

or any vessel that may sink in said canals, shall raise and remove the same in five days. Any vessels at the end of wharves or in docks shall, when required by the harbor master, haul either way to accommodate vessels going in or coming out from such wharves or docks. They shall not occupy regular steamers' or sailing packets' berths without permission from the recognized occupants of such wharves and docks. And they are required to rig in all fore-and-aft spars, have boats hoisted up under the bow, and davits turned up, as the harbor master may direct. Vessels when not engaged in loading or discharging cargo shall give place to such vessels as are ready to receive or deliver freights. And if the captain or person in charge of any vessel refuse to move said vessel when notified by the occupant of the wharf at which she is lying, the harbor master shall order him to haul to some other berth, or into the stream.

Moving, etc., vessels at wharves.

SEC. 2. That the powers and authority herein conferred upon the harbor master may, in his absence or temporary disability, be exercised by the pilot of the harbor police boat. Any person refusing to obey the instructions of the harbor master, or, in case of his absence or temporary disability, the said pilot of the harbor police boat, or any person failing to comply with any of the provisions of this Act, shall be deemed guilty of a misdemeanor, and on conviction thereof in the police court of the District of Columbia shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding six months, or by both such punishments, in the discretion of the court.

Harbor master's duties, by pilot of police boat.

Penalty for violations.

SEC. 3. That all Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved, March 2, 1895.

CHAP. 173.—An Act To amend section one of chapter three hundred and ninety-eight of the laws of eighteen hundred and eighty-two, entitled "An Act to provide for deductions from the gross tonnage of vessels of the United States."

March 2, 1895.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of chapter three hundred and ninety-eight of the laws of eighteen hundred and eighty-two, approved August fifth, eighteen hundred and eighty-two, entitled "An Act to provide for deductions from the gross tonnage of vessels of the United States," be amended so as to read:

Navigation. Deductions from gross tonnage United States vessels. Vol. 22, p. 300.

"That section forty-one hundred and fifty-three of the Revised Statutes of the United States be amended by inserting before the last paragraph thereof the following words:

R. S., sec. 4153, p. 801, amended.

"That from the gross tonnage of every vessel of the United States there shall be deducted—

Spaces deducted.

"(a) The tonnage of the spaces or compartments occupied by or appropriated to the use of the crew of the vessel. Every place appropriated to the crew of the vessel shall have a space of not less than seventy-two cubic feet and not less than twelve superficial feet, measured on the deck or floor of that place, for each seaman or apprentice lodged therein. Such place shall be securely constructed, properly lighted, drained, and ventilated, properly protected from weather and sea, and as far as practicable properly shut off and protected from the effluvia of cargo or bilge water; and failure to comply with this provision shall subject the owner to a penalty of five hundred dollars. Every place so occupied shall be kept free from goods or stores of any kind not being the personal property of the crew in use during the voyage; and if any such place is not so kept free the master shall forfeit and pay to each seaman or apprentice lodged in that place the sum of fifty cents a day for each day during which any goods or stores as aforesaid are kept or stored in the place after complaint has been made to him by any two or more of the seamen so lodged. No deduction from tonnage as aforesaid shall be made unless there is permanently

Use of crew.

Allotment.

Penalty for failure.

