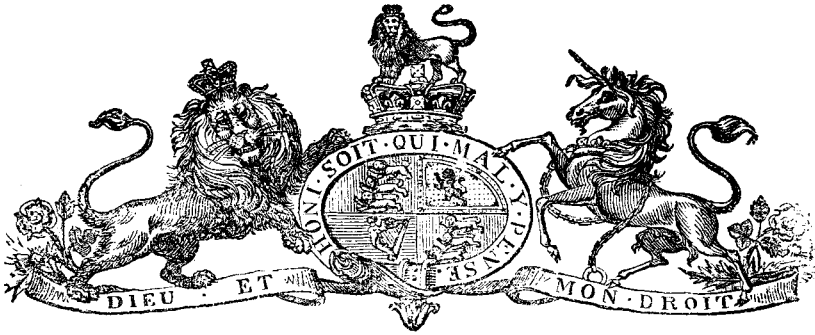


T A S M A N I A.



1885.

ANNO QUADRAGESIMO-NONO

VICTORIÆ REGINÆ,

No. 4.

AN ACT to regulate the Conveyance of ^{A.D. 1885.}
Passengers to *Tasmania*. [7 September, 1885.]

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 This Act may be cited for all purposes as “The Passengers Act, Short title. 1885.”

2 In this Act—

Interpretation.

“Collector” means the Collector or other principal officer of Customs at the place or port where any ship subject to the provisions of this Act shall arrive :

“Passenger” includes all passengers by any ship, and also the crew of any ship, and all persons on board and belonging in any capacity to any ship :

“Ship” includes any *British* or foreign navigable vessel of any kind carrying passengers, except vessels plying from any one port in the Colony to any other port therein.

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Bond to be given
for certain
passengers.

3 If the Collector shall certify that any passenger shall have arrived in *Tasmania* on board any ship being either lunatic, idiotic, deaf, dumb, blind, or infirm, or from any cause unable to support himself, or likely, in the opinion of the Collector, to become a charge upon the public or upon any public or charitable institution, the Collector shall require the owner, charterer, or master of such ship, within Seven days after her arrival, to execute a bond to Her Majesty in the sum of One hundred Pounds for every such passenger.

Conditions of
bond.

4 Every such bond shall be entered into with at least Two sufficient sureties, and the person giving such bond and his sureties shall be bound jointly and severally to pay to the Treasurer of *Tasmania* all moneys or expenses which shall be laid out or incurred within the space of Five years from the execution of the said bond for the maintenance or support of such passenger ; and the said sureties shall justify before and to the satisfaction of the Collector, and shall by their oath or affirmation satisfy him, that they are respectively residents in *Tasmania* and each worth treble the amount of the penalty of such bond over and above all their liabilities.

Provisions as to
ships quarantined.

5 Whenever any such ship or the passengers by such ship shall have performed quarantine in accordance with any law for the time being in force, then the period within which the owner, charterer, or master shall be required to give such bond shall be within Seven days after such ship or passenger has or have performed quarantine and been duly discharged therefrom.

Bond to be applied
to maintenance.

6 If any passenger for whom any bond shall have been given as aforesaid shall at any time within Five years from the execution thereof receive maintenance or support from any public or charitable institution in *Tasmania*, the amount expended for the maintenance and support of such passenger shall be provided for and repaid as hereinafter provided out of the moneys collected under such bond to the extent of the penalty therein mentioned, or such portion thereof as shall be required for the payment of such maintenance or support.

Authority in
charge of insti-
tution to report
as to forfeiture of
bond.

7 It shall be the duty of the authority or person having the control or charge of such public or charitable institution to ascertain the right and claim of the Treasurer of *Tasmania* to payment of the amount so expended for the maintenance and support of any such passenger, and to report the same to him with all such information as may enable the Treasurer to recover the moneys due.

Bond may be put
in suit.

8 Every such report shall be conclusive in the matter, and shall be evidence of the facts therein stated ; and every such bond may be put in suit, and the penalty, or as much thereof as shall be required to defray the expenses of such maintenance or support, may be recovered by suit or information on behalf of Her Majesty and in the name of a Law Officer in any Court of competent jurisdiction.

Penalty for
refusing to
execute bond.

9 If the owner, charterer, or master of any ship shall neglect or refuse to execute a bond in any case within the provisions of this Act within Seven days after being so required as aforesaid, he shall be liable to a penalty not exceeding One hundred Pounds, and the payment of such penalty shall not be deemed to exonerate such owner,

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charterer, or master from being compelled to execute such bond as by this Act provided ; and such ship shall not either during or after the expiration of the said period of Seven days be cleared out unless and until the said bond shall have been executed and the said penalty has been paid. A.D. 1885.

10 The provisions of this Act shall not extend to immigrants brought to *Tasmania* either wholly or partly at the expense of the Colony, nor to shipwrecked mariners brought to *Tasmania* without charge by the master of some other ship than that in which they were wrecked, nor to Her Majesty's Land and Sea Forces. Act not to extend to Government immigrants, &c.

11 All penalties incurred under Section Nine shall be recovered in a summary way before any Two or more Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act* ; and any person who thinks himself aggrieved by the imposition of any such penalty may appeal against the same in the mode prescribed by *The Appeals Regulation Act*. Recovery of penalties.
19 Vict. No. 8.
Appeal.
19 Vict. No. 10.

