

herein contained shall give to the harbor master or police officer any control, except in cases of dispute, when called in.

1880, ch. 418.

360. No vessel shall enter Smith's dock or any other private dock without first ascertaining whether there is a vacant place at the wharf where she can lie, under a penalty of five dollars, to be paid to the harbor master for the use of the city of Baltimore; and all vessels which shall be found obstructing the passage of said docks shall remove, when requested by the harbor master of the district or any police officer of Baltimore city, in such manner as will afford a free and unobstructed passage to any passing vessel, under a penalty of five dollars for refusal to remove, and five dollars per hour for each hour they shall obstruct such passage, after due notice shall have been given to master, owner or person in charge of such obstructing vessel, by such harbor master or police officer.

Ibid.

361. If any vessel be lying at any private wharf, and not engaged in loading or unloading, such vessel shall be removed when requested by the owner of such wharf or his agent; and if the person in charge of such vessel refuses or fails to remove such vessel, said owner or his agent may call upon the harbor master or police officer to notify the person in charge of the vessel to remove, and if the notice is not complied with within five hours, such person shall be liable to a penalty of fifty dollars, and a further penalty of five dollars for each hour such vessel shall remain after the expiration of the five hours; and the harbor master shall have for his services the sum of five dollars, to be paid by the owner or person in charge of such vessel, to be recovered as other small debts are recovered. The term vessel in this and the two preceding sections shall include boats, scows and arks.

P. L. L., (1860,) art. 4, sec. 198.

362. The penalties imposed by the three preceding sections may be recovered as small debts before any justice of the peace for the city of Baltimore, from the master, owner or person in charge of the obstructing vessel, for the use of the master, owner or person in charge of the vessel obstructed; but such penalty