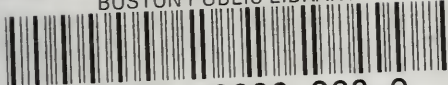


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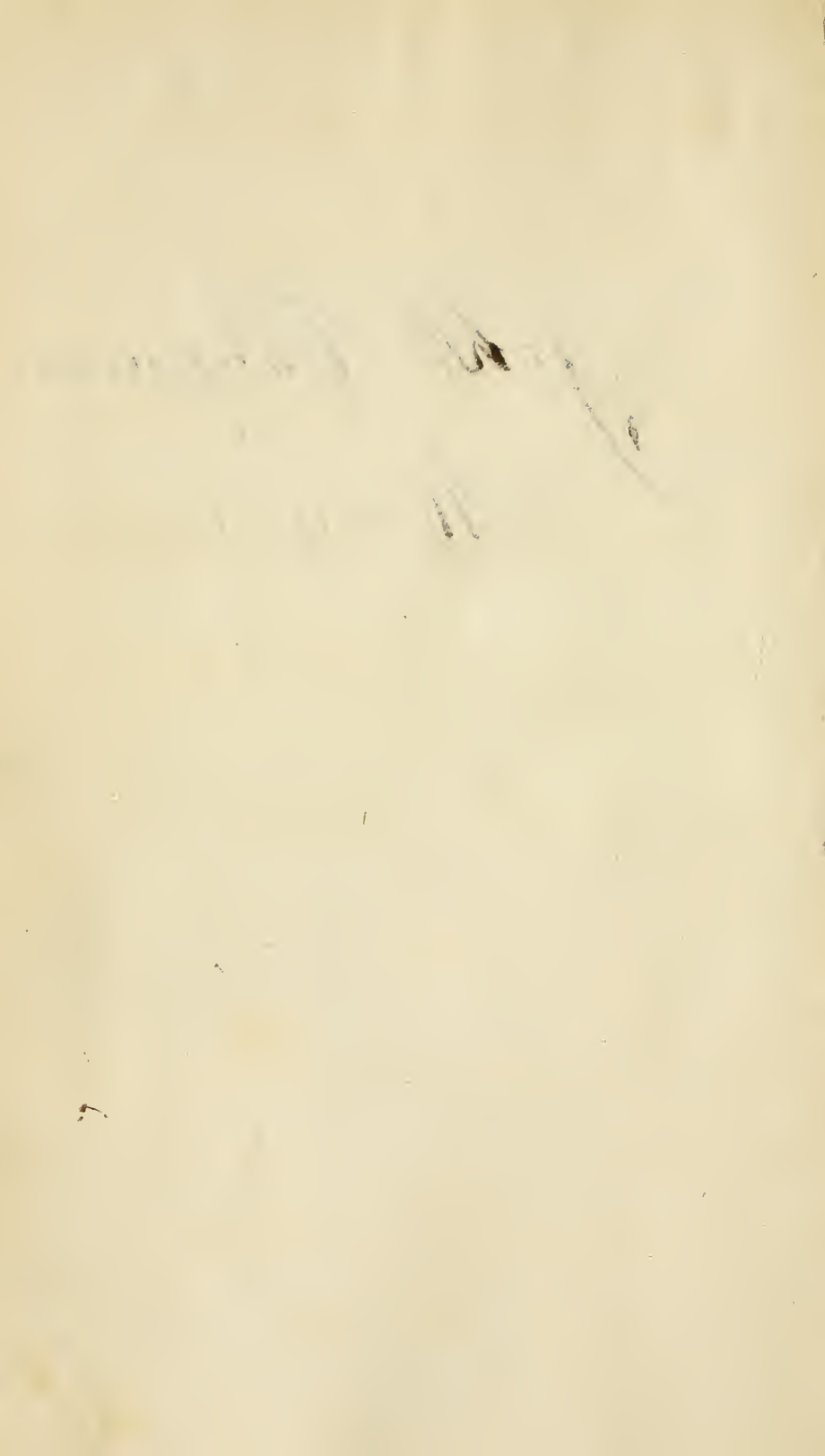
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OF  
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RECENT  
ORDINANCES AND LAWS,  
AND A  
LIST OF THE MUNICIPAL OFFICERS  
OF THE  
CITY OF BOSTON,

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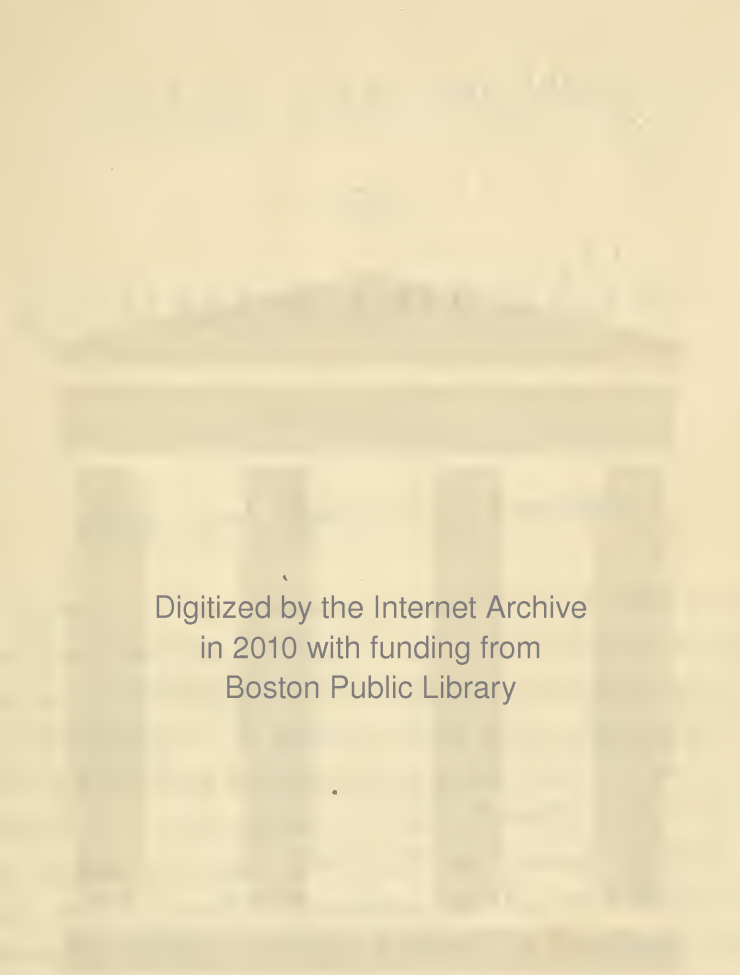
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RULES AND ORDERS  
OF THE  
COMMON COUNCIL.

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*Rights and Duties of the President.*

SECT. 1. The President shall take the chair precisely at the hour to which the Council may have adjourned; he shall call the members to order, and on the appearance of a quorum, shall cause the minutes of the preceding meeting to be read, and proceed to business. In the absence of the President, the oldest member present shall call the Council to order, and preside until a President *pro tempore* shall be chosen by ballot. If upon a ballot for President *pro tempore*, no member shall receive a majority of the votes given in, the Council shall proceed to a second ballot, in which a plurality of votes shall prevail.

SECT. 2. He shall preserve decorum and order; he may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal to the Council, on motion of any member, regularly seconded.

SECT. 3. He shall declare all votes ; but if any member doubt the vote, the President, without further debate upon the question, shall require the members voting in the affirmative and negative, to rise and stand until they are counted, and he shall declare the result.

SECT. 4. He shall rise to address the Council, or to put a question, but may read sitting.

SECT. 5. The President may call any member to the chair ; provided such substitution shall not continue longer than one meeting. When the Council shall determine to go into Committee of the Whole, the President shall appoint the member who shall take the chair. The President may express his opinion on any subject under debate ; but in such case, he shall leave the chair, and appoint some other member to take it ; and he shall not resume the chair while the same question is pending. But the President may state facts, and give his opinion on questions of order, without leaving his place.

SECT. 6. When any member shall require a question to be taken by yeas and nays, the President shall take the sense of the Council in that manner, provided *one third* of the members present are in favor of it.

SECT. 7. He shall propound all questions in the order in which they are moved, unless the subsequent motion shall be previous in its nature ; except that in naming sums and fixing times, the largest sum, and the longest time, shall be put first.

SECT. 8. After a motion is seconded, and stated by the President, it shall be disposed of by vote of





the Council, unless the mover withdraw it before a decision, or amendment.

SECT. 9. The President shall consider a motion to adjourn, as always in order, unless a member has possession of the floor, or any question has been put and not decided; and it shall be decided without debate.

SECT. 10. He shall put the previous question in the following form: "Shall the main question be now put?"—and all amendments or further debate of the main question shall be suspended, until the previous question be decided; and the previous question shall not be put, unless a majority of the members present are in favor of it.

SECT. 11. When two or more members happen to rise at the same time, the President shall name the member who is first to speak.

SECT. 12. All Committees, except such as the Council determine to select by ballot, shall be nominated by the President.

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*Rights and Duties of Members.*

SECT. 13. When any member is about to speak in debate, or deliver any matter to the Council, he shall rise in his place, and respectfully address the Presiding Officer; shall confine himself to the question under debate and avoid personality. He shall sit down as soon as he has done speaking.



SECT. 14. No member, in debate, shall mention another member by his name; but may describe him by the ward he represents, the place he sits in, or such other designation as may be intelligible and respectful.

SECT. 15. No member speaking, shall be interrupted by another, but by rising to call to order, or to correct a mistake. But if any member in speaking, or otherwise, transgress the Rules of the Council, the President *shall*, or any member *may*, call to order; in which case, the member so called to order, shall immediately sit down unless permitted to explain; and the Council, if appealed to, shall decide on the case, but without debate.

SECT. 16. When any member shall violate any of the Rules and Orders of the Council, and the Council shall have determined that he has so transgressed, he shall not be allowed to speak, unless by way of excuse for the same, until he has made satisfaction.

SECT. 17. No member shall speak more than twice to the same question, without first obtaining leave of the Council; nor more than once, until all other members, choosing to speak, shall have spoken.

SECT. 18. When a motion is made and seconded, it shall be considered by the Council, and not otherwise; and no member shall be permitted to submit a motion in writing, until he has read the same in his place, and it has been seconded.

SECT. 19. When a question is under debate, no motion shall be received, but to adjourn; to lie on the table; for the previous question; to postpone to a







day certain; to commit; to amend; or to postpone indefinitely; which several motions shall have precedence, in' the order which they stand arranged.

SECT. 20. Every motion shall be reduced to writing, if the President direct, or any member of the Council request it.

SECT. 21. When a motion has once been made, and carried in the affirmative or negative, it shall be in order for any member to move for a reconsideration, and if such motion is seconded, it shall be open to debate, and be disposed of by the Council. And in case the motion be made at the same meeting, it shall be competent for a majority of the members present to pass a vote of reconsideration; but if it be not made until the next meeting, the subject shall not be reconsidered unless a majority of the whole number of Common Councilmen shall vote therefor. But no more than *one* motion for the reconsideration of any vote shall be permitted.

SECT. 22. No member shall be permitted to stand up, to the interruption of another, whilst any member is speaking; or to pass unnecessarily between the President and the person speaking.

SECT. 23. Every member who shall be in the Council, when a question is put, shall give his vote, unless the Council, for special reasons, excuse him.

SECT. 24. On the 'previous question,' no member shall speak more than once without leave.

SECT. 25. A motion for commitment, until it is decided, shall preclude all amendment to the main question.

SECT. 26. All motions and reports may be committed or recommitted, at the pleasure of the Council.

SECT. 27. The division of a question may be called for when the sense will admit of it

SECT. 28. When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a vote of the Council.

SECT. 29. No standing rule or order of the Council shall be suspended, unless *three-fourths* of the members present shall consent thereto; nor shall any rule or order be repealed or amended, without one day's notice being given of the motion therefor, nor unless a majority of the whole Council shall concur therein.

SECT. 30. Every member shall take notice of the day and hour to which the Council may stand adjourned, and shall give his punctual attendance accordingly.

SECT. 31. No member shall be obliged to be on more than two committees at the same time, nor to be chairman of more than one.

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*Of Communications, Committees, Reports, and Resolutions.*

SECT. 32. All memorials and other papers, addressed to the Council, shall be presented by the President, or by a member in his place, who shall explain the subject thereof, and they shall lie on the





table, to be taken up in the order in which they are presented, unless the Council shall otherwise direct.

SECT. 33. Standing Committees shall be appointed on the following subjects, viz: on the Finances, on Public Instruction, and on the Houses of Industry, Correction and Reformation, each to consist of seven members; on Elections and Returns; on Enrolled Ordinances and Resolutions, and on Public Buildings, each to consist of five members.

SECT. 34. No Committee shall sit during the sitting of the Council, without special leave.

SECT. 35. The rules of proceeding in Council shall be observed in committee of the whole, so far as they may be applicable, excepting the rules limiting the times of speaking; but no member shall speak twice to any question, until every member choosing to speak shall have spoken.

SECT. 36. In all elections by ballot, of Committees of the Council, the person having the highest number of votes shall act as Chairman; and when the Committee is nominated by the Chair, the person first named shall be the Chairman; but in case of his absence, the Committee shall have power to appoint a Chairman *pro tempore*. When a Committee is chosen by ballot, and no one of the members chosen shall appear to be Chairman, according to the ballots given in, the President shall appoint a Chairman. When a Committee is appointed consisting of one member from each ward, the first meeting thereof shall be notified by the Clerk, by direction of the President; and the Committee shall then appoint a Chairman.



SECT. 37. All messages to the Mayor and Aldermen shall be drawn up by the Clerk, and sent by the Messenger.

SECT. 38. All ordinances, resolutions, and orders, shall have two several readings, before they shall be finally passed by this Council; they shall then be enrolled by the Clerk, and the Committee on Enrolled Ordinances shall, as soon as may be, examine them, and certify on the back thereof that they are duly enrolled.

SECT. 39. No ordinance, order or resolution imposing penalties, or authorising the expenditure of money, shall have more than one reading on the same day.

SECT. 40. The seats of the Common Council Board shall be numbered and determined by lot; and no member shall change his seat but by permission of the President.

SECT. 41. All Committees of this Council shall consist of three members, unless a different number be especially ordered. And no report shall be received from any committee, unless agreed to in committee actually assembled.

SECT. 42. The Clerk shall keep brief minutes of the votes and proceedings of the Council,—entering thereon all accepted Orders and Resolutions:—shall notice Reports, Memorials, and other papers submitted to the Board, only by their titles, or a brief description of their purport; but all accepted Reports shall be entered at length in a separate journal to be kept for that purpose, and provided with an index.







SECT. 43. All salary officers shall be voted for by written ballot.

SECT. 44. Members of the Council may attend meetings of any of its committees, but shall not exercise the privilege of voting.

SECT. 45. It shall be the duty of the Clerk of the Common Council, to attend the meetings and to keep the records of Committees requiring that service, whether Joint Committees or Committees of this Board, and he shall provide suitable blank books for that purpose. And the said Clerk shall have the custody of the minutes so kept, which, like all the other records, shall be subject to the inspection of the members of the City Council.

SECT. 46. No meeting of any committee shall be called upon less notice than twenty-four hours.

SECT. 47. In all elections by ballot, on the part of the Common Council, blank ballots shall not be counted in making up the returns.

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*Joint Rules of both Boards.*

1. In every case of an amendment of an ordinance agreed to in one Board and dissented from in the other, if either Board shall request a conference, and appoint a Committee of Conference, and the other Board shall also appoint a Committee to confer, such Committee shall, at a convenient hour, to be agreed upon by their Chairman, meet and state to

each other verbally or in writing, as either shall choose, the reasons of their respective Boards, for and against the amendment, confer freely thereon, and report to their respective branches.

2. When either Board shall not concur in any ordinance sent from the other, notice of such non-concurrence shall be given by written message.

3. Either Board may propose to the other, for its concurrence, a time to which both Boards will adjourn.

4. All by-laws passed by the City Council shall be termed "Ordinances," and the enacting style shall be:—Be it ordained by the Mayor, Aldermen, and Common Council of the City of Boston, in City Council assembled.

5. In all votes, when either or both branches of the City Council expresses any thing by way of *command*, the form of expression shall be "Ordered;" and whenever either or both branches express *opinions, principles, facts* or *purposes*, the form shall be "Resolved."

6. In the present and every future financial year, after the annual order of appropriations shall have been passed, no subsequent expenditure shall be authorized for any object, unless provision for the same shall be made by a special transfer from some of the appropriations contained in such annual order, or by expressly creating therefor a City debt; in the latter of which cases the order shall not be passed, unless two-thirds of the whole number of each branch of the City Council shall vote in the affirmative, by vote taken by yea and nay.





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7. Joint Committees shall cause records to be kept of their most important proceedings. No Committee shall act by separate consultations, and no report shall be received, unless agreed to in committee actually assembled.

8. All reports and other papers, submitted to the City Council, shall be written in a fair hand, and no report or endorsement of any kind shall be made on the reports, memorials or other papers referred to the Committees of either branch. And the Clerks shall make copies of any papers to be reported by Committees, at the request of the respective Chairmen thereof.

9. No Committee shall enter into any contract with, or purchase, or authorize the purchase of any articles of any of its members.

10. No Chairman of any Committee shall audit or approve any bill or account against the City, for any supplies or services, which shall not have been ordered or authorized by the Committee.

## ORDINANCES.

An Ordinance to regulate the sale and admeasurement of Wood and Bark for fuel, brought into the City of Boston, by water. [*Repealed June 4, 1840.*]

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An Ordinance providing for the more regular collection of debts due to the City of Boston

*Be it ordained by the Mayor, Aldermen and Common Council of the City of Boston, in City Council assembled,* That in all cases where specific provision is not now made either by the laws of the Commonwealth or by the Ordinances of the City for the collection of debts due to the City—whether for the principal or interest of any note or bond, or arising from any assessment, contract or account, or in any other manner whatever—if the party owing such debt shall not within sixty days after demand made, pay the same, such claim of the City shall be placed by the Treasurer or the Auditor of Accounts—as the case may be—in the hands of the City Solicitor—who shall forthwith put the same in suit:—*Provided however,* That where in the judgment of the Mayor and Aldermen the interests of the City require they may direct any debt due to the City, to be put in suit at any time after the same may become due.

[*Passed February 23d, 1835.*]



An Ordinance further to provide for a system of accountability in the concerns of the City.

SECT. 1. *Be it ordained by the Mayor, Aldermen and Common Council of the City of Boston, in City Council assembled,* That it shall be the duty of the City Clerk, the Auditor of Accounts, the City Marshal, the Weighers of Hay, and the Superintendent of Burials, respectively, to pay over to the City Treasurer as often at least as once in three months, all moneys which they shall receive belonging to the City, and that all other officers authorized to collect such moneys shall pay the same over to said Treasurer as soon as they may be collected.

