

If clerk of State court unlawfully refuses to deliver copies of records, &c., the circuit court may allow the record to be supplied by affidavit.

Subsequent proceedings in such cases.

Notice of actions for trial.

Repeal of act. 1870, ch. 264, §§ 5 & 6.
Ante, pp. 255, 256.

Pending prosecutions, &c. not affected.

Votes for representatives in Congress to be only by written or printed ballot.

ings in any suit or prosecution in any State court, to be used in any court of the United States, if the clerk of said State court shall, upon demand and the payment or tender of the legal fees, refuse or neglect to deliver to such party certified copies of such record and proceedings, the court of the United States in which such record and proceedings may be needed, on proof by affidavit that the clerk of such State court has refused or neglected to deliver copies thereof on demand as aforesaid, may direct and allow such record to be supplied by affidavit or otherwise, as the circumstances of the case may require and allow; and thereupon such proceeding, trial, and judgment may be had in the said court of the United States, and all such processes awarded, as if certified copies of such records and proceedings had been regularly before the said court; and hereafter in all civil actions in the courts of the United States either party thereto may notice the same for trial.

SEC. 18. *And be it further enacted*, That sections five and six of the act of the Congress of the United States approved July fourteen, eighteen hundred and seventy, and entitled "An act to amend the naturalization laws, and to punish crimes against the same," be, and the same are hereby, repealed; but this repeal shall not affect any proceeding or prosecution now pending for any offence under the said sections, or either of them, or any question which may arise therein respecting the appointment of the persons in said sections, or either of them, provided for, or the powers, duties, or obligations of such persons.

SEC. 19. *And be it further enacted*, That all votes for representatives in Congress shall hereafter be by written or printed ballot, any law of any State to the contrary notwithstanding; and all votes received or recorded contrary to the provisions of this section shall be of none effect.

APPROVED, February 28, 1871

Feb. 28, 1871.

CHAP. C. — *An Act to provide for the better Security of Life on board of Vessels propelled in Whole or in Part by Steam, and for other Purposes.*

No papers to be issued to any vessel propelled in whole or in part by steam, until the provisions of this act are complied with.

Penalty for non-compliance.

Such steamers to be provided with pipes, &c. to convey steam to extinguish fire.

Stoves.
Wood-work about boilers, &c.

Duty of inspector in this matter.

Certain passenger steamers to be provided

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no license, register, or enrollment shall be granted, or other papers issued, by any collector or other chief officer of the customs, to any vessel propelled in whole or in part by steam, until he shall have satisfactory evidence that all the provisions of this act have been fully complied with; and if any such vessel shall be navigated without complying with the terms of this act, the owner or owners thereof shall forfeit and pay to the United States the sum of five hundred dollars for each offence, one half for the use of the informer, and for which sum the steamboat or vessel so engaged shall be liable, and may be seized and proceeded against by way of libel in any district court of the United States having jurisdiction of the offence.

SEC. 2. *And be it further enacted*, That every steamer so propelled, and carrying passengers or freight, shall be provided with suitable pipes and valves attached to the boiler to convey steam into the hold and the different compartments thereof to extinguish fire; and every stove used on board of any such vessel shall be well and securely fastened, so as to prevent it from being moved or overthrown, and all wood-work or other ignitable substances about the boilers, chimneys, cook-houses, and stove-pipes exposed to ignition shall be thoroughly shielded by some incombustible material, in such a manner as to leave the air to circulate freely between such material and wood-work or other ignitable substance; and before granting a certificate of inspection, the inspector shall require all other necessary provisions to be made throughout such vessel to guard against loss or danger from fire.

SEC. 3. *And be it further enacted*, That every steamer permitted by her certificate of inspection to carry as many as fifty passengers, or upward,

or any steamer carrying passengers, and [which] shall also carry cotton, hay, or hemp, shall be provided with a good double-acting steam fire-pump, or other equivalent apparatus, for throwing water; said pump or other apparatus for throwing water shall be kept at all times and at all seasons of the year in good order and ready for immediate use, having at least two pipes of suitable dimensions, one on each side of the vessel, to convey the water to the upper decks; to these pipes there shall be attached, by means of stop-cocks or valves, both between decks and on the upper deck, good and suitable hose of sufficient strength to stand a pressure of not less than one hundred pounds to the square inch, long enough to reach to all parts of the vessel and promptly [properly] provided with nozzles, and kept in good order and ready for immediate service. And every steamer exceeding two hundred tons burden and carrying passengers, shall be provided with two good double-acting fire-pumps, to be worked by hand; each chamber of said pumps shall be of sufficient capacity to contain not less than one hundred cubic inches of water; said pumps shall be placed in the most suitable parts of the vessel for efficient service, having suitable well-fitted hose to each pump, of at least one half the vessel in length, kept at all times in perfect order, and shipped up, and ready for immediate use; and on every such steamer not exceeding two hundred tons, one of such pumps may be dispensed with, and each fire-pump thus provided for shall be supplied with water by means of a suitable pipe connected therewith, and passing through the side of the vessel so low as to be at all times under water when she is afloat; and no fire-pump thus provided for shall be placed below the lower deck of any such vessel; and every steamer shall be provided with a pump which shall be of sufficient strength and suitably arranged to test the boilers thereof. But the capacity of one hundred cubic inches, as herein required, shall not apply to steamers now in service.

with steam fire-pump, &c. to be always ready for use.

Suitable hose.

Certain passenger steamers to be provided with two fire-pumps; where to be placed, &c.

When one pump may be dispensed with.

No fire-pump to be below lower deck.

Pump to test boilers.

Provision not to apply to steamers now in service.

SEC. 4. *And be it further enacted,* That no loose hay, loose cotton, or loose hemp, camphene, nitro-glycerine, naphtha, benzine, benzole, coal oil, crude or refined petroleum, or other like explosive burning fluids, or like dangerous articles, shall be carried as freight or used as stores on any steamer carrying passengers; nor shall baled cotton or hemp be carried on such steamers unless the bales are compactly pressed and thoroughly covered with bagging or similar fabric, and secured with good rope or iron bands; and every bale of cotton or hemp that shall be shipped or carried on any passenger steamer without conforming to the provisions of this section shall be subject to a penalty of five dollars; which bales shall be liable to seizure and sale to secure the payment of such penalty; nor shall gunpowder be carried on any such vessel, except in case of special license granted by inspectors as hereinafter provided; nor shall oil of vitriol, nitric or other chemical acids be carried on such steamers except on the decks or guards thereof, or in such other safe part of the vessel as shall be prescribed by the inspectors. Refined petroleum which will not ignite at a temperature less than one hundred and ten degrees of Fahrenheit thermometer, may be carried on board such steamers upon routes where there is no other practical mode of transporting it, and under such regulations as shall be prescribed by the board of supervising inspectors, with the approval of the Secretary of the Treasury, and oil or spirits of turpentine may be carried on any such steamer when the same shall be put up in good metallic vessels, or casks or barrels well and securely bound with iron, and stowed in a secure part of the vessel; friction matches may also be carried on such steamers when securely packed in strong tight chests or boxes, the covers of which shall be well secured by locks, screws, or other reliable fastenings, and stowed in a safe part of the vessel, at a secure distance from any fire or heat; and all such other provisions shall be made on every steamer carrying passengers or freight to guard against and extinguish fire as shall be prescribed by the board of supervising in-

Certain dangerous articles not to be carried as freight or used as stores on passenger steamers.

Baled cotton and hemp. Penalty.

Gunpowder, vitriol, nitric acid, &c.

Refined petroleum.

Spirits of turpentine.

Friction matches.

Special license for the use of any invention, &c. for the utilization of petroleum, &c. in the production of motive power.

spectors, and approved by the Secretary of the Treasury : *Provided*, That the Secretary of the Treasury may grant permission to the owner of any steam-vessel for the use of any invention or process for the utilization of petroleum or other mineral oils or substances in the production of motive power, and he shall have power to make and enforce regulations concerning the application and use of the same for such purpose ; and no permission shall be granted unless upon the certificate of the supervising inspector of steamboats for the district wherein said vessel is registered, and other satisfactory proof that the use of the same is safe and efficient ; and upon such proof, and the approval of such certificate by the Secretary of the Treasury, a special license for the use of such process or invention, as aforesaid, shall issue under the seal of the Treasury Department.

Gunpowder, &c. how to be packed for shipment.

SEC. 5. *And be it further enacted*, That all gunpowder, nitro-glycerine, camphene, nap[h]tha, benzine, benzole, coal oil, crude or refined petroleum, oil of vitriol, nitric or other chemical acids, oil or spirits of turpentine, friction matches, and all other articles of like character, when packed or put up for shipment, shall be securely packed and put up separately from each other and from all other articles, and the package, box, cask, or other vessel containing the same shall be distinctly marked on the outside with the name or description of the article contained therein ; and every person who shall pack or put up, or cause to be packed or put up for shipment any gunpowder, nitro-glycerine, camphene, nap[h]tha, benzine, benzole, coal oil, crude or refined petroleum, oil of vitriol, nitric or other chemical acids, oil or spirits of turpentine, friction matches, or other articles of like character, otherwise than as aforesaid, or shall knowingly ship or attempt to ship the same, or shall deliver the same to any such vessel as stores, unless packed and marked as aforesaid, shall be deemed guilty of a misdemeanor; and, upon conviction thereof by any court of competent jurisdiction, shall be punished by fine not exceeding two thousand dollars, or imprisonment not exceeding eighteen months, or both, one half of the fine to go to the informer and the articles to be liable to seizure and forfeiture.

