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no. 30

BY-LAWS AND REGULATIONS

OF THE

PORT OF TORONTO

PASSED BY THE

COMMISSIONERS OF THE HARBOUR OF TORONTO

THE 12TH DAY OF APRIL, 1886.

BY VIRTUE OF AN ACT OF THE PROVINCIAL LEGISLATURE,  
13 & 14 VIC., CHAP. 80, CLAUSE 6TH.

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1894  
Arcade Printing Co.,  
TORONTO

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## SIXTH CLAUSE OF AN ACT.

*Passed 13th and 14th Year of the Reign of Queen Victoria,  
intituled "An Act to provide for the future Management of  
the Toronto Harbour."*

"AND BE IT ENACTED, That it shall be lawful for the said Commissioners, at any time after their appointment, to make By-laws for regulating the use of the works and property vested in them or placed under their control and for the government of all parties using the same, and of all vessels and floats coming into or using the said harbour, and by such By-laws to impose tolls to be paid upon such vessels, and upon goods landed from or shipped on board of the same, and upon such floats; which tolls they may, if they think fit, levy according to the use which may be made of such Harbour and works aforesaid, and the period during which such use shall continue in any case; and by such By-laws the said Commissioners may direct in what manner, at what times, and to what persons the said tolls shall be paid, and may impose fines, not exceeding twenty dollars in any case, for the contravention of any such By-law, to be recovered by the said Commissioners, and for their use for the purposes of this Act, in any manner in which fines imposed by By-laws of the Municipal Corporation of the said city can be recovered; and such By-laws may from time to time be repealed or amended by other By-laws to be made by the Commissioners for that purpose; and the said Commissioners shall have power and authority to detain any vessel, float or goods on which any tolls may be due, at the cost and risk of the owner thereof, until the same are paid; and if they be not paid within one month after they have accrued, such vessel, float, or goods may be sold by the said Commissioners by public auction to the highest bidder, and the Commissioners shall retain out of the proceeds the amount of the tolls due, and of the expenses

of detention and sale, and shall pay the surplus to the owner on demand ; or the said Commissioners may recover such tolls from the master, owner, consignee, or person in charge of the vessels, goods or floats on which they may be due, in the usual course of law, as a debt due to them."

Moved by A. M. Smith, and seconded by Ald. Hall.

*Resolved*,—"That all Resolutions and By-laws passed by the Commissioners of the Toronto Harbour previous to the 22nd of February, 1886, under which they have heretofore acted, affecting the Harbour of Toronto, the works vested in them as such Commissioners, and vessels and floats navigating or using the same, and the appointment of officers and servants, be and the same are hereby rescinded and repealed."

Carried.

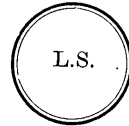
A. B. LEE, Esq., *Chairman, Commissioner*

A. M. SMITH, Esq., *Commissioner*.

R. W. ELLIOT, Esq., *Commissioner*.

ALD. HALL, *Commissioner*

ALD. PIPER, *Commissioner*.



BY-LAW No. 11.

TO REGULATE THE USE OF THE WORKS VESTED IN THE COMMISSIONERS AND FOR THE GOVERNMENT OF PARTIES USING  
THE HARBOUR.

AN ACT

To regulate the use of the Works and Property vested in the Commissioners of the Harbour of Toronto, and placed under their control, and for the government of all parties using the same, and of all vessels and floats coming into and using the said Harbour.

Emptying  
earth, etc., into  
the harbour.

I.

Be it resolved by the Commissioners of the Harbour of Toronto, That from and after the passing of this By-law, it shall not be lawful for any person or persons to discharge or throw overboard from any vessel or float coming into or using the Harbour of Toronto, or from any wharf, into the waters of the said Harbour, any ballast, dirt or ashes; nor shall any person or persons throw or deposit any clay, earth or soil into the waters of the bay, for any purpose whatever, except he or they shall have previously, by crib work, sheet piling or other means satisfactory to the Commissioners, taken every precaution to prevent such clay, earth or soil from being carried or spreading out into the said Harbour; and any person or persons so offending, shall be subject to a fine of twenty dollars for each offence.

