

MIDDLE LEVEL NAVIGATION BYELAWS.

WHEREAS the Middle Level commissioners are authorised by "The Middle Level Act, 1874," to make byelaws for all or any of certain purposes in the said Act particularly mentioned or referred to relating to navigation on and through the navigable rivers, drains, sluices, and locks, under the authority of the said commissioners or which they are liable to maintain :

Now, we, the said commissioners, under or by virtue and in pursuance of the powers and authorities to us for that purpose given by the said Act, and of all other powers and authorities enabling us in this behalf, do hereby make the following byelaws relating to the navigation aforesaid, namely :

1. The owner or the person in charge of any boat or boats being navigated on or through any of the said rivers, drains, sluices, or locks, shall cause each single boat or the forelighter of every gang of boats, to be provided with a mast or crutch of wood not less than ten feet in length from the beam of such single boat or forelighter to the top of such mast or crutch : For regulating navigation
2. The owner or person aforesaid shall personally, or by some proper person to be provided by him, attend to the helm or steering pole of each single boat or gang of boats being navigated as aforesaid, and shall keep such single boat or gang as near as possible in the middle of the stream of the river or drain on which the same is or are being navigated, and shall not wilfully or carelessly suffer such boat or gang to trail along the sides of or undermine the bank, slope, or foreshore of any river or drain :
3. No person shall force open the gates of any such sluice or lock aforesaid by horses or otherwise than by hand, and then only when the water is level on each side of such gates :
4. No person shall force any boat out of any sluice or lock aforesaid, by a flush of water let in from either of the slats of the upper gates :
5. The owner or person in charge of any boat being navigated as aforesaid shall cause the jaming or steering pole to be taken out of every such boat before such boat shall enter any sluice, pen, or lock :

6. No person shall set or strike any sluice-gate or lock-gate with a sprit, or otherwise wilfully or carelessly injure the same, nor wilfully or carelessly allow any pole, shaft, bar or other implement to strike against any bridge, sluice, sluice-gate, or lock-gate :
- Haling.
7. The owner or person in charge of any boat or boats being navigated as aforesaid, shall cause each single boat or gang of boats to be drawn or hauled by a line or lines made fast to the head of the mast or crutch, and not from the bow beam or any other part of such single boat or gang :
8. The person having charge of any boat being navigated as aforesaid upon and nearest the haling side of any river or drain shall on passing any other boat lower the mast or crutch :
9. The person having charge of any horse or otherwise haling boats on or through any river or drain, shall close the gates erected on or across any towing path immediately on passing through such gates :
- Mooring.
10. No owner or person having charge of any boat, being navigated as aforesaid, shall moor such boat in any part of any river or drain so as to impede or incommode the passage of any other boat along such river or drain or the towing path thereof, or the loading or unloading of such other boat :
- Loading or unloading.
11. No person shall moor two or more boats abreast on any river or drain, nor shall any person keep or continue any boat at any quay, wharf, or landing place longer than shall be necessary to load or unload its cargo without delay :
12. No person shall throw any refuse or any part of the cargo of any boat overboard into any river or drain :
13. No person shall deposit any refuse or cargo or part thereof on the foreshore or slope of any river or drain, but this byelaw shall not apply to the loading or unloading of any cargo at any accustomed or lawful place :
14. No person shall fasten any boat to any part of any bridge, sluice, or lock, nor moor any boat for the purpose of loading or unloading any goods or cargo or otherwise within forty yards of any sluice or lock :

15. No person shall use on any river or drain any boat worked by steam or upon any principle or in any way not hitherto practised on such rivers and drains without having first obtained the leave and license of the Middle Level board for that purpose : As to boats worked by steam, &c.
16. No person having charge of any boat on any river or drain shall leave such boat unattended or adrift or cause any obstruction to the free passage of boats on or through any river or drain : Not to cause obstructions.
17. If any boat shall be sunk in any river or drain, the owner or other person having charge thereof shall forthwith weigh or draw up the same and remove all obstructions (if any) caused by the sinking and raising of such boat, and in default thereof the boat and such obstructions (if any) may be removed by the commissioners or by their superintendent of works, or by some agent or person to be employed for that purpose at the expense of the owner of such boat, and such expense shall be forthwith paid by such owner, and in case of non-payment, the same may be recovered from such owner either summarily as in the said Act is provided, or by detention and sale of such boat, or by action to be brought in any court having jurisdiction in the locality where such boat shall be sunk, or the owner shall reside, or partly by one and partly by any other of such means : As to raising sunken boats.
18. The owner of every boat before it shall be used on any of the rivers and drains or through any sluice or lock shall cause his name and place of abode to be painted at full length in large white legible letters, not less than two inches in height, on a black ground, and in one or more straight line or lines in some conspicuous part at the head or at the stern of every such boat, and at such a height that no part of such letters shall sink into the water when such boat is fully laden, and shall continue the same so painted thereon so long as such boat shall be used upon the said rivers or drains or any of them : Name, &c. of owner to be painted on boat.
19. Every person in charge of a boat or gang of boats on receiving any cargo on board shall take a consignment note or notes, stating from and to whom the goods are consigned, and the points or places on the navigation at which the same are to be Navigators to take consignment notes and produce same on demand.

- unloaded, with the nature and quantity or weight of the goods, and shall produce such consignment note or notes to any collector on demand :
- As to navigation through sluices on Sundays, &c.
20. No person shall navigate any boat through any sluice or lock of the commissioners between the hours of ten in the forenoon and four in the afternoon on a Sunday or Christmas Day.
- Interpretation.
21. In these byelaws—
 “The commissioners” mean the Middle Level commissioners, incorporated by the Middle Level Act, 1862 :
 “Drain” includes stream, lode, watercourse, leam, creek, and cut :
 “Boat” includes barge, lighter, or other vessel :
 Where not repugnant to or inconsistent with the context, words importing the singular number include the plural number, and words importing the plural number include the singular number :
- Penalty for offences.
22. Every person who shall offend against any of the foregoing byelaws shall upon summary conviction forfeit and pay the sum of forty shillings for each offence : Provided nevertheless, that the justices before whom any complaint shall be made for a breach of any of the foregoing byelaws, may, if they see fit, reduce the amount of penalty herein prescribed as they may deem advisable.

In witness whereof, we, the said commissioners, have hereunto caused our common seal to be affixed, this third day of May one thousand eight hundred and seventy-five.

ROBT. DAWBARN, Jun.,
 Clerk to the said commissioners.

Seal of the
 Middle Level
 commissioners.

Allowed by the Local Government Board this second day of June 1875.

Seal of the
 Local
 Government
 Board.

G. SCLATER BOOTH,
 President.

CLARE SEWELL READ,
 Secretary.