Penalty for packing, &c. in any other manner.

Passenger steamers to have watchmen in cabins, &c. during the night-time.

SEC. 6. *And be it further enacted*, That every vessel so propelled by steam and carrying passengers during the night-time shall keep a suitable number of watchmen in the cabins and on each deck to guard against fire or other dangers, and to give alarm in case of accident or disaster, and for every neglect of this duty the license of the officer in charge of the vessel for the time being shall be revoked ; and the board of supervising inspectors may require every such steamer, and also steamers carrying freight, to be provided with such number and kind of good and efficient portable fire-extinguishers as in the judgment of the board may be necessary to protect them from fire when such steamers are moored or lying at a wharf, without steam to work the pumps ; and if any owner of such vessel shall neglect or refuse to furnish the requisite number of men necessary to keep watch as herein required, he shall be fined one thousand dollars.

License of officer to be revoked for neglect.

Fire-extinguishers when steamers are without steam to work the pumps. Penalty.

River steamers, except, &c. to have small boat with oars;

SEC. 7. *And be it further enacted*, That every steam-vessel navigating rivers only (except ferry-boats, freight-boats, canal-boats, and towing-boats, of less than fifty tons) shall have at least one good, substantial boat, with lines attached, and properly supplied with oars, and kept in good condition at all times and ready for immediate use ; and in addition thereto, every such steamer carrying passengers shall have one or more metallic life-boats, fire-proof, and in all respects good and substantial boats, of such dimensions and arrangements as the board of supervising inspectors by their rules and regulations shall prescribe, which boats shall be carried in the most convenient manner so as to be brought into immediate use in case of accident : *Provided*, That where the character of the navigation is such that in the opinion of the supervising inspector the metallic life-boats can be dispensed with, he is hereby authorized to exempt any such

carrying passengers, to have metallic life-boats ; where to be carried.

When metallic life-boats may be dispensed with or substitute provided.

steamer from carrying the same, or may require a substitute thereof, at his discretion.

SEC. 8. *And be it further enacted,* That every such vessel carrying passengers shall be provided with a good life-preserver, made of suitable material, for every cabin passenger for which she will have accommodation, and also a good life-preserver or float for each deck or other class passenger which the inspector's certificate shall allow her to carry, including the officers and crew, which life-preservers or floats shall be kept in convenient and accessible places on such vessel in readiness for immediate use in case of accident; and every such vessel of two hundred tons or less shall also keep at least eighteen fire buckets and two barrels, and shall have not less than four axes; and every such steamer of over two hundred tons, and not less than five hundred tons' burden, shall carry not less than twenty-four buckets, four water barrels, and six axes; and every such steamer of over five hundred tons shall carry not less than thirty-five buckets, six water barrels, and eight axes. The buckets and barrels shall be kept in convenient places and filled with water, to be in readiness in case of fire, and the axes shall be kept in good order and ready for immediate use: *Provided, however,* That tanks of suitable dimensions and arrangement, or buckets in sufficient number, may be substituted for barrels.

Life-preservers or floats.

Fire buckets, water barrels and axes;

where to be kept.

Tanks, &c. substitutes for barrels.

SEC. 9. *And be it further enacted,* That every such vessel carrying passengers on the main deck shall be provided with permanent stairways and other sufficient means, convenient to such passengers, for their escape to the upper deck, in case of the vessel sinking or other accident endangering life; and in the stowage of freight upon such deck, where passengers are carried, gangways or passages, sufficiently large to allow persons to pass freely through them, shall be left open both fore and aft of the vessel, and also to and along the guards on each side; and it shall be the duty of the captain or mate of such vessel to assign to all deck passengers when taking passage the space on deck they may occupy during the voyage, and such space shall not thereafter be occupied by freight, nor overcrowded by other persons, nor shall freight be stowed about the boilers or machinery in such a manner as to obstruct or prevent the engineer from readily attending to his duties; and for every violation of this section relating to the carriage and accommodation of passengers, the owners of the vessel shall pay a fine of three hundred dollars.

Convenient permanent stairways from main deck to upper deck.

Gangways to be left clear in stowage of freight.

Space for deck passengers not to be overcrowded or occupied by freight.

Penalty.

SEC. 10. *And be it further enacted,* That every steamer carrying passengers shall be provided with wire tiller-ropes, or iron rods or chains, for the purpose of steering and navigating the vessel, and shall employ wire bell-pulls for signaling the engineer from the pilot-house, together with tubes of proper size so arranged as to return the sound of the engine bells to the pilot-house, or other arrangement to repeat back the signal: *Provided,* That on any such vessel, navigated by the mariners' compass, so much of such wire rope or chain may be dispensed with and disused as shall influence or disturb the working of such compass.

Wire tiller-ropes and bell-pulls, speaking-tubes, &c.

Compass not to be disturbed.

SEC. 11. *And be it further enacted,* That upon the passage of this act the offices of all local inspectors who have not the qualifications prescribed in this act shall be deemed vacated, and that when any vacancy shall occur in any local board of inspectors now existing, or whenever local inspectors are to be appointed for a new district, the supervising inspector shall notify the collector or other chief officers of the customs for the district, and the judge of the district court of the United States for the district in which such appointment is to be made, who, together with the supervising inspector, shall meet together as a board of designators; and it shall be the duty of such board, or the major part thereof, one of which majority shall be the supervising inspector, when designating an inspector of hulls, to select a person of good character and suitable qualifications and attainments, to perform the services required of him by this act, who,

Offices of unqualified local inspectors vacated.

Appointment of local inspectors.

Board of designators.

Qualifications and attainments of inspectors of hulls.

Qualifications,
&c. of inspectors
of hulls;

of inspectors
of boilers.

Inspector of
hulls and of boil-
ers when ap-
proved, &c. to
constitute board
of local inspect-
ors.

Their duties
in inspection of
hulls;

of boilers;

from his practical knowledge of ship-building and navigation and the uses of steam in navigation, shall be fully competent to make a reliable estimate of the strength, seaworthiness, and other qualities of the hulls of steamers and their equipment deemed essential to saf[e]ty of life in the navigation of such vessel, to be called the inspector of hulls; and when designating an inspector of boilers, to select a person of good character and suitable qualifications and attainments to perform the services required of him by this act, who, from his knowledge and experience of the duties of an engineer employed in navigating vessels by steam, and also in the construction and use of boilers, and machinery, and appurtenances therewith connected, shall be able to form a reliable opinion of the strength, form, workmanship, and suitability of such boilers and machinery to be employed without hazard to life, from imperfection in the material, workmanship, or arrangement of any part of such apparatus for steaming, to be called the inspector of boilers; and these two persons, when approved by the Secretary of the Treasury, shall, from the date of designation, constitute a board of local inspectors, and shall be empowered and required to perform the duties herein specified, to wit:—

First. Upon application in writing of the master or owner they shall, once in every year at least, carefully inspect the hull of each steamer within their respective districts, and shall satisfy themselves that every such vessel so submitted to their inspection is of a structure suitable for the service in which she is to be employed, has suitable accommodations for passengers and the crew, and is in a condition to warrant the belief that she may be used in navigation as a steamer, with safety to life, and that all the requirements of law in regard to fires, boats, pumps, hose, life-preservers, floats, anchors, cables, and other things, are faithfully complied with; and if they deem it expedient, they may direct the vessel to be put in motion, and may adopt any other suitable means to test her sufficiency and that of her equipment.

Second. They shall also inspect the boilers of all steamers before the same shall be used, and once at least in every year thereafter, subjecting them to the hydrostatic pressure prescribed by this act, and satisfy themselves by thorough examination that the boilers are well made, of good and suitable material; that the openings for the passage of water and steam, respectively, and all pipes and tubes exposed to heat, are of proper dimensions and free from obstruction; that the spaces between and around the flues are sufficient, and that the flues are circular in form, and the fire-line of the furnace is at least two inches below the prescribed minimum water-line of the boilers; and that the arrangement for delivering the feed-water is such that the boilers cannot be injured thereby; and that such boilers and the machinery, and the appurtenances, may be safely employed in the service proposed in the written application without peril to life; and shall also satisfy themselves that the safety-valves are of suitable dimensions, sufficient in number, and well arranged, (one of which may, if necessary, in the opinion of the inspectors, to secure safety, be taken wholly from the control of all persons engaged in navigating such vessel, and secured by the inspectors,) and that the weights of the safety-valves are properly adjusted, so as to allow no greater pressure in the boilers than the amount prescribed by the inspection certificate; that there is a sufficient number of gauge-cocks properly inserted, and to indicate the pressure of steam, suitable steam registers that will correctly record each excess of steam carried above the prescribed limit and the highest point attained, which shall be taken wholly from the control of all persons engaged in navigating such vessel, and secured by the inspectors, and reliable low-water gauges; and that fusible metals are properly inserted so as to fuse by the heat of the furnace when the water in the boilers shall fall below its prescribed limits; and that adequate and certain provisions is made for an ample supply of water to feed the boilers at

all times, whether such vessel is in motion or not, so that in high-pressure boilers the water shall not be less than four inches above the top of the flues; and also that means for blowing out are provided, so as to thoroughly remove the mud and sediment from all parts of the boilers when they are under pressure of steam: *Provided, however,* That no kind of instrument, machine, or equipment, for the better security of life, provided for by this act, shall be used on any such vessel which shall not first be approved by the board of supervising inspectors, and also by the Secretary of the Treasury.