SECT. 2. *Be it further ordained,* That it shall be the duty of the City Clerk, the Auditor of Accounts, the City Marshal, the Weighers of Hay, and the Superintendent of Burials, respectively, as early as may be in the months of February, May, August, and November, in every year, to lay before the City Council a statement of the whole amount of moneys which shall have been received at their respective offices, during the three preceding months; specifying in detail the sums received from each source of income—they shall also report the amounts, if any, which remain due to the City, and unpaid, and generally, any other information which they may possess, in relation to the said statement.

SECT. 3. *Be it further ordained,* That it shall be the duty of the Auditor of Accounts to lay before the City Council annually in the month of May, a schedule of all the leases of City property, specifying severally the names of the lessees, the rates of rent, and the periods when the leases will terminate. He shall also in the month of February annually, lay before said Council, an estimate of the amount of money neces-

sary to be raised for the ensuing year, under the respective heads of appropriation, and shall on or before the first day of July annually, make and lay before said Council, a statement of all receipts and expenditures of the past financial year, giving in detail, the amount of appropriation and expenditure for each specific object, the receipt from each source of income, and the operations of the Committee on the Reduction of the City Debt; the whole to be arranged, as far as practicable, to conform to the accounts of the City and County Treasurer, so that their coincidence may be apparent; and said statement shall be accompanied by a schedule of the property belonging to the City, and also by an exhibit shewing the debts due by the City, the rates of interest thereon, and the years in which the same will become due. The Auditor shall also open an account with the Treasurer of the City, wherein said Treasurer shall be charged with the whole amount of taxes placed in his hands for collection, also the whole amount, in detail, of all bonds, notes, mortgages, leases, rents, interest, and other sums receivable, in order that the value and description of all personal property belonging to the City may be at any time known at the office of the Auditor.

SECT. 4. *Be it further ordained,* That there shall be annually appointed in the month of May, a Joint Committee to consist of two on the part of the Board of Aldermen and three on the part of the Common Council, whose duty it shall be to examine, audit and settle the accounts of the City and County Treasurer for the preceding financial year; and said Committee shall not only compare said accounts with the vouchers thereof, but shall ascertain whether all sums due to the City have been collected and accounted for; they shall also examine the notes, bonds and other securities, belonging to the City and make a full and

particular report of their proceedings to the City Council.

SECT. 5. *Be it further ordained*, That the sixth section of "An Ordinance establishing a system of accountability in the expenditures of the City" be, and the same is hereby repealed; and that the eleventh section of "An Ordinance to provide for the care and management of the Public Lands" be, and the same is hereby so far altered, as that the money, notes, bonds, mortgages, and securities for moneys therein mentioned, shall, after being entered on the books of the Auditor of Accounts, be paid to and deposited with the City Treasurer.

[*Passed July 27th, 1835.*]

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An Ordinance concerning the assessment and collection of Taxes.

SECT. 1 *Be it ordained by the Mayor, Aldermen and Common Council of the City of Boston, in City Council assembled*, That in the month of March or April annually, there shall be chosen by ballot, by concurrent vote of the City Council, twenty seven persons to be Assessors of Taxes; three of the said Assessors, who shall be called the Principal Assessors, shall be elected from among the citizens at large; and the remaining twenty-four, who shall be called Assistant Assessors, shall be elected from among the residents of the respective wards, two being elected from each ward; and in case of any vacancy in either of the said offices, by death, resignation, or otherwise, a successor shall be forthwith chosen in the manner above provided; and each of the said officers shall be removable at the pleasure of the City Council.

SECT. 2. *Be it further ordained*, That all the said Assessors shall, as soon as practicable after their election, meet and organize themselves as one Board, by the choice of a Chairman and Secretary: and a majority of the members present at any meeting shall constitute a quorum for the purpose of such organization and for the transaction of any business.

SECT. 3. *Be it further ordained*, That the said Principal Assessors shall, except where otherwise provided for by this ordinance, perform all the services which are now performed by the Permanent Assessors, and they shall be entitled to such salary as the City Council may from time to time determine.

SECT. 4. *Be it further ordained*, That it shall be the duty of the Assistant Assessors to visit, in company with one or more of the Principal Assessors, the different estates in their respective wards, and to assist the Principal Assessors in taking a list of the polls, and in making a valuation of the personal property and real estate in their said wards.

SECT. 5. *Be it further ordained*, That the said Assessors shall assess upon the owners of real estate, lying within the City, the amount of taxes for which such estate may be taxable: *Provided*, that in any case where the Assessors may deem it to be more for the public interest to assess the tenant or occupant, instead of the owner of such real estate, they may so assess such tenant or occupant; *and provided also*, that nothing contained in this ordinance shall affect the rights which owners and tenants may have, between themselves respectively, by reason of any agreement made between them concerning the real estate taxable to them as aforesaid.

SECT. 6. *Be it further ordained*, That the said Assessors may, in their discretion, transfer the amount of taxes assessed on real estates not owned at the time of assessment by the persons charged with such



taxes, to the persons by whom the said real estates were owned at that time.

SECT. 7. *Be it further ordained*, That all personal estate, of which no schedule shall have been given to the Assessors, shall be doomed at a legal meeting of the Assessors.

SECT. 8. *Be it further ordained*, That all abatements of taxes shall be made at a legal meeting of the Assessors, and shall be recorded by them; and the record thereof shall contain the name of each person whose taxes shall be in whole or in part abated, and the amount originally assessed to such person, and the amount of the abatement allowed to him; and the reasons for such abatement shall be stated on the said record against the name of such person; and the said record shall be laid before the City Government, as soon as may be, and in every year before the election of Assessors for the ensuing year.

SECT. 9. *Be it further ordained*, That the Assessors shall issue the tax bills for taxes assessed on all persons (except those upon whom the poll tax only shall be assessed) on or before the first day of September in each year; and the City Treasurer shall, within sixty days thereafter, issue his summons to each person assessed and whose taxes shall not have been wholly abated; and if such person shall not pay his taxes within ten days after the receipt of such summons or after the service thereof upon him in the usual form, the said Treasurer shall issue his warrant for the collection of said taxes according to law.

SECT. 10. *Be it further ordained*, That the Assessors shall forthwith issue the tax bill for poll taxes assessed upon each person who shall be assessed for a poll tax only, as soon as the amount of such poll tax shall be ascertained; and such poll tax shall be paid when demanded; and in case of neglect or refusal to pay the same, the Treasurer shall forthwith proceed

to collect the same according to the provisions of the statutes of this Commonwealth respecting the collection of taxes from delinquents.

SECT. 11. *Be it further ordained*, That the Assessors and Assistant Assessors now in office shall respectively exercise all the powers and be subject to all the duties and liabilities of Principal Assessors and Assistant Assessors as prescribed by this Ordinance, until new elections shall take place in pursuance of the same, in the year one thousand eight hundred and thirty-seven.

SECT. 12. *Be it further ordained*, That "An Ordinance concerning the assessment and collection of taxes," passed on the twenty-first day of October in the year one thousand eight hundred and thirty-three, and "An Ordinance for fixing the number and providing for the choice of Assessors," and all By-laws of the Town of Boston, and all Ordinances of the City of Boston, on the subject of taxes be, and the same hereby are repealed, excepting so far as may be necessary for the assessment and collection of any tax already ordered: *Provided, always*, that all officers now appointed by virtue of said Ordinances, and respecting whom no provision is otherwise made in this Ordinance, shall continue to hold their respective offices until others are chosen in their places.

[*Passed May 16th, 1836.*]

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An Ordinance in addition to an Ordinance to regulate the interment of the dead.

SECT. 1. *Be it ordained by the Mayor, Aldermen and Common Council of the City of Boston, in City Council assembled*, That no person shall remove out of the City, the body of a deceased person for interment, without having first obtained a license

so to do, from the Superintendent of Burials; and it is hereby made the duty of said Superintendent to grant the same, unless some good cause should appear for refusal.

SECT. 2. *Be it further ordained*, That any person who shall offend against the provisions of the preceding section, shall forfeit a sum not exceeding twenty dollars.

[*Passed April 20th, 1837.*]

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An Ordinance establishing the Office of Superintendent of the Boston South Bridge.

SECT. 1. *Be it ordained by the Mayor, Aldermen and Common Council of the City of Boston, in City Council assembled*, That, in the month of January or February annually, there shall be chosen by concurrent vote of the City Council, to be first voted upon by the Mayor and Aldermen, a Superintendent of the Boston South Bridge, who shall hold his office until removed or a successor be appointed, who shall receive such compensation for his services as the City Council shall authorize and establish, and who shall be removable at the pleasure of the City Council.

SECT. 2. *Be it further ordained*, That it shall be the duty of said Superintendent to take charge of said Bridge, by night and by day, and to cause the draw thereof to be opened at all times, when required for the free passage of vessels, and to cause the same to be closed forthwith, not permitting more than one vessel to pass through at any one opening of the draw, unless the Bridge should be free of passengers while the draw is up. And it shall be the duty of the said Superintendent, to take care of the said

Bridge, Abutments and Wharves connected therewith, and to see at all times that they are in a safe and satisfactory condition, and free from all incumbrance; that the lamps thereon are well lighted, and that the railing and planks are in good order, the snow and ice removed from the side-walks in winter—subject always to the control of the Mayor and Aldermen relative to the duties before expressed, and also to any other duties respecting said bridge, wharves and abutments, which the said Mayor and Aldermen may from time to time prescribe.

SECT. 3. *Be it further ordained*, That any person who shall deface, break or injure said bridge, wharves or abutments, or shall unnecessarily open or obstruct the passage of said draw, without the consent of said Superintendent, or shall, without such consent, make fast to said bridge, any scow or other vessel, shall, upon conviction thereof, pay a fine not less than three nor more than twenty dollars.

[*Passed May 25th, 1837.*]

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An Ordinance to establish the office of Superintendent of Common Sewers.

*Be it ordained by the Mayor, Aldermen, and Common Council, of the City of Boston, in City Council assembled, as follows:*

SECT. 1. There shall be appointed annually, in the month of May or June, by concurrent vote of the City Council, a Superintendent of Common Sewers, who shall hold his office until removed, (or a successor be appointed,) who shall receive such compensation as the City Council shall determine, and who shall be removable at the pleasure of the City Council; and in case said office shall at any time be-



come vacant, the same shall be filled in manner before prescribed.

SECT. 2. The said Superintendent shall, under direction of the Mayor and Aldermen, take the general supervision of all Common Sewers, which now are, or hereafter may be, built and owned by the City, or which may be permitted to be built or opened by its authority, and he shall take charge of the building and repairs of the same, and make all contracts for the supply of labor and materials therefor.

SECT. 3. The said Superintendent, whenever any common sewer is ordered to be built or repaired, shall ascertain its depth, breadth, mode of construction and general direction, and take the plan thereof, and insert the same, with all those particulars in a book to be kept for that purpose, and forthwith ascertain and insert on said plan all entries made into such sewer—and obtain from the Assessors' book the valuation of all estates which shall be benefitted thereby.

SECT. 4. The said Superintendent shall keep an accurate account of the expense of constructing each common sewer, and assess the expense upon the persons and estates deriving benefit therefrom; and after having completed said assessment, he shall report the same to the Mayor and Aldermen, and if sanctioned by them, he shall enter the same in books, to be kept for that purpose, and shall forthwith make out bills for the said assessments against all persons whose drains have entered the common sewer, or who have been otherwise benefitted thereby, and deliver the same to the City Treasurer for collection; and the said Treasurer shall forthwith present the same for payment; and all bills or dues under this ordinance, which shall remain unpaid at the expiration of sixty days, shall be handed to the City Solicitor, and forthwith be put in suit.

SECT. 5. The said Superintendent shall proceed

forthwith to make all assessments for common sewers heretofore constructed by the City, the expenses of which have not already been assessed and collected, in the same manner as he is by this ordinance directed to proceed in relation to those which may hereafter be constructed.

SECT. 6. The third, fourth, fifth, sixth, and thirteenth sections of "an ordinance relative to drains and sewers" are hereby repealed; and all the powers granted to, and duties assigned to the Superintendent of Streets, are hereby transferred to the Superintendent of Common Sewers, as far as the same relate to drains and common sewers.

[ *Passed June 6th, 1837.* ]

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An Ordinance for preventing and extinguishing Fires,  
and establishing a Fire Department.

SECT. 1. *Be it ordained by the Mayor, Aldermen, and Common Council of the City of Boston, in City Council assembled, as follows:* The Fire Department shall consist of a Chief Engineer and as many other Engineers, not less than eight, and of as many Firemen, Enginemen, Hosemen, and Hook and Ladder men, to be divided into Companies, as the number of Engines, and the number and quantity of other Fire Apparatus belonging to the City, shall from time to time require or make expedient: and the said Engineers shall be annually chosen according to law, for one year, and until others shall be chosen in their place: *Provided*, That vacancies may be filled at any time, and the said Chief and other Engineers shall on his or their appointment receive a written or printed certificate or warrant in the words following, viz.: "This certifies that A. B. is appointed an En-

gineer (or Chief Engineer) of the Fire Department of the City of Boston, and is entitled to all the immunities belonging to said office.

“ Given under my hand, this                      day of  
A. D. 18

Mayor.

City Clerk.”

And the respective rank of the Engineers shall be determined by the Mayor and Aldermen.

SECT. 2. The Engineers so chosen, shall meet and organize themselves into a Board of Engineers, a majority of whom shall form a quorum, and of which, in the absence of the Chief Engineer, the senior Engineer present shall be presiding officer: and they may appoint such Secretary or other officers and make such rules and regulations for their own government as they may see fit, and such Secretary shall receive such compensation as the City Council may deem expedient. They shall at all times have the superintendence and control of all the Engine and other houses used for the purposes of the Fire Department, and of all furniture and apparatus thereto belonging, and of the Engines and all other Fire Apparatus belonging to the City, and over the Officers and members of the several companies attached to the Fire Department, and over all persons present at Fires, and may make such rules and regulations for the better government, discipline and good order of the department, and for the extinguishment of Fires, as they may from time to time think expedient, the same not being repugnant to the laws of this Commonwealth, and being subject to the approbation of the Mayor and Aldermen.

SECT. 3. It shall be the duty of said Engineers, whenever a Fire shall break out in the City, to repair forthwith to, or near the place where the Fire may be; to take proper measures that the several Engines

and other apparatus be arranged in the most advantageous situations, and duly worked for the effectual extinguishment of the Fire; to require and compel assistance from all persons, as well members of the Fire Department, as others, in extinguishing the Fire, removing furniture, goods, or other merchandize from any building on Fire, or in danger thereof, and to appoint guards to secure the same; and also in pulling down or demolishing any house or building if occasion require, and further to suppress all tumults and disorders. It shall also be their duty to cause order to be preserved in going to, working at, or returning from Fires, and at all other times when Companies attached to the Department are on duty: *Provided, however,* that when any fire occurs in either of the adjoining towns, it shall be the duty of only such, and so many of said Engineers to repair to such town as shall have been previously designated for said purpose by said Board of Engineers.

SECT. 4. The Chief Engineer shall have the sole command at fires, over all the other Engineers, all Members of the Fire Department, and all other persons who may be present at fires,—and shall direct all proper measures for the extinguishment of fires, protection of property, preservation of order, and observance of the Fire Laws, Ordinances and Regulations; and it shall be the duty of said Chief Engineer to examine into the condition of the Buckets and all other Fire Apparatus, and of the Engine and other Houses belonging to the City and used for the purposes of the Fire Department—and of the Companies attached to the said Department as often as circumstances may render it expedient, or whenever directed so to do by the Mayor and Aldermen, or by the Committee of the Board of Aldermen on the Fire Department, and annually to report the same to the Mayor and Aldermen, and oftener if thereunto re-



quested ; also to cause a full description of the same, together with the names of the officers and members of the Fire Department to be published annually in such manner as the Mayor and Aldermen shall direct ; and whenever the Engines or other Fire Apparatus, Engine or other houses used by the Fire Department require alterations, additions, or repairs, the Chief Engineer, under the direction of the Board of Aldermen, or of the Committee on the Fire Department shall cause the same to be made. And it shall be moreover the duty of the Chief Engineer to receive and transmit to the Board of Aldermen all returns of officers, members, and Fire Apparatus, made by the respective Companies as hereinafter prescribed, and all other communications relating to the affairs of the Fire Department: To keep fair and exact Rolls of the respective Companies, specifying the time of admission and discharge, and the age of each memeber ; to report in writing to the City Clerk, who shall keep a record of the same, once in each year, or oftener, if directed so to do by the Mayor and Aldermen, all accidents by Fire which may happen within the City, with the causes thereof as well as can be ascertained, and the number and description of the buildings destroyed or injured, together with the names of the owners or occupants.

SECT. 5. In case of the absence of the Chief Engineer, the Engineer next in rank who may be present shall execute the duties of his office with full powers.

SECT. 6. As many Engine, Hose, Hook and Ladder and Fire Companies shall from time to time be formed by the Mayor and Aldermen as they shall deem expedient, and each of said Companies shall consist of as many men as said Mayor and Aldermen may appoint, not exceeding to each Engine Company, seventy-five, to each Hose and Hook and Ladder

Company, twenty-five—unless otherwise ordered by the Mayor and Aldermen.

SECT. 7. No person under twenty-one years of age shall be employed as a member of the Fire Department.

SECT. 8. No person shall be employed in the Fire Department for a less period than six months, and every member of the Fire Department, shall upon his appointment by the Mayor and Aldermen, receive a certificate or warrant which he shall be holden to produce within thirty days after he shall become a member of said Department, and annually in the month of May thereafter to the Commanding Officer of the Militia Company within whose bounds he may reside.

SECT. 9. Each of the Companies formed, and appointed by the Mayor and Aldermen, shall have a Foreman, an Assistant Foreman, and a Clerk, and these Officers shall be chosen by their respective companies, subject to the approval of the Mayor and Aldermen.

SECT. 10. It shall be the duty of the Foreman to see that the several Engines and Apparatus committed to their care, and the several buildings in which the same are deposited, and all things in or belonging to the same, are kept neat, clean, and in order for immediate use; it shall also be their duty to preserve order and discipline at all times in their respective Companies, and require and enforce a strict compliance with the City Ordinances, the Rules and Regulations of the Fire Department and the orders of the Engineers. They shall also keep or cause to be kept by the Clerk of their respective Companies fair and exact Rolls, specifying the time of admission, discharge, and age of each member, and accounts of all City property entrusted to the care of the several members, in a book provided for that purpose by the City,

which Rolls or Record Books are always to be subject to the order of the Board of Engineers, and the Mayor and Aldermen. They are also to make or cause to be made to the Chief Engineer, true and accurate returns of all the members, with their ages, and the apparatus entrusted to their care—whenever called upon so to do.

