

MAINE STATE LEGISLATURE

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FIFTY-FIFTH LEGISLATURE.

HOUSE.

No. 117.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SIX.

AN ACT to amend chapter one hundred seventy-two of the public laws of eighteen hundred seventy-four, relating to the security of life on steam vessels on inland waters.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECTION 1. Section one is hereby amended by striking
2 out the words "for hire," in the first line, so that the
3 whole section as amended shall read as follows, to wit :
4 " All steamboats carrying passengers upon any of the
5 inland waters of this state, are hereby made subject to
6 the provisions of this act ; before being employed in
7 transportation of passengers, they shall be examined
8 and receive the certificate of the inspectors authorizing
9 their employment."

SECT. 2. Section ten is hereby stricken out, and the following words substituted, so that the section shall read as follows :

Sect. 10. Every person employed as a master, pilot, or engineer on board such vessel, shall be examined by the inspectors as to his qualifications for the office, and if satisfied therewith they shall grant him a license for the office for one year ; said license to be framed under glass and posted in some conspicuous place on board such vessel. Any person acting as master, pilot, or engineer without having first received such license, shall, on conviction, pay a fine of fifty dollars for every day he shall so act ; and each license shall continue in force for one year, unless revoked by the inspectors for intemperance, incompetency, or a wilful violation of any of the duties of his office. But any master, pilot or engineer holding a license for any such vessel on any line owning or running more than one vessel, may under such license be employed on any vessel owned or run by the person or persons owning or running the vessel for which said officers obtained their license.

SECT. 3. Section eleven is hereby amended, by adding at the end of the section the words, as follows, to wit : “ But if any vessel described in this act is deprived of the services of any licensed officer, without the consent, fault, or collusion of the master,

6 owner, or any person interested in the vessel, the
7 deficiency may be temporarily supplied until others
8 licensed can be obtained ; *provided, however,* that if
9 the owner or owners and master of any vessel described
10 in this act shall reasonably notify the inspectors of the
11 expiration of the certificate for such vessel, and request
12 a new inspection and certificate, and said inspectors
13 shall for any reason fail to make said inspection, and
14 issue said certificate, if the vessel is entitled thereto,
15 the owner or owners and master of said vessel or
16 vessels shall not be liable for any of the penalties or
17 forfeits provided in this act, on account of navigating
18 said vessel or vessels without a certificate of inspection,"

19 so that the section, as amended, shall read as follows :
20 *Sect. 11.* All vessels described in the first section
21 of this act shall comply with all the terms and pro-
22 visions of this act, and with all orders, regulations and
23 requirements of the inspectors ; and if any such vessel
24 shall be navigated without complying therewith, or
25 without the certificate of the inspectors, the owner or
26 owners and master shall severally forfeit and pay to
27 the state the sum of five hundred dollars for each
28 offence, one-half to the use of the informer, unless
29 otherwise provided, for which sum the vessel so en-
30 gaged shall be liable, and may be proceeded against
31 in a *qui tam* action by attachment commenced within

32 sixty days after the commission of the offence, or may
33 be recovered by indictment. In case of damage by
34 fire or by explosion of steam, it shall be the duty of the
35 inspectors forthwith to investigate the cause thereof,
36 and if found by them to have been occasioned by any
37 violation of any of the provisions of this act, or of the
38 orders, regulations and requirements of said inspectors,
39 it shall be their duty to so certify to the governor and
40 also to the county attorney, in the county where the
41 offence shall have been committed, together with the
42 names of the parties and witnesses, and prosecution
43 shall forthwith be instituted against all parties liable.
44 But if any vessel described in this act is deprived of
45 the services of any licensed officer, without the con-
46 sent, fault, or collusion of the master, owner, or any
47 person interested in the vessel, the deficiency may be
48 temporarily supplied, until others licensed can be
49 obtained; *provided, however,* that if the owner or
50 owners and master of any vessel described in this act
51 shall reasonably notify the inspectors of the expiration
52 of the certificate for such vessel, and request a new
53 inspection and certificate, and said inspectors shall for
54 any reason fail to make said inspection and issue said
55 certificate, if the vessel is entitled thereto, the owner
56 or owners and master of said vessel or vessels shall not
57 be liable for any of the penalties or forfeits provided

58 in this act on account of navigating said vessel or
59 vessels without a certificate of inspection.

SECT. 4. Section thirteen is hereby amended by
2 striking out the word "five" in the second line, and
3 inserting instead the word "four," and by striking out
4 all after the word "act" in the fifth line, and adding
5 thereto the words, to wit :

6 "The owners of each vessel inspected and certified
7 under this act shall pay to the inspectors the sum of
8 five dollars, and each person licensed under this act
9 shall pay to the inspectors the sum of two dollars for
10 each original license, and two dollars for each renewal
11 of the same ; *provided*, that in cases where the master
12 is also pilot of the vessel, he shall not be required to
13 hold two licenses but may act in either or both capaci-
14 ties under one license, such license stating on its face
15 that he is authorized to do so. The inspectors shall
16 account for all such sums to the governor and council,
17 and pay the same into the state treasury. The accounts
18 of the inspectors for compensation, and expenses under
19 this act shall be audited by the governor and council ;"
20 so that as amended the whole section shall read as
21 follows :

22 *Sect. 13.* The inspectors shall each receive from the
23 state the sum of four dollars per day for the time they
24 are actually employed under this act, and shall also

25 be paid their actual traveling expenses incurred in
26 performing the duties imposed upon them by this act.
27 The owners of each vessel inspected and certified under
28 this act shall pay to the inspectors the sum of five dol-
29 lars, and each person licensed under this act shall pay
30 to the inspectors the sum of two dollars for each orig-
31 inal license, and two dollars for each renewal of the
32 same ; *provided*, that in cases where the master is also
33 pilot of the vessel he shall not be required to hold two
34 licenses, but may act in either or both capacities under
35 one license, such license stating on its face that he is
36 authorized to do so. The inspectors shall account for
37 all such sums to the governor and council, and pay the
38 same into the state treasury. The accounts of the in-
39 spectors for compensation and expenses under this act
40 shall be audited by the governor and council.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 14, 1876. }

Reported from the Committee on Interior Waters, by Mr.
WHITE of Orono, and ordered printed under the Joint Rule.

ORAMANDAL SMITH, *Clerk.*