistance of vessels resorting thereto, or take away or interfere with any mud, stone, gravel, slush or sand within the limits of the said harbour, or the said distance of one hundred and fifty fathoms, without the consent in writing of the said Commissioners first had and obtained, such person shall forfeit any sum not exceeding five pounds over and above making good the damage thereby done.

Penalty for destroying works.

167. The owner or master or commander of every vessel or float of timber shall be answerable to the Commissioners for any damage done by such vessel or float of timber, or any person employed about the same, to the said harbour, or any piers, quays, works or property of the Commissioners, and all such damage, in case the amount claimed in respect thereof shall not exceed fifty pounds, shall be ascertained by and be recovered before any justice ; and it shall be

Owner or master of vessels answerable for servants.



lawful for the harbour master for the time being appointed under this Act or his deputy to detain any such vessel or float of timber until sufficient security shall have been given for the amount of damage done by the same, or by any person employed therein.

Masters may recover from servants.

168. If the owner, master or commander of any vessel shall make satisfaction for any such damage as aforesaid done by any person employed in such vessel, the person doing such damage shall repay to the said owner, master or commander the amount of the damage so paid, together with the costs (if any) incurred by him in respect of such damage, and the amount of such damage together with the costs shall, if such damage does not exceed fifty pounds, be ascertained by and recovered before any justice.

Penalty on unauthorized persons exhibiting lights.

171. If any person shall exhibit a light or fire, or make any signal to vessels about to enter the said harbour, (except under the express order and direction of the harbour master for the time being or his deputy,) such person shall forfeit and pay any sum not exceeding five pounds for every such offence.

## 1876.

Rates on fish sold by auction to be paid by auctioneer or salesman.

17. Notwithstanding anything in this Act contained, the rates payable to the Commissioners in respect of fish sold by auction shall be paid by the auctioneer or salesman who shall for the purposes of this Act be deemed the owner of the fish and shall pay the said rates to the Commissioners or to their collector out of the produce of the sale forthwith after the sale and before handing over the balance to the person or persons on whose account the sale is made.

Collector of rates to have access to books.

18. The collector of rates may from time to time inspect the books and papers of every such auctioneer or salesman relating to the sale of

fish in respect of which rates are payable to the Commissioners under this Act, and any such auctioneer or salesman who shall refuse to allow such inspection or shall make any false returns of the proceeds of the sale shall for every such offence be liable to a penalty not exceeding ten pounds.

F. G. STEPHENSON,

*Clerk to the Commissioners.*

Scarborough,

July, 1912.

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