SECT. 11. It shall be the duty of the Officers and Members of the several Engine, Hose, Hook and Ladder and Fire Companies, whenever a fire shall break out in the City, to repair forthwith to their respective Engines, Hose, Hook and Ladder and Bucket Carriages, and other Apparatus, and to convey them in as orderly manner as may be, to or near the place where the fire may be, and in conformity with the directions of the Chief or other Engineers, to exert themselves in the most orderly manner possible in working and managing the said Engines, Hose, Hooks and Ladders, and other Apparatus—and in performing any duty they may be called upon to do, by any Engineer; and upon permission of the Chief or other Engineer, shall in an orderly and quiet manner return said Engine, Hose, Hook and Ladder and Bucket Carriages, and other Apparatus to their respective places of deposit; *Provided*,—That in the absence of all the Engineers, such direction and permission may be given by their respective Foremen.

SECT. 12. On the return of said Engines and other Apparatus, they shall by the said Companies, respectively, be well washed, cleansed, oiled and securely housed; and once in every month, and oftener, if necessary, said companies shall meet for the purpose of examining the state of their respective Engines and other Apparatus, and see that the same are in good order and fit for service; and once in each of the months of May, July and September, shall draw out their respective Engines and other Apparatus to wash and



cleanse them, and to exercise the members; and the said Engines and other Apparatus, carefully return.

SECT. 13. It shall be the special duty of Firemen to exert themselves to supply water for the Engines, to protect the Enginemen and other members of the Department from being interrupted in the discharge of their duty by the bystanders, and to keep all idle and suspected persons at a proper distance from the fire and from the vicinity, to save and protect furniture, merchandize and other property, to form lines across the streets, lanes and avenues leading to the place where the fire is, and at reasonable and proper distances therefrom, for the purpose of preserving order, preventing plunder, excluding all improper persons, enforcing the regulations of the Department, and to perform any other duty which they may be called upon to do by any Engineer.

SECT. 14. The Engineers and Members of the several Companies regularly appointed, shall wear such Caps, badges or insignia, as the Mayor and Aldermen shall from time to time direct to be furnished at the expense of the City; and no other person or persons shall be permitted to wear the same, except under such restrictions and regulations as the Mayor and Aldermen may direct.

SECT. 15. If any member of either of the several Companies, shall wilfully neglect or refuse to perform his duty, or shall be guilty of disorderly conduct, disobedience to the Officers or to any Engineer, he shall for such offence be dismissed from the Department.

SECT. 16. All persons present, not members of either of said Companies, are hereby enjoined to obey the directions of any Engineer, given at any fire, and to render their services, if required by any Engineer, under a penalty of not less than two nor more than twenty dollars, and it shall be the duty of the Chief or other Engineers to report to the Mayor and Aldermen



the name of every person liable to the penalties provided by this section.

SECT. 17. The City Council may, by a concurrent vote, at any time, remove from office the Chief Engineer, or any of the other Engineers, and the Mayor and Aldermen may at any time discharge any or all the officers or members of either of said Companies.

SECT. 18. It shall be the duty of such of the Constables of the City as may be selected by the Engineers for that service, to repair with their staves or such other badges of office as the Mayor and Aldermen shall direct, on the alarm of fire, immediately to the place where the fire may be, and there to use their best skill and power, under the direction of the Chief Engineer or Head Constable, for the preservation of the public peace, the prevention of theft, and destruction of property, and the removal of all suspected persons—for which service the Constable shall receive such compensation as shall be in each case ordered by the Mayor and Aldermen.

SECT. 19. Immediately on the alarm of fire, during the night, it shall be the duty of the respective watchmen to give notice thereof, within their respective districts, by springing their rattles, crying "Fire," or ringing a bell, and mentioning the street or direction where it may be, and if any watchman shall neglect so to do, he shall forfeit and pay two dollars, and if it shall happen that a chimney only shall be on fire either by night or day, the bell shall not be rung—but only when a building is proclaimed to be on fire.

SECT. 20. If any chimney, stove-pipe, or flue, within the City, shall take or be set on fire, the occupant of the house to which such chimney, stove-pipe, or flue appertains, or the person or persons so setting the same on fire, shall forfeit and pay the sum of two dollars; *Provided*, That it shall be lawful for any person to set fire to and burn his chimney, stove-pipe,

or flue, between sun-rising and noon, if the buildings contiguous are wet with rain or covered with snow; and it shall be the duty of the Chief or other Engineers to report to the Mayor and Aldermen the name of every person liable to the penalty provided by this section in their first returns thereafter.

SECT. 21. Whenever it shall be determined at any fire by any three or more of the Engineers, of whom the Chief Engineer shall be one, or in his absence the senior Engineer present, to be necessary to pull down or otherwise demolish any building, the same may be done by their joint order.

SECT. 22. The power of making and establishing rules and regulations for the transportation and keeping of Gunpowder within the City of Boston, and of granting licenses for the keeping and sale thereof in the City, according to the provision of an act, entitled "An Act for regulating the storage, safe keeping, and transportation of Gunpowder in the City of Boston," and of any other act or acts on the same subject, shall be exercised and performed by the Chief and other Engineers, and the power and duty of seizing on Gunpowder kept or being within the City or the harbor thereof contrary to the provisions of the said act or acts, shall be exercised and performed by the said Engineers or any of them; and in case of any seizure being made by any Engineer other than the Chief, he shall report to the Chief Engineer, who shall cause said Gunpowder to be libelled and prosecuted in the manner prescribed in the first mentioned statute, and all the other powers and duties granted or enjoined in and by the said act or statutes, shall be performed by the said Chief or one of the other Engineers.

SECT. 23. It shall be the duty of the Chief and other Engineers, to inquire for and examine into all shops and other places, where shavings or other such

combustible materials may be collected and deposited, and from time to time, and at all times, to be vigilant in taking care of the removal of the same whenever in the opinion of any two of them the same may be dangerous to the security of the City from fires, and to direct the tenant or occupant of said shops or other places to remove the same, or to pay the expense of such removal under the direction of such Engineers. And it shall also be the duty of said Engineers to take cognizance of and to cause prosecution to be instituted in all cases of infraction of the laws relative to the erection of wooden buildings, or of any other laws or ordinances for the prevention of fire within the limits of the City.

SECT. 24. All monies received for fines, forfeitures and penalties, arising under this ordinance and the laws of this Commonwealth, regulating the storage and transportation of Gunpowder, the erection of buildings within the City of Boston, and the prevention and extinguishment of Fire, shall be paid into the Treasury of the City, to be applied in such way as is provided by the acts of this Commonwealth.

SECT. 25. Every member of the Fire Department of the City of Boston, who shall have served according to law for seven successive years shall be entitled to receive a certificate thereof signed by the Mayor of said City, and all persons who shall receive said certificate as aforesaid, shall be entitled to wear the badge of the Department, and do duty therein, under such organization and management as the Mayor and Aldermen may determine.

SECT. 26. There shall be paid annually, to each member of the department, such sum as the City Council may from time to time determine.

SECT. 27. The members of the several Companies shall not assemble in the houses entrusted to their care, except for the purpose of taking the Engine or

Apparatus, on an alarm of fire, or for drill and exercise, and of returning the same to the house, and taking the necessary care of said apparatus after its return.

SECT. 28. Any member of the City Council may enter within the lines, at any Fire, by wearing a suitable badge for that purpose, to be provided by the Mayor and Aldermen.

SECT. 29. From and after the passing of this Ordinance, all former Ordinances relating to the appointment of Engineers and other members of the Fire Department, and to the establishing of a Fire Department, and for preventing and extinguishing Fires, excepting such parts thereof as may be necessary to recover all fines and penalties incurred under the Ordinance aforesaid, are hereby repealed.

[*Passed July 29th, 1837.*]

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An Ordinance in addition to an Ordinance relative to Sewers and Drains.

*Be it ordained by the Mayor, Aldermen, and Common Council of the City of Boston, in City Council assembled, as follows :*

SECT. 1 In all assessments for any Common Sewer, which shall be hereafter constructed, there shall be deducted from the gross amount of the expense of said Sewer, one fourth part thereof, and the remaining three fourth parts only shall be assessed on persons benefitted thereby according to the provisions of the Ordinance to which this is in addition.

SECT. 2. All Ordinances inconsistent with this, are hereby repealed.

[*Passed April 4th, 1838.*]



An Ordinance in addition to "An Ordinance establishing the office of Superintendent of Streets, and prescribing the duties thereof; to prevent unlawful and injurious practices in the streets of the City; and in relation to side walks."

*Be it ordained by the Mayor, Aldermen, and Common Council of the City of Boston, in City Council assembled, as follows :*

SECT. 1. No person shall unnecessarily drive, wheel, or draw any coach, cart, or other carriage of burthen or pleasure, or drive, or permit any horse under his care to go upon any sidewalk in said City.

SECT. 2. No person, unless as is provided in the first section of "An Ordinance for the regulation of Horses and Carriages within the City of Boston," or unless duly licensed by the Mayor and Aldermen, shall ring, or cause to be rung, any bell, or use or cause to be used any horn or other instrument, in any of the streets, lanes, alleys, public places, or squares of said City, to give notice of the exercise of any business or calling, or for the sale of any article.

SECT. 3. No person shall stand in any of the said streets, lanes, alleys, public places or squares for the purpose of grinding cutlery, or for the exercise of any other business or calling, unless duly licensed by the Mayor and Aldermen.

SECT. 4. No person having the care or ordering of any carriage of burthen or pleasure, finished or unfinished, shall suffer the same to remain in any of said streets, lanes, public places or squares, for more than one hour after the same shall have been first placed there, unless such person shall have been first duly licensed by the Mayor and Aldermen.

SECT. 5. Neither the purchaser nor seller of any coal shall suffer the same to remain upon any side-

walk for any unnecessary length of time, nor after dark in the evening, nor in any case so as to unnecessarily obstruct such side-walk.

SECT. 6. No person shall use, or shoot with, bows and arrows in any of the streets, lanes, alleys, public places, or squares of the City.

SECT. 7. Every person who shall offend against any of the provisions of this Ordinance, shall forfeit and pay a sum not less than one dollar, nor more than twenty dollars for each offence.

SECT. 8. The Ordinance entitled "An Ordinance in addition to an Ordinance establishing the office of Superintendent of Streets, and prescribing the duties thereof; to prevent unlawful and injurious practices in the streets of the City; and in relation to side-walks;" passed on the eighth day of October, in the year one thousand eight hundred and thirty-eight, is hereby repealed.

[*Passed January 5th, 1839.*]

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An Ordinance in addition to an Ordinance entitled "An Ordinance establishing the office of Superintendent of Streets, and prescribing the duties thereof: to prevent unlawful and injurious practices in the streets of the City, and in relation to Side-walks."

*Be it ordained by the Mayor, Aldermen, and Common Council of the City of Boston, in City Council assembled, as follows, namely:*

SECT. 1. That from and after the passing of this ordinance, no person shall hang, affix or fasten any sign on his or her house or lot, which shall project into any street or way of the City, more than one foot beyond the front of his or her house or lot, under a

penalty of four dollars for each offence, and the like penalty for every week it shall be continued after an order to remove the same, given by the Mayor and Aldermen, or any person authorized by them.

SECT. 2. That no sign which at its lowest part is less than eight feet in height above the sidewalk or street shall project into any street or way more than six inches beyond the front of the building or lot on which such sign shall be placed, under a penalty of four dollars for each offence, and the like penalty for every week it shall be continued after an order to remove the same, given by the Mayor and Aldermen, or any person authorized by them.

SECT. 3. That the nineteenth section of an Ordinance entitled "An Ordinance establishing the office of Superintendent of Streets, and prescribing the duties thereof; to prevent unlawful and injurious practices in the streets of the City, and in relation to Sidewalks;" passed August 22, 1833, to which this is in addition be, and the same is hereby repealed.

[*Passed December 7th, 1840.*]

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An Ordinance establishing the Office of City Attorney.

*Be it ordained by the Mayor, Aldermen, and Common Council of the City of Boston, in City Council assembled, as follows:*

SECT. 1. There shall be chosen by concurrent vote of both branches of the City Council, annually, in the month of May or June, a City Attorney, who shall possess the like qualifications that are required in the Attorney and Solicitor of the City of Boston; and he shall be removable at the pleasure of the City Council.

SECT. 2. It shall be the duty of the City Attorney to act as junior counsel to the Attorney and Solicitor of the City, and as such to perform the duties required of said Attorney and Solicitor, by virtue of an Ordinance passed June eighteenth, in the year eight hundred and twenty-seven.

SECT. 3. So much of the Ordinance providing for the appointment, and prescribing the duties of an Attorney and Solicitor for the City of Boston, as is inconsistent with this Ordinance, is hereby repealed.  
 [Passed April 16th, 1839.]

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An Ordinance concerning Junk Shops and Dealers  
 in Second-hand Articles.

*Be it ordained by the Mayor, Aldermen, and Common Council of the City of Boston, in City Council assembled, as follows :*

SECT. 1. All licenses which shall be granted by the Mayor and Aldermen of the City, to any persons to be keepers of shops for the purchase, sale or barter of junk, old metals, or any second-hand articles, and to be dealers therein, shall contain the following conditions and restrictions :

*First*—That every person, at the time of receiving such license, shall pay therefor the sum of one dollar.

*Second*—That every keeper of such shop shall keep a book, in which shall be written, at the time of every purchase, a description of the article or articles purchased, the name and residence of the person from whom, and the day and hour when, such purchase was made ; and that such book shall at all times be open to the inspection of the said Mayor and Aldermen, or of any person by them authorized.

*Third*—That every keeper of such shop shall put



in some suitable place a sign designating that he is licensed as such, and containing his name.

*Fourth*—That the said shops shall not be kept open, except at such hours as shall be specially allowed by the terms of the license; and that no purchases of any of the articles aforesaid, shall be made by the keepers thereof, or by any person for them, except during such hours as shall be designated in the license. And that the said shops shall at all times be open to the inspection of the said Mayor and Aldermen, or of any person by them authorized.

*Fifth*—That no keeper of such shop shall, directly or indirectly, either purchase, or receive by way of barter or exchange, any of the articles aforesaid of any minor or apprentice, knowing or having reason to believe him to be such.

SECT. 2. Any person or persons having obtained a license under the provisions of this ordinance, who shall violate any of the conditions thereof, shall, upon conviction thereof, pay a fine of not less than one, nor more than twenty dollars, to be recovered by complaint before the Justices of the Police Court.

[*Passed May 6th, 1839.*]

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An Ordinance relating to the Boston Lunatic Hospital.

*Be it ordained by the Mayor, Aldermen, and Common Council of the City of Boston, in City Council assembled, as follows:*

SECT. 1. There shall be chosen annually, a Joint Standing Committee of the City Council, consisting of the Mayor and two members of the Board of Aldermen and four members of the Common Council,

who shall be a Board of Visitors of the Boston Lunatic Hospital.

SECT. 2. It shall be the duty of the Board of Visitors to meet at the Hospital quarterly, and carefully examine the state of every part of the establishment, and inspect the accounts of the Steward and certify the same if found to be correct. And also to nominate to the City Council a suitable person to be Steward of the Hospital, whenever a vacancy in said office shall occur.

SECT. 3. The Board of Visitors shall divide themselves into sub-committees to visit the Hospital as often as once a week.

SECT. 4. The Superintendent shall be chosen annually, by concurrent vote of the City Council, in the month of September or October; he shall hold his office until another is chosen in his place; shall be removable at the pleasure of the City Council, and receive such salary as the said Council may fix and determine, and in case of a vacancy in said office, the said Council may at any time proceed forthwith to fill the same.

SECT. 5. The Superintendent shall have the sole direction of the medical, moral and physical treatment of the patients, and of their regimen and diet, and his orders shall be strictly obeyed. He shall visit all the patients daily, and as much oftener as is necessary, and may call consultations whenever he may see fit, and he shall have apartments and board in the Hospital for himself and his family free of expense to himself.

SECT. 6. The Superintendent shall make to the Board of Visitors, quarterly, a report of the general state of the Hospital, the condition of the inmates and the deaths and probable causes thereof. And he shall make to the City Council in the month of July annually, a report of the general state of the Hospital,

and condition of the inmates during the preceding year, ending the thirteenth day of June, in regard to such particulars as the Board of Visitors shall direct.

SECT. 7. It shall be the duty of the Superintendent to keep records of the medical treatment of the patients—to give to all persons employed in the Hospital, such directions as he may judge most for the interest of the institution, and to make such additional regulations as he may deem necessary, reporting, however, such regulations to the Board of Visitors, at the next quarterly meeting for their approval.

SECT. 8. The Steward of the Hospital shall be chosen annually, by concurrent vote of the City Council, being first recommended by the Board of Visitors. He shall be removable at the pleasure of the City Council, and receive such compensation as said Council may determine.

SECT. 9. The Steward shall have the charge of the grounds, buildings and appurtenances, and shall see that the same are kept in order and repair, and that the apartments are cleaned, warmed and ventilated, and shall keep the accounts of the institution.

SECT. 10. The Steward shall report quarterly to the Board of Visitors the state of the grounds and buildings, the names of all persons hired by him and their wages, and an account of the receipts and expenditures of the Hospital.

SECT. 11. It shall be the duty of the Steward, under the direction of the Board of Visitors, to purchase furniture, fuel, stores and necessary articles, and he shall be responsible for their safe keeping, and under the direction of the Superintendent he shall hire, pay and discharge all matrons, attendants and domestics. He shall have especial charge of the house and domestics—he shall in all things be subject to the Superintendent, and he shall give bond, in such sum

as the Mayor and Aldermen may deem sufficient, for the faithful performance of his duties.

SECT. 12. The Steward shall have such apartments in the Hospital as the Board of Visitors may assign, and, with his family, if he have any, board with the family of the Superintendent, free of expense to himself.

SECT. 13. It shall be the duty of the Superintendent, under the direction of the Board of Visitors, to determine what matrons, attendants, servants or domestics are necessary to be employed, and to establish their duties and powers.

[*Passed October 10th, 1839.*]

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An Ordinance concerning the erection, alteration and repair of Public Buildings.

*Be it ordained by the Mayor, Aldermen and Common Council of the City of Boston, in City Council assembled, as follows :*

SECT. 1. Whenever any public building for the use of the City shall be erected, altered or repaired, the expense of which may exceed the sum of five hundred dollars, it shall be the duty of the Committee having charge of the same to prepare, or cause to be prepared, the requisite plans and specifications of the work to be done.

SECT. 2. The said Committee shall give notice in the newspapers in which the ordinances of the City are published of the time and place for the exhibition of such plans and specifications as may be necessary to enable contractors to make their estimates of the proposed work.