No kind of instrument, &c. to be used until first approved by the board of inspectors and the Secretary of the Treasury.

Third. That in subjecting to the hydrostatic tests boilers called and usually known under the designation of high-pressure boilers, the inspector shall assume one hundred and ten pounds to the square inch as the maximum pressure allowable as a working power for a new boiler forty-two inches in diameter, made in the best manner, of inspected iron plates, one fourth of an inch thick, and of a quality required by law, and shall rate the working power of all high-pressure boilers, whether old or new, according to their strength, compared with this standard, and in all cases the test applied shall exceed the working power allowed in the ratio of one hundred and sixty-five to one hundred and ten; and in subjecting to the test aforesaid that class of boilers usually designated and known as low-pressure boilers, the said inspectors shall allow as a working power of each new boiler a pressure of only three fourths the number of pounds to the square inch to which it shall have been subjected by the hydrostatic test, and found to be sufficient therefor; but should such inspectors be of the opinion that said boiler, by reason of its construction or material, will not safely allow so high a working pressure, they may, for reasons to be stated specially in their certificate, fix the working pressure of said boiler at less than three fourths of said test pressure; but all boilers used on steam-vessels, and constructed of iron or steel plates, inspected under the provisions of section thirty-six of this act, shall be subjected to a hydrostatic test, in the ratio of one hundred and fifty pounds to the square inch to one hundred pounds to the square inch of the working steam-power allowed; and no boiler or pipe, or any of the connections therewith, shall be approved which is made, in whole or in part, of bad material, or is unsafe in its form, or dangerous from defective workmanship, age, use, or other cause.

Testing of high-pressure boilers;

maximum pressure;

test;

of low-pressure boilers;

working power.

All boilers on steam-vessels to be subject to what hydrostatic test.

Certain boilers, &c., not to be approved.

Fourth. When the inspection is completed, and the inspectors approve the vessel and her equipment throughout, they shall make and subscribe a certificate to the collector or other chief officer of the customs of the district in which such inspections shall be made, in accordance with such form and regulations as the board of supervising inspectors shall prescribe; which certificate shall be verified by the oaths of the inspectors signing it, before the chief officer of the customs of the district, or any other person competent by law to administer oaths; and in case the said inspectors refuse to grant a certificate of approval, they shall state in writing, and sign the same, their reason for their disapproval.

Certificate of approval by inspectors;

to be verified by oath.

Reasons of disapproval to be in writing.

SEC. 12. *And be it further enacted,* That upon the application of any master or owner of any steamer employed in the carriage of passengers, for a license to carry gunpowder, the said inspectors shall examine such vessel, and if they find that she is provided with a chest or safe composed of metal, or entirely lined and sheathed therewith, or if the vessel has one or more compartments, thoroughly lined and sheathed with metal, at a secure distance from any fire, they may grant a certificate to that effect, authorizing such vessels to carry as freight, within such chest, safes, or compartments, the article of gunpowder.

License to carry gunpowder.

SEC. 13. *And be it further enacted,* That the said inspectors shall keep a record of certificates of inspection of vessels, their boilers, engines, and machinery, and of all their acts in their examination and inspection of steamers, whether of approval or disapproval, and when a certificate of

Record of certificates of inspection of vessels, &c.

Record of certificates authorizing gunpowder to be carried as freight;

of licenses to captains, engineers, &c. and of refusals to license, and suspensions, &c. of licenses.

Violations of steamboat laws to be reported to supervising inspector.

Captains, engineers, pilots, &c. to be licensed and classified;

not to be employed unless licensed.

Passenger steamers not to leave port unless with sufficient officers and crew.

Proviso.

Duty of inspectors upon applications for license as captains of steam-vessels;

suspension, &c. of license;

as chief mate of steam-vessels;

suspension of licenses;

as engineer of steamers.

approval is recorded, the original shall be delivered to the collector or other chief officer of the customs of the district; they shall also keep a like record of certificates authorizing gunpowder to be carried as freight by any steamer carrying passengers, and shall keep a like record of all licenses granted to captains, mates, pilots, and engineers, and of all refusals of the same; also, of all suspensions and revocations of license; also, of all refusals, suspensions, or revocations of which they shall receive notices from other districts; and shall report to the supervising inspector of their respective districts, in writing, their decisions in cases of refusal of licenses, or the suspension or revocation thereof, and all testimony received by them in such proceedings. They shall also report promptly to such supervising inspector all violations of the steamboat laws that shall come to their knowledge.

SEC. 14. *And be it further enacted*, That the inspectors shall license and classify the captains, chief mates, engineers, and pilots of all steam-vessels, and it shall be unlawful to employ any person, or for any person to serve as a captain, chief mate, engineer, or pilot on any steamer who is not licensed by the inspectors; and any one so offending shall forfeit one hundred dollars for each offence; and no steamer carrying passengers shall depart from any port unless she shall have in her service a full complement of officers and crew, sufficient at all times to manage the vessel, including the proper number of watchmen: *Provided, however*, That if any such vessel, on her voyage, is deprived of the services of any licensed officer, without the consent, fault, or collusion of the master, owner, or of any person interested in the vessel, the deficiency may be temporarily supplied until others licensed can be obtained.

SEC. 15. *And be it further enacted*, That when any persons [shall] apply to be licensed as captain or master of steam-vessels, the inspectors shall make diligent inquiry as to his character, and shall carefully examine the applicant as well as the proofs which he presents in support of his claim, and if they are satisfied that his capacity, experience, habits of life, and character are such as to warrant the belief that he can be safely intrusted with the duties and responsibilities of the station for which he makes application, they shall grant him a license authorizing him to discharge such duties on any such vessel for the term of one year; but such license shall be suspended or revoked, upon satisfactory proof of bad conduct, intemperate habits, incapacity, inattention to his duties, or the wilful violation of any provision of this act.

SEC. 16. *And be it further enacted*, That when any person shall apply for authority to be employed as chief mate of steam-vessels, the inspectors shall require satisfactory evidence of the knowledge, experience, and skill of the applicant in lading cargo, the handling and stowage of freight, and shall examine him as to his knowledge and ability in navigation and managing such vessels, and all other duties pertaining to his station; and if satisfied of his qualifications and good character, they shall grant him a license, authorizing him to perform such duties for the term of one year; but such license shall be suspended or revoked upon satisfactory proof of bad conduct, intemperate habits, unskillfulness, or want of knowledge of the duties of his station, or the wilful violation of any provisions of this act.

SEC. 17. *And be it further enacted*, That when any person shall apply for authority to perform the duties of engineer of any steamer, the inspectors shall examine the applicant as to his knowledge of steam machinery, and his experience as an engineer, and also the proofs which he produces in support of his claim; and if, upon full consideration, they are satisfied that his character, habits of life, knowledge, and experience in the duties of an engineer are all such as to authorize the belief that the applicant is a suitable and safe person to be intrusted with the powers and duties of such a station, they shall grant him a license, authorizing

him to be employed in such duties for the term of one year, in which they shall assign him to the appropriate class of engineers; but such license shall be suspended or revoked upon satisfactory proof of negligence, unskillfulness, intemperance, or the wilful violation of any provision of this act; but if complaint be made against any engineer holding a license authorizing him to take charge of the boilers and machinery of any steamer, that he has, through negligence or want of skill, permitted the boilers in his charge to burn or otherwise become in bad condition, or that he has not kept his engine and machinery in good working order, it shall be the duty of the inspectors, upon satisfactory proof of such negligence or want of skill, to revoke his license and assign such engineer to a lower grade or class of engineers if they find him fitted *thereof* [therefor].

License of engineer of steamers may be revoked, if, &c.

Assignment to lower grade.

SEC. 18. *And be it further enacted*, That whenever any person claiming to be a skillful pilot of steam-vessels shall offer himself for a license, the inspector[s] shall make diligent inquiry as to his character and merits, and if satisfied from personal examination of the applicant, with the proof that he shall offer, that he possesses the requisite knowledge and skill, and is trustworthy and faithful, they shall grant him a license for the term of one year to pilot any such vessel within the limits prescribed in the license; but such license shall be suspended or revoked upon satisfactory evidence of negligence, unskillfulness, or inattention to the duties of his station, or for intemperance, or the wilful violation of any provision of this act. And every such captain, mate, engineer, and pilot who shall receive a license as aforesaid shall, when employed upon any such vessel, place his certificate of license (which shall be framed under glass) in some conspicuous place in such vessel, where it can be seen by passengers and others at all times; and for every neglect to comply with this provision by any such captain, mate, engineer, or pilot, he shall be subject to a penalty of one hundred dollars' fine, or to the revocation of his license: *Provided*, That in cases where the captain or mate is also pilot of the vessel, he shall not be required to hold two licenses to perform such duties, but the license issued shall state on its face that he is authorized to act in such double capacity.

Duty of inspectors upon applications for license as pilot of steam-vessels;

suspension, &c. of license.

Certificate of license to be posted in a conspicuous place.

Penalty.

