

HOUSE.....No. 157.

[Reported by the Committee on Mercantile Affairs and Insurance.]

Commonwealth of Massachusetts.

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

AN ACT

To establish Regulations concerning the Harbor of
Boston.

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

1 SECT. 1. No vessel which shall cast anchor in
2 the harbor of Boston, between India Wharf and Gray's
3 Wharf, shall anchor within five hundred feet of the
4 line described in the second section of an act entitled
5 " An Act to preserve the Harbor of Boston and to
6 prevent encroachments therein," passed on the nine-
7 tenth day of April, in the year one thousand eight

8 hundred and thirty-seven ; and no vessel which shall
9 cast anchor between the easterly side of Lamson's
10 Wharf and the easterly side of Tuttle's Wharf, at East
11 Boston, shall anchor within five hundred feet of the
12 line described in the fifth section of an " Act con-
13 cerning the Harbor of Boston," passed the seven-
14 teenth day of March, in the year one thousand eight
15 hundred and forty, unless for the purpose of hauling
16 in, as soon as practicable, to some wharf in said har-
17 bor, or unless compelled to do so by reason of stress
18 of weather or unavoidable casualty ; and, for every
19 offence against either of the foregoing provisions, af-
20 ter having been notified thereof by the harbor mas-
21 ter, who may be appointed as hereinafter mentioned,
22 or by any party aggrieved, the master, commander,
23 or owners of such vessel, shall be subject to a pen-
24 alty not exceeding twenty-five dollars.

1 SECT. 2. The master, commander or owners of
2 every vessel, shall, as soon as practicable, after hav-
3 ing hauled to the end of any wharf that extends to
4 the channel in said harbor, cause her lower yards to
5 be cockbilled, and her jib-boom to be rigged in, so
6 that the said jib-boom may not annoy any other ves-
7 sel or vessels going in or out of the adjoining docks ;
8 and the lower yards and jib-boom shall be kept so
9 arranged while such vessel lies at the end of the
10 wharf as aforesaid, and until she is preparing imme-
11 diately to leave her berth ; and for every offence
12 against any of the provisions in this section, the mas-
13 ter, commander, or owners, or either of them, of such
14 vessel, shall be subject to a penalty not exceeding
15 ten dollars.

1 SECT. 3. No person shall throw or deposit in said
2 harbor, or any part thereof, any stones, gravel, bal-
3 last, cinders, ashes, dirt, mud, or other substances,
4 which may, in any respect, tend to injure the naviga-
5 tion thereof; and whoever shall offend against the
6 provisions of this section, shall be subject to a pen-
7 alty not exceeding fifty dollars.

1 SECT. 4. No warp or line shall be passed across
2 the mouth of any slip for the purpose of hauling a ves-
3 sel by said slip, before the vessel shall be within one
4 hundred feet of said slip, if the owners or occupants
5 thereof object, unless the harbor master, who may be
6 appointed as hereinafter mentioned, shall have decided
7 it to be necessary; and for every offence against this
8 provision, the master, commander, or owners of such
9 vessel shall be subject to a penalty not exceeding five
10 dollars.

1 SECT. 5. The city council of the city of Boston
2 may, if they shall deem it expedient, annually appoint,
3 by concurrent ballot in each board, a harbor master for
4 the port of Boston, who shall hold his office for one
5 year, and until another shall be appointed in his
6 place, or until he shall be removed by said city coun-
7 cil; and, before entering upon his office, he shall give
8 bond to the said city, with sufficient sureties, to the
9 satisfaction of the mayor and aldermen, in the penal
10 sum of two thousand dollars, conditioned for the faith-
11 ful discharge of the duties of said office: and in case
12 of the sickness or disability of the said harbor master,
13 he may appoint a deputy, subject to the approval of
14 said mayor and aldermen, to perform his duties during

15 such sickness or disability; and said harbor master
 16 shall be allowed and paid quarterly, out of the city
 17 treasury, such salary for his services as said city coun-
 18 cil shall, from time to time, establish.

1 SECT. 6. It shall be the duty of the said harbor
 2 master to enforce the execution of the several provi-
 3 sions of this act and of all other laws of the Common-
 4 wealth relating, in any way, to said harbor, and of all
 5 by-laws of said city not repugnant thereto; and to
 6 prosecute all violations of such laws and ordinances,
 7 and to take all lawful measures to prevent the doing
 8 of any act by which the flow of the tides, or the
 9 force, direction or depth of the current into, out of,
 10 or through the said harbor may, in any degree, be in-
 11 juriously affected. And said harbor master shall also
 12 have authority so to regulate the anchorage of vessels
 13 that, as far as may be practicable, the channel shall
 14 be kept clear from the wharves to Castle Island.

1 SECT. 7. All said several penalties may be recov-
 2 ered by complaint before the police court of the city
 3 of Boston, or by indictment, for the use of the said
 4 city.

1 SECT. 8. This act shall take effect on and after
 2 the first day of July next.

SENATE, April 3, 1847.

Passed to be engrossed.

Sent down for concurrence.

CHAS. CALHOUN, *Clerk.*