

# HOUSE . . . . No. 374

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Bill accompanying the petition of Francis B. McKinney relative to preventing the pollution of Charles river. Public Health. January 14.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty.

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### AN ACT

To provide for the Protection of the Public Health in the Valley of Charles River.

*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. The department of public health is hereby  
2 authorized and directed to prohibit the entrance or dis-  
3 charge of sewage into any part of Charles river or its  
4 tributaries, and to prohibit the entrance or discharge  
5 therein of every other substance which may be injurious  
6 to public health or may tend to create a public nuisance.

1 SECTION 2. The department shall consult and advice  
2 with the owner of any factory or other establishment, or  
3 any municipality discharging any substance into Charles  
4 river, at his or its request, or of its own motion, as to the  
5 best practicable and reasonably available means of render-

6 ing the waste or refuse therefrom harmless, and any order  
7 or finding by the department shall be prima facie evidence  
8 of compliance or non-compliance with the provisions of  
9 section one of this act.

1 SECTION 3. The supreme judicial court or any justice  
2 thereof, and the superior court or any justice thereof,  
3 shall have jurisdiction in equity to enforce the provisions  
4 of this act and of any order made by the department of  
5 public health in conformity herewith, and to enjoin the  
6 entrance or discharge into any part of the Charles river  
7 or its tributaries of sewage or of any other substance  
8 which is, or which said department shall have determined  
9 may be, injurious to public health or tending to create a  
10 public nuisance. Proceedings to enforce any such order  
11 or to obtain such an injunction shall be instituted and  
12 prosecuted by the attorney-general at the relation of the  
13 department of public health.

1 SECTION 4. Whoever, contrary to any order of the  
2 department of public health, permits the entrance or dis-  
3 charge into any part of Charles river or its tributaries of  
4 sewage or of any other substance injurious to the public  
5 health or tending to create a public nuisance shall be  
6 punished by a fine not exceeding five hundred dollars for  
7 each offence.