Where captain or mate is pilot also, two licenses not required.

SEC. 19. *And be it further enacted*, That the said local boards of inspectors shall investigate all acts of incompetency or misconduct committed by any such licensed officer while acting under the authority of his license, and shall have power to summon before them any witness within their respective districts, and compel their attendance by a similar process as in the United States circuit or district courts; and such local inspectors are hereby authorized to administer all necessary oaths to any witnesses thus summoned before them, and after reasonable notice in writing, given to the alleged delinquent, of the time and place of such investigation, the said witness shall be examined under oath touching the performance of his duties by any such licensed officer, and if the board shall be satisfied that such licensed officer is incompetent, or has been guilty of misbehavior, negligence, unskillfulness, or has endangered life, or willfully violated any provision of this act, they shall immediately suspend or revoke his license, and the chief officer of the customs for the district shall pay out of the revenues received under the provisions of this act such fees to the United States marshal for his services, and to any witness so summoned for his actual travel and attendance, as shall be officially certified to by any inspector hearing the case, upon the back of such summons, not exceeding the rate allowed for fees and to witnesses for travel and attendance in any circuit or district courts of the United States.

Local boards of inspectors to investigate all acts of incompetency or misconduct.

Powers in conducting such investigation.

Fees of marshal and witnesses.

SEC. 20. *And be it further enacted*, That whenever any board of local inspectors refuse to grant a license to any person applying for the same, or shall suspend or revoke the license of any captain, mate, engineer, or pilot, any person deeming himself wronged by such refusal, suspen-

If local inspectors refuse or revoke &c. a license, the case

may be examined anew by supervising inspector.

Proceedings in such cases.

In addition to annual inspections of steamers, other inspections to be made at proper times by local inspectors.

Re-examination by supervising inspector.

Penalty for navigating the vessel meanwhile.

Inspections and orders for repairs by inspectors.

Inspectors of one district not to modify the doings of those of another district.

When local boards of inspectors are to inspect steamers in other collection districts.

Vessels may go to other ports for repairs, if, &c.

Supervising inspectors now in office to continue.

Vacancies to be filled by the President, with, &c.

sion, or revocation, may, within thirty days thereof, on application to the supervising inspector of the district, have his case examined anew by such supervising inspector, and the local board shall furnish to the supervising inspector, in writing, the reasons for their doings in the premises; and such supervising inspector shall examine the case anew, and he shall have the same powers to summon witnesses and compel their attendance, and to administer oaths, that are conferred on the local inspectors by the terms of this act, and such witnesses and the marshal shall be paid in the same manner as hereinbefore provided for; and such supervising inspector may revoke, change, or modify the decision of such local board; and like proceedings may be had by any master or owner of any steam-vessel in relation to the inspection of such vessel, or her boilers or machinery, by any such local board; and in case of repairs, and in any investigation or inspection where there shall be a disagreement between the local inspectors, the supervising inspector, when so requested, shall investigate and decide the case.

SEC. 21. *And be it further enacted*, That, in addition to the annual inspection, it shall be the duty of the local inspectors to examine, at proper times, steamers arriving and departing to and from their respective ports so often as to enable them to detect any neglect to comply with the requirements of law, and also any defects or imperfections becoming apparent after the inspection aforesaid, and tending to render the navigation of the vessels unsafe; and if they shall discover any omission to comply with the law, or that repairs have become necessary to make the vessel safe, the said inspectors shall at once notify the master in writing, stating in the notice what is required; and if the master deems the requirements unreasonable or unnecessary, he may apply for a re-examination of the case to the supervising inspector, as hereinbefore provided; and if the master or owner shall refuse or neglect to comply with the requirements of the local inspectors, and shall, contrary thereto and while the same remains unreversed by the supervising inspector, employ the vessel by navigating her, the master and owners and the vessel itself shall be liable to the penalty as prescribed by the first section of this act, and in addition thereto shall be liable for any damage to passengers and their baggage which shall occur from any defects as stated in the notice aforesaid. And all inspections and orders for repairs shall be promptly made by the inspectors, and, when it can be safely done in their judgment, they shall permit repairs to be made where those interested can most conveniently do them; and no inspectors of one district shall modify or annul the doings of the inspectors of another district in regard to repairs unless there is a change in the state of things, demanding more repairs than were thought necessary when the order was made, nor shall the inspectors of one district license a person coming from another district, if such person has been rejected for unfitness or want of qualifications.

SEC. 22. *And be it further enacted*, That the said local boards, when so requested in writing by any master or owner, shall, under the direction of the supervising inspector, inspect steamers in other collection districts where no such board is established; and if a certificate of approval is not granted, no other inspection shall be made by the same or any other board until the objections made by such local board and unreversed by the supervising inspector of the district are removed: *Provided, however*, That nothing herein contained shall impair the right of the inspectors to permit such vessel to go to another port for repairs, if in their opinion it can be done with safety.

SEC. 23. *And be it further enacted*, That in order to carry this act fully into execution, the ten supervising inspectors now in office shall continue in commission; and whenever a vacancy occurs, from death, resignation, or removal, the President of the United States shall, with the advice and consent of the Senate, fill the vacancy by appointing a successor, who

shall be selected for his knowledge, skill, and practical experience in the uses of steam for navigation, and is a competent judge of the character and qualities of steam-vessels, and of all parts of the machinery employed in steaming. The said supervising inspectors and the supervising inspector-general shall assemble together as a board, once in each year, at the city of Washington, District of Columbia, on the third Wednesday in January, and at such other times as the Secretary of the Treasury shall prescribe, for joint consultation, and shall assign to each of the supervising inspectors respectively, the limits of territory within which he shall perform his duties, and the said board shall establish all necessary rules and regulations required to carry out in the most effective manner the provisions of this act for the safety of life, which rules and regulations, when approved by the Secretary of the Treasury, shall have the force of law: *Provided, however,* that the supervising inspector for the district embracing the Pacific coast shall not be under obligation to attend the meetings of the board oftener than once in two years, and when he does not attend such meetings, he shall make his communications thereto, in the way of a report, in such manner as the board shall prescribe.

Supervising inspectors with supervising inspector-general to meet as a board once a year in Washington, &c.
Assignment of districts, and making of rules, &c.
Supervising inspector of the Pacific coast.

SEC. 24. *And be it further enacted,* That each supervising inspector shall watch over all parts of the territory assigned to him, shall visit, confer with, and examine into the doings of the local boards of inspectors within his district, and shall instruct them in the proper performance of their duties; and shall, whenever he thinks it expedient, visit such vessels licensed, and examine into their condition, for the purpose of ascertaining whether the provisions of this act have been observed and complied with both by the board of inspectors and the master and owners; and it shall be the duty of all masters, engineers, mates, and pilots of such vessels to answer all reasonable inquiries, and to give all the information in their power in regard to any such vessel so visited, and her machinery for steaming, and the manner of managing both.

Duties of each supervising inspector within his district;

SEC. 25. *And be it further enacted,* That whenever a supervising inspector ascertains to his satisfaction that any master, mate, engineer, pilot, or owner of any such vessel fails to perform his duties according to the provisions of this act, he shall report the facts in writing to the board in the district where the vessel was inspected or belongs; and, if need be, he shall cause the negligent or offending party to be prosecuted; and if the supervising inspector has good reason to believe there has been, through negligence or any other cause, a failure of the board who inspected the vessel to do its duty, he shall report the facts in writing to the Secretary of the Treasury, who shall cause immediate investigation into the truth of the complaint, and, if he deems the cause sufficient, shall remove the delinquent.

to report violations of the steamboat laws to local inspectors;

to report failure in duty of local inspector to the Secretary of the Treasury;

SEC. 26. *And be it further enacted,* That it shall be the duty of such supervising inspectors to see that the said several boards within their respective districts execute their duties faithfully, promptly, and, as far as possible, uniformly in all places, by following out the provisions of this act according to the true intent and meaning thereof; and they shall, as far as practicable, harmonize differences of opinion when they exist in different local boards.

to see that the local board do their duty;

SEC. 27. *And be it further enacted,* That the said supervising inspectors shall also visit collection districts in which there are no boards of inspectors, if there be any, where steamers are owned or employed, and each one shall have full power to inspect any such steamer or the boilers of such steamer in any such district, or in any district where, from distance or other cause, it is inconvenient to resort to the local board, and to grant certificates of approval, and to do and perform all the duties imposed upon local boards by this act.

to visit collection districts where there are no local boards of inspectors;

SEC. 28. *And be it further enacted,* That it shall be the duty of the board of supervising inspectors to establish such rules and regulations as

to establish rules and regulations to give

certain information to local inspectors.

Supervising inspector to report the business of his district at annual meeting.

Acts and complaints to be examined.

Rules for steam-vessels in passing each other to be made by, &c.

Printed copies to be furnished each vessel.

Penalty for disobeying regulations.

Provisions of law to be enforced against all steamers by customs officers and inspectors.
Penalty for delinquency.

Original certificates of inspectors to be retained on file; certified copies to be given to master and, where placed.

