



ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

No. 5.

An Act to incorporate the Trinity House of Port Adelaide, South Australia.

[Assented to 23rd December, 1851.]

*Amended by
No. 20 - 1854.*

WHEREAS it is expedient to place the regulation of Port Adelaide under the control of a Corporate Body, with powers and functions, as far as local circumstances may permit, similar to the authority long and now usefully exercised by the Trinity House in London:

Preamble.

Be it therefore Enacted, by the Governor of South Australia with the advice and consent of the Legislative Council thereof, That it shall be lawful for the Governor by letters patent to be by him for that purpose issued, under the public seal of the Province aforesaid, to incorporate a guild or fraternity by the name of the "Trinity House of Port Adelaide," such guild to consist of a Master and four Wardens, together with such other brethren, being master mariners, or mates expert in navigation and trading or having traded at the said Port, as the said Master and Wardens shall at any time call upon to advise with the said Master and Wardens, touching the regulations of the said Port in any of the matters and things expressed in this Act, or the letters patent hereby authorised to be issued.

Governor may incorporate the Trinity House of Port Adelaide.

2. And be it Enacted, That two of the Wardens of the said Trinity House shall be nominated and appointed by the Governor,

Master of Trinity House to be elected by Wardens. Wardens how nominated, &c.

and the remaining three Wardens shall be nominated by the Legislative Council of the said Province for appointment by the Governor, and the said Wardens shall appoint their own Master, and in the event of the occurrence of any vacancy in the Wardens so nominated by the Legislative Council, such vacancy shall be filled up by nomination of the said Legislative Council, if then sitting, or if the Legislative Council shall not be then sitting, then by the Governor and Executive Council for the time being of the said Province: Provided always that any nomination so made by the Lieutenant-Governor and Executive Council as aforesaid may be confirmed, changed, or altered by the said Legislative Council at its then next Session: Provided that it shall be lawful for the Governor to remove any Warden for the time being in compliance with any Address to that effect from the Legislative Council.

The Trinity House, Port Adelaide to license Pilots, to fix rates of Pilotage, &c., to superintend Lights, Light-houses, &c., and to establish Dues, &c.

3. And be it Enacted, That it shall be lawful for the Trinity House of Port Adelaide aforesaid to appoint, license, and remove all pilots; to amerce pilots acting as such without licence; to settle the rates of pilotage; to superintend lights, light-houses, and other sea or harbor marks now or hereafter to be erected; to erect and set up lights, light-houses, and sea and harbor marks; to make and establish light and beacon dues; to grant and charge for licences to watermen and others plying for hire within Port Adelaide aforesaid; to certify wharfs as to the class and description of vessels that may be brought alongside them; to clear and deepen the said Port; to employ and license tugs to conduct vessels into and out of the said Port; to supply ballast to ships or others, charging for the same; and to regulate the Powder Magazine, and the unshipping, landing, portorage, warehousing, and delivery of gunpowder and ammunition, within the limits of Port Adelaide aforesaid.

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Powers of the Trinity House of Port Adelaide to extend over the limits of Port Adelaide, &c.

4. And be it Enacted, That the powers and authorities of the Trinity House of Port Adelaide shall extend and be exercised in and over the limits of Port Adelaide, and one nautical league to seaward from low water mark along the coast line of the Province.

Harbor dues, &c., how levied, &c.

5. And be it Enacted, That the harbor and pilotage dues, and dues payable on the use of the steam-tug, and all other dues now payable by law within the said Port, shall continue to be levied and paid, until other provision in that behalf is made as hereinafter provided; and the said dues, and all other dues, fees, and fines from time to time imposed and paid within the said Port by virtue of this Act, shall be paid to the Trinity House of Port Adelaide aforesaid, and shall be applied by them to and for the public purposes and objects of the said Trinity House.

The Trinity House of Port Adelaide to make by-laws subject to allowance of Governor, &c.

6. And be it Enacted, That it shall and may be lawful for the said Trinity House of Port Adelaide, from time to time, to make, alter, and repeal such by-laws and regulations as to them shall seem meet for regulating their own proceedings, and for regulating and carrying into effect all matters and things by this Act authorised

rised to be done ; and also for establishing and fixing harbor, pilotage, steam-tug, light, and other dues, in the place of the dues now existing by law ; and to appoint, by such by-laws, fines for the enforcement thereof ; and such by-laws shall, when allowed, as next hereinafter provided, have the force of law, and any fines thereby imposed shall be recovered summarily, in the same manner as though they had been imposed by this Act : Provided that no such by-law shall come into operation until the same shall have been allowed by the Governor, by and with the advice of the Executive Council, nor until fourteen days after publication thereof in the *South Australian Government Gazette* : Provided also, that, upon receipt of any such by-laws by the Governor for allowance, a copy thereof shall be laid before the Legislative Council, if then sitting ; and if such Council shall not be then sitting, then within fourteen days from its next meeting for the dispatch of business.

7. And be it Enacted, That an account of all moneys received and expended for the purposes of this Act, signed by the Master of the said Trinity House of Port Adelaide, made up to the twenty-fifth day of December in each year, shall annually be laid before the Legislative Council of the said Province within twenty-one days then next, if the said Council be then sitting ; or within fourteen days after the first subsequent meeting of such Council for the dispatch of business ; and such accounts shall specify the total sum received under each head for harbor, pilotage, steam-tug, light, or other dues for the purposes of this Act ; and such account shall also specify the different heads of expenditure for the purposes of this Act, and the amounts actually expended under each head, and all such accounts shall be duly audited by the Auditor-General of public accounts of this Province ; and after being so audited, an abstract thereof shall be published in the *South Australian Government Gazette*.

Accounts to be laid before the Legislative Council annually.

8. And be it Enacted, That nothing in this Act contained shall extend, or be construed to extend, to repeal, alter, or vary the harbor regulations at present in force within Port Adelaide aforesaid.

Present Harbor Regulations to continue in force.

JOHN MORPHETT, Speaker.

Passed the Legislative Council this Twenty-third day of October, One Thousand Eight Hundred and Fifty-one.

WM. B. GILBERT,
Pro Clerk of Council.

In the name and on the behalf of Her Majesty I assent to this Act.

H. E. F. YOUNG,
Lieutenant-Governor.

Government House, Adelaide,
23rd December, 1851.