

MAINE STATE LEGISLATURE

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FIFTY-FIFTH LEGISLATURE.

SENATE.

No. 5.

STATE OF MAINE.

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

[S. 19.] AN ACT to amend chapter one hundred and 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 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 two is hereby amended by adding
2 after the word “construction,” in the fourth line, the
3 words “and use,” so that the whole section as amended
4 shall read as follows :

5 “The governor, with the advice and consent of the
6 council, shall appoint two inspectors of steamboats, of
7 suitable qualifications to perform the services required
8 by this act, one of whom shall have a practical know-
9 ledge of ship building, and the other of the construc-
10 tion and use of boilers, engines and their appurtenan-
11 ces ; they shall be sworn to the faithful performance of
12 their duties, and continue in office for five years, un-
13 less sooner removed for good cause, and may be re-
14 appointed at the expiration of their term.”

SECT. 3. Section ten is hereby stricken out, and the
2 following words substituted, so that the section shall
3 read as follows :

4 *Sect. 10.* Every person employed as a master, pilot,
5 or engineer on board such vessel, shall be examined by
6 the inspectors as to his qualifications for the office, and
7 if satisfied therewith they shall grant him a license for
8 the office for one year ; said license to be framed under
9 glass and posted in some conspicuous place on board
10 such vessel. Any person acting as master, pilot, or
11 engineer without having first received such license,
12 shall, on conviction, pay a fine of fifty dollars for every

13 day he shall so act ; and each license shall continue in
14 force for one year, unless revoked by the inspectors for
15 intemperance, incompetency, or a wilful violation of
16 any of the duties of his office.

SECT. 4. Section eleven is hereby amended by adding
2 at the end of the section the words as follows, to wit :
3 “ But if any vessel described in this act is deprived of
4 the services of any licensed officer, without the con-
5 sent, fault, or collusion of the master, owner, or any
6 person interested in the vessel, the deficiency may be
7 temporarily supplied until others licensed can be ob-
8 tained,” so that the section as amended shall read as
9 follows :

10 *Sect. 11.* All vessels described in the first section of
11 this act shall comply with all the terms and provisions
12 of this act, and with all orders, regulations and re-
13 quirements of the inspectors ; and if any such vessel
14 shall be navigated without complying therewith, or
15 without the certificate of the inspectors, the owner or
16 owners and master shall severally forfeit and pay to
17 the state the sum of five hundred dollars for each
18 offense, one-half to the use of the informer, unless
19 otherwise provided, for which sum the vessel so en-
20 gaged shall be liable, and may be proceeded against
21 in a *qui tam* action by attachment commenced within
22 sixty days after the commission of the offense, or may

23 be recovered by indictment. In case of damage by
24 fire or by explosion of steam, it shall be the duty of the
25 inspectors forthwith to investigate the cause thereof,
26 and if found by them to have been occasioned by any
27 violation of any of the provisions of this act, or of the
28 orders, regulations and requirements of said inspectors,
29 it shall be their duty to so certify to the governor and
30 also to the county attorney, in the county where the
31 offense shall have been committed, together with the
32 names of the parties and witnesses, and prosecution
33 shall forthwith be instituted against all parties liable.
34 But if any vessel described in this act is deprived of
35 the services of any licensed officer, without the con-
36 sent, fault, or collusion of the master, owner, or any
37 person interested in the vessel, the deficiency may be
38 temporarily supplied, until others licensed can be
39 obtained.

SECT. 5. Section thirteen is hereby amended by
2 striking out all after the word "act" in the fourth
3 line, and adding thereto the words, to wit :

4 "The owners of each vessel inspected and certified
5 under this act shall pay to the inspectors the sum of
6 ten dollars, and each person licensed under this act
7 shall pay to the inspectors the sum of five dollars for
8 each original license, and two dollars for each renewal
9 of the same ; *provided*, that in cases where the master

10 is also pilot of the vessel, he shall not be required to
11 hold two licenses but may act in either or both capaci-
12 ties under one license, such license stating on its face
13 that he is authorized to do so. The inspectors shall
14 account for all such sums to the governor and council,
15 and pay the same into the state treasury. The accounts
16 of the inspectors for compensation, and expenses under
17 this act shall be audited by the governor and council;”
18 so that as amended the whole section shall read as
19 follows:

20 *Sect. 13.* The inspectors shall each receive from the
21 state the sum of five dollars per day for the time they
22 are actually employed under this act, and shall also
23 be paid their actual traveling expenses incurred in
24 performing the duties imposed upon them by this act.
25 The owners of each vessel inspected and certified under
26 this act shall pay to the inspectors the sum of ten dol-
27 lars, and each person licensed under this act shall pay
28 to the inspectors the sum of five dollars for each orig-
29 inal license, and two dollars for each renewal of the
30 same; *provided*, that in cases where the master is also
31 pilot of the vessel he shall not be required to hold two
32 licenses, but may act in either or both capacities under
33 one license, such license stating on its face that he is
34 authorized to do so. The inspectors shall account for
35 all such sums to the governor and council, and pay the

36 same into the state treasury. The accounts of the in-
37 spectors for compensation and expenses under this act
38 shall be audited by the governor and council.

SECT. 6. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, January 21, 1876.

Presented by Mr. HASKELL of Cumberland, and on his motion,
Ordered, That it lie on the table and be printed.

SAMUEL W. LANE, *Secretary*.