II.

And be it resolved, That it shall not be lawful for any person or persons to obstruct the navigation of the waters of the said Harbour, by, from, or through any cause, matter or thing what-

Obstructing  
navigation.

soever, and in case such obstruction shall arise from sunken cribs or wrecked vessels or floats, that the owner or owners thereof shall cause the same to be forthwith removed: and in case the same shall not be so removed, it shall be the duty of the Harbour Master, or other proper Officer of the said Commissioners, to cause the same to be immediately removed at the expense of such owner or owners; and if the cost of such removal shall not be paid within one month from demand made for the same, to cause such wreck or other obstruction, and the materials and contents thereof, to be sold by public auction, and appropriate the proceeds of such sale in liquidation of such expense; and if the amount realized from such sale shall not be sufficient to defray such expenses, to collect the balance remaining due by suit at law or otherwise from such owner or owners. And in case such obstruction shall arise from sunken timber, stones or cribs, used in the erection or repair of any wharf or pier, or from any wharf or pier having fallen into a state of dilapidation or decay, it shall be the duty of the owner or owners thereof and they are hereby required to beacon the same in some conspicuous manner, and keep the same so beacons until all danger to vessels or floats navigating the said Harbour be removed; and further, in case any wharf or pier sunken as aforesaid from decay or dilapidation, shall remain for the space of one month without such constant conspicuous beacon as aforesaid, it may be removed and sold in manner and for the purpose hereinbefore provided, or the materials thereof may be used and applied in the improvement of the said Harbour.

### III.

Vessels to top  
their yards, etc.

And be it resolved as aforesaid, That it shall be the duty of all captains, masters, or persons sailing or in charge of schooners, or square-rigged vessels, or steamers moored to or lying at any wharf or pier within the said Harbour, to top up the lower yards of such schooners, vessels and steamers, or to brace them fore and aft, and to rig in their moveable jib-booms and moveable bumpkins and davits, and also to lower

or house all boats hanging over the stern or quarter, or any way outside such schooners, vessels or steamers.

## IV.

And be it resolved as aforesaid, That it shall be the duty <sup>vessels to keep</sup> of all captains, masters, or persons sailing or in charge of any <sup>a watch at</sup> vessels moored to or lying at any of the wharves or piers <sup>night.</sup> within the said Harbour of Toronto, and on board of which there may have been any fire during the day-time, to set and keep a watch throughout the night; and also that all captains, masters, or persons sailing or in charge of any vessel lying up or frozen in within the said Harbour, shall cause the sails thereof to be unbent and alongside each vessel so frozen in shall cause a hole of not less than two feet in diameter to be cut through the ice, and keep the same constantly open, to provide ready access to the water in case of fire; and in default thereof the owner, captain, or master of such vessel so offending shall be subject to a fine of twenty dollars.

## V.

And it be resolved as aforesaid, That all steamers passing <sup>When crossing</sup> each other in the same Harbour, whether in <sup>or passing</sup> crossing or going the same way, shall pass to starboard, or to the right, keeping the adverse vessel on the left, or port side, and shall in all cases give sailing vessels the right of way, and that in case of sailing vessels beating in or out of the said Harbour with a head wind the vessel on the larboard or port tack shall bear up for the vessel on the starboard tack, or in other words shall pass under her stern.

