

CHAP. CV.—*An Act making Appropriations for the Transportation of the United States Mail by Ocean Steamers and otherwise, during the fiscal year ending the thirtieth of June, one thousand eight hundred and fifty-three.* August 30, 1852.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the year ending the thirtieth of June, one thousand eight hundred and fifty-three: \* Appropriations.

For transportation of the mails from New York to Liverpool and back, eight hundred and fifty-eight thousand dollars. Between New York and Liverpool.

For transportation of the mails from New York to New Orleans, Charlestown, Savannah, Havana, and Chagres, and back, two hundred and ninety thousand dollars. Between New York and Chagres, &c.

For transportation of the mails from Panama to California and Oregon, and back, three hundred and forty-eight thousand two hundred and fifty dollars. Between Panama, California and Oregon.

SEC. 2. *And be it further enacted,* That the following sums be and the same are hereby appropriated for the service of the Post-Office Department, for the year ending the thirtieth of June, one thousand eight hundred and fifty-three, out of any moneys in the Treasury arising from the revenues of said Department, in conformity to the act of the second of July, one thousand eight hundred and thirty-six: 1836, ch. 270.

For transportation of the mails in two steamships, from New York, by Southampton, to Bremen and back, at one hundred thousand dollars for each ship, and in two steamships from New York, by Cowes, to Havre and back, at seventy-five thousand dollars for each ship, under the contract with the Ocean Steam Navigation Company of New York, in addition to an unexpended balance of former appropriations, two hundred and ninety-four thousand dollars. Between New York and Bremen and Havre.

For transportation of the mails between Charleston and Havana, under the contract with M. C. Mordecai, fifty thousand dollars. Between Charleston and Havana.

For transportation of the mails across the Isthmus of Panama, one hundred thousand dollars. Across Isthmus of Panama.

APPROVED, August 30, 1852.

CHAP. CVI.—*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. (a)* August 30, 1852.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That no license, register, or enrolment, under the provisions of this or the act to which this is an amendment, shall be granted, or other papers issued by any collector, to any vessel propelled in whole or in part by steam, and carrying passengers, 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, with passengers on board, without complying with the terms of this act, the owners thereof and the vessel itself shall be subject to the penalties contained in the second section of the act to which this is an amendment. No papers to issue to any steamboat carrying passengers, till the provisions of this act are complied with. Penalty for navigating steamboats with passengers without such compliance.

SEC. 2. *And be it further enacted,* That it shall be the duty of the inspectors of the hulls of steamers, and the inspectors of boilers and engines, appointed under the provisions of this act, to examine and see that suitable and safe provisions are made throughout such vessel to guard against loss or danger from fire; and no license or other papers, on any application, shall be granted, if the provisions of this act for preventing 1838, ch. 191, § 2. Precautions against fire.

(a) Previous acts relating to the same subject, 1812, ch. 40; 1825, ch. 99; 1838, ch. 147; 1838, ch. 191; 1843, ch. 94; 1849, ch. 105, § 5.

fires are not complied with, or if any combustible material liable to take fire from heated iron, or any other heat generated on board of such vessels in and about the boilers, pipes, or machinery, shall be placed at less than eighteen inches distant from such heated metal or other substance likely to cause ignition, unless a column of air or water intervenes between such heated surface and any wood or other combustible material so exposed, sufficient at all times, and under all circumstances, to prevent ignition; and further, when wood is so exposed to ignition, as an additional preventive, it shall be shielded by some incombustible material in such manner as to leave the air to circulate freely between such material and the wood. *Provided, however,* That when the structure of such steamers is such, or the arrangement of the boilers or machinery is such that the requirements aforesaid cannot, without serious inconvenience or sacrifice, be complied with, inspectors may vary therefrom, if in their judgment it can be done with safety.

May be varied from when impracticable.

Provision as to pumps.

Hose.

Proviso as to the number of pumps.

Provision as to boats.

Proviso as to steamers navigating rivers only.

Provision for life-preservers, floats, axes, buckets.

SEC. 3. *And be it further enacted,* That every vessel so propelled by steam, and carrying passengers, shall have not less than three double-acting forcing pumps, with chamber at least four inches in diameter, two to be worked by hand and one by steam, if steam can be employed, otherwise by hand; one whereof shall be placed near the stern, one near the stem, and one amidship; each having a suitable, well-fitted hose, of at least two thirds the length of the vessel, kept at all times in perfect order and ready for immediate use; each of which pumps shall also be supplied with water by a pipe connected therewith, and passing through the side of the vessel, so low as to be at all times in the water when she is afloat: *Provided,* That, in steamers not exceeding two hundred tons measurement, two of said pumps may be dispensed with; and in steamers of over two hundred tons, and not exceeding five hundred tons measurement, one of said pumps may be dispensed with.

SEC. 4. *And be it further enacted,* That every such vessel, carrying passengers, shall have at least two good and suitable boats, supplied with oars, in good condition at all times for service, one of which boats shall be a life-boat made of metal, fire-proof, and in all respects a good, substantial, safe sea boat, capable of sustaining, inside and outside, fifty persons, with life-lines attached to the gunwale, at suitable distances. And every such vessel of more than five hundred tons, and not exceeding eight hundred tons measurement, shall have three life-boats; and every such vessel of more than eight hundred tons, and not exceeding fifteen hundred tons measurement, shall have four life-boats; and every such vessel of more than fifteen hundred tons measurement, shall have six life-boats — all of which boats shall be well furnished with oars and other necessary apparatus: *Provided, however,* The inspectors are hereby authorized to exempt steamers navigating rivers only, from the obligation to carry, of the life-boats herein provided for, more than one, the same being of suitable dimensions, made of metal and furnished with all necessary apparatus for use and safety — such steamers having other suitable provisions for the preservation of life in case of fire or other disaster.