SECT. 3. No proposal shall be received by the said Committee from any person offering to contract



for such work, unless the same is sealed ; and no proposal shall be opened except in Committee actually assembled ; and the contents of no proposal shall be made known to any person not a member of the Committee, until after a contract shall have been made ; *provided always*, that if any such proposals shall be offered by persons who in the judgment of the said Committee shall be incompetent to perform their contracts in a workmanlike manner, or irresponsible in respect to their means of faithfully executing the same, the said Committee may, in their discretion, reject any such proposal, notwithstanding the same be at a lower rate than other proposals offered for the same work.

SECT. 4. In all cases where the amount of any contract shall exceed the sum of five hundred dollars, the contract shall be in writing, and signed by the Mayor on the part of the City ; and after being signed by the parties, no such contract shall be altered in any particular, unless three-fourths of the said Committee shall signify their assent thereto in writing, under their respective signatures, endorsed on the said contract.

SECT. 5. The amount of expenditures for the purposes of this ordinance in any one year, shall never exceed the appropriation made by the City Council for the purpose.

[*Passed April 23d, 1840.*]

An Ordinance in addition to an Ordinance to provide for the care and management of the Public Lands.

*Be it ordained by the Mayor, Aldermen, and Common Council of the City of Boston, in City Council assembled, as follows :*

SECT. 1. The Superintendent of the Public Lands shall be also the Superintendent of the Public Buildings.

SECT. 2. There shall annually in the month of January, be appointed a Joint Committee of the City Council, to be called the Committee on Public Buildings, to consist of three members of the Board of Mayor and Aldermen and five members of the Common Council, who shall have the general care and management of the Public Buildings.

SECT. 3. It shall be the duty of said Committee to devise and prescribe suitable rules and instructions for the government of said Superintendent in the discharge of his duties as Superintendent of the Public Buildings, (having in relation to such expenditures as they may authorize, due regard to the appropriations made therefor,) and to change and repeal the same in their discretion.

SECT. 4. It shall be the duty of said Superintendent, under the direction of said Committee on Public Buildings, to keep himself acquainted with the condition of all public buildings, including the public school houses of every description, to receive all applications for repairs upon the same, and to employ suitable mechanics, and himself superintend all repairs that may be necessary upon the said public buildings. He shall also perform such services in regard to the alteration and erection of public buildings, as may be required of him by said Committee.

SECT. 5. The said Superintendent, before enter-

ing on the duties of his office, shall give bonds, with one or more sureties, to the approbation of the Mayor and Aldermen, with conditions that he will not directly or indirectly, for himself or others, or by others in trust of him, or on his account, have any interest or concern in any contract or agreement for the erection, alteration or repairs of any of the public buildings.

SECT. 6. All Ordinances or parts of Ordinances inconsistent with this are hereby repealed; *provided*, that nothing herein contained shall in any manner affect the provisions of an Ordinance entitled "An Ordinance concerning the erection, alteration and repairs of Public Buildings."

[*Passed September 17th, 1840.*]

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An Ordinance in addition to an Ordinance concerning the erection, alteration and repair of Public Buildings.

*Be it ordained by the Mayor, Aldermen and Common Council of the City of Boston, in City Council assembled, as follows:*

SECT. 1. The provisions of the ordinance concerning the erection, alteration and repair of public buildings, passed April 23, 1840, shall not be deemed to apply to the erection, alteration, or repair of the Houses of Reformation, Industry, or Correction, or the Boston Lunatic Hospital, or any of the buildings connected with either of said establishments.

SECT. 2. The ordinance entitled "An ordinance in addition to an ordinance concerning the erection, alteration, and repair of public buildings," and which was passed May 1, 1840, is hereby repealed.

[*Passed October 23d, 1840.*]

An Ordinance in addition to an Ordinance concerning the Public Loans and Reduction of the City Debt.

*Be it ordained by the Mayor, Aldermen and Common Council of the City of Boston, in City Council assembled, as follows :*

SECT. 1. In every future year, there shall be appropriated of the annual City tax, for the payment or purchase of the principal of the City debt, a sum that shall not be less than three per centum of the amount of said principal, and not less than fifty thousand dollars in each year.

SECT. 2. So much of the third section of the ordinance to which this is in addition, as is inconsistent with this, is hereby repealed.

*[Passed December 28th, 1840.]*



## STATE LAWS.

## Revised Statutes, Ch. 11. Concerning Rainsford Island.

SECT. 4. The hospital establishment on Rainsford Island, in the harbor of Boston, the island itself, and all property thereon, belonging to or connected with the said hospital establishment, shall be under the sole care of the Mayor and Aldermen of Boston; who shall appoint all such officers and servants as they shall deem necessary, prescribe their respective duties, and establish their compensation.

SECT. 5. The said Mayor and Aldermen shall, annually, in the month of January, file in the office of the Secretary of the Commonwealth, an exact account of the state of the property of the Commonwealth belonging to, or connected with, the said hospital establishment, and also of all money expended thereon, in the course of the preceding year.

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## Revised Statutes, Ch. 28. Concerning the Weighing of Hay.

SECT. 95. The Selectmen of each Town and the Mayor and Aldermen of any City may, from time to time, appoint, for a term not exceeding one year, some person or persons to have the superintendence of the hay scales belonging to such Town or City, who shall weigh hay offered for sale in such Town or City, and any other article offered to be weighed.

SECT. 96. The person so appointed shall conform to all such rules and regulations, as shall be

established by the Selectmen or City Council, respectively, concerning the hay scales, and the compensation of fees for weighing hay or other articles.

SECT. 97. The said Selectmen or City Council, respectively, may remove any weigher of hay, and fill any vacancy that may occur by death or otherwise.

SECT. 98. If any person, not appointed as aforesaid, shall set up any hay scales in any Town or City, for the purpose of weighing hay, or other articles, he shall forfeit a sum of twenty dollars a month, so long as the same shall be continued, to be recovered by an action of debt, and appropriated to the use of said Town or City; *provided, however,* that this and the three preceding sections shall not apply to any Town which shall not adopt the same, and shall cease to operate in such Town, when the Town shall so determine.

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An Act concerning the Islands and Beaches in the Harbor of Boston. [1834, Ch. 168.]

SECT. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That if any person shall wilfully carry away from any island within the harbor of Boston, or from any beach adjacent thereto, any earth, gravel, stone or other material composing such island or beach, without the consent of the owner thereof, the person or persons so offending shall forfeit and pay, for each offence, to the use of the Commonwealth, a sum not exceeding one hundred dollars, nor less than five dollars, to be recovered by indictment in any court competent to try the same: *Provided,* That this act shall not be construed to

prevent the taking of shell-fish from such islands and beaches.

SECT. 2. *Be it further enacted*, That if any person shall wilfully build a fire on Spectacle Island, in the harbor aforesaid, without the consent of the owner or owners thereof, such persons shall suffer the like forfeiture, and to be recovered and appropriated in like manner as is provided in the first section of this act.

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An Act in further addition to an Act establishing the City of Boston. [1835, Ch. 128.]

SECT. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That the School Committee of the City of Boston shall consist of the Mayor of said City, of the President of the Common Council of said City, and of twenty-four other persons, two of whom shall be chosen in each ward of said City, and who shall be inhabitants of the wards in which they are chosen; said twenty-four members to be chosen by the inhabitants at their annual election of municipal officers.

SECT. 2. *Be it further enacted*, That so much of the act to which this is an addition, as is inconsistent with the provisions of this act, is hereby repealed; *Provided, however*, that the present School Committee of said City shall continue in office, until a new Committee shall be chosen under the provisions of this act.

SECT. 3. *Be it further enacted*, That this act shall be void, unless it shall be adopted by ballot by the inhabitants of said City of Boston, qualified to vote in City affairs, at a legal meeting of said inhab-

itants called for that purpose, and held in their respective wards, within thirty days from the passing hereof.

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An Act for the further regulation of the erection of Wooden Buildings in the City of Boston. [1835, Ch. 139.]

SECT. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That, from and after the passing of this act, no wooden building of more than sixteen feet in height, from the ground or foundation thereof, shall be erected in the said City of Boston, except under the following limitations and restrictions, namely: the dimensions of such building on the ground, not to exceed twenty-five feet by fifty feet; or, being in any other proportion, not to cover more than twelve hundred and fifty superficial feet of land; the walls not to exceed twenty feet in height from the under side of the sills, which sills may be three feet six inches above the level of the street, to the eaves of the roof; the roof in the highest point thereof not to rise more than thirty-two feet from the under side of the sills aforesaid, and there shall be at least one scuttle at or near the highest point of said roof.

SECT. 2. *Be it further enacted,* That when two or more such two story buildings as are provided for in this act, shall be erected in connection, or within three feet of each other, or within three feet of any other wooden building, more than sixteen feet in height, there shall be an entire brick or stone wall between them, commencing from the foundation of said wall, and carried to the height of twelve feet above



the level of the street, at least twelve inches in thickness, and the residue of said wall shall be of at least eight inches in thickness, and in case any openings are made through said walls, the same shall be secured against fire by iron doors applied to such openings: *Provided*, that such brick or stone walls may be dispensed with by consent in writing, of the Mayor and Aldermen of the City of Boston, on what are commonly called the neck lands in said City: *Provided, also*, that nothing in this act shall in any way affect that part of the said City, called South Boston, or repeal any of the provisions of the existing law relative to the erection of buildings in that place; and, *provided, further*, that that part of the said City of Boston, known by the name of East Boston, shall be entitled to the same rights and privileges as to the erection of wooden buildings, which now belong to that part of said City called South Boston.

SECT. 3. *Be it further enacted*, That if any person or persons shall violate the provisions of this act, such person or persons, on conviction thereof, in any court competent to try the same, shall forfeit and pay for every such offence, a sum not less than fifty nor more than five hundred dollars, and shall be liable to a like prosecution and penalty for each and every year after such conviction, until such building or buildings, erected contrary to the provisions aforesaid, shall be removed or be made to conform thereto; and the said penalties and forfeitures incurred by virtue of this act may be recovered by indictment, to the use of the City of Boston, or by an action of debt in any court competent to try the same, one half to the use of the person or persons who shall sue therefor, and the residue to the use of the said City.

SECT. 4. *Be it further enacted*, That it shall be the duty of the Board of Engineers of the said City, to cause suits to be commenced without delay against

each and all who shall violate the provisions of this act, and to prosecute the same to final judgment.

SECT. 5. *Be it further enacted*, That all acts and parts of acts respecting the erection of wooden buildings in the City of Boston, excepting such only as relate in any way to brick or stone buildings be, and the same are hereby repealed.

SECT. 6. *Be it further enacted*, That this act shall not take effect until the same shall have been approved by the citizens of said City, at a legal meeting thereof duly convened for that purpose, within sixty days from the passage of this act.

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An Act to provide for the confinement of Idiots and Insane Persons. [1836, Ch. 223.]

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

SECT. 1. There shall be within the precincts of the House of Correction in each County of this Commonwealth, a suitable and convenient apartment or receptacle for idiots and lunatic or insane persons not furiously mad, to be confined therein as hereinafter provided.

SECT. 2. When it shall be made to appear, on application made in writing to any two Justices of the Peace, one of whom shall be of the quorum, or any Police Court, that any person being within the jurisdiction of such Justices or Court, is an idiot or lunatic or insane, not being furiously mad as aforesaid, the said Justices or Court are hereby authorized to order the confinement of such person in the receptacle provided for that purpose; and such provision shall be made for the comfortable support of all persons con-

fined by virtue of this act, and they shall be governed or employed in such manner as the County Commissioners of each County in the Commonwealth, and such officers as by law exercise the powers of County Commissioners, may, in the exercise of their discretion judge best; and such sum per week shall be allowed and paid for the support of every such person, confined as aforesaid, as the Mayor and Aldermen of the City of Boston, and the County Commissioners of each County, and such officers as by law exercise the powers of County Commissioners, shall direct; and if, in any case, there shall be no parent, kindred, master, guardian, Town or City obliged by law to maintain the person so confined, the sum allowed as aforesaid shall be paid out of the Treasury of the Commonwealth: *Provided*, that in no case shall more than two dollars and fifty cents per week ever be paid from said treasury.

SECT. 3. Any person confined by virtue of this act may at any time be discharged, when, in the opinion of any two Justices of the Peace, one of whom shall be of the quorum, or of any Police Court, having jurisdiction in the case, such discharge would be for the benefit of the person so confined, or when in their opinion, such person would be comfortably supported by any parent, kindred, friend, master or guardian, or by any Town or City in which such person may have a legal settlement.

SECT. 4. In any case, that may arise under this act, all magistrates and other officers and all witnesses shall receive the same fees and compensation for services performed, and for attendance and travel, as are allowed by law, for like services in criminal proceedings, to be taxed, allowed and paid in the same manner.



An Act establishing certain boundary lines between the City of Boston and Town of Roxbury. [1836, Ch. 37.]

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

The following lines, which have been mutually agreed upon between the City of Boston and the Town of Roxbury, shall hereafter constitute and be considered the boundary lines in the section to which they refer, between said City and said Town, to wit : beginning at a stone monument on the southwesterly side of the Dyke that forms the southwesterly boundary of the Empty Basin, so called, from which point the centre of the steeple of Park street meeting house in said City, bears north fifty-three degrees east, this line to run in this direction from the point above mentioned, about two hundred and ninety rods, until it strikes the centre of the main channel westerly of the Rope Walk lands in said City ; thence turning and running northerly in the centre of said channel, about one hundred and twenty-five rods, to a point two hundred feet distant, southerly from the main branch of the Mill Dam or Western Avenue ; thence turning nearly at right angles, and running westerly nearly on a parallel line with said Mill Dam, until it strikes the branch thereof leading to Roxbury, at which point a stone monument has been erected. And the territory and jurisdiction on either side of the said lines as hereby established, are accordingly confirmed to said City and said Town respectively.

An Act to alter certain parts of the Boundary Line between the City of Boston and the Town of Roxbury. [1837, Ch. 202.]

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

SECT. 1. The boundary line between the City of Boston and the Town of Roxbury, which now runs on the easterly side of Plymouth street, shall be altered so that the same shall hereafter be established as follows, to wit: beginning at a stone monument, which now marks the south corner bound of said City, being one hundred and forty-one feet easterly of said Plymouth street, and from the said monument running on a straight line in a northeasterly direction to the centre point, (so called,) where the Roxbury old and new channels form a junction, being about four thousand five hundred feet from the said monument.

SECT. 2. The boundary line between the said City and town, which now passes over a part of Tremont street in said City, shall be altered so that the same shall be hereafter established as follows, to wit: beginning on the southeasterly side of said Tremont street, at the centre of a bridge now erected across the creek which divides the said City from said Town, and thence running northwesterly at right angles with said Tremont street about two hundred and fifty feet, until it intersects the present boundary line between said City and Town, in the middle of said creek.

An Act in addition to "An Act further regulating the storage, safe keeping, and transportation of Gunpowder, in the City of Boston." [1837, Ch. 99.]

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

SECT. 1. Any person who shall keep, have or possess any gunpowder within the City of Boston, contrary to the provisions of the act to which this act is in addition, or to the rules and regulations of the Board of Engineers therein mentioned, or who shall sell any gunpowder in said City without having a license therefor, or contrary to such license, or the rules and regulations aforesaid, shall forfeit a sum not less than one hundred dollars, and not exceeding five hundred dollars, for each offence ; and if any gunpowder, kept contrary to the provisions of the act aforesaid, or to such license, or to the rules and regulations aforesaid, shall explode in any building, or on board of any ship or other vessel, or in any place in said City, the occupant, tenant or owner of which has not then a license to keep and sell gunpowder therein, such occupant, tenant or owner shall forfeit a sum not less than one hundred dollars, and not exceeding one thousand dollars for each offence.

SECT. 2. The several fines, penalties and forfeitures, mentioned in this act, and in the act to which this is in addition, shall enure to the sole use of the Board of Engineers of the Fire Department of said City of Boston : *Provided, however,* That whenever on the trial of any prosecution under the said acts, any one or more of the said Engineers shall be sworn and examined as a witness on behalf of the prosecution, a record thereof shall be made in court, and in such case, the fine, penalty, or forfeiture shall enure

to the use of the Poor of the City of Boston, to be paid over to the Overseer of the Poor thereof.

SECT. 3. The fourth and eleventh sections of the act to which this act is in addition, are hereby repealed.

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An Act to prevent Bonfires and False Alarms of Fire.  
[1837, Ch. 177.]

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

SECT. 1. If any person shall be concerned in causing or making a bonfire, in any Town in the Commonwealth, within ten rods of any house or building, he shall be punished, on conviction before any court proper to try the same, by a fine not exceeding twenty dollars, or by imprisonment not exceeding one month.

SECT. 2. If any person, without reasonable cause shall, by outcry, or the ringing of bells, or otherwise, make or circulate, or cause to be made or circulated, in any Town in the Commonwealth, any false alarm of fire, he shall be punished, on conviction, as mentioned in the preceding section, by a fine not exceeding fifty dollars ; *provided, however*, that all proceedings under this act within the City of Boston, shall be had on complaint before the Police Court of said City, saving always the right of appeal to the Municipal Court of the City of Boston, as in other cases,



An Act to preserve the Harbor of Boston, and to prevent encroachment therein. [1837, Ch. 229.]

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

SECT. 1. The line hereinafter described, from the Free Bridge in the Harbor of Boston to Warren Bridge in said Harbor, shall be and the same is hereby established as one of the lines in said harbor, beyond which no wharf or pier shall ever hereafter be extended into and over the tide water of the Commonwealth.

SECT. 2. The said line begins at the east end of the north abutment of the Free Bridge, and runs straight to the southerly corner of Brown's wharf; thence, by the end of the same, and of Wright's four wharves, fronting on the channel, to the east corner of Wright's northeast wharf; thence, on a straight line, to the south corner of Wales' wharf, and by the end to the east angle of the same; thence from this last point straight to the east corner of Russia wharf; thence to the south angle of Fort Hill wharf straight, and by the end of the wharf to the east corner; thence to the south corner of Arch wharf the line is straight; the line then follows the end of the last and Otis' wharf to the east corner of the last; the direction is then straight to the southeast angle of Foster's south wharf; then straight to the south corner of Rowe's wharf. From this point in a straight direction to the south corner of Long wharf; thence straight to the south angle of the advanced part of the said wharf, and by the end of the same to the east corner thereof; thence the line is straight to the east end of Union wharf. From the last point straight to the southeast corner of Battery wharf. Here the three next lines commence to advance further into



deep water than the following wharves, to the west corner of Gray's, and are thus drawn through the southeast angle of Battery and the west corner of Gray's wharf; a circular arc is struck, with a radius of twelve hundred feet, and three equal chords of four hundred and seventy feet are drawn upon this arc: then from Battery wharf the line is northerly four hundred and seventy feet, forming an angle of twenty-seven degrees and fifteen minutes with the chord of the said arc. From the end of the last the line is also four hundred and seventy feet long, and parallel with the said chord. From the end of the last mentioned line the line is four hundred and seventy feet to the west corner of Gray's wharf, forming the same angle with the chord of the whole arc as that from Battery wharf. From Gray's the line is straight to the north corner of Vinal's wharf. The line then passes along the end of this and Brown's wharf to the west corner of the last; thence straight crossing Charles River bridge to the northeast corner of Trull's wharf; thence the line is straight to the south abutment of Warren bridge. Which said line thus described is part of the line reported by commissioners appointed under the resolve, passed the fifth of March, in the year one thousand eight hundred and thirty-five, to survey the harbor of Boston, and by said commissioners drawn and defined on plans by them taken, and deposited in the library, excepting that the line herein described and intended, varies from the line of said commissioners by crossing Charles River bridge in a straight line from Brown's wharf to Trull's wharf, as above expressed.