## VI.

And be it resolved as aforesaid, That all that part of the <sup>vessels passing</sup> said Harbour of Toronto, at the entrance thereof, situate two <sup>each other in</sup> hundred yards easterly from the eastern extremity of the <sup>the "Narrows."</sup> Queen's Wharf, and two hundred yards westerly from the western extremity of the Queen's Wharf, shall be termed the Narrows of the Channel; and further that it shall not be lawful for one steamer to pass or attempt to pass another steamer



going the same way in the Narrows of the Channels, so defined as aforesaid, but it shall be the duty of the captain or master of the hindermost steamer to slow the engine thereof, and permit the headmost steamer to pass through the Channel first; and further that no vessel shall, at any time, except from absolute necessity, come to anchor within two hundred yards of the Narrows of the Channel defined as aforesaid.

## VII.

Vessels anchoring near a wharf.

*And be it resolved as aforesaid, That no vessel shall come to anchor within the Harbour of Toronto, so close to any wharf or pier therein, or make fast to any wharf or pier therein, so as in any way to obstruct the free navigation to and from the same; and in case the Harbour Master or any of his deputies shall be of opinion that any vessel at anchor as aforesaid, or so made fast to any wharf or pier therein, does or may obstruct such navigation, and shall direct such vessel to move her birth, any captain, master, or person sailing such vessel refusing or neglecting to obey such direction or order shall be subject to a fine of twenty dollars; and all vessels at anchor in the said Harbour, without the wharves and piers therein, shall at all times during the night carry, where it can best be seen, but at a height not exceeding twenty feet above the hull, a white light in a globular lantern of not less than eight inches in diameter, and so constructed as to show a clear, uniform and unbroken light, visible all around the horizon, at a distance of at least one mile, and all vessels under way shall carry lights in accordance with the Navigation Act, 43 Vic., cap. 29.*

## VIII.

Rules for vessels during a fog.

*And be it resolved as aforesaid, That in order to prevent the danger of collision and damage within the said Harbour during foggy weather, it shall be the duty of the captain, master or person in charge of any steamer coming in or going out of the said Harbour as aforesaid, to cause such steamer to be propelled at slow speed; and the captain, master or person in charge of all or any vessel navigating the said Harbour in a fog, shall from time to time ring a bell, or blow off*

steam, or sound a horn, or make some other noise to warn other vessels of their approach; and such other and neighbouring vessels shall immediately reply thereto by a similar or other loud noise. And all steamers coming into or going out of the said Harbour, or navigating the waters thereof, shall slow their engines while passing the Queen's Wharf or any other wharf or pier within the said Harbour, to avoid damage or danger to vessels moored thereat by waves, surge, or otherwise.

*And further,* That the speed of any steamboat or vessel coming into or leaving the said Harbour and while within the same, shall not at any time exceed four miles per hour; and any person or persons, captain or master, or owner of any steamboat or vessels offending herein, shall be subject to a fine of twenty dollars. Rate of speed.

#### IX.

And be it resolved as aforesaid, That it shall not be lawful for any person or persons to shift, alter, or interfere with any buoy, beacon, or shoal mark within the said Harbour or at the mouth thereof, by making fast to or riding by the same, or in any other way whatsoever; and each and every person so offending shall be subject to a fine of twenty dollars. Buoys.

#### X.

And be it resolved as aforesaid, That it shall be the duty of the Harbour Master, by himself or any of his deputies, to berth all vessels or floats making fast to or mooring at the Queen's Wharf, and to provide and see that each craft has such facilities as the said wharf will afford for loading and discharging cargo, and to point out where goods may be landed, and where goods may be deposited for shipment or the use of vessels or floats; and it shall be the duty of all and every person or persons in charge of such vessels or floats so moored as aforesaid, and not loading or discharging at the said wharf when required so to do by the Harbour Master or one of his deputies, to make way for any other vessel or float ready and waiting to load or discharge her cargo; and if on Berthing vessels at Queen's Wharf.

any occasion for want of room at the said wharf it shall be rendered necessary for vessels or floats to lie alongside of or moor or make fast to each other, it shall be lawful for the officers and crew of the outside vessel or vessels, float or floats, and others having business with them, to work over the deck of the inside vessel or vessels in the loading or unloading thereof, without obstruction or interference from the officers or crew of such inside vessel or vessels; and all and every person or persons offering any such obstruction or interference, shall be subject to a fine of twenty dollars.