Penalty for not having copies so certified and kept;

for carrying gunpowder without authority;

upon inspector for wilfully certifying falsely.

may be necessary to make known in a proper manner to local inspectors the names of all persons licensed under the provisions of this act, the names of all persons from whom licenses have been withheld, and the names of all whose licenses have been suspended or revoked; and also [the] names of all steam-vessels neglecting or refusing to make such repairs as may be ordered under the provisions of this act, and the names of all that have been refused certificates of inspection. And each supervising inspector shall report, in writing, at the annual meetings of the board, the general business transacted in his district during the year, embracing all violations of the steamboat laws, and the action taken in relation to the same, all investigations and decisions by local inspectors, and all cases of appeal, and the result thereof; and the board shall examine into all the acts of each supervising inspector and local board, and all complaints made against the same, in relation to the performance of their duties under the law, and the judgment of the board in each case shall be entered upon their journal; and the board shall, as far as possible, correct mistakes where they exist.

SEC. 29. *And be it further enacted,* That it shall be the duty of the board of supervising inspectors to establish such rules and regulations to be observed by all steam-vessels in passing each other as they shall from time to time deem necessary for safe[t]y, two printed copies of which rules and regulations, signed by said inspectors, shall be furnished to each of such vessels, and shall at all times be kept up in conspicuous places in such vessels, which rules shall be observed both night and day. Should any pilot, engineer, mate, or master of any steam-vessel neglect or willfully refuse to observe such regulations so established, any delinquent so neglecting or refusing shall be liable of [to] a penalty of fifty dollars, and to all damages done to any passenger, in his person or baggage, by such neglect or refusal.

SEC. 30. *And be it further enacted,* That it shall be the duty of the collectors, or other chief officers of the customs, and of the inspectors aforesaid within the said several districts, to enforce the provisions of law against all steamers arriving and departing; and upon proof that any collector, or other chief officer of the customs, or inspector, has negligently or intentionally omitted his duty in this particular, such delinquent shall be liable to removal from office, and to a penalty of one hundred dollars for each offence, to be sued for in an action of debt before any court of competent jurisdiction.

SEC. 31. *And be it further enacted,* That every collector or other chief officer of the customs shall retain on file all original certificates of the inspectors required by this act to be delivered to him, and shall give to the master or owner of the vessel therein named three certified copies thereof, two of which shall be placed by such master or owner in conspicuous places in the vessel where they will be most likely to be observed by passengers and others, and there kept at all times, framed under glass; the other shall be retained by such master or owner as evidence of the authority thereby conferred; and if any passenger shall be received on board any steamer not having the certified copies of the certificate of approval as required by this act, placed and kept as aforesaid, or if any passenger steamer shall receive or carry any gunpowder on board, not having a certificate authorizing the same, and a certified copy thereof placed and kept as aforesaid, or shall carry any gunpowder at a place or in a manner not authorized by such certificate, such steamer shall be held liable for a penalty of one hundred dollars for each offence, to be recovered in any court of competent jurisdiction.

SEC. 32. *And be it further enacted,* That every inspector who shall wilfully certify falsely touching any vessel propelled in whole or in part by steam, as to her hull, accommodations, boilers, engines, machinery, or their appurtenances, or any of her equipments, or any matter or thing

contained in any certificate signed and sworn to by him, shall, on conviction thereof, be punished by fine not exceeding five hundred dollars, or imprisonment not exceeding six months, or both.

SEC. 33. *And be it further enacted,* That no person interested, either directly or indirectly, in any patented life-preserver, life-boat, gauge, or any article required to be used on any steamer by this act, or who is a member of any association of owners, masters, engineers, or pilots of steamboats, or who is directly or indirectly pecuniarily interested in any steam-vessel, or who has not the qualifications and acquirements as prescribed by this act, or who is intemperate in his habits, shall be eligible to hold the office of either supervising or local inspector, or discharge the duties thereof; and if any such person shall attempt to exercise the functions of the office of steamboat inspector, it shall be a misdemeanor, for which he shall be subject to a penalty of five hundred dollars, and shall be dismissed from office.

Who may not be supervising or local inspectors.

Penalty for such persons attempting to exercise the functions of steamboat inspector.

upon inspection for receiving illegal fees, &c. for services.

SEC. 34. *And be it further enacted,* That any inspector who shall, upon any pretense, receive any fee or reward for his service rendered under this act, except what is herein allowed him, shall forfeit his office, and if found guilty, on indictment, or otherwise, [be] punished, according to the aggravation of the offence, by fine not exceeding five hundred dollars, or imprisonment not exceeding six months, or both.

SEC. 35. *And be it further enacted,* That every boiler manufactured after twelve months from the passage of this act, to be used on steam-vessels, and made of iron or steel plates, shall be constructed of plates that have been stamped in accordance with the provision of this act; and if any person shall construct a boiler, or steam-pipe connecting the boilers, to be so used, of iron or steel plates which have not been stamped and inspected according to the provisions of this act, or otherwise as herein provided, or who shall knowingly use any defective, bad, or faulty iron or steel in the construction of such boilers; or shall drift any rivet-hole to make it come fair; or shall deliver any such boiler for use, knowing it to be imperfect in its flues, flanging, riveting, bracing, or in any other of its parts, shall be fined one thousand dollars, one half for the use of the informer: *Provided, however,* That nothing in this act shall be so construed as to prevent from being used, on any steamer, any boiler or steam-generator which may not be constructed of riveted iron or steel plates, when the board of supervising inspectors shall have satisfactory evidence that such boilers or steam-generators is equal in strength, and as safe from explosion, as a boiler of the best quality, constructed of riveted iron or steel plates.

Boilers manufactured after twelve months, &c. how to be constructed.

Penalty for doing otherwise.

Boilers, &c. not so constructed may be used, if, &c.

SEC. 36. *And be it further enacted,* That after twelve months from the passage of this act, every iron or steel plate used in the construction of steamboat boilers, and which shall be subject to a tensile strain, shall be inspected in such manner as shall be prescribed by the board of supervising inspectors and approved by the Secretary of the Treasury, so as to enable the inspectors to ascertain its tensile strength, homogeneousness, toughness, and ability to withstand the effect of repeated heating and cooling; and no iron or steel plate shall be used in the construction of such boilers which has not been so inspected and approved under the rules prescribed as aforesaid.

Inspection of iron or steel plates used in the construction of boilers.

Such plates not to be used unless inspected;

SEC. 37. *And be it further enacted,* That every such plate of boiler iron or steel, made for use in the construction of steamboat boilers, shall be distinctly and permanently stamped by the manufacturer thereof, and, if practicable, in such places that the marks shall be left visible when such plates shall be worked into boilers, with the name of the manufacturer, the place where manufactured, and the number of pounds tensile strain it will bear to the sectional square inch; and the inspectors shall keep a record in their office of the stamps upon all boiler plates and boilers made under the provisions of this act, which they shall inspect.

to be stamped by the manufacturer, &c.

Record of stamps on boiler plates and boilers.

Penalty for counterfeiting stamps, or willfully stamping falsely boiler iron or steel plates, &c.

After one year no plates to be used in the construction of boilers unless inspected, &c.

Working steam pressure allowable.

Proviso.

Safety-valves.

Gauge-cocks and low-water indicator.

Plug of Banca tin.

Thickness of boiler plates.

Water and steam connecting pipes.

Sparks or flames.

Penalty for intentionally obstructing safety-valves, &c.;

or permitting water to fall below low-water line of the boiler.

SEC. 38. *And be it further enacted,* That if any person shall counterfeit, or cause to be counterfeited, any of the marks or stamps required by this act, or shall designedly stamp or cause to be stamped falsely any boiler iron or steel plates, or if any person shall stamp or mark, or cause to be stamped or marked, any such iron or steel plates with the name or trade-mark of another, with the intent to mislead or deceive, any such person or persons shall, upon conviction thereof, be fined two thousand dollars, one half to the use of the informer, and may, in addition thereto, at the discretion of the court, be imprisoned not exceeding two years.

SEC. 39. *And be it further enacted,* That after one year from the passage of this act, no iron or steel plates shall be used in the construction of boilers for steam-vessels, unless they have been inspected in accordance with the provisions of this act; and the working steam pressure allowable on such boilers when single-riveted shall not produce a strain to exceed one sixth of the tensile strength of the iron or steel plates of which such boilers are constructed; but where the longitudinal laps of the cylindrical parts of such boilers are double-riveted, and the rivet-holes for such boilers have been fairly drilled inste[a]d of punched, an addition of twenty per centum to the working pressure provided for single-riveting may be allowed: *Provided,* That all other parts of said boilers shall correspond in strength to the additional allowances so made; and no split calking shall in any case be permitted. And every such boiler shall be provided with a good, well-constructed safety valve or valves, of such number, dimensions, and arrangements as shall be prescribed by the board of supervising inspectors, and shall also be provided with a sufficient number of gauge-cocks and a reliable low-water indicator that will give alarm when the water falls below its prescribed limits; and in addition thereto there shall be inserted, in a suitable manner, in the flues, crown sheet, or other parts of the boiler most exposed to the heat of the furnace when the water falls below its prescribed limits, a plug of good Banca tin, and no boiler to which the heat is applied to the outside of the shell thereof shall be constructed of iron or steel plates of more than twenty-six one-hundredths of an inch in thickness, the ends or heads of the boilers only excepted, and every such boiler employed on steamers navigating rivers flowing into the Gulf of Mexico, or their tributaries, shall have not less than three inches space between and around its internal flues; and the feed-water shall be delivered into the boilers in such manner as to prevent it from contracting the metal, or otherwise injuring the boilers. And when boilers are so arranged on a steamer that there is employed a water-connecting pipe through which the water may pass from one boiler to another, there shall also be provided a similar steam connection, having an area of opening into each boiler of at least one square inch for every two square feet of effective heating surface contained in any one of the boilers so connected, half the flue and all other fire surfaces being computed as effective. And adequate provision shall be made on all steamers to prevent sparks or flames from being driven back from the fire doors into [the] vessel.

