

City of Cambridge -

To the Honorable the Mayor and Board of Aldermen -

In the matters of drafting an Ordinance in relation to the erection and maintaining of balustrades, bay-windows, and other projections, over or upon the streets of the city, and advising as to the course to be pursued for the removal of such projections, referred to me.

I respectfully report -

The owner of land adjoining a highway may rightfully do anything that is not inconsistent with the public easement therein, that is, the right of the public safely and conveniently to travel thereon. There is ample authority now under the statutes to remove anything either upon or over a highway which interferes with the public travel or

which is unsafe or dangerous to public travel. If a balustrade, awning, or other projection, over a public street is or becomes so unsafe or dangerous, it can be, and it is the duty of those having the public streets in charge to see that it is removed.

To prevent the erection of such a balustrade or awning, which does not interfere with and does not endanger or render unsafe the public travel upon a public street ^{in this city}, would require further legislation.

These statements do not apply to a public street the fee of which is owned by the city. In such case the power to prevent or remove all projections over the street is ample -

Horatio G. Parker
City Solicitor

Balustrades to cover
Public Streets.

City Solicitor.

Wm. D. Smith
City Solicitor

City of Cambridge.

In Board of Aldermen, Feb. ^{28th} ~~27th~~ 1872

Ordered,

That the City Solicitor be requested to prepare a draft of an Ordinance in relation to the erection and maintenance of balustrades, bay windows and other projections from buildings over or upon any of the streets of the City, and to advise as to the course to be taken for the removal of all such unauthorized projections.

Adopted. Sent down for concurrence.

Attest, Justin A. Jacobs. City Clerk.

In Common Council Mch 5, 1872
Concurred, Attest, J. W. Cotton, Clerk

Mch 6/1872, approved,
Henry H. Langdon
Mayor.

Order

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Ordinance concerning

Boatswains, &c.

Feb. 28. 1872.