

HOUSE No. 1831

By Mr. Dolan of Ipswich (by request), petition of William P. Coughlin relative to the appointment of commissioners of pilots and the 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 Sixty.

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 SECTION 1. Chapter 103 of the General Laws is hereby
2 amended by striking out section 1, as appearing in the Tercen-
3 tenary Edition, and inserting in place thereof the following: —
4 *Section 1.* For the purpose of this chapter the shore line of
5 the commonwealth shall be divided into four districts. District
6 one shall be the harbor of Boston, and shall include all places of
7 landings accessible to vessels from the sea within the limits of
8 Egg Rock, now or formerly known as Nahant Rock or Nahant
9 Head, on the north, and Point Allerton on the south. District
10 two shall include all landing places accessible to vessels from the
11 sea situated between the New Hampshire state line on the north
12 and Egg Rock on the south, including rivers, bays and sounds
13 adjacent thereto. District three shall include all landing places
14 accessible to vessels from the sea situated between Point Aller-
15 ton on the north and the Rhode Island state line on the west,
16 with all such landing places on the Elizabeth Islands and in the
17 counties of Nantucket and Dukes, including rivers, bays and
18 sounds adjacent thereto, and the Cape Cod canal. District four
19 shall include all landing places on Mount Hope bay and the
20 Taunton river situated within the commonwealth.

21 *Section 2.* In the year nineteen hundred and fifty-six the
22 governor with the advice and consent of the council, shall ap-
23 point two commissioners of pilots for district one, and one dep-
24 uty commissioner of pilots for each of the other three districts.
25 Such commissioners and deputy commissioners shall hold office
26 until November thirtieth, nineteen hundred and fifty-seven. On
27 or before December first, nineteen hundred and fifty-seven, and
28 on or before said date in every third year thereafter, the gover-
29 nor, with like advice and consent, shall appoint their successors
30 for terms of three years. A deputy commissioner of pilots for
31 any district shall be a resident of a town or city having a land-
32 ing place accessible to vessels from the sea situated within that
33 district. In this chapter the word "commissioners" shall be
34 held to mean, as to district one, the commissioners of pilots for
35 said district, and, as to each other district mentioned in section
36 one, the deputy commissioner of pilots for such district. They
37 shall have experience in maritime and nautical affairs.

38 *Section 3.* The commissioners, subject to the approval of the
39 governor and council, shall formulate rules and regulations for
40 pilotage, and establish rates within their respective districts.
41 The commissioners shall grant commissions as pilots for their
42 districts or for special locations therein to such persons as they
43 consider competent after tests and examinations conducted ac-
44 cording to the principles of fair play as applied by the Massa-
45 chusetts civil service, and the commissions shall be granted in
46 the order of the rank attained by the applicants in the tests
47 and examinations. The commissioners may require the civil
48 service commission to conduct the tests and examinations and
49 prepare an eligible list for appointment, as it does in other de-
50 partments of the public service.

51 *Section 4.* The commissioners shall make rules and regula-
52 tions governing fees collected by pilots for pilotage, the amount
53 they shall pay to the commonwealth, and penalty for a false re-
54 turn on the part of the pilot, all subject to the approval of the
55 governor and council. The compensation of the commissioners
56 and their allowance for office rent, clerk hire and incidental ex-
57 penses shall be determined by the governor and council.

58 *Section 5.* Once in every three months each pilot shall tender
59 to the commissioner of his district an accurate account of all ves-
60 sels piloted by him and of all money received for pilotage by

61 him or by any person for him, and shall pay to the said commis-
62 sioners four per cent of the amount thereof, and if he makes a
63 false return of money received he shall pay to them not more
64 than fifty dollars.

65 *Section 6.* No person shall receive a commission or exercise
66 the office of pilot until he has given to the state treasurer a bond
67 with two sureties, approved by the commissioners, or a surety
68 bond of a surety company authorized to transact business in the
69 commonwealth, in the penal sum of one thousand dollars, con-
70 ditioned on the faithful performance of the duties of his office
71 and the payment of all damages accruing from his negligence,
72 unskillfulness or unfaithfulness.

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

The first of these is the fact that the
 amount of work done in the
 year 1871 was less than in
 the year 1870. This was due
 to the fact that the
 weather was very bad in
 1871, and the
 amount of work done
 was consequently less.
 The second of these is the
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