SECT. 3. No wharf, pier or building, or incumbrance of any kind, shall ever hereafter be extended beyond the said line into or over the tide water in said harbor.

SECT. 4. No person shall enlarge or extend any

wharf or pier, which is now erected on the inner side of said line, further towards the said line than such wharf or pier now stands, or than the same might have been lawfully enlarged or extended before the passing of this act, without leave first obtained from the Legislature.

SECT. 5. No person shall in any other part of the said harbor of Boston, belonging to the Commonwealth, erect or cause to be erected any wharf or pier, or begin to erect any wharf or pier therein, or place any stones, wood or other materials in said harbor, or dig down or remove any of the land covered with water at low tide, in said harbor, with intent to erect any wharf or pier therein, or to enlarge or extend any wharf or pier now erected; *provided, however,* that nothing herein contained shall be construed to restrain or control the lawful rights of the owners of any lands or flats in said harbor.

SECT. 6. Every person offending against the provisions of this act, shall be deemed guilty of a misdemeanor, and shall be liable to be prosecuted therefor, by indictment or information in any court of competent jurisdiction, and on conviction shall be punished by a fine not less than one thousand dollars, nor more than five thousand dollars, for every offence, and any erection or obstruction which shall be made, contrary to the provisions and intent of this act, shall be liable to be removed and abated as a public nuisance, in the manner heretofore provided for the removal and abatement of nuisances on the public highway.

SECT. 7. No ashes, cinders, or other rubbish, or materials of any description shall be put or thrown out of any steam boat in the harbor of Boston above Fort Independence, under a penalty of ten dollars for each offence.

SECT. 8. This act shall go into operation from and after the passing of the same.

An Act relating to Alien Passengers. [1837, Ch. 238.]

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

SECT. 1. When any vessel shall arrive at any port or harbor within this State, from any port or place without the same, with alien passengers on board, the officer or officers whom the Mayor and Aldermen of the City, or the Selectmen of the Town where it is proposed to land such passengers, are hereby authorized and required to appoint, shall go on board such vessel and examine into the condition of said passengers.

SECT. 2. If, on such examination, there shall be found among said passengers, any lunatic, idiot, maimed, aged or infirm persons, incompetent in the opinion of the officer so examining, to maintain themselves, or who have been paupers in any other country, no such alien passenger shall be permitted to land, until the master, owner, consignee or agent of such vessel shall have given to such City or Town, a bond in the sum of one thousand dollars, with good and sufficient surety, that no such lunatic or indigent passenger shall become a City, Town or State charge, within ten years from the date of said bond.

SECT. 3. No alien passengers, other than those spoken of in the preceding section shall be permitted to land until the master, owner, consignee or agent of such vessel shall pay to the regularly appointed boarding officer, the sum of two dollars for each passenger so landing ; and the money so collected shall be paid into the treasury of the City or Town, to be appropriated as the City or Town may direct for the support of foreign paupers.

SECT. 4. The officer or officers required in the

first section of this act, to be appointed by the Mayor and Aldermen, or the Selectmen respectively, shall from time to time notify the pilots of the port of the said City or Town, of the place or places where the said examination is to be made, and the said pilots shall be required to anchor all such vessels at the place so appointed, and require said vessels there to remain till such examination shall be had; and any pilot who shall refuse or neglect to perform the duty imposed upon him by this section, or who shall through negligence or design permit any alien passenger to land before such examination shall be had, shall forfeit to the City or Town a sum not less than fifty, nor more than two thousand dollars.

SECT. 5. The provisions of this act shall not apply to any vessel coming on shore in distress, or to any alien passengers taken from any wreck where life is in danger.

SECT. 6. The twenty-seventh section of the forty-sixth chapter of the Revised Statutes is hereby repealed; and the twenty-eighth and twenty-ninth sections of the said chapter, shall relate to the provisions of this act, in the same manner as they now relate to the section hereby repealed.

SECT. 7. This act shall take effect from and after the passage of the same.

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An Act in addition to an act to provide for the confinement of Idiots and Insane Persons. [1838, Ch. 73.]

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

SECT. 1. Whenever application shall be made to



two Justices of the Peace, one of whom shall be of the quorum, for the confinement of any idiot, lunatic, or insane person, not furiously mad, in pursuance of the provision of the second section of "an act to provide for the confinement of idiots and insane persons," passed on the thirteenth day of April, in the year one thousand eight hundred and thirty-six, the Justices to whom such application is made, shall, upon the request of the person complained against, issue their warrant to the Sheriff, or any Deputy of the Sheriff in their county, to summon a jury of six lawful men, to hear and determine the question, whether the person complained against is an idiot, or lunatic, or insane, and not furiously mad as aforesaid.

SECT. 2. The provisions of the second, third, fourth, and fifth sections of "an act concerning lunatics," passed the nineteenth day of April, in the year one thousand eight hundred and thirty-seven shall apply to trials by jury herein provided for; and the Justices aforesaid shall have all the powers, and perform all the duties devolved upon the Judges named in said act, by the second, third, fourth and fifth sections of the same.

SECT. 3. Any lunatic or insane person confined in any jail, or house of correction, by authority of a certificate of the trustees of the State Lunatic Hospital, according to the provisions of the fifteenth section of the forty-eighth chapter of the Revised Statutes, may be discharged therefrom by the County Commissioners of the several counties respectively, whenever the cause of confinement shall have ceased to exist. And said Commissioners, whenever in their opinion, such lunatic or insane person can, in such manner be more comfortably provided for, and the safety of the public will not be endangered thereby, may provide for his custody and support in other places than in said jails and houses of correction, or



may deliver him to the custody and care of any City, or Town, in which he may have a legal settlement, the said lunatic or insane person, still continuing subject to the order and direction of said Commissioners. The expense of so providing for such lunatic or insane person shall be reimbursed in the same manner, and recovered by the same remedies, as are provided in the sixteenth section of the forty-eighth chapter of the Revised Statutes: *Provided*, that in no case shall the sum charged for such provision exceed two dollars and fifty cents per week.

SECT. 4. This act shall take effect from and after its passage.

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An Act concerning the Police of Boston. [1838,  
Ch. 123.]

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

The Mayor and Aldermen of Boston may, from time to time, appoint such police officers for said City, as they may judge necessary, with all or any of the powers of the constables of said City, except the power of serving and executing any civil process; and the said police officers shall hold their offices during the pleasure of the said Mayor and Aldermen.

## An Act concerning Elections. [1839, Ch. 42.]

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

SECT. 1. All meetings for the election of Governor, Lieutenant Governor, Senators and Representatives of the Commonwealth, Electors of President and Vice President of the United States, or of Representatives to Congress, shall be opened as early as two o'clock in the afternoon of the day of election : and it shall be lawful for all of said Officers to be voted for on one ballot or at the same time on separate ballots.

*[The 2nd, 3rd, and 4th sections of this act are omitted, not being applicable to any city.]*

SECT. 5. No vote shall be received by the officers presiding at any such election, or at any election for Selectmen and Town Clerk of any Town, or for Mayor, Aldermen or Common Council of any City, unless the same be presented for deposit in the ballot box, open and unfolded : nor shall any such vote be so received, until the name of the person offering the same, shall have been found upon the list and checked by the presiding officers, or by some one appointed by them therefor.

SECT. 6. If any Selectman, or other Town or City Officer shall wilfully neglect or refuse to perform any of the duties required of him by the third chapter of the Revised Statutes or by the provisions of this act, he shall forfeit a sum not exceeding two hundred dollars.

SECT. 7. This act shall take effect from and after its passage.

An Act concerning Dealers in Second-hand Articles.  
[1839, Ch. 53.]

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

SECT. 1. The Mayor and Aldermen of any City, and the Selectmen of any town may license such persons as they deem suitable to be keepers of shops for the purchase, sale, or barter of junk, old metals, or of any second-hand articles, and to be dealers therein.

SECT. 2. The licenses to such persons shall designate the place where the business is to be carried on, and contain such conditions and restrictions as may be prescribed by the ordinances and by-laws of the city or town wherein the same are granted, and shall continue in force for one year unless sooner revoked.

SECT. 3. No person unless licensed as aforesaid, shall keep any shop for the purchase, sale, or barter of the articles aforesaid, or be a dealer therein ; nor shall any person so licensed, keep such shop, or be a dealer in said articles in any other place or manner than as is designated in his license, or after notice to him that said license has been revoked, under the penalty of a sum not exceeding twenty dollars for every offence, to be recovered by complaint in any Police Court, or by indictment in any Court of Record in the County where such offence may be committed.

SECT. 4. The City Council of any City may suspend or dispense with the provisions of this act so far as the same apply to such City, *provided*, that no offence committed and no penalty incurred before such suspension shall take effect, shall be affected thereby ; and the provisions of this act shall not extend to any town unless the inhabitants thereof, shall, at a legal meeting, adopt the same.

## An Act concerning Riots. [1839, Ch. 54.]

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

SECT. 1. The sixth section of the one hundred and twenty-ninth Chapter of the Revised Statutes, shall be applicable to proceedings had, and cases arising under the provisions of the fourth and fifth Sections of said Chapter, or either of them.

SECT. 2. Whenever any property of the value of fifty dollars or more, shall be destroyed, or be injured to that amount by any persons to the number of twelve or more, riotously, or routously, or tumultuously assembled, the city or town within which said property was situated, shall be liable to indemnify the owner thereof to the amount of three-fourths of the value of the property so destroyed, or the amount of such injury thereto, to be recovered in an action of the case in any Court proper to try the same; *Provided*, the owner of such property shall use all reasonable diligence to prevent its destruction, or injury, by such unlawful assembly, and to procure the conviction of the offenders.

SECT. 3. Any City or Town which shall pay any sum under the provisions of the preceding section, may recover the same against any or all of the persons who shall have destroyed or injured such property.



An Act to establish the Boston Lunatic Hospital.  
[1839, Ch. 131.]

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

SECT. 1. The City Council of the City of Boston are hereby authorized to erect and maintain a Hospital, for the reception of insane persons not furiously mad ; and provision shall be made for the comfortable support of all persons confined therein.

SECT. 2. The said City Council shall appoint a Superintendent, who shall be a physician, and constantly reside at said Hospital.

SECT. 3. The said Council shall have power to pass such ordinances as they may deem expedient for conducting, in a proper manner, the business of the institution, and for appointing such other officers as, in their opinion may be necessary.

SECT. 4. The inspectors of prisons for the County of Suffolk shall be inspectors of said Hospital, and shall perform the like duties in relation to it that they are now by law required to perform in relation to the prisons in said county.

SECT. 5. Whenever it shall be made to appear, on application in writing [*to the Judge of the Municipal Court in the City of Boston,—Repealed*] that any person is insane, not being furiously mad, the said judge is hereby authorized to order the confinement of such person in the said Hospital : *Provided*, that, upon the request of such person, the question of his sanity shall be tried by a jury in said Court. Such sum per week shall be allowed and paid, for the support of every such person confined as aforesaid, as the Mayor and Aldermen of the City of Boston shall direct ; and if, in any case, there shall be no parent,



kindred, master, guardian, town or city, obliged by law to maintain the person so confined, and if he have no means of supporting himself, the same sum shall be paid out of the treasury of the Commonwealth, for his support, as may be allowed for other lunatic or insane State paupers; and any person, committed as aforesaid by said judge, may at any time be discharged, when, in his opinion, such discharge would be for the benefit of the person so confined, or when, in his opinion, such person would be comfortably supported by any parent, kindred, friends, master or guardian, or by any town or city in which such person may have a legal settlement; and the said judge, jury, or other officers, and all witnesses, shall receive the same fees and compensation for services performed and for attendance and travel, as are allowed by law for like services in criminal proceedings, to be taxed, allowed and paid in the same manner.

SECT. 6. All insane persons who are now confined in the House of Correction or the House of Industry in said City, or may hereafter be subject to confinement therein, and all lunatics, idiots, and other patients, who shall be removed from the State Lunatic Hospital at Worcester, to the City of Boston, by the Trustees thereof, by virtue of the fourteenth and fifteenth sections of the forty-eighth chapter of the Revised Statutes, shall hereafter be confined in the said Boston Lunatic Hospital.

SECT. 7. Any lunatic or insane person, who may be confined in said Hospital, upon his removal from the State Lunatic Hospital, as provided in the preceding section, may be discharged therefrom by the Mayor and Aldermen of said City, whenever the cause of confinement shall have ceased to exist; and said Mayor and Aldermen, whenever, in their opinion, such lunatic or insane person can in such man-

ner be more comfortably provided for, and the safety of the public will not be endangered thereby, may provide for his custody and support in other places than in said Hospital, the said lunatic or insane person still continuing subject to the order and direction of the said Mayor and Aldermen, or said Mayor and Aldermen may deliver him to the custody and care of any City or town in which he may have a legal settlement. The expense of so providing for such lunatic or insane person shall be reimbursed in the same manner, and recovered by the same remedies as are provided in the sixteenth section of the forty-eighth chapter of the Revised Statutes: *Provided*, that in no case shall the sum charged for such provision exceed two dollars and fifty cents per week.

SECT. 8. All laws inconsistent with this act are hereby repealed.

SECT. 9. This act shall take effect from and after its passage.

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An Act concerning Houses of Correction. [1839,  
Ch. 146.]

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

SECT. 1. No Master or Keeper of any House of Correction shall hereafter be required to keep the accounts which are now required to be kept by them, by virtue of the provisions of the twenty-fourth section of the one hundred and forty-third chapter of the Revised Statutes; and the twenty-sixth section of said chapter is hereby repealed.

SECT. 2. No Master or Keeper of any House of Correction shall have a right to demand and recover

of any city or town in which any person sentenced to such House of Correction has a lawful settlement, or of any kindred of such person liable by law to maintain him, any further or greater sum than the amount of the personal expenses of the maintenance of such person during his confinement therein, deducting therefrom such sum as he may have earned by his personal labor: *Provided*, that this section shall not apply to any claim which the Master or Keeper of the House of Correction in the City of Boston may have upon said City, for expenses incurred in said House of Correction.

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An Act in addition to an Act concerning Lunatics.  
[1839, Ch. 149.]

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

SECT. 1. Either of the Justices of the Supreme Judicial Court, or of the Court of Common Pleas, at any term held within and for the County of Worcester, or the Judge of Probate of said County, may, on application in writing for the discharge from said Hospital of any lunatic who shall have remained there a sufficient time to make it appear that he is incurable, cause such lunatic to be delivered to the agents, of any town in which he may have his legal settlement, or to the friends of such lunatic, when, in the opinion of either of said Justices, or of said Judge of Probate, it would not be to the injury of the person so confined, and when it shall be made to appear that such person would be comfortably and safely provided for, by any parent, kindred, friend, master, or guardian, or by any Town or City in which he may have a legal settle-

ment. And whenever request for that purpose shall be made in writing, by any person interested in such discharge, to the Judge before whom the trial is to be held, he shall issue a warrant to the Sheriff, or any Deputy Sheriff in the County of Worcester, directing such Sheriff or Deputy to summon a jury of six lawful men to hear and determine the question whether such lunatic is incurable, and may be comfortably and safely provided for, according to the terms of this act. And the proceedings shall be the same in selecting the jurors, conducting the trial, and allowing the costs, as are provided in the two hundred and twenty-eighth chapter of the laws of the year one thousand eight hundred and thirty-seven.

SECT. 2. If at any time after the discharge of an incurable lunatic, as above provided, it shall be made to appear, on complaint by any person, under oath, to the Judge of Probate for the County in which such lunatic has his legal settlement, or shall be placed, that he is not comfortably supported, or that the public safety is endangered by him, it shall be the duty of said Judge to order his recommitment to said Hospital. And the same proceedings may be had in determining these questions by a jury, upon the request of any person interested therein, made in writing to said Judge, as are provided in the preceding section.

SECT. 3. In case of the absence, sickness or death, of the Judge of Probate of any County in the Commonwealth, except the County of Suffolk, any Justice of the Supreme Judicial Court, or of the Court of Common Pleas, may commit to the State Lunatic Hospital, any lunatic furiously mad in such County, in the same manner and upon the same proceedings as are now provided by law for the commitment of lunatics to said hospital by Judges of Probate.



An Act concerning the maintaining of Prisoners in Jails and Houses of Correction. [1839, Ch. 156.]

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

No allowance shall be made by the Commonwealth for the maintenance and support of any prisoner in any Jail or House of Correction, after the first day of July next; but the expense of maintaining and supporting all such prisoners as have no legal settlement in this Commonwealth, shall be borne by the County in which such Jail or House of Correction is established.

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An Act concerning the Apprehension of Criminals. [1840, Ch. 75.]

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

SECT. 1. The Selectmen of any Town or the Mayor and Aldermen of any City, are authorized, whenever in their opinion, the public good may require it, to offer a suitable reward, to be paid by such town or city, not exceeding two hundred dollars in any one case, to any person, who shall in consequence of such offer, secure any person charged with any capital crime, or other high crime or misdemeanor, committed in such town or city, and such reward shall be paid by the Treasurer of such town or city upon the warrant of the Selectmen or Mayor and Aldermen.

SECT. 2. When more than one claimant shall appear and apply for the payment of such reward, the



Selectmen, or Mayor and Aldermen shall determine to whom the same shall be paid, and if to more than one person, in what proportion to each, and their determination shall be final and conclusive in law upon all persons whatsoever.

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An Act in addition to "An Act to establish the Boston Lunatic Hospital." [1840. Ch. 79.]

