

HOUSE No. 1317

By Mr. Matera of Boston (by request), petition of William P. Coughlin relative to the appointment of commissioners of pilots and to rules and regulations governing pilotage and the appointment of pilots. Harbors and Public Lands.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Seven.

AN ACT RELATIVE TO THE APPOINTMENT OF COMMISSIONERS OF PILOTS, AND CONCERNING RULES AND REGULATIONS GOVERNING PILOTAGE AND THE APPOINTMENT OF PILOTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 103 of the General Laws is hereby amended
2 by striking out section 1, as appearing in the Ter-
3 centenary Edition, and inserting in place thereof the
4 following:—

[5 *Section 1.* For the purposes of this chapter the
6 shore line of the commonwealth shall be divided into
7 four districts. District one shall be the harbor of
8 Boston and shall include all places or landings accessi-
9 ble to vessels from the sea within the limits of Egg
10 Rock, now or formerly known as Nahant Rock or
11 Nahant head, on the north, and Point Allerton on the
12 south. District two shall include all landing places

13 accessible to vessels from the sea situated between the
14 New Hampshire state line on the north and Egg Rock
15 on the south, including rivers, bays and sounds adja-
16 cent thereto. District three shall include all landing
17 places accessible to vessels from the sea situated be-
18 tween Point Allerton on the north and the Rhode
19 Island state line on the west, with all such landing
20 places on the Elizabeth Islands and in the counties of
21 Nantucket and Dukes, including rivers, bays and
22 sounds adjacent thereto, and the Cape Cod canal.
23 District four shall include all landing places on Mount
24 Hope bay and the Taunton river situated within the
25 commonwealth.

26 *Section 2.* In the year nineteen hundred and forty-
27 six the governor with the advice and consent of the
28 council, shall appoint two commissioners of pilots for
29 district one, and one deputy commissioner of pilots
30 for each of the other three districts. Such commis-
31 sioners and deputy commissioners shall hold office until
32 November thirtieth, nineteen hundred and forty-seven.
33 On or before December first, nineteen hundred and
34 forty-seven, and on or before said date in every third
35 year thereafter, the governor, with like advice and
36 consent, shall appoint their successors for terms of
37 three years. A deputy commissioner of pilots for any
38 district shall be a resident of a town having a landing
39 place accessible to vessels from the sea situated within
40 that district. In this chapter, the word "commis-
41 sioners" shall be held to mean, as to district one, the
42 commissioners of pilots for said district and, as to each
43 other district mentioned in section one, the deputy
44 commissioner of pilots for such district. They shall
45 have experience in maritime and nautical affairs.

46 *Section 3.* The commissioners subject to the ap-
47 proval of the governor and council shall formulate rules
48 and regulations for pilotage, and establish rates within
49 their respective districts. The commissioners shall
50 grant commissions as pilots for their districts or for
51 special locations therein to such persons as they con-
52 sider competent after tests and examinations con-
53 ducted according to the principles of fair play as
54 applied by the Massachusetts civil service, and the
55 commissions shall be granted in the order of the rank
56 attained by the applicants in the tests and examina-
57 tions. The commissioners may require the civil
58 service commission to conduct the tests and examina-
59 tions and prepare an eligible list for appointment,
60 as it does in other departments of the public service.

61 *Section 4.* The commissioners shall make all rules
62 and regulations governing fees collected by pilots for
63 pilotage, the amount they shall pay to the common-
64 wealth, and penalty for a false return on the part of the
65 pilot, all subject to the approval of the governor and
66 council. The compensation of the commissioners and
67 their allowance for office rent, clerk hire and incidental
68 expenses shall be determined by the governor and
69 council.

70 *Section 5.* Once in every three months each pilot
71 shall render to the commissioner for his district an
72 accurate account of all vessels piloted by him and of all
73 money received for pilotage by him or by any person
74 for him, and shall pay to the said commissioners four
75 per cent of the amount thereof, and if he makes a false
76 return of money received he shall pay to them not more
77 than fifty dollars.

78 *Section 6.* No person shall receive a commission or

79 exercise the office of pilot until he has given to the
80 state treasurer a bond with two sureties, approved by
81 the commissioners, or a surety bond of a surety com-
82 pany authorized to transact business in the common-
83 wealth, in the penal sum of one thousand dollars,
84 conditioned on the faithful performance of the duties
85 of his office and the payment of all damages accruing
86 from his negligence, unskillfulness or unfaithfulness.

1 SECTION 2. The initial appointments of commis-
2 sioners and deputy commissioners under this act shall
3 be made within thirty days of its effective date. Upon
4 the qualification of the commissioners first so ap-
5 pointed, the terms of office of the commissioners of
6 pilots for the harbor of Boston shall expire. Upon the
7 qualification of a deputy commissioner, first so ap-
8 pointed, the terms of the deputy commissioners in the
9 districts outside of the harbor of Boston shall expire.
10 The commissions of pilots of any kind shall remain
11 in force until tests and examinations and appoint-
12 ments of persons as pilots are made according to the
13 principles of civil service and in the order of their duly
14 ascertained standing as a result of such tests and
15 examinations. All rules and regulations in force at
16 the time this act takes effect shall continue in force
17 until changed in accordance therewith.