Certificate.	cut in a beam and over the doorway of every such place the number of men it is allowed to accommodate with these words, "Certified to accommodate seamen."
Use of master.	“(b) Any space exclusively for the use of the master certified by the collector to be reasonable in extent and properly constructed, and the words “Certified for the accommodation of master” to be permanently cut in a beam and over the door of such space.
Use of gear, charts, etc.	“(c) Any space used exclusively for the working of the helm, the capstan, and the anchor gear, or for keeping the charts, signals, and other instruments of navigation and boatswain's stores, and the words “Certified for steering gear,” or “Certified for boatswain's stores,” or “Certified chart house,” as the case may be, to be permanently cut in the beam and over the doorway of each of such spaces.
Pumps.	“(d) The space occupied by the donkey engine and boiler, if connected with the main pumps of the ship.
Storage of sails.	“(e) In the case of a ship propelled wholly by sails any space, not exceeding two and one-half per centum of the gross tonnage, used exclusively for storage of sails: <i>Provided</i> , That spaces deducted shall be certified by the collector to be reasonable in extent and properly and efficiently constructed for the purposes for which they are intended, and the words “Certified for storage of sails” to be cut on the beam and over the doorway of such space.
<i>Proviso.</i> Certificate of collector.	“(f) In the case of a ship propelled by steam or other power requiring engine room, a deduction for the space occupied by the propelling power shall be made, as follows:
Paddle wheels.	“In ships propelled by paddle wheels in which the tonnage of the space occupied by and necessary for the proper working of the boilers and machinery is above twenty per centum and under thirty per centum of the gross tonnage, the deduction shall be thirty-seven per centum of the gross tonnage; and in ships propelled by screws in which the tonnage of the space is above thirteen per centum and under twenty per centum of the gross tonnage, the deduction shall be thirty-two per centum of the gross tonnage. In the case of screw steamers the contents of the trunk shaft shall be deemed spaces necessary for the proper working of the machinery.
Screw propellers.	“(g) In the case of other vessels in which the actual space occupied by the propelling machinery amounts in the case of paddle vessels to twenty per centum or under and in the case of screw vessels to thirteen per centum or under of the gross tonnage of the ship, the deduction shall consist in the case of paddle vessels of once and a half the tonnage of the actual machinery space and in the case of screw vessels of once and three-fourths the tonnage of the actual machinery space. But if the actual machinery space is so large as to amount in the case of paddle vessels to thirty per centum or above, and in the case of screw vessels to twenty per centum or above of the gross tonnage of the ship, the deduction shall consist of thirty-seven per centum of the gross tonnage of the ship in the case of a paddle vessel and thirty-two per centum of the gross tonnage in the case of a screw vessel; or if the owner prefers there shall be deducted from the gross tonnage of the vessel the tonnage of the space or spaces actually occupied by or required to be inclosed for the proper working of the boilers and machinery, including the trunk shaft or alley in screw steamers, with the addition in the case of vessels propelled with paddle wheels of fifty per centum, and in the case of vessels propelled by screws of seventy-five per centum of the tonnage of such space.
<i>Allowance for variations.</i>	“(h) If there be a break, a poop, or any other permanent closed-in space on the upper deck available for cargo or stores, or for the berthing or accommodation of passengers or crew, the tonnage of that space shall be ascertained and added to the gross tonnage: <i>Provided</i> , That nothing shall be added to the gross tonnage for any sheltered space above the upper deck which is under cover and open to the weather; that is, not inclosed.
Addition of closed space on upper decks.	
<i>Proviso.</i> No addition unless closed.	

“(i) On a request in writing to the Commissioner of Navigation by the owners of a ship the tonnage of such portion of the space or spaces above the crown of the engine room and above the upper deck as is framed in for the machinery or for the admission of light and air and not required to be added to gross tonnage shall, for the purpose of ascertaining the tonnage of the space occupied by the propelling power, be added to the tonnage of the engine space; but it shall then be included in the gross tonnage; such space or spaces must be reasonable in extent, safe, and seaworthy, and can not be used for any purpose other than the machinery or for the admission of light and air to the machinery, or for the admission of light and air to the machinery or boilers of the ship.

Allowance for light and air.

“And the proper deduction from the gross tonnage having been made, the remainder shall be deemed the net or register tonnage of such vessels.

Net tonnage.

“The register or other official certificate of the tonnage or nationality of a vessel of the United States, in addition to what is now required by law to be expressed therein, shall state separately the deductions made from the gross tonnage, and shall also state the net or register tonnage of the vessel.

Register to state deductions, etc.

“But the outstanding registers or enrollments of vessels of the United States shall not be rendered void by the addition of such new statement of her tonnage, unless voluntarily surrendered; but the same may be added to the outstanding document or by an appendix thereto, with a certificate of a collector of customs that the original estimate of tonnage is amended.

Outstanding registers to have appendix, etc.

“In the case of a ship constructed with a double bottom for water ballast, if the space between the inner and outer plating thereof is certified by the collector to be not available for the carriage of cargo, stores, or fuel, then the depth of the vessel shall be taken to be the upper side of the inner plating of the double bottom, and that upper side shall for the purposes of measurement be deemed to represent the floor timber.

Double-bottom vessels.

“Upon application by the owner or master of an American vessel in foreign trade, collectors of customs, under regulations to be approved by the Secretary of the Treasury, are authorized to attach to the register of such vessel an appendix stating separately, for use in foreign ports, the measurement of such space or spaces as are permitted to be deducted from gross tonnage by the rules of other nations and are not permitted by the laws of the United States.”

Statement of foreign deductions. Ante, p. 636.

SEC. 2. That this Act shall not be construed to require the remeasurement of any American vessel duly measured before April first, eighteen hundred and ninety-five; but upon application by the owner of any such vessel collectors of customs shall cause such vessel, or the spaces to be deducted, to be measured according to the provisions of this Act, and if a new register is not issued the statement of such remeasurement shall be attached by an appendix to the outstanding register or enrollment with a certificate of the collector of customs that the original estimate of tonnage is amended pursuant to this Act.

Remeasurements not required.

Statement if remeasured.

SEC. 3. That the provisions of this Act requiring a crew space of seventy-two cubic feet per man shall apply only to vessels the construction of which shall be begun after June thirtieth, eighteen hundred and ninety-five.

Crew space provisions applicable to ships built after June 30, 1895.

SEC. 4. That under the direction of the Secretary of the Treasury the Commissioner of Navigation shall make regulations needful to give effect to the provisions of this Act.

Regulations.

SEC. 5. That this Act shall take effect on the first day of April, eighteen hundred and ninety-five.

Effect.

Approved, March 2, 1895.