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

SECT. 1. Whenever it shall be made to appear on application in writing to the Police Court of the City of Boston, that any person is insane, not being furiously mad, and is either chargeable or likely to become chargeable to the City or the State, or being furiously mad, has his legal settlement in and is chargeable to said City, the said Police Court are hereby authorized to order the confinement of such person in the said Boston Lunatic Hospital, saving to the person complained against, the right to appeal from such order to the Municipal Court of the City of Boston, as is now allowed from other judgments of said Police Court, by law. And upon his appeal, the question of his sanity shall, upon his request therefor, be tried by a jury in said Court. If on such appeal it shall be made to appear that such person is insane as aforesaid, and is or is likely to be chargeable as aforesaid, the said Municipal Court shall affirm the judgment of the said Police Court, with additional costs, and issue a warrant for his commitment according to law ; otherwise such person shall be discharged.

SECT. 2. Any person who shall apply for the commitment of any lunatic, under the provisions of

the preceding section, shall first give notice in writing to the Mayor of the City of Boston, of his intention to make such application, and satisfactory evidence that such notice has been given shall be produced to the said Police Court, at the time of making such application. And the said Police Court may order any further notice of such application to be given to the person complained of or to any other person or persons in his behalf, as they shall deem to be necessary or reasonable.

SECT. 3. Any person committed to said Hospital by either of the Courts as aforesaid, and any person who may be confined in said Hospital, upon his removal from the State Lunatic Hospital, as provided in the sixth section of the act to which this is in addition, may at any time be discharged therefrom by the Mayor and Aldermen of the said City of Boston, whenever the cause of confinement shall have ceased to exist, or when in the opinion of the said Mayor and Aldermen such discharge would be for the benefit of the person so confined, or when in their opinion such person would be comfortably supported by any parent, kindred, friends, master or guardian, or by any town or City in which such person may have a legal settlement. And said Mayor and Aldermen, whenever in their opinion, such lunatic or insane person can in such manner be more comfortably provided for, and the safety of the public will not be endangered thereby, may provide for his custody and support in other places than in said Hospital, the said lunatic or insane person still continuing subject to the order and direction of the said Mayor and Aldermen ; or, said Mayor and Aldermen may deliver him to the custody and care of any City or town in which he may have a legal settlement. The expense of so providing for such lunatic or insane person, shall be reimbursed in the same manner and recovered by the

same remedies, as are provided in the sixteenth section of the forty-eighth chapter of the Revised Statutes: *Provided*, that in no case shall the sum charged for such provision exceed two dollars and fifty cents per week.

SECT. 4. So much of the one hundred and thirty-first chapter of the Statutes of the year one thousand eight hundred and thirty-nine as relates to the commitment of persons to the said Boston Lunatic Hospital, by the Judge of the Municipal Court of the City of Boston, and to their discharge therefrom by him, is hereby repealed; but all orders of the said Judge relating thereto, and rendered prior to the time this act shall take effect, shall remain in full force.

SECT. 5. This act shall take effect from and after its passage.

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An Act concerning Rainsford Island. [1839, Ch. 79.]  
[*Repealed* 1840, Ch. 88.]

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An Act concerning the Harbor of Boston. [1840,  
Ch. 35.]

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

SECT. 1. The lines hereinafter described, are hereby established as the lines of the channel of the harbor of Boston, beyond which no wharf or pier shall ever hereafter be extended into and over the tide water of the Commonwealth.

SECT. 2. The line between South Boston free

bridge and the old South Boston bridge on the north side of the channel, begins at the east end of the north abutment of the South Boston free bridge, and runs westerly to the east corner of Wright's wharf, at the westerly side of said bridge, being forty-six feet from the west end of said abutment; thence westerly till it meets the northeasterly corner of the first wharf belonging to the South Cove Corporation; thence southerly by the ends of the wharves of said corporation, as now built, to Heath's wharf, and by the end of Heath's wharf to the southerly corner thereof; thence southerly to South Boston old bridge, by a line drawn at right angles with said bridge, from a point two hundred and ninety-three feet westerly, from the westerly side of the draw of said bridge. The line on the south side of the channel begins on the north side of South Boston old bridge, at a point one hundred and seventeen feet easterly, from the westerly side of the draw in said bridge, and four hundred and seventy-four feet westerly from the range line of the westerly side of the brick building standing at the corner, on the easterly side of First street and northerly side of Fourth street, and four hundred and thirty feet from the face of the east stone abutment of said bridge; thence running northerly to the southwesterly corner of Alger's wharf; thence by the end of said wharf to the northerly corner of the same; thence northeasterly to the wharf belonging to the South Boston Iron Company, thence to the end of George C. Thacher's large wharf, and by the same to the northwest corner of said Thacher's small wharf; and thence easterly by said small wharf, sixty-four feet to South Boston free bridge, at a point forty-three feet northerly, from the south stone abutment of said bridge; thence southerly by the westerly side of said bridge forty-three feet to the said abutment; thence easterly by said abutment to the east



end of the same: the said line then extends five hundred and twenty feet straight, so as to form an angle with said bridge of seventy-five degrees: from this point, the line is straight in a northerly direction, in such position, that, if it is continued straight, it shall not approach within six hundred feet of Arch wharf.

SECT. 3. The line between the Warren Bridge and the Boston and Roxbury Mill Dam, on the Boston side of the channel, beigns at the easterly end of the south abutment of Warren Bridge, and runs by the face of said abutment, to the west angle of the same. From this the line is straight to the northern angle of the solid part of the Boston and Lowell Railroad ground; the line then continues in the same direction, running westerly, till it meets the northeasterly side of the bridge of the Boston and Lowell Rail-road Corporation, at a point sixty-five feet from the south stone abutment of said bridge; thence straight to the westerly side of Canal bridge, at the southerly side of the pier wharf on which the gymnasium stood, being at a point one hundred and six feet southerly, from the southerly side of the draw in said Canal bridge; thence to the northeasterly corner of the solid wharf, belonging to the Charles River Wharf Company, and by the end of said wharf to the westerly corner of the same; thence to a ledge of rocks, off against the end of Taylor's wharf, at a point, one hundred and eighty feet from said wharf, and four hundred and sixty-nine feet from a brick house standing at the corner, on the northwesterly side of Brighton street, and northerly side of Poplar street; thence straight to the southwesterly corner of the pier wharf situate on the southerly side of West Boston bridge, crossing the westerly side of said bridge, at a point fourteen feet easterly, from the draw in said bridge, and one hundred and eighty-eight



feet westerly, from a brick building standing at the corner, on the easterly side of Charles street, and southerly side of Cambridge street; thence, the line is straight in a direction, to a point on the northerly side of the Boston and Roxbury Mill Dam, which point is eight hundred feet westerly from a brick building standing at the corner, on the easterly side of Charles street, and northerly side of Beacon street, and one hundred and twenty-five feet westerly, from the sea wall at the easterly end of said Mill Dam, and keeping in that direction till it intersects a line drawn parallel with, and two hundred feet from the northerly side of said dam; thence westerly by said parallel line to the west end of said dam.

SECT. 4. The line on the Charlestown side of the harbor begins at the southwest corner of the most westerly navy yard wharf in Charlestown, and running southwesterly about one thousand six hundred and fifteen feet, to a timber pier of Charles river bridge, which is three hundred and forty feet northerly, from the draw in said bridge, and five hundred and ninety-two feet southerly, from the southerly corner of a brick store, on the northerly side of Water street, at the junction of Main and Water streets; thence on the same course, to a point, one hundred feet from the west side of Charles river bridge, being in all one thousand seven hundred and thirty-five feet; thence northwesterly, about five hundred and twenty feet, crossing Warren bridge, to the southwest corner of Thompson's wharf, which corner is three hundred and thirty-eight feet from the southwest rail of the Charlestown Branch Rail-road, and two hundred and seventy-eight feet from the sea wall built by the Charlestown Land and Wharf Company; thence northwesterly, about five hundred and fifteen feet to the southeast corner of the wharf belonging to the Charlestown Land and Wharf Company, nearly

opposite a passage way ; thence northwesterly, about nine hundred and twenty feet, to a point in range with the east side of Fifth street, being two hundred and eighty-four feet westerly, from the sea wall, measured on a line in range with said east side of Fifth street ; thence, northwesterly, about five hundred and ninety feet, to a point fifteen feet from the south corner of wharf B., occupied by Charles Gould, as a lime wharf, which point is three hundred and twelve feet from the sea wall of the Charlestown Land and Wharf Company ; thence northwesterly, about four hundred feet to Prison Point bridge, at a point which is eighty-six feet easterly, from the east side of the draw in said bridge, and three hundred twenty-three feet southwesterly from the sea wall, measuring along the southeasterly side of said Prison Point bridge.

SECT. 5. The line on the East Boston side of the harbor, commences at a point on the East Boston flats, on the northerly side of Bird Island channel, which point is denoted by the letter A on the plan of the harbor, and is situated on a line, in range with the southerly side of Sumner street, in said East Boston, and at the distance of eight hundred feet from the intersection of the east side of Jeffries street and southerly side of Sumner street ; thence running westerly from said point, about one thousand feet, to the point B, situated in the division line between the upland lots numbered sixty and sixty-one, produced five hundred and seventy-five feet from the south side of Marginal street, or about eight hundred and eighty feet in said line from the south side of Sumner street ; thence, again, westerly, on a straight line, about two thousand feet, to the point C, in range with the division line between the water lots of Peter Dunbar, and Fettyplace and Lamson, at the distance of one thousand one hundred feet from the southwesterly side

of Marginal street, and one thousand six hundred and ninety feet from the southwesterly side of Sumner street; thence northwesterly by a line, parallel to the southwesterly side of Sumner street, nine hundred and eighty feet to the point D, in the range of the easterly boundary line of the water lot of the Eastern Rail-road Company, and one thousand six hundred and ninety feet from Sumner street; thence the line runs straight, a northerly course, about two thousand six hundred feet, to the point E, situated at the distance of five hundred and ten feet from the point F, which point F is situate in the division line between the water lots of Samuel Aspinwall, and Pratt and Cushing; the said point F being one hundred and seventy feet northeasterly, from the southwesterly side of Sumner street, in the northwesterly side of a street forty feet wide, on which street said Samuel Aspinwell, and Pratt and Cushing are bounded, southeasterly; the line from E to F (being five hundred and ten feet in length,) makes a right angle with the line D E; from the point E the line is an arc of a circle, described from the centre F, with a radius of five hundred and ten feet, to the point G in the division line between the water lots of said Aspinwall, and Pratt and Cushing; thence from the point G the line runs straight four hundred and seventy-eight feet, to the point H in the southwesterly division line of the water lot of the East Boston Timber Company, and in the range line of the northeast side of Maverick street, at the distance of seven hundred and fifty-six feet from the west side of Border street. From the point H, the line continues straight about five hundred and seventy feet, to the point I, in the northerly division line of flats or water lots of the East Boston Timber Company, at the distance of eight hundred and forty-five feet, from the west side of Border street. From the point I, the line continues north-

erly, a straight course, about three thousand three hundred feet to the point K, fixed at the distance of one thousand one hundred and seventy feet from the intersection of the easterly side of Meridian street, and southerly side of Eagle street, measured on a right line, running northwesterly from said intersection, at an angle of one hundred and forty-six degrees and thirty-nine minutes with said Eagle street.

SECT. 6. No wharf, pier, building, or incumbrance of any kind, shall ever hereafter be extended beyond the said line into or over the tide water in said harbor, nor shall any wharf or pier which is now erected on the inner side of said line, extend further towards the said line than such wharf or pier now stands, or than the same might have been lawfully enlarged or extended before the passing of this act, without leave being first obtained from the Legislature.

SECT. 7. Every person or corporation offending against the provisions of this act, shall be deemed guilty of a misdemeanor, and shall be liable to be prosecuted therefor, by indictment or information, in any court of competent jurisdiction; and, on conviction, shall be punished by a fine not less than one thousand dollars, nor more than five thousand dollars, for every offence; and any erection or obstruction which shall be made contrary to the provisions and intent of this act, shall be liable to be removed and abated as a public nuisance, in the manner heretofore provided for the removal and abatement of nuisances on the public highway.

SECT. 8. This act shall take effect from and after its passage.







Aldermen

1842.

1 Tho:<sup>s</sup> Wetmore

2 Nathan Gurney

3 Abi:<sup>n</sup> T. Lowe

5. Wm Parker

6. Rich:<sup>d</sup> Mann

4. Larra Crane

7. Joseph Tilden.

8 James Longley.

GOVERNMENT  
OF THE  
CITY OF BOSTON,  
FOR THE YEAR  
1841.

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MAYOR,  
JONATHAN CHAPMAN.  
[Salary \$2,500.]

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ALDERMEN,

1	THOMAS WETMORE,	
	<u>THOMAS HUNTING,</u>	2. <i>Nathan Gurnoy.</i>
	<u>JAMES CLARK,</u>	
	<u>CHARLES WILKINS,</u>	
3.	ABRAHAM T. LOWE,	4. <i>Wm. Parker.</i>
	<u>WILLIAM T. ANDREWS,</u>	5. <i>Lana Crane.</i>
	<u>CHARLES AMORY,</u>	6. <i>Rich<sup>d</sup>. Urann</i>
	<u>BENSON LEAVITT.</u>	7. <i>Joseph Tilden</i>
		8. <i>James Longley.</i>

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SAMUEL F. McCLEARY, *City Clerk.*

Salary \$1,500, and for Assistant Clerks, \$600. [Chosen in Convention of the City Council, on the 1st Monday in January.—City Ordinances, p. 13.]

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JOHNSON COLBY, *Messenger.*

Salary \$800. [Appointed by the Mayor and Aldermen. City Ordinances, p. 17.]

# COMMON COUNCIL.

EDWARD BLAKE,

PRESIDENT.

Ward No. 1.

- × Isaac Harris,
- × Benjamin Dodd,
- × William Dillaway,
- × Henry N. Hooper.

Ward No. 2.

- × Richard Brackett,
- × Freeborn F. Raymond,
- Samuel Emmes,
- × Erastus W. Sanborn.

Ward No. 3.

- Simon G. Shipley,
- John Snelling,
- × Benajah Brigham,
- Jacob Stearns.

Ward No. 4.

- Moses Grant,
- × A. A. Wellington,
- James Haughton,
- Joseph T. Adams.

Ward No. 5.

- × George W. Otis, Jr.,
- Pelham Bonifey,
- × Freeman Stowe,
- × Edward P. Meriam.

Ward No. 6.

- Ezra Lincoln,
- × Newell A. Thompson,
- John H. Wilkins,
- Enoch Train.

Ward No. 7.

- Edward Blake,
- × Ezra C. Hutchins,
- Theophilus R. Marvin,
- John P. Healy.

Ward No. 8.

- × Eliphalet Williams,
- × Thomas J. Shelton,
- × William W. Parrott,
- Benjamin P. Richardson.

Ward No. 9.

- Thomas C. Amory,
- × Stephen Shelton,
- × Jonathan Preston,
- Moses Whitney, Jr.

Ward No. 10.

- × Lemuel Shattuck,
- × Ruel Baker,
- × Daniel Kimball,
- ~~×~~ Luther Blodgett.

Ward No. 11.

- × John G. Nazro,
- × Edward S. Erving,
- × John G. Roberts,
- × Richard Urann.

Ward No. 12.

- × Samuel Leeds,
- × Seriah Stevens,
- × William H. Howard,
- × William B. Harding.

RICHARD G. WAIT, *Clerk.*

Salary \$800. [Chosen on the 1st Monday in January. City Ordinances, p. 16.]

JOHNSON COLBY, *Messenger.*

1. Enoch H. Snelling. Norton Newcomb.  
Cyrus Buttrick. Perkins Boynton.
2. Aaron Adams. J. Cullen Ayer.  
Abner W. Pollard.
3. Enoch H. Wakefield.
4. Francis B. Crownshield. Wm. B. Spooner.  
Noah Sturtevant.
5. Geo. Wheelwright. Henry Plympton.  
Sam<sup>r</sup> & R. Townsend.
6. Jos. N. Howe, jr.
7. Wm. T. Eustis.
8. Wm. A. Weeks. Benj<sup>a</sup> Burchstead.  
Josiah M. Jones.
9. Cha<sup>r</sup> Cook. John R. Bradley.
10. Wm. Hayden. Henry W. Dutton.  
Jm<sup>a</sup> Ellis.
11. John T. Dingley. Asaph Parmelee.  
Rob<sup>t</sup> Bowdin. Wm. Dall.
12. John Tillson. Jeremy Drake.  
Caleb Thurston. Willis Howes.





## JOINT STANDING COMMITTEES.

## ON THE REDUCTION OF THE CITY DEBT.

The Mayor, President of the Common Council, and the Chairman of the Committee on Finance on the part of the Common Council.

## ON ACCOUNTS.

<i>Aldermen.</i>		<i>Common Council.</i>
Charles Wilkins,		Thomas C. Amory,
Thomas Wetmore.		Thomas J. Shelton,
		Enoch Train.

## VISITORS OF THE BOSTON LUNATIC HOSPITAL.

The Mayor.		<i>Common Council.</i>
<i>Aldermen.</i>		Simon G. Shipley,
William T. Andrews,		Lemuel Shattuck,
Charles Wilkins.		Jacob Stearns,
		George W. Otis.

## ON FINANCE.

The Mayor,		Alfred A. Wellington,
Eliphalet Williams,		James Haughton,
Jacob Stearns,		Moses Whitney, jr.
Ezra C. Hutchins,		John G. Nazro.

## ON PUBLIC LANDS.

<i>Aldermen.</i>		<i>Common Council.</i>
Thomas Hunting,		Simon G. Shipley,
Charles Wilkins.		Benjamin P. Richardson,
		Richard Urann.

## ON PUBLIC BUILDINGS.

<i>Aldermen.</i>		<i>Common Council.</i>
William T. Andrews,		Jonathan Preston,
James Clark.		Erastus W. Sanborn,
		Isaac Harris,
		Newell A. Thompson,
		Samuel Leeds.

## ON WATER.

The Mayor.		<i>Common Council.</i>
<i>Aldermen.</i>		William W. Parrott,
Abraham T. Lowe,		Stephen Shelton,
Benson Leavitt,		Richard Brackett,
Charles Amory,		Benajah Brigham,
Thomas Wetmore.		Pelham Bonney,
		John G. Roberts,
		William H. Howard.

STANDING COMMITTEES  
OF THE  
MAYOR AND ALDERMEN.

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ON THE POLICE OF THE CITY.

The Mayor.

ON INTERNAL HEALTH DEPARTMENT.

*Aldermen* Hunting, Wilkins and Amory.

ON EXTERNAL HEALTH DEPARTMENT.

*Aldermen* Lowe, Wetmore and Andrews.

ON THE JAIL AND HOUSES OF INDUSTRY AND CORRECTION.

Mayor, *Aldermen* Andrews and Wilkins.

ON THE FIRE DEPARTMENT AND RESERVOIRS.

Mayor, *Aldermen* Hunting and Wilkins.

ON THE MARKET.

*Aldermen* Amory, Hunting and Leavitt.