SEC. 40. *And be it further enacted,* That if any person shall intentionally load or obstruct, or cause to be loaded or obstructed, in any way or manner, the safety-valve of a boiler, or shall employ any other means or device whereby the boiler may be subjected to a greater pressure than the amount allowed by the certificate of the inspectors, or shall intentionally derange or hinder the operation of any machinery or device employed to denote the state of the water or steam in any boiler, or to give warning of approaching danger, or shall intentionally permit the water to fall below the prescribed low-water line of the boiler, it shall, in any such case, be a misdemeanor, and any and every person concerned therein, directly or indirectly, shall forfeit two hundred dollars, and may, at the discretion of the court, be, in addition thereto, imprisoned not exceeding five years.

SEC. 41. *And be it further enacted*, That all steamers navigating the lakes, bays, inlets, sounds, rivers, harbors, or other navigable waters of the United States, when such waters are common highways of commerce, or open to general or competitive navigation, shall be subject to the provisions of this act: *Provided*, That this act shall not apply to public vessels of the United States or vessels of other countries, nor to boats, propelled in whole or in part by steam, for navigating canals.

What steamers subject to this act;

what not.

SEC. 42. *And be it further enacted*, That on any steamers navigating rivers only, when, from darkness, fog, or other cause, the pilot or watch shall be of opinion that the navigation is unsafe, or from accident to or derangement of the machinery of the boat, the chief engineer shall be of the opinion that the further navigation of the vessel is unsafe, the vessel shall be brought to anchor or moored as soon as it can prudently be done: *Provided*, That if the person in command shall, after being so admonished by either of such officers, elect to pursue such voyage, he may do the same; but in such case both he and the owners of such steamer shall be answerable for all damages which shall arise to the person of any passenger or his baggage from said causes in so pursuing the voyage, and no degree of care or diligence shall in such case be held to justify or excuse the person in command or said owners.

River steamers, if pilot or engineer deem navigation unsafe, to be brought to anchor, &c.

If master after, &c. pursues the voyage, he and owners are responsible for damages.

No care to excuse.

SEC. 43. *And be it further enacted*, That whenever damage is sustained by any passenger or his baggage from explosion, fire, collision, or other cause, the master and the owner of such vessel, or either of them, and the vessel, shall be liable to each and every person so injured to the full amount of damage, if it happens through any neglect or failure to comply with the provisions of law herein prescribed, or through known defects or imperfections of the steaming apparatus or of the hull, and any person sustaining loss or injury through the carelessness, negligence, or wilful misconduct of any captain, mate, engineer, or pilot, or his neglect or refusal to obey the provisions of law herein prescribed as to navigating such steamers, may sue such captain, mate, engineer, or pilot, and recover damages for any such injury caused as aforesaid by any such captain, mate, engineer, or pilot.

Master and owners liable to passengers for what damages.

SEC. 44. *And be it further enacted*, That every steamboat of the United States shall, in addition to having her name painted on her stern, as now required by law, also have the same conspicuously placed in distinct, plain letters, of not less than six inches in length, on each outer side of the pilot house, if it has such, and (in case the said boat has side-wheels) also on the outer side of each wheel-house; and if any such steamboat shall be found without having her name placed as herein required, she shall be subject to the same penalty and forfeiture as is now provided by law in the case of a vessel of the United States found without having her name and the name of the port to which she belongs painted on her stern as required by law.

Steamboats to have name painted on stern, and outside of pilot or wheel-house on each side.

Penalty.

SEC. 45. *And be it further enacted*, That no master, owner, or agent of any vessel of the United States shall, in any way, change the name of such vessel, or by any device, advertisement, or contrivance, deceive, or attempt to deceive, the public or any officer or agent of the United States government, or of any State, or any corporation or agent thereof, or any person or persons, as to the true name or character of such vessel, on pain of the forfeiture of such vessel.

Name of vessel not to be changed, &c.

SEC. 36 [46]. *And be it further enacted*, That every barge carrying passengers while in tow of any steamer, shall be subject to the provisions of this act for the preservation of the lives of passengers so far as relates to fire-buckets, axes, life-preservers, and yawls to such an extent as shall be prescribed by the board of supervising inspectors; for the violation of this section the penalty shall be two hundred dollars, one half for the use of the informer.

Barges carrying passengers, in tow of a steamer, subject to this act.

Penalty.

SEC. 47. *And be it further enacted*, That every river steamer navigating

River steamers on waters flowing into the Gulf of Mexico to carry what lights.

Boats moored, &c. in or near the channel, &c. of any bay, &c. to show what lights between sunset and sunrise.

Fog-horns or signals.

Coasting and lake steamers to carry what lights.

Ferry-boats.

Foremast head-light for steamships.
1864, ch. 69.
Vol. xiii. p. 68.

Certificate of inspection to state number of passengers steamer can safely carry.

Penalty for carrying a larger number.

Special permits for excursions.

Masters of passenger steamers to keep correct passenger lists.

Penalty for intentional default. Lien on vessel.

Bond may be given.

waters flowing into the Gulf of Mexico, and their tributaries, shall carry the following lights, viz.: One red light on the outboard side of the port smoke-pipe, and one green light on the outboard side of the starboard smoke-pipe; these lights to show both forward and abeam on their respective sides. And upon each and every coal-boat, trading-boat, produce-boat, canal-boat, oyster-boat, fishing-boat, raft, or other water-craft, navigating any bay, harbor, or river, by hand-power, horse-power, sail, or by the current of the river, or which shall be anchored or moored in or near the channel or fairway of any bay, harbor, or river, there shall be carried, from sunset to sunrise, one or more good white lights, which shall be placed in such manner as shall be prescribed by the board of supervising inspectors; and every such vessel or raft, when running in a fog or thick weather, or shall be anchored or moored in or near the channel or fairway as aforesaid, and not in any port, shall sound a fog-horn, or equivalent signal, at intervals of not more than two minutes, which shall make a sound equal to a steam-whistle; and all steamers navigating in a fog or thick weather shall sound their steam-whistles at intervals of not more than one minute. Every coasting steamer, and every steamer navigating bays, lakes, or other inland waters, other than ferry-boats and those above provided for, shall carry the red and green lights as provided for ocean-going steamers, and, in addition thereto, a central range of two white lights; the after-light being carried at an elevation of at least fifteen feet above the light at the head of the vessel, the head-light to be so constructed as to show a good light through twenty points of the compass, namely, from right ahead to two points abaft the beam on either side of the vessel, and the after-light to show all around the horizon; the lights for ferry-boats shall be regulated by such rules as the board of supervising inspectors shall prescribe; and that the provision for a foremost head-light for steamships, in an act entitled "An act fixing certain rules and regulations for preventing collisions on the water," approved the twenty-ninth day of April, eighteen hundred and sixty-four, shall not be construed to apply to other than ocean-going steamers and steamers carrying sail.

SEC. 48. *And be it further enacted*, That the inspectors shall state in every certificate of inspection granted to steamers carrying passengers, other than ferry-boats, the number of passengers of each class that any such steamer has accommodations for, and can carry with prudence and safety; and it shall not be lawful to take on board of any such steamer a greater number of passengers than is so stated in the certificate as aforesaid; and for every violation of this provision the master and owner, or either of them, shall be liable, to any persons suing for the same, to forfeit the amount of passage-money and ten dollars for each passenger beyond the number thus allowed: *Provided, however*, That if any such steamer shall engage in excursions, inspectors shall issue to such steamer a special permit, in writing, for the occasion, in which shall be stated the additional number of passengers that may be carried, and the number and kind of life-saving appliances that shall be provided for the safety of such additional passengers; and they shall also, in their discretion, limit the route and distance for such excursions.

SEC. 49. *And be it further enacted*, That it shall be the duty of the master of every passenger steamer to keep a correct list of all the passengers received and delivered from day to day, noting the places where received and where landed, which record shall be open to the inspection of the inspectors and officers of the customs at all times, and the aggregate number of said passengers shall be furnished to inspectors as often as called for; but on routes not exceeding one hundred miles, the number of passengers, if kept, shall be sufficient; and in case of default through negligence or design, the said master shall forfeit one hundred dollars, which penalty, as well as that for excess of passengers, shall be a lien upon the vessel: *Provided, however*, That a bond may, as provided in other cases, be given to secure the satisfaction of the judgment.

SEC. 50. *And be it further enacted,* That every master or commander of any steamer carrying passengers shall keep on board of such steamer at least two copies of this act, to be furnished to him by the Secretary of the Treasury; and if the master or commander neglects or refuses to do so, or shall unreasonably refuse to exhibit a copy of the same to any passenger who shall ask for it, he shall forfeit twenty dollars.

Two copies of this act to be kept on board each steamer.
Penalty on master, &c. for not so doing.

