

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1876.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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1876.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1876.

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SECT. 4. Persons liable by law to be committed to work-houses, or houses of correction, shall be committed only upon conviction of the offenses, acts, or conditions for which such commitments are by law authorized, before some municipal or police court, or trial justice.

CHAP. 148.

Persons, how committed.

Approved February 23, 1876.

**Chapter 148.**

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 :*

SECT. 1. Section one is hereby amended by striking out the words "for hire," in the first line, so that the whole section, as amended, shall read as follows, to wit :

Sec. 1, ch. 172, public laws 1874, amended.

'SECT. 1. All steamboats carrying passengers upon any of the inland waters of this state, are hereby made subject to the provisions of this act; before being employed in transportation of passengers they shall be examined and receive the certificate of the inspectors authorizing their employment.'

Steamboats on inland waters subject to provisions of this act. —shall receive certificate of inspectors.

SECT. 2. Section ten is hereby stricken out, and the following words substituted, so that said 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 such 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.'

—officers to be licensed.

—penalty for neglect.

Term of license.

Officers licensed may be employed on any vessel owned by same persons.

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

Sec. 11, amended.

CHAP. 148. licensed officer, without the consent, fault, or collusion of the master, owner, or any person interested in the vessel, the deficiency may be temporarily supplied until others licensed can be obtained; *provided, however*, that if the owner or owners and master of any vessel described in this act shall reasonably notify the inspectors of the expiration of the certificate for such vessel, and request a new inspection and certificate, and said inspectors shall for any reason fail to make said inspection, and issue said certificate, if the vessel is entitled thereto, the owner or owners and master of said vessel or vessels shall not be liable for any of the penalties or forfeits provided in this act, on account of navigating said vessel or vessels without a certificate of inspection,' so that said section as amended, shall read as follows :

Vessels to comply with provisions of this act.

Penalty for violation.

In case of damage by fire or steam, duty of inspectors to investigate the cause.

Licensed officers, deficiency of, how supplied.

Proviso.

Owners and master not liable in certain cases.

'SECT. 11. All vessels described in the first section of this act shall comply with all the terms and provisions of this act, and with all orders, regulations and requirements of the inspectors; and if any such vessel shall be navigated without complying therewith, or without the certificate of the inspectors, the owner or owners and master shall severally forfeit and pay to the state the sum of five hundred dollars for each offence, one-half to the use of the informer, unless otherwise provided, for which sum the vessel so engaged shall be liable, and may be proceeded against in a *qui tam* action by attachment commenced within sixty days after the commission of the offence, or may be recovered by indictment. In case of damage by fire or by explosion of steam, it shall be the duty of the inspectors forthwith to investigate the cause thereof, and if found by them to have been occasioned by any violation of any of the provisions of this act, or of the orders, regulations and requirements of said inspectors, it shall be their duty to so certify to the governor and also to the county attorney, in the county where the offence shall have been committed, together with the names of the parties and witnesses, and prosecution shall forthwith be instituted against all parties liable. 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, owner, or any person interested in the vessel, the deficiency may be temporarily supplied, until others licensed can be obtained; *provided, however*, that if the owner or owners and master of any vessel described in this act shall seasonably notify the inspectors of the expiration of the certificate for such vessel, and request a new inspection and certificate, and said inspectors shall for any reason fail to make said inspection and issue said certificate, if the vessel is entitled thereto, the owner or owners and master of said vessel or vessels shall not be liable for any of the penalties or forfeits provided in this act on account of navigating said vessel or vessels without a certificate of inspection.'

SECT. 4. Section thirteen is hereby amended by striking out the word "five," in the second line, and inserting instead the word 'four,' and by striking out all after the word "act," in the fifth line, and adding thereto the words, to wit: 'The owners of each vessel inspected and certified under this act shall pay to the inspectors the sum of five dollars, and each person licensed under this act shall pay to the inspectors the sum of two dollars for each original license, and two dollars for each renewal of the same; *provided*, that in cases where the master is also pilot of the vessel, he shall not be required to hold two licenses, but may act in either or both capacities under one license, such license stating on its face that he is authorized to do so. The inspectors shall account for all such sums to the governor and council, and pay the same into the state treasury. The accounts of the inspectors for compensation and expenses, under this act, shall be audited by the governor and council;' so that as amended, the whole section shall read as follows:

CHAP. 148.

Sec. 13, amended.

'SECT. 13. The inspectors shall each receive from the state the sum of four dollars per day for the time they are actually employed under this act, and shall also be paid their actual travelling expenses incurred in performing the duties imposed upon them by this act. The owners of each vessel inspected and certified under this act shall pay to the inspectors the sum of five dollars, and each person licensed under this act shall pay to the inspectors the sum of two dollars for each original license, and two dollars for each renewal of the same; *provided*, that in cases where the master is also pilot of the vessel he shall not be required to hold two licenses, but may act in either or both capacities under one license, such license stating on its face that he is authorized to do so. The inspectors shall account for all such sums to the governor and council, and pay the same into the state treasury. The accounts of the inspectors for compensation and expenses under this act shall be audited by the governor and council.'

Compensation of inspectors.

Fees for inspection and license.

Proviso.

Inspectors to account for moneys received. —accounts of, to be audited by governor and council.

Approved February 23, 1876.