#### XI.

Steamers to slow their engines when the dredge is at work.

And be it resolved as aforesaid, That if at any time the dredging machine shall be at work for the said Commissioners in the Narrows of the Channel as hereinbefore defined, it shall be the duty of all captains, masters, or persons in charge of all steamers coming into or leaving the said Harbour, to stop the engine of the said steamers before entering abreast of the Harbour Pier at either end thereof, and not permit the engine thereof to be started again before leaving the other end thereof; but pass through the said channel by the way or impetus upon the said boats when entering; and any person or persons offending in this particular shall be subject to a fine of twenty dollars.

#### XII.

Rule for vessels at the Queen's Wharf.

And be it resolved as aforesaid, That no vessel or float shall lie at or be moored to or made fast outside of the Queen's Wharf, except for the convenience of loading or unloading; and in case any ashes or rubbish shall be landed on the said wharf, the captain, master, or person in charge of such vessel or float shall remove or cause to be removed the said ashes or rubbish within twenty-four hours after it shall have been so landed; and in default thereof, such captain, master, or person in charge shall be subject to a fine of five dollars for each offence.

#### XIII.

Obstructing access to wharves.

And be it resolved as aforesaid, That vessels or floats touching at any wharf or pier during the season of navigation, or

between the months of April and December, which shall obstruct the free navigation thereto or therefrom, or the landing of goods thereat, if the captain, master, or the person in charge thereof shall refuse or neglect to shift his berth or remove therefrom when required or directed so to do by the said Harbour Master or any of his deputies, such captain, master, or person in charge shall be subject to a fine of twenty dollars for each and every twenty-four hours he shall remain after such request or direction.

#### XIV

And be it resolved as aforesaid, That no vessel shall be permitted to lay up at the Queen's Wharf during the season of Navigation, and vessels wintering there shall be charged as follows:—Steamers, twenty dollars; Schooners over 100 tons, ten dollars; all other decked vessels under 100 tons, five dollars, and that all goods of every description except coal and firewood for the steamboats remaining on the Queen's Wharf at any time for more than twenty-four hours, shall be charged wharfage daily at the rates for landing according to the schedule hereunto annexed.

And be it enacted as aforesaid, That any person or persons obstructing the Harbour Master or any of his deputies, or any servant of the Harbour Commissioners, in the execution of their duty, shall be subject to a fine of twenty dollars.

## BY-LAW No. 12,

TO REGULATE THE COLLECTION OF PORT DUES IN THE HARBOUR OF TORONTO.

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 AN ACT

To regulate the collection of Port Dues in the Harbour of Toronto.

## I.

Master to report at once.

Be it enacted by the Commissioners of the Harbour of Toronto, that from and after the passing of this By-law, all masters of vessels arriving at the Harbour of Toronto, with cargo to be landed at the said Harbour, shall forthwith make a true and faithful report of all goods on board, and of the quantity and quality of the same, at the office of the Commissioners, and pay the Harbour dues thereon as established by law.

## II.

Vessels arriving at night.

And be it enacted as aforesaid, That in case any vessel shall arrive at the said Harbour of Toronto during the night, or out of office hours as established by the Commissioners, and discharge her cargo, or any part thereof, the master of such vessel shall enclose the report hereinbefore required, together with the Harbour dues aforesaid, under a sealed cover, directed to the Harbour Master at his office, and deposit the same with the Wharfinger to whom such goods have been consigned, or in whose custody they may have been kept.

## III.

Neglecting to report, or making false report.

And be it enacted as aforesaid, That if the master of any vessel arriving at the Harbour of Toronto, and landing goods

thereat, shall neglect or refuse to make the report hereinbefore required, and pay the Harbour dues hereinbefore mentioned, or shall make a false report of such cargo or goods, he shall be subject to a fine of twenty dollars for each and every offence.