SEC. 51. *And be it further enacted,* That all coastwise sea-going vessels, and vessel[s] navigating the great lakes, shall be subject to the navigation laws of the United States, when navigating within the jurisdiction thereof; and all vessels, propelled in whole or in part by steam, and navigating as aforesaid, shall be subject to all the rules and regulations established in pursuance of law for the government of steam-vessels in passing, as provided by this act; and every coastwise sea-going steam-vessel subject to the navigation laws of the United States, and to the rules and regulations aforesaid, not sailing under register, shall, when under way, except on the high seas, be under the control and direction of pilots licensed by the inspectors of steamboats. And no State or municipal government shall impose upon pilots of steam-vessels herein provided for any obligation to procure a State or other license in addition to that issued by the United States, nor other regulation which will impede such pilots in the performance of their duties, as required by this act; nor shall any pilot charges be levied by any such authority upon any steamer piloted as herein provided, and in no case shall the fees charged for the pilotage of any steam-vessel exceed the customary or legally established rates in the State where the same is performed: *Provided, however,* That nothing in this act shall be construed to annul or affect any regulation established by the laws of any State requiring vessels entering or leaving a port in any such State, other than coastwise steam-vessels, to take a pilot duly licensed, or authorized by the laws of such State, or of a State situate upon the waters of such State.

What vessels subject to the navigation laws of the United States.
Rules, &c. for steam-vessels in passing.
Pilots licensed by inspectors of steamboats to have the control of certain vessels and where; not to be required to procure other license.

Pilot charges.

Certain State regulations not affected

SEC. 52. *And be it further enacted,* That every steamer navigating the ocean, or any lake, bay, or sound of the United States, shall be provided with such numbers of life-boats, floats, rafts, life-preservers, and drags, as will best secure the safety of all persons on board such vessel in case of disaster; and every sea-going vessel carrying passengers, and every such vessel navigating any of the northern or northwestern lakes, shall have the life-boats required by law, provided with suitable boat-disengaging apparatus, so arranged as to allow such boats to be safely launched while such vessels are under speed or otherwise, and so as to allow such disengaging apparatus to be operated by one person, disengaging both ends of the boat simultaneously from the tackles by which it may be lowered to the water. And it shall be the duty of the board of supervising inspectors to fix and determine, by their rules and regulations, the kind of life-boats, floats, rafts, life-preservers, and drags that shall be used on such vessels, and also the kind and capacity of pumps or other appliances for freeing the steamer from water in case of heavy leakage, the capacity of said pumps or appliances being suited to the navigation in which the steamer is employed; and if the owners of any such steamers neglect or refuse to provide such drags, life-boats, floats, rafts, life-preservers, pumps, or appliances, as shall be required by the board of supervising inspectors, and approved by the Secretary of the Treasury, such owners shall be fined one thousand dollars.

Life-boats, floats, drags, &c.

Boat-disengaging apparatus.

Board of supervising inspectors to fix by rules the kind of life-boats, &c.

Penalty upon owners for neglect to provide such.

SEC. 53. *And be it further enacted,* That every sea-going steamer, and every steamer navigating the great northern or northwestern lakes, carrying passengers, the building of which shall be completed after six months from the passage of this act, shall have not less than three water-tight cross-bulkheads, said bulkheads to reach to the main deck in single-decked vessels, otherwise to the deck next below the main deck; the same to be made of iron plates, sustained upon suitable frame-

Certain steamers built after, &c. to have water-tight cross-bulkheads.

Mode of construction.

work, and properly secured to the hull of the vessel; the position of such bulkheads and the strength of material of which the same shall be constructed to be determined by the general rules of the board of supervising inspectors.

Licensed officers to assist inspectors in examinations, and point out defects, &c.

Penalty for default.

Penalty upon licensed officer for wrongfully refusing to serve on any steamer, &c.;

upon pilot or engineer for refusing to admit into pilot-house, &c. certain persons.

Officers to make oath to perform duty required by this act.

Penalty for giving false testimony.

Renewal of license.

Captains and other officers, by whose misconduct, &c. the life of any person has been lost, shall be deemed guilty of manslaughter.

Penalty.

Hulls and boilers of ferry-boats, &c. to be inspected.

Rules, &c. for the better security of life thereon.

To have licensed engineer and pilot.

Hulls and boilers of tug-boats

SEC. 54. *And be it further enacted,* That it shall at all times be the duty of all officers licensed under the provisions of this act to assist the inspectors in their examination of any such vessel to which any such licensed officers belong, and to point out all defects and imperfections known to them in the hull, equipments, boilers, or machinery of such vessel, and also to make known to the inspectors, at the earliest opportunity, all accidents or occurrences producing serious injury to the vessel, her boilers, or machinery; and in default thereof the license of any such officer so neglecting or refusing shall be revoked.

SEC. 55. *And be it further enacted,* That if any licensed officer shall, to the hinderance of commerce, wrongfully or unreasonably refuse to serve in his official capacity on any steamer, as authorized by the terms of his certificate of license, or shall fail to deliver to the applicant for such service at the time of such refusal, if the same shall be demanded, a statement in writing assigning good and sufficient reasons therefor, or if any pilot or engineer shall refuse to admit into the pilot-house or engine-room any person whom the master or owner of the vessel may desire to place there for the purpose of learning the profession, his license shall be revoked upon the same proceedings as are herein provided in other cases of revocation of such licenses.

SEC. 56. *And be it further enacted,* That every captain, chief mate, engineer, and pilot of any such vessel shall, before entering upon his duties, make solemn oath before one of the inspectors herein provided for, to be recorded with the certificate, that he will faithfully and honestly, according to his best skill and judgment, without concealment or reservation, perform all the duties required of him by this act. And if any such captain, chief mate, engineer, or pilot, or any person summoned under this act as a witness, shall, when under examination on oath by any such inspector, knowingly and intentionally falsify the truth, such person shall be deemed guilty of perjury, and if convicted be punished accordingly: *Provided, however,* That when any such licensed officer is employed on a steamer in a district distant from any local board of inspectors, such inspectors, or the supervising inspector of the district, may grant a renewal of his license without such licensed officer being personally present, under such regulations as the board of supervising inspectors shall prescribe.

SEC. 57. *And be it further enacted,* That any captain, engineer, or pilot, or other person employed on any steamboat or vessel, by whose misconduct, negligence, or inattention to his or their respective duties on such vessel, the life of any person shall be destroyed, or [if] in consequence of fraud, connivance, misconduct, or violation of law by any owner or inspector, or other public officer, the life of any person shall be destroyed, he or they shall be deemed guilty of manslaughter, and, upon conviction thereof before any circuit court of the United States, shall be sentenced to confinement at hard labor for a period of not more than ten years.

SEC. 58. *And be it further enacted,* That the hull and boilers of every ferry-boat, canal-boat, yacht, or other small craft of like character, propelled by steam, shall be inspected under the provisions of this act. And such other provisions of law for the better security of life, as may be applicable to such vessels, shall, by the rules and regulations of the board of supervising inspectors, be required before a certificate of inspection shall be granted; and no such vessel shall be navigated without a licensed engineer and a licensed pilot.

SEC. 59. *And be it further enacted,* That the hull and boiler or boilers of every tug-boat, towing-boat, and freight-boat shall be inspected, under

the provisions of this act; and it shall be the duty of the inspectors to see that the boilers, machinery, and appurtenances of such vessel are not dangerous in form or workmanship, and that the safety-valves, gauges, low-water alarm-indicators, steam-gauges, and fusible plugs are all attached in conformity to law; and the officers navigating such vessels shall be licensed in conformity with the provisions of this act, and shall be subject to the same regulation of law as officers navigating passenger steamers.

to be inspected, &c.

Officers of tug-boats, &c. to be licensed, &c.

SEC. 60. *And be it further enacted*, That, before issuing any license to any steamer, the collector or other chief officer of the customs for the port or district shall demand and receive from the owner or owners thereof, as a compensation for the inspections and examination made for the year, the following sums, in addition to the fees for issuing enrollments and licenses now allowed by law, according to the tonnage of the vessel, to wit: For each steam-vessel of one hundred tons or under, twenty-five dollars; and, in addition thereto, for each and every ton in excess of one hundred tons, five cents. And each captain, chief engineer, and first-class pilot, licensed as herein provided, shall pay for every certificate, granted by any inspector or inspectors, the sum of ten dollars; and every chief mate, engineer, and pilot of an inferior grade shall pay, for every certificate so granted, the sum of five dollars, which shall be paid over to the chief officer of the customs in such manner and under such regulations as shall be prescribed by the Secretary of the Treasury.

Fees for issuing licenses to steamers;

to captains, engineers, pilots, &c.

SEC. 61. *And be it further enacted*, That each local board of inspectors shall keep an accurate account of every such steamer boarded by them during the year, and if [of] all their official acts and doings, which, in the form of a report, the[y] shall communicate to the supervising inspector of the district, at such times as the board of supervising inspectors, by their established rules, shall direct.

Report of local inspectors to supervising inspector.