ON THE COMMON, MALLS, FORT HILL AND COPPS' HILL.

Mayor, *Aldermen* Amory and Leavitt.

ON THE BURIAL GROUNDS AND CEMETERIES.

*Aldermen* Clark, Wilkins and Lowe.

ON THE LAMPS, BELLS AND CLOCKS.

*Aldermen* Lowe, Leavitt and Andrews.

ON THE BRIDGES.

*Aldermen* Hunting and Clark.

ON THE COUNTY ACCOUNTS.

*Aldermen* Wilkins and Wetmore.

ON THE LICENSES.

*Aldermen* Andrews, Lowe and Amory.





## ON LAYING OUT AND WIDENING STREETS,

*Aldermen* Wetmore, Andrews and Clark.

## ON THE PAVING AND REPAIRS OF STREETS.

*Aldermen* Hunting, Amory and Clark.

## ON THE COMMON SEWERS AND DRAINS.

*Aldermen* Wetmore, Wilkins and Leavitt.

STANDING COMMITTEES  
OF THE  
COMMON COUNCIL.

## ON ELECTIONS AND RETURNS.

Joseph T. Adams,  
Freeborn F. Raymond,  
Henry N. Hooper,

Edward P. Meriam,  
Luther Blodget.

## ON ENROLLED ORDINANCES.

John P. Healy,  
Daniel Kimball,  
Thomas J. Shelton,

Edward S. Erving,  
William B. Harding.

## ON PUBLIC INSTRUCTION.

Lemuel Shattuck,  
Ezra Lincoln,  
John Snelling,  
John H. Wilkins,

Freeman Stowe,  
Theophilus R. Marvin,  
Benjamin Dodd.

## ON THE HOUSES OF INDUSTRY, CORRECTION AND REFORMATION.

Moses Grant,  
Eliphalet Williams,  
George W. Otis,  
Ruel Baker,

Samuel Emmes,  
William Dillaway,  
Seriah Stevens.



## TREASURY DEPARTMENT.

Richard D. Harris, *City and County Treasurer and Collector*—salary \$1,800 ; and \$800 for Assistant Clerks. [Chosen by the City Council in Convention, in May.—City Charter, § 19.]

Willard Clough, } *Deputy Collectors.* Salary \$170 each, and  
Jonathan Prescott, } fees.

William Hayden, *Auditor*—salary \$1,500. [Chosen by concurrent vote of the City Council, in May.—City Ordinances, p. 29.]

*Assessors*, Samuel Norwood, Henry Bass, Thomas Jackson—salary \$1,200 ; and \$400 for Assistant Clerks.

*Assistant Assessors, residing in the different Wards.*

<p>Ward 1. Enoch H. Snelling, + George Low.</p> <p>2. Thomas Moulton, Thomas J. Dunbar.</p> <p>3. Thomas Gould, Oliver Dyer.</p> <p>4. S. S. Littlehale, Benjamin Lamson.</p> <p>5. Benj. G. Bordman, Caleb Metcalf.</p> <p>6. Jesse Shaw, William Parsons.</p>		<p>Ward 7. Jeremiah Fitch, Benj. B Appleton.</p> <p>8. James B. Richardson, J. H. Thayer.</p> <p>9. William Bramhall, Clement Willis.</p> <p>10. Josiah Vose, Richards Child.</p> <p>11. Benjamin Hawkes, Robert Cowdin.</p> <p>12. Solon Jenkins, Wm. P. Loring.</p>
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Samuel Norwood, *Secretary*.

[The Assessors and Assisstant Assessors are chosen by concurrent vote of the City Council, in March or April.—Municipal Register, p. 17.]

The Judge of Probate, Judge of the Municipal Court, and the Justices of the Police Court, constitute the *Board of Accounts* for the County.—[Revised Statutes, p. 164.]

William Knapp, *Secretary to the Board.* Salary \$150.

## CITY SOLICITOR AND ATTORNEYS.

John Pickering, *City Solicitor.* Salary \$1,000 and fees. [Chosen by concurrent vote in June. City Ordinances, p. 38.]

Elbridge G. Austin, *City Attorney.* Salary \$500 and fees. [Chosen by concurrent vote of the City Council, in May or June. Municipal Register, p. 37.]





## POLICE DEPARTMENT.

Peter O. Thacher, *Judge of the Municipal Court*. Salary \$750, paid by the City; and \$1,250 by the State.

Samuel D. Parker, *Attorney*.

Thomas W. Phillips, *Clerk*.

Henry Homer, *Crier and Messenger*.

William Simmons, }  
John Gray Rogers, } *Justices of the Police Court and of the Justices'*  
James C. Merrill, } *Court*. Salary \$1,500, each.

Thomas Power, *Clerk*. Salary \$1,400.

William Knapp, *Assistant Clerk*. Salary \$900.

Jonas Stratton, *Messenger*. Salary \$32 per month.

James H. Blake, *City Marshal*. Salary \$1,000.

[Appointed by the Mayor and Aldermen, in May or June. City Ordinances, p. 226.]

Francis C. Whiston, }  
Hezekiah Earl, } *Deputy City Marshals*. Salary \$700.

[Nominated by the Marshal, and approved by the Mayor and Aldermen. City Ordinances, p. 226.]

*Coroners*. Ebenezer Shute, Mace Smith, Jabez Pratt. Fees.

*Police Officers*. E. V. Glover, George J. Dexter, Eben Shute, jr., Jacob Hook, John Gibbs, Charles McIntire, Francis Merrifield. Compensation, \$1.75 per day.

*Constables*. Francis M. Adams, Gustavus Andrews, W. G. Babbit, Josiah Baldwin, S. F. Barrett, John Boardman, S. M. Burnham, Elisha Copeland, Moses Clark, Willard Clough, Derastus Clapp, Isaac A. Coolidge, Nathaniel Cooledge, Elisha V. Glover, Josiah Haskell, Thomas Holden, John Henry, Richard Hosea, Edward P. Hunt, Charles Hastings, James Hunkins, Jacob Hook, Wm. Loring, Benjamin Lane, Johnson Lunt, Jabez Pratt, James Pierce, Jonathan Prescott, George Robinson, George Reed, Charles Smith, Jonas Stratton, Ebenezer Shute, Ebenezer Shute, jr., Ebenezer Trescott, Jacob C. Tallant, Henry Taylor, William Whitwell.

James Barry, *Captain of the City Watch*. Salary, \$400. [Appointed by the Mayor and Aldermen. City Ordinances, p. 282.]

There are 10 Constables of the Watch at \$1, and 110 Watchmen at 90 cents per night.

Nathaniel Cooledge, *Deputy Jailer*.

The Judge of Probate, the Judge of the Municipal Court, and the Justices of the Police Court, are the *Inspectors of Prisons*. [Revised Statutes, p. 184.]

William Knapp, *Secretary to the Inspectors*.

## HEALTH DEPARTMENT.

Jerome V. C. Smith, *Resident Physician at Rainsford Island*. Salary \$1,400. [Chosen by the Mayor and Aldermen. Municipal Register p. 47.]

John Minot, *Keeper of Rainsford Island*. Salary \$700 in addition to what he may receive from the State. [Appointed by the Mayor and Aldermen. Municipal Register, p. 47.]

George P. Tewksbury, *Captain of the Quarantine Boat*. Salary \$80 per month, including the pay of the services of assistant boatmen. [Appointed by the Mayor and Aldermen. Municipal Register, p. 47.]

*Consulting Physicians.* John C. Warren, George Hayward, John Randall, George C. Shattuck, Jacob Bigelow. [Chosen by concurrent vote in May or June. City Ordinances, p. 175.]

Samuel H. Hewes, *Superintendent of Burying Grounds*. Salary \$1,000. [Chosen by concurrent vote of the City Council in May or June. City Ordinances, p. 189.]

*Undertakers.* Samuel Winslow, Martin Smith, Joseph Willcutt, Cyrus Babbit, Henry Davis, Thomas Haskell, Stephen S. Andrews, Joseph Willcutt, jr., Thomas Andrews, Francis Dillaway, John Deluce, John B. Braid, William A. Brabner, Rodney Gove, Caleb J. Pratt, Oren Faxon, Levi Whitcomb, Franklin Smith, Timothy Nunan.

Charles B. Wells, *Superintendent of Common Sewers*. Salary \$1,000. [Chosen by concurrent vote in May or June. Municipal Register, p. 22.]

The Mayor and Aldermen *Surveyors of Highways*.

Zephaniah Sampson, *Superintendent of Streets*. Salary \$1,100. [Chosen by concurrent vote in Jan. or Feb. City Ordinances, p. 260.]

John R. Bradford, *Assistant Superintendent*. Salary \$120.

In the *Paving Department* two laborers are employed at \$30 per month; two at \$28; four at \$28; three at \$27; and five at \$26.

One *Scavenger* is employed at \$45 per month; one at \$30; one at \$28; two at 27; seventeen at \$26; and two at \$1,50 per day. One *Street Sweeper* at \$32 per month; three at \$28; one at \$27; fifteen at \$26; and one at \$1,50 per day.







## PUBLIC LANDS AND BUILDINGS, LAMPS AND BRIDGES.

Freeman L. Cushman, *Superintendent of Public Lands and Public Buildings*. Salary \$1,000. [Chosen by concurrent vote in April or May. City Ordinances, p. 298 ; Municipal Register, p. 44.]

Daniel Rhodes, *Clerk of Faneuil Hall Market*. Salary \$900. [Appointed by the Mayor and Aldermen in June or July. City Ordinances, p. 223.]

Sullivan Sawin, *Assistant Clerk*. Salary \$35 per month.

James Phillips, *Superintendent of Faneuil Hall*. Salary \$100. [Appointed by the Mayor and Aldermen. City Ordinances, p. 270.]

James Barry, *Superintendent of Lamps*. Salary \$400. [Appointed by the Mayor and Aldermen. City Ordinances, p. 282.]

There are 22 *Lamp Lighters* and 1,462 Lamps. Pay, 2 shillings each Lamp per month.

Samuel Jenkins, *Superintendent of the North Free Bridge*. Salary \$500. [Chosen by concurrent vote in January or February. City Ordinances, p. 268.]

Royal Oliver, *Superintendent of the South Free Bridge*. Salary \$200. [Chosen by concurrent vote in January or February. Municipal Register, p. 21.]

Daniel Merrill, *Keeper of the County Court House*. Salary \$700.

## FIRE DEPARTMENT.

William Barnicoat, *Chief Enginner*. Salary \$1,000.

*Assistant Engineers*. Salary \$150 each.

Henry Smith,  
James G. Sanderson,  
Richard A. Newell,  
Charles S. Clark,  
John Shelton,

Theodore Washburn,  
John Green, jr.  
Henry Fowle,  
Peter C. Jones,  
Thomas A. Williams.

Frederick A Colburn, *Clerk*. Salary \$400.

[The Engineers and Assistant Engineers are appointed by the Mayor and Aldermen with the concurrence of the Common Council.]

There are, belonging to the Department, 16 Foremen of Engine, Hose and Hook and Ladder Companies at \$100 each ; 16 Assistant Foremen at \$75 each ; 16 Clerks at \$75 each ; 16 Stewards at \$100 each ; and 525 members at \$50 each.

The following officers are appointed by the Mayor and Aldermen with the concurrence of the Common Council. They are all paid by fees excepting the first.

*Superintendent of Alien Passengers*, Calvin Bailey. Salary \$500, and 10 per cent. on all moneys received, but not to exceed the further sum of \$500. [Municipal Register, p. 61.]

*Surveyor General of Lumber*. George W. Otis.

*Deputy Surveyors*. Warren Bowker, Seth Brooks, William Green, Gad Leavitt, John Lefavour, Samuel Lamson, Joseph Henderson, William Fisk, Thomas Barry, Charles Bullard, George W. Cram, Seth Dewing, Rolun Hartshorn, George Hall, Charles Hersey, George Page, Seth Thaxter, Jonathan Thaxter, Samuel Waldron, William Willett.

*Weighers of Hay*. Ebenezer Clough, John R. Bradford.

*Measurers of Wood and Bark brought by land*. John R. Bradford, Amos Bates, William Shattuck, William Fisk, Moses Hadley.

*Weigher of Boats and Lighters*. James Barry.

*City Crier*. (Vacant.)

*Sealers of Weights and Measures*. John M. Dearborn, Amos Stevens.

*Fence Viewers*. Romanus Emerson, Rolun Hartshorn.

*Cullers of Dry Fish*. Benjamin Luckis. (One vacancy.)

*Cullers of Hoops and Staves*. James Brown. (One vacancy.)

*Inspectors of Lime*. Francis James, Samuel Sprague.

*Assay Master*. Isaac Babbitt.

*Field Drivers and Pound Keepers*. William Fisk, Thomas Gerrish.

*Surveyor of Hemp*. Benjamin Rich.

## PUBLIC CHARITABLE INSTITUTIONS.

The Directors, Overseers and Visitors of the houses, the Master of the House of Correction, and the Superintendent and Steward of the Boston Lunatic Hospital, are chosen by concurrent vote of the City Council. The other officers are appointed by the Directors of the different Houses.

### HOUSE OF INDUSTRY.

*Directors*. Thomas Hollis, Joseph Lewis, James Means, Daniel Henchman, Artemas Simonds, Thomas A. Davis, Nathaniel H. Emmons, David Nickerson.

Daniel Chandler, *Superintendent*. Salary \$1,000.

Thomas Seward, *Assistant Superintendent*. Salary \$650

Artemas Simonds, *Clerk*. Salary \$800.







There is paid to the Teamster \$300 ; the Gate Keeper \$150 ; the Matron's Assistant, the Overseer of Clothing, and the Overseers of the Kitchen, each \$156. There is also paid by the Trustees of the Boylston and Mason Funds, to the Preacher \$260, to the Teacher of the boys \$500, and two Teachers of the girls \$156 each.

## HOUSE OF CORRECTION.

*Overseers.* Luther Faulkner, George Darracott, George W. Gordon, Billings Briggs, Uriel Crocker.

Charles Robbins, *Master.* Salary \$1,000.

Eliphalet P. Hartshorn, *Clerk.* Salary \$700.

There is also paid to four male assistants \$300 each ; and to three female assistants \$200 each.

## HOUSE OF REFORMATION.

*Directors.* Larra Crane, John L. Dimmock, John D. Fisher, James C. Wild, Samuel G. Howe, Henry D. Gray, William Parsons.

Silas Jones, *Superintendent.* Salary \$800.

Larra Crane, *Clerk.* Salary \$400.

There is also paid to the male Teachers \$400 and his assistant \$300 ; to the Matron \$200, and to two female instructors, \$150 and \$130.

## BOSTON LUNATIC HOSPITAL.

*Visitors.* The Mayor, *Aldermen,* Andrews, Wilkins, and Lemuel Shattuck, Jacob Stearns and George W. Otis, of the Commou Council. John S. Butler, *Superintendent, and Physician to the above institutions.* Salary \$1,200.

Sumner Crosby, *Steward.* Salary \$600.

There is also paid to four male attendants \$180 each ; to four female attendants \$130 each ; to two male assistants \$168 each ; to two female assistants \$156 each ; to one female cook \$2,50 ; two \$2 ; and two \$1,50, per week each.

## OVERSEERS OF THE POOR.

[ Chosen in each ward where they reside. ]

Ward 1. Joseph Hart,		Ward 7. Thomas Tarbell,
2. Ephraim Milton,		8. Thomas W. Warren, Jr.
3. Joseph Moriarty,		9. Joseph Lewis,
4. William Adams,		10. Joseph Eustis,
5. Daniel Henchman,		11. Artemas Wheeler,
6. Billings Briggs,		12. Wilder Harding.
James Phillips, <i>Clerk.</i> Salary \$700.		

## PUBLIC SCHOOLS.

## SCHOOL COMMITTEE.

Jonathan Chapman, Mayor, *Chairman*.Edward Blake, *President of Common Council*.[*The following are chosen by the people in the wards.*]

Ward 1. Isaac H. Frothingham, Henry G. Clark. 2. James H. Barnes, J. Cullen Ayer. 3. Ezra Palmer, Jr. Rollin H. Neale. 4. David Morgan, Robert C. Waterston. 5. Frederick Emerson, Henry Dyer. 6. William J. Hubbard, George S. Hillard.	Ward 7. Hubbard Winslow, Charles Gordon. 8. Zabdiel B. Adams, Martin Gay. 9. William Parker, Edward Wigglesworth. 10. Winslow Lewis, Jr. John Odin, Jr. 11. Otis A. Skinner, William P. Jarvis. 12. Lemuel Capen, Alvan Simonds.
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Samuel F. McCleary, *Secretary*.

## SUB-COMMITTEES.

*Books*.—Messrs. Wigglesworth, Winslow, Palmer, Neale and Hillard.*To confer with Primary School Committee.*

Messrs. Emerson, Adams, and Clark.

*Music*.—Messrs. Emerson, Winslow, and Gordon.

SCHOOLS.	LOCATION.	COMMITTEES.
Latin, - - -	School Street, - - -	Messrs. The Mayor, Wigglesworth, Winslow, Hillard, and Capen.
English High, -	Pinckney Street, -	" Hubbard, Palmer, Adams, Lewis, and Neale.
Lyman, - - -	East Boston, - - -	" Waterston, Barnes, and Morgan.
Eliot, - - -	North Bennet Street,	" Clark, Frothingham, and Ayer.
Endicott, - - -	Cooper Street, - - -	" Palmer, Morgan, and Clark.
Hancock, - - -	Hanover Street, - - -	" Palmer, Neale, and Barnes.
Mayhew, - - -	Hawkins Street, -	" Wigglesworth, Ayer, and Waterston.
Bowdoin, - - -	Derne Street, - - -	" Winslow, Dyer, and Gordon.
Boylston, - - -	Washington Place, -	" Gay, Adams, and Gordon.
Adams, - - -	Mason Street, - - -	" Parker, Gay, and Hubbard.
Franklin, - - -	Washington Street,	" Skinner, Simonds, and Hillard.
Wells, - - -	McLean Street, - - -	" Blake, Emerson, and Dyer.
Hawes, - - -	South Boston, - - -	" Capen, Simonds, and Skinner.
Johnson, - - -	Tremont Street, - - -	" Jarvis, Odin, and Lewis.
Winthrop, - - -	East Street, - - -	" Parker, Skinner, and Blake.
Smith, - - -	Belknap Street, - - -	" Emerson, Dyer, and Waterston.







## INSTRUCTORS OF THE LATIN AND HIGH SCHOOLS.

LATIN SCHOOL—Epes S. Dixwell, *Master*. Salary \$2,400. Francis Gardner, *Sub-Master*. Salary \$1,500. Edward E. Hale, Salary \$800, and George S. Parker. Salary \$700 — *Ushers*—Jonathan Snelling, *Teacher of Writing*. Salary \$1,000.

