

PORT OF PHILADELPHIA
Act of May 20, 1864, P.L. 906, No. 806
AN ACT

Cl. 11

Regarding the port of Philadelphia.

Section 1. Fines and penalties; power of master wardens as to recovery of enlarged

The first section of the act, entitled "An act relative to the duties of the Port Warden of Philadelphia," approved April fourteenth, eighteen hundred and fifty-nine, shall be so construed as to authorize said master warden to recover from the owner, master, or other agent having control of said vessel, all the expenses of raising, removing, and selling said vessel, together with the penalty aforesaid and costs of suit, in one suit in like manner, as is provided for the recovery of all fines, forfeitures, penalties, sum and sums of money by the act, entitled "An act to establish a Board of Wardens for the Port of Philadelphia," approved twenty-ninth March, eighteen hundred and three. 1864, May 20, P.L. 906, Sec. 1.

Section 2. Power to order docks, etc; cleaned vested in Board of Wardens; filing and effect of liens for cleaning docks, etc; by order of wardens.

The powers vested in the Councils of Philadelphia, by an act approved April twenty-second, eighteen hundred and fifty-eight, entitled "a further supplement to the act incorporating the City of Philadelphia," and by the twelfth section of an act approved May thirteenth, eighteen hundred and fifty-six, entitled "a further supplement to the act consolidating the City of Philadelphia," be, and the same are hereby vested in the port wardens: Provided, That all liens filed to collect the expenses of said work shall be filed by the city solicitor; and the lien for said work shall have the same force and effect as liens for municipal work in the City of Philadelphia under existing laws, and the claims filed for the same shall be governed by the same rules of evidence as those filed in the City of Philadelphia for the removal of nuisances by the Board of Health. 1864, May 20, P.L. 906, Sec. 2.

Section 6. Penalty for trespassing upon low-water line in Delaware River

By direction of the Board of Wardens, the chief engineer and surveyor of the City of Philadelphia shall be required to prepare a map or plan from actual survey to be made within twelve months from the passage of this act of the entire Delaware front of the City of Philadelphia, specifying the depths of water from the fast land to the wharf line as already established; and it shall be the duty of the port wardens, upon the receipt of the said map or plan, to fix and determine an arbitrary line of low-water, beyond which no encroachments or improvements of any kind shall be made without license had and obtained from the Board of Port Wardens, agreeably to the acts of Assembly of this Commonwealth; and in case any person shall trespass upon the tide-way of the River Delaware, beyond the

line of low-water so defined, they shall be subject to a penalty of not less than five hundred dollars, nor exceeding four thousand dollars, with costs of suit, and shall, if the Board of Wardens so direct, remove any or all obstructions at their own proper cost and expense. The penalty so incurred may be collected as other penalties under the original acts, and the supplements thereto, establishing a Board of Port Wardens are collectible and shall be appropriated to the use of said Board of Wardens. P.L. 906, Sec. 6.