SEC. 62. *And be it further enacted*, That in addition to the local boards of inspectors now appointed by law, there shall be [a] local board designated and appointed for the district of Puget Sound, Washington Territory; for the district of Milwaukee, Wisconsin; for the district of Albany, New York; for the district of Apalachicola, Florida; for the district [of] Evansville, Indiana; and for the district of Huron, Michigan; and also at Marquette, in the district of Superior. And each local inspector of the several districts, respectively, shall be paid annually, under the direction of the Secretary of the Treasury, the following compensation, to wit: One inspector of hulls, and one inspector of boilers, for the districts of New York and New Orleans, two thousand two hundred dollars each; for the districts of Philadelphia, Baltimor[e], Buffalo, St. Louis, Louisville, Cincinnati, Pittsburg, San Francisco, Boston, Detroit, Chicago, Milwaukee, Huron, and Galena, two thousand dollars each; for the districts of Mobile, Memphis, and Cleveland, one thousand five hundred dollars each; for Portland, in the district of Oregon, New London, Norfolk, Charleston, Savannah, Galveston, Albany, Wheeling, Nashville, Portland, Maine, and Evansville, one thousand two hundred dollars each; for the district[s] of Puget Sound, Apalachicola, Oswego, and Burlington, and also at Marquette, eight hundred dollars each; and, in addition thereto, the Secretary of the Treasury may appoint in such districts where their services are actually required, assistant inspectors, at a compensation, for the district of New York, two thousand dollars; and all other districts, not exceeding sixteen hundred dollars per annum to each person so appointed; or may appoint a clerk to any such board at a compensation not exceeding twelve hundred dollars per annum to each person so appointed. And each supervising inspector shall be paid three thousand dollars per annum; and every inspector shall be paid for his actual, reasonable traveling expenses, at the rate of ten cents per mile, when incurred in the performance of his duty; and also for transportation of instruments, which shall be certified and sworn to under such instructions as shall be given by the Secretary of the Treasury.

Local board of inspectors in district of Puget Sound, Milwaukee, Albany, Apalachicola, Evansville, Huron, Marquette. Pay of local inspectors.

Assistant inspectors and clerks authorized, their appointment, pay, &c.

Salary of supervising inspectors.

Travel, and transportation of instruments.

Supervising inspector-general authorized; appointment, duties, pay, &c.

SEC. 63. *And be it further enacted,* That the President of the United States shall, by and with the advice and consent of the Senate, appoint a supervising inspector-general, who shall be selected with reference to his fitness and ability to systematize and carry into effect all the provisions of law relating to the steamboat inspection service, whose duty it shall be, under the direction of the Secretary of the Treasury, to superintend the administration of the steamboat inspection laws, preside at the meetings of the board of supervising inspectors, receive all reports of inspectors, and receive and examine all accounts of such officers, report fully at stated periods to the Secretary of the Treasury upon all matters pertaining to his official duties, and produce a correct and uniform administration of the inspection laws, rules, and regulations; and the said supervising inspector-general shall be paid for his services at the rate of three thousand five hundred dollars per annum, and all his reasonable traveling expenses, or mileage at the rate of ten cents per mile when on official duty.

Secretary of the Treasury may remit the penalties, &c. under this act, except, &c. or may discontinue prosecutions. Rights of informers.

SEC. 64. *And be it further enacted,* That the Secretary of the Treasury may, upon application therefor, remit or mitigate any fine or penalty provided for in this act, or discontinue any prosecution to recover penalties denounced in this act excepting the penalty of imprisonment, or of removal from office, upon such terms as he, in his discretion, shall think proper; and that all rights granted to informers by this act shall be held subject to the said Secretary's power of remission, except in cases where the claims of any informer to the share of any penalty shall have been determined by a court of competent jurisdiction prior to the application for the remission of said penalty; and that the said Secretary shall have authority to ascertain the facts upon all such applications, in such manner and under such regulations as he may deem proper.

Facts to be ascertained.

Instruments, stationery, printing, &c. for local boards.

SEC. 65. *And be it further enacted,* That the Secretary of the Treasury shall procure for the several supervising inspectors and local boards of inspectors, such instruments, stationery, printing, and other things necessary for the use of their respective offices as may be required therefor; and shall make such rules and regulations as may be necessary to secure the proper execution of the steamboat acts.

Salaries and other expenses of inspectors to be paid out of the revenues received from inspection of vessels, licensing of officers, &c. Vol. xvii. p. 2.

SEC. 66. *And be it further enacted,* That the salaries of all supervising inspectors, local inspectors, assistant inspectors, supervising inspector-general, and clerks, herein provided for, together with their traveling and other expenses when on official duty, and all instruments, books, blanks, stationery, furniture, and other things necessary to carry into effect the provisions of this act, shall be paid for under the direction of the Secretary of the Treasury, out of the revenues received into the treasury from the inspection of steam-vessels, and the licensing of the officers of such vessels, as provided for by the terms of this act; and the same is hereby appropriated for the payment of such expenses, or so much thereof as may be required for such purposes.

Appropriation.

Bonds of supervising and local inspectors.

SEC. 67. *And be it further enacted,* That supervising and local inspectors of steamboats shall execute proper bonds, in such form and upon such conditions as the Secretary of the Treasury may prescribe, and subject to his approval, conditioned for the faithful performance of the duties of their respective offices, and the payment in the manner provided by law of all moneys that may be received by them.

Penalty under this act in cases not otherwise provided for.

SEC. 68. *And be it further enacted,* That the penalty for the violation of any provision of this act that is not otherwise specially provided for shall be a fine of five hundred dollars, one half for the use of the informer.

Masters and owners of vessels not liable as carriers for loss of certain goods in certain cases.

SEC. 69. *And be it further enacted,* That if any shipper or shippers of platina, gold, gold-dust, silver, bullion, or other precious metals, coins, jewelry, bills of any bank or public body, diamonds or other precious stones, or any gold or silver in a manufactured or unmanufactured state, watches, clocks, or timepieces of any description, trinkets, orders, notes, or securities for payment of money, stamps, maps, writings, title-deeds,

printings, engravings, pictures, gold or silver plate or plated articles, glass, china, silks, in a manufactured or unmanufactured state, and whether wrought up or not wrought up with any other material, furs, or lace, or any of them, contained in any parcel, or package, or trunk, shall lade the same as freight or baggage, on any boat or vessel, without at the time of such lading giving to the master, clerk, agent, or owner of such boat or vessel receiving the same a written notice of the true character and value thereof, and having the same entered on the bill of lading therefor, the master and owner or owners of said boat or vessel shall not be liable as carriers thereof in any form or manner; nor shall any such master, owner, or owners be liable for any such goods beyond the value and according to the character thereof so notified and entered.

Masters and owners of vessels not liable as carriers for loss of certain goods in certain cases.

Limit to liability.

SEC. 70. *And be it further enacted*, That it shall be the duty of all collectors, or other chief officers of the customs, to require all sailing vessels to be furnished with proper signal-lights, as provided for by the act of April twenty-nine, eighteen hundred and sixty-four, entitled "An act fixing certain rules and regulations for preventing collisions on the water," and every such vessel shall, on the approach of any steamer during the night-time, show a lighted torch upon that point or quarter to which such steamer shall be approaching. And every such vessel that shall be navigated without complying with the terms of the said act of April twenty-nine, eighteen hundred and sixty-four, and the provisions of this section, shall forfeit and pay the sum of two hundred dollars, one half to go to the informer; and for which sum the vessel so navigated shall be liable, and may be seized and proceeded against by way of libel, in any district court of the United States having jurisdiction of the offence.

Signal-lights of sailing vessels.

1864, ch. 69.
Vol. xiii. p. 58.

Penalty.

SEC. 71. *And be it further enacted*, That the act entitled "An act to provide for the better security of the lives of passengers on board vessels propelled in whole or in part by steam," approved July seven, eighteen hundred and thirty-eight; also, "An act to modify the act entitled 'An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam,' approved July seven, eighteen hundred and thirty-eight," approved March three, eighteen hundred and forty-three; also, "An act to amend an act entitled 'An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam,' and for other purposes," approved August thirty, eighteen hundred and fifty-two; also, "An act for the prevention and punishment of frauds in relation to the names of vessels," approved May five, eighteen hundred and sixty-four; also, "An act to create an additional supervising inspector of steamboats, and two local inspectors for the collection district of Memphis, Tennessee, and two local inspectors for the collection district of Oregon, and for other purposes," approved June eight, eighteen hundred and sixty-four; also, "An act to provide [for] two assistant local inspectors of steamboats in the city of New York, and [for] two local inspectors at Galena, Illinois, and to re-establish the board of local inspectors at Wheeling; and also to amend the act approved June eight, eighteen hundred and sixty-four, entitled 'An act to create an additional supervising inspector of steamboats, and two local inspectors of steamboats for the collection district[s] of Memphis, Tennessee, and two local inspectors for the collection district of Oregon, and for other purposes,'" approved March three, eighteen hundred and sixty-five; also, "An act further to provide for the safety of the lives of passengers on board of vessels propelled in whole or in part by steam, to regulate the salaries of steamboat inspectors, and for other purposes," approved July twenty-five, eighteen hundred and sixty-six, are all and severally hereby repealed; also, all other acts and parts of acts inconsistent with this act are hereby repealed.

Repeal of,
1833, ch. 191,
Vol. v. p. 304.

1843, ch. 94.
Vol. v. p. 626.

1852, ch. 106.
Vol. x. p. 61.

1864, ch. 78.
Vol. xiii. p. 63.

1864, ch. 113.
Vol. xiii. p. 120.

1865, ch. 94.
Vol. xiii. p. 514.

1866, ch. 234.
Vol. xiv. p. 227.