ENGLISH HIGH—Thomas Sherwin, *Master*. Salary \$2,400. Luther Robinson, *Sub-Master*. Salary \$1,500. Francis S. Williams, *Usher*. Salary \$1,000.

## INSTRUCTORS OF THE GRAMMAR SCHOOLS.

The *Grammar Masters* and *Writing Masters* of all the Schools have \$1,500 each, the *Ushers* \$600, and the Assistants \$250 each. The *Master* of the Branch of the Hawes School, and the *Ushers* of the Johnson and Winthrop Schools, have \$800 each, and the *Teacher in Penmanship* in the two last Schools has \$1,200.

LYMAN—Albert Bowker, *Master*—Mary Atherton, *Assistant*.

ELIOT—David B. Tower, *Grammar Master*—Levi Conant, *Writing Master*—George Tower and Jacob H. Kent, *Ushers*—*Assistants*, Caroline W. Carter and Elizabeth Skinner.

HANCOCK—William J. Adams, *Grammar Master*—Peter Mackintosh, Jr., *Writing Master*—*Assistants*, Adeline Howe, Marianne Pierce, Catharine W. Snelling, Mary F. Horton, Celicia L. Gale and Sarah A. Dyke.

ENDICOTT—George Allen, Jr., *Grammar Master*—Loring Lothrop, *Writing Master*—Oliver C. Guptill, *Usher*—Angelina A. Bingham, Ann M. Wright and Mary Torrin, *Assistants*.

MAYHEW—William D. Swan, *Grammar Master*—Aaron D. Capen, *Writing Master*—William K. Veill and Benjamin Drew, Jr., *Ushers*—*Assistants*, Mary J. Walker and Mary Wheeler.

BOWDOIN—Abraham Andrews, *Grammar Master*—James Robinson, *Writing Master*—*Assistants*, Mary A. Murdock, Elizabeth Lincoln, Chastine Lincoln, Frances M. Robinson, Sarah B. Jepson, Mary S. Robinsen.

BOYLSTON—Charles Fox, *Grammar Master*—Charles Kimball, *Writing Master*—*Assistants*, E. A. T. Fitzpatrick, Margaret L. Emery, Harriet E. Emery, Clarinda R. F. Treadwell, Susan A. Bates.

ADAMS—Samuel Barrett, *Grammar Master*—Josiah Fairbank, *Writing Master*—Josiah A. Stearns, *Usher*—*Assistants*, Mary E. Swift, Mary S. Barker, Sarah E. Weld, Elizabeth M. Emerson, Harriet D. Williams.

- FRANKLIN—Barnum Field, *Grammar Master*—Nathan Merrill, *Writing Master*—Joseph T. Swan, *Usher*—*Assistants*, Hannah S. Tirrell, Sarah Ann Gale, Abigail E. Baldwin; Catharine T. Simonds.
- WELLS—Cornelius Walker, *Grammar Master*—Reuben Swan, Jr., *Writing Master*—William H. Swan, *Usher*—*Assistants*, Matilda A. Gerry, Hannah J. Woodman, Caroline Otis, Charlotte Woodman.
- HAWES, S. BOSTON—Frederick Crafts, *Grammar Master*—John A. Harris, *Writing Master*—Charles A. Merrill, *Usher*—*Assistants*, Julia M. Baxter, Harriet W. Goodridge, Mary E. Clark, Mary Ann Capen.
- BRANCH OF HAWES SCHOOL, S. BOSTON—Jonathan Battles, Jr., *Master*—Lucy Floyd and Lydia S. Brooks, *Assistants*.
- JOHNSON—Richard G. Parker, *Master*—Andrew J. Loud, *Usher*—Rebecca P. Barry, Martha E. Towne, Sarah Ann Belding, Helen A. Dorr, Emma J. Knapp, Judith E. Parker, *Assistants*.
- WINTHROP—Henry Williams, Jr., *Master*—Daniel French, *Usher*—Eliza L. Felt, Lydia E. C. Morse, Maria J. Bryant, Nancy Brooks, Eliza R. Harrington, *Assistants*—Charles E. H. Richardson, *Teacher in Penmanship* in Johnson and Winthrop Schools.
- SMITH—For colored children, Abner Forbes, *Master*—*Assistants*, Sarah Forbes, Susan Paul, Joseph H. Putnam.





## PRIMARY SCHOOLS.

## BOARD OF MANAGERS.

R. W. Bayley, *Chairman*.Joseph Curtis, *Secretary*.

*Standing Committee.* J. F. Bumstead, *Chairman*. F. A. Sumner, *Secretary*. R. W. Bayley, J. B. Stebbins, I. W. Bourne, Francis Brown, Wm. D. Ticknor, Edmund Jackson, Samuel McBurney, Wm. P. Jarvis.

*Committee on School Rooms.* J. W. Ingraham, E. H. Snelling, L. G. Pray, E. P. Hartshorn, B. T. Richardson, Daniel T. Coit, A. B. Wheeler, J. B. Stebbins, Edmund Jackson, Samuel McBurney.

*Committee of Conference.* R. W. Bayley, F. A. Sumner, J. F. Bumstead.

There are *ninety-three* primary Schools, divided in ten Districts, exclusive of East Boston and the Mill Dam. Each District has a Chairman and Secretary of the Board of Managers ; and each School is under the instruction of a single Teacher, who receives a salary of \$250 per annum. The Chairman and Secretary of the Board of Managers, and the Teachers in each District, are as follows :

DISTRICT 1. *Chairman*, Joseph Moriarty. *Secretary*, Thomas Restieaux. *Teachers*, Charlotte A. Belcher, C. W. Goodridge, Ann M. Dean, Elizabeth Johnson, Mary S. Stoddard, H. S. Keith, Caroline H. Freeland, A. S. Marden, Susan B. Betteley, Mary S. Gale, Sophronia Abbot.

DISTRICT 2. *Chairman*, Christopher Gore. *Secretary*, Andrew Geyer. *Teachers*, Nancy B. Seaver, Catharine W. Callender, Margaret W. Hall, Mary E. Butterfield, A. W. Goodrich, Aphia Turner, Elizabeth Deshon, Silence Wentworth.

DISTRICT 3. *Chairman*, Francis Brown. *Secretary*, S. G. Simpkins. *Teachers*, Sarah N. Swan, Elizabeth S. Emmons, Mary A. Howe, Lucy A. Clark, Eliza A. Webber, Margaret Townsend, Henrietta Adams, E. S. Grater, Bethia Whiting, Sophia White, Catharine A. Jones.

DISTRICT 4. *Chairman*, Enoch Hobart. *Secretary*, Aurelius D. Parker. *Teachers*, Elizabeth Ford, F. D. Rappell, Lydia Johnson, Mary S. Watts, Nancy J. Woodson, M. A. Doak, Sarah C. Moore, Sarah A. Cushing, A. R. Hapgood, Ellen Hartshorn.

DISTRICT 5. *Chairman*, Josiah F. Bumstead. *Secretary*, W. D. Ticknor. *Teachers*, Angeliã M. Newmarch, Rebecca R. Thayer, Rachel Reed, Maria E. Clark, Abigail W. Wilder, Lucy H. Green, Adeline Lincoln, D. W. Hapgood, Martha W. Cook, Lydia Emmons.



DISTRICT 6. *Chairman*, Daniel T. Coit. *Secretary*, James B. Dow. *Teachers*, Caroline Johnson, Perces Keyes, Harriet A. Parker, Eliza Ann Parker, Mary Williams, Olivia M. Johnson, Elizabeth C. Frink, Margaret E. Sumner.

DISTRICT 7. *Chairman*, John Flint. *Secretary*, A. B. Wheeler. *Teachers*, Catharine Pratt, H. A. T. Stoddard, Mary M. Emmons, C. M. E. Richardson, Elizabeth Goodridge, Priscilla Taft, Julia Emmons, Abba Baker.

DISTRICT 8. *Chairman*, Alvan Simonds. *Secretary*, John B. Stebbins. *Teachers*, Louisa Emerson, Emily Baxter, Mary Lincoln, Elizabeth A. Hammond, Eliza S. Johnson, Ruthy Clark, Almira Downes, Ann Floyd, Charlotte Wey, Lucretia S. Day.

DISTRICT 9. *Chairman*, Edmund Jackson. *Secretary*, Samuel Wheeler. *Teachers*, Abigail Spear, Mary A. Miller, Helen E. Vans, E. M. Frothingham, F. M. Blunt, Elizabeth Newman, M. H. Chapin.

DISTRICT 9. *Chairman*, George Rogers. *Secretary*, Francis Dana. *Teachers*, Mary F. Rogers, Caroline F. Atherton, Mary M. Crymble, Mary Sweet, Lydia N. R. Babson, E. Watson.

EAST BOSTON. *Teachers*, Eliza L. Pierce, Charlotte E. Chaffee, Elizabeth Lincoln.

MILL DAM. *Teacher*, Sarah A. Sumner.





## WARD OFFICERS.

- No. 1.—Robert Keith, *Warden*: William L. Barnes, *Clerk*.  
*Inspectors*, T. Lombard, C. C. Gore, Beza Lincoln, Seth W. Fowle,  
 T. P. Pulsifer.
- No. 2.—Benjamin Wood, *Warden*: Edward A. Vose, *Clerk*.  
*Inspectors*, Henry Davis, Ezra Vinal, B. Gowan, W. B. H. Clark,  
 J. F. Barber.
- No. 3.—Oliver Dyer, *Warden*: Edwin C. Bailey, *Clerk*.  
*Inspectors*, Briggs Mann, Ezra Trull, Jr., Samuel Jepson, Joseph  
 Sherwin, Thomas Sprague.
- No. 4.—Lot Poole, *Warden*: Ira P. Rankin, *Clerk*.  
*Inspectors*, William Kendall, D. A. Tainter, W. G. Bickford, C. A.  
 Coolidge, D. E. Jewett.
- No. 5.—Enoch Hobart, *Warden*: S. R. Townsend, *Clerk*.  
*Inspectors*, Daniel Brown, T. D. Hatch, Benjamin Beal, C. Board-  
 man, F. Crosby.
- No. 6.—Robert B. Storer, *Warden*: James Benjamin, *Clerk*.  
*Inspectors*, K. Gibson, S. B. Bond, Otis Clapp, S. Hopkins, G. W.  
 Skerry.
- No. 7.—Peter Harvey, *Warden*: I. M. Atkins, Jr., *Clerk*.  
*Inspectors*, J. Barrell, C. H. Appleton, N. H. Henchman, L. B.  
 Comins, W. H. Kelly.
- No. 8.—James Boyd, *Warden*: Francis Boyd, *Clerk*.  
*Inspectors*, Zibeon Southard, Joseph Sargent, T. P. Kendall, D. B.  
 Badger, Henry Brown.
- No. 9.—Nahum Mitchell, *Warden*: George F. Homer, *Clerk*.  
*Inspectors*, Francis Curtis, E. G. Richardson, William Stearns, C.  
 E. Stratton, J. P. Titcomb.
- No. 10.—Samuel Pettes, *Warden*: Amos Cummings, *Clerk*.  
*Inspectors*, C. W. Haven, Francis Bullard, Job Kent, Galen Mer-  
 riam, John C. Pratt.
- No. 11.—William Dall, *Warden*: Oliver Carter, *Clerk*.  
*Inspectors*, J. S. Marble, Albert Day, L. Wentworth, Thacher  
 Beal, J. S. Bosworth.
- No. 12.—Henry Homer, *Warden*: E. F. Robinson, *Clerk*.  
*Inspectors*, C. C. Conley, Samuel Kent, T. H. Dunham, Asa Brown,  
 G. N. Noyes.

An Ordinance in addition to an Ordinance entitled "An Ordinance prescribing rules and regulations relative to nuisances, sources of filth and causes of sickness within the City of Boston."

*Be it ordained by the Mayor, Aldermen, and Common Council of the City of Boston, in City Council assembled, as follows :*

SECT. 1. No person shall remove or carry in, or through, any of the streets, squares, courts, lanes, avenues, places, or alleys, of the City of Boston, any house dirt, or house offal, or any refuse substances, either animal, or vegetable, from any of the dwelling houses or other places, unless such person so removing or carrying the same, and the mode in which the same shall be removed or carried shall have been expressly licensed by the Mayor and Aldermen upon such terms and conditions as they shall deem the health and interest of the City to require.

SECT. 2. The thirteenth section of the ordinance to which this is in addition is hereby repealed.

[*Passed February 8th, 1841.*]

An Ordinance in addition to an Ordinance relating to the Boston Lunatic Hospital.

*Be it ordained by the Mayor, Aldermen and Common Council of the City of Boston, in City Council assembled, as follows :*

SECT. 1. The Board of Visitors of the Boston Lunatic Hospital shall divide themselves into Sub-Committees, and it shall be the duty of said Sub-Committees to visit the Hospital as often as once a month.

SECT. 2. The Steward shall have such apartments in the Hospital as the Board of Visitors may assign, and with his family, if he have any, be provided with board in the Hospital, free of expense to himself, in such manner as the Board of Visitors may direct.

SECT. 3. The third and twelfth sections of an Ordinance regulating the Boston Lunatic Hospital, passed on the tenth day of October, A. D. 1839, are hereby repealed.

[*Passed July 9th, 1840.*]



# I N D E X .

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Abatement of Taxes, how to be made, - - - -	19
Accountability, Ordinance to provide for in concerns of the City, - - - - -	15
Alien passengers, act concerning, - - - -	61
Lunatics, &c. not to land, without giving bonds, - - - - -	61
Ashes, &c. not to be thrown into the harbor from Steam Boats, - - - - -	60
Assessors, to be chosen, - - - - -	17
their duties prescribed, - - - - -	18
Attorney, City, how chosen,—duties, - - - -	37
Auditor, &c., to pay over to the City Treasurer, - -	15
to render account of monies received, - -	15
to return statements of leases, &c. - -	15
Bells not to be rung in streets, - - - - -	35
Bonfires, penalty for making, - - - - -	57
Boston Lunatic Hospital—Acts concerning, - - - -	68—74
Superintendent of, to be chosen,	68
Inspectors of prisons to be In- spectors of, - - - -	68
Patients to be committed by Po- lice Court, - - - -	74
Patients, how to be discharged,	75
Ordinance concerning, - - - -	39
Visitors of, how chosen, their duties, - - - - -	39, 40
to visit the Hospital once a month,	100
Superintendent of, how chosen, his duties, - - - - -	40

Boston Lunatic Hospital—Steward of, how chosen, his duties, - - - - -	41
to be boarded as the Visitors may direct, - - - - -	100
Boundary with Roxbury established, - - - - -	54, 55
Bows and Arrows, not to be used in the streets, - - - - -	36
Bridge, South, penalty for injuring, &c., - - - - -	22
Carriages, not to go on sidewalks, - - - - -	35
not to remain in streets, - - - - -	35
City Council, members of, - - - - -	83
may enter lines at fires, - - - - -	34
City Debt, annual appropriation for reduction of, - - - - -	46
Coal, not to remain on side walks, - - - - -	39
Committee on Treasurer's accounts, to be appointed, - - - - -	16
Constables, their duties at fires, - - - - -	31
Dead bodies, not to be removed from the City without a license, - - - - -	20
Debts due the City, when to be put in suit, - - - - -	14
Elections—Act concerning, - - - - -	65
Engineer, Chief, his duties, - - - - -	26
Engineers, their duty, - - - - -	25
False alarms of fire, penalty for, - - - - -	57
Fire Department, organized, - - - - -	24
to be paid, - - - - -	33
Firemen, their duty, - - - - -	80
Foremen, - - - - -	28
Grinding cutlery in streets forbidden, - - - - -	35
Gunpowder, penalty for having or selling, - - - - -	56
duties of Engineers in relation to, - - - - -	32
Harbor, rubbish not to be thrown into from Steamboats, - - - - -	60
line of, defined, - - - - -	58—76
Hay, weighers to be appointed by Mayor and Aldermen, - - - - -	47

House of Correction—Act in regard to mode of keeping accounts by the master, - - -	70
Act concerning maintaining prisoners therein, - - -	73
Idiots and Insane, how committed to House of Correction, 52—62	
alien passengers not to be landed, -	61
Islands, penalty for taking gravel, &c. from, - - -	43
Laws of the Commonwealth, - - - - -	47
Lunatics, additional act concerning, - - - - -	71
Mayor and Aldermen to have charge of Rainsford Island, appoint officers and fix their compensation, - - - -	47
appoint Hayweighers, - - -	47
Minors not to be employed in Fire Department, - - -	28
Offal, &c., its removal to be licensed, - - - - -	100
Officers, certain City, to pay over to the Treasurer, - - -	15
to render an account of money received, - - -	15
Ordinances of the City Council, - - - - -	14
Pilots to anchor vessels having alien passengers on board, -	62
Police officers, act concerning the appointment of, - - -	64
Public Buildings, ordinance relating to the erection, alteration and repair of, - - - - -	42
additional ordinance, - - - - -	45
Plans, &c. to be made and notice given, -	42
Ordinance not to apply to Institutions at South Boston, - - - - -	45
Superintendent of, his duties, - - -	44
to give bonds, - - - - -	45
Committee on, their duty, - - - - -	44
Public Loans, annual appropriation for, - - - - -	46
Rainsford Island placed in charge of Mayor and Aldermen, -	47
Rewards to be offered for apprehension of Criminals, -	73
Riots—Act making Cities or Towns liable for property destroyed thereby, - - - - -	67
Rules and Orders of Common Council, - - - - -	1

Rules (Joint) of the City Council, - - - - -	11
School Committee organized, - - - - -	49
Second hand articles, &c.—Act concerning dealers in, -	66
dealers in, to be licensed, - - - - -	66
Second hand articles, Ordinance concerning, - - - - -	38
dealers in, how licensed, - - - - -	38
requirements and penalties, - - - - -	38
Sewers, assessments for, how made, - - - - -	34
<i>[The Ordinance to which this is in addition has been adjudged void by the Supreme Court.]</i>	
Signs, how far to project into the street, - - - - -	36
Spectacle Island, act against making fires on, - - - - -	49
Superintendent of Common Sewers chosen—his duties, -	22
South Bridge, when chosen—his duty, - - - - -	21
Public Lands to be Superintendent of, - - - - -	00
Public Buildings—his duties, - - - - -	44
Taxes, how to be abated, - - - - -	19
on Real Estate, how to be assessed, - - - - -	18
bills for, when to be issued, - - - - -	19
Treasurer's accounts, how to be audited, - - - - -	16
Watchmen to give notice of fires, - - - - -	31
Wharves not to extend beyond the line of the Harbor, -	59, 76
Wooden buildings, act concerning, - - - - -	50
act not to apply to S. or E. Boston, - - - - -	51