## IV

And be it enacted as aforesaid, That all goods landed at wharfage at the Queen's Wharf shall pay wharfage as rated in the schedule <sup>Queen's Wharf.</sup> annexed, over and above the harbour dues.

BY-LAW No. 13,

TO REGULATE THE APPOINTMENT OF OFFICERS.

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AN ACT

Regulating the Appointment and Duties of the Officers of the Commissioners of the Harbour of Toronto.

Be it resolved by the Commissioners of the Harbour of Toronto, That the officers of the said Commissioners shall consist of :

I.

Chairman who shall preside. A Chairman, who shall preside at all meetings of the Commissioners, and sign all minutes, deeds, and papers, and when necessary, affix the corporate seal of the Commissioners thereto.

II.

Harbour Master's duties. A Harbour Master, whose duty it shall be to attend all meetings of the Commissioners, and act as Secretary thereto ; to keep all minutes, and make all entries connected with the business of the said Commissioners ; to receive all Harbour dues and wharfage fees and fines, and other moneys coming to them, and keep all accounts and make all payments on account of the said Commissioners, and grant all necessary acquittances and discharges on account of said Commissioners, and generally to see that all the By-laws, rules, and regulations, established by the said Commissioners, are faithfully executed.

III.

Deputy Harbour Masters. Two Deputy Harbour Masters, one of whom shall act as Wharfinger and Light-keeper at the Queen's Wharf ; all of whom shall be subject to the orders and control of the said Harbour Master.

2. And be it resolved as aforesaid, That the office of the said Harbour Master, shall be opened for the transaction of business from the hour of nine o'clock in the forenoon until the hour of four in the afternoon of every day (Sunday excepted), during which time either the Harbour Master, or some one of his Deputies, shall be constantly present. Office hours.

3. And be it resolved as aforesaid, That the By-laws regulating the Harbour of Toronto, and the collection of dues and tolls, shall be printed in pamphlet form; and it shall be the duty of each and every master of vessels entering the Harbour of Toronto to provide himself with a copy thereof, and the Harbour Master or his Deputies are to furnish such masters of vessels reporting to the said office with a copy thereof, and keep a record of the party to whom and the time when such copies shall be furnished to each individual. By-laws to be printed and distributed.

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I certify that the By-laws Nos. 11, 12 and 13, as herein printed, are a true copy of the By-laws as engrossed and approved of by the Commissioners of the Toronto Harbour, the 22nd of February, 1886, and duly signed and sealed the 12th of April, 1886.

MORGAN BALDWIN,  
*Secretary and Harbour Master.*





**By-Law No. 17.**

**REGULATING SPEED.**

WHEREAS IT IS DEEMED EXPEDIENT to amend the By-Laws governing the rate of speed of vessels in the Harbour of Toronto,

THEREFORE IT IS ENACTED that the second paragraph of Section Number Eight of By-Law No. II., and the whole of By-Law Number Sixteen be and they are hereby repealed, and the following substituted therefor:—

THE RATE OF SPEED within the Harbour of Toronto, or its approaches, of any craft or vessel having a greater length on the water-line than fifty feet, shall not at any time exceed the rate of seven miles per hour, and the rate of speed of any craft or vessel having a water-line length of fifty feet or under shall not at any time exceed the rate of ten miles per hour. The rate of speed of any craft or vessel shall at all times be reasonable, and such as not to endanger property or human life.

THE RATE OF SPEED of any craft or vessel within five hundred feet of any wharf or landing place or of the shore, shall not at any time exceed the rate of seven miles per hour.

Any Person or Persons, Captain or Master or Owner of any craft or vessel offending herein, shall be subject to a fine of Twenty Dollars for each offence.

(Signed) F. S. SPENCE,  
Chairman, Harbour Board.

Dated 6th July, 1909.  
Harbour Master's Office,  
Toronto.