SEC. 5. *And be it further enacted,* That every such vessel, carrying passengers, shall also be provided with a good life-preserver, made of suitable material, or float well adapted to the purpose, for each and every passenger, which life-preservers and floats shall always be kept in convenient and accessible places in such vessel, and in readiness for the use of the passengers; and every such vessel shall also keep twenty fire-buckets and five axes; and there shall be kept on board every such vessel exceeding five hundred tons measurement, buckets and axes after the rate of their tonnage, as follows: on every vessel of six hundred tons measurement, five buckets and one axe for each one hundred tons measurement, decreasing this proportion as the tonnage of the vessel increases, so that any such vessel of thirty-five hundred tons, and all such

vessels exceeding the same shall not be required to keep but three buckets for each one hundred tons of measurement, and but one axe for every five buckets.

SEC. 6. *And be it further enacted*, That every such vessel carrying passengers on the main or lower deck, shall be provided with sufficient means convenient to such passengers for their escape to the upper deck in case of fire or other accident endangering life.

Access to the upper deck.

SEC. 7. *And be it further enacted*, That no loose hemp shall be carried on board any such vessel; nor shall baled hemp be carried on the deck or guards thereof, unless the bales are compactly pressed and well covered with bagging, or a similar fabric; nor shall gunpowder, oil of turpentine, oil of vitriol, camphene, or other explosive burning fluids or materials which ignite by friction, be carried on board any such vessel, as freight, except in cases of special license for that purpose, as hereinafter provided; and all such articles kept on board as stores, shall be secured in metallic vessels: and every person who shall knowingly violate any of the provisions of this section, shall pay a penalty of one hundred dollars for each offence, to be recovered by action of debt in any court of competent jurisdiction.

Provisions respecting carrying certain dangerous articles.

License required.

Penalty.

SEC. 8. *And be it further enacted*, That hereafter all gunpowder, oil of turpentine, oil of vitriol, camphene, or other explosive burning fluids, and materials which ignite by friction, when packed or put up for shipment on board of any such vessel, shall be securely packed or put up separately from each other and from all other articles, and the package, box, cask, or vessel containing the same, shall be distinctly marked on the outside with the name or description of the articles contained therein; and every person who shall pack or put up, or cause to be packed or put up for shipment on board of any such vessel, any gunpowder, oil of turpentine, oil of vitriol, camphene, or other explosive burning fluids, or materials which ignite by friction, otherwise than as aforesaid, or shall ship the same, unless packed and marked as aforesaid, on board of any steam-vessel carrying passengers, shall be deemed guilty of a misdemeanor, and punished by a fine not exceeding one thousand dollars, or imprisonment not exceeding eighteen months, or both.

Provisions respecting putting up for shipment or shipping certain dangerous articles.

Penalty.

SEC. 9. *And be it further enacted*, That instead of the existing provisions of law for the inspection of steamers and their equipment, and instead of the present system of pilotage of such vessels, and the present mode of employing engineers on board the same, the following regulations shall be observed, to wit: The collector or other chief officer of the customs, together with the supervising inspector for the district, and the judge of the district court of the United States for the district in each of the following collection districts, namely, New Orleans and St. Louis, on the Mississippi River; Louisville, Cincinnati, Wheeling, and Pittsburg, on the Ohio River; Buffalo and Cleveland, on Lake Erie; Detroit, upon Detroit River; Nashville, upon the Cumberland River; Chicago, on Lake Michigan; Oswego, on Lake Ontario; Burlington, in Vermont; Galveston, in Texas; Mobile, in Alabama; Savannah, in Georgia; Charleston, in South Carolina; Norfolk, in Virginia; Baltimore, in Maryland; Philadelphia, in Pennsylvania; New York, in New York; New London, in Connecticut; Boston, in Massachusetts; Portland, in Maine; and San Francisco, in California—shall designate two inspectors, of good character and suitable qualifications to perform the services required of them by this act within the respective districts for which they shall be appointed, one of whom, from his practical knowledge of ship-building, 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 safety of life, when such vessels are employed in the carriage of passengers, to be called the In-

Provision for the appointment of two inspectors, in certain collection districts.

One to be called Inspector of Hulls.

The other to be called Inspector of Boilers.

Approval of appointment.

Provision for the inspection, at least yearly, of steamboats carrying passengers.

Inspectors may direct the steamboat to be put in motion.

Inspection of the boilers.

One of the safety-valves may be taken from the control of the navigator.

Proviso as to fusible plugs.

the other of whom, 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 the machinery and appurtenances therewith connected, shall be able to form a reliable opinion of the quality of the material, the strength, form, workmanship, and suitableness of such boilers and machinery to be employed in the carriage of passengers, without hazard to life, from imperfections 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 thus designated, if approved by the Secretary of the Treasury, shall be, from the time of such designation, inspectors, empowered and required to perform the duties herein specified, to wit:

*First.* Upon application in writing by the master or owner, they shall, once in every year at least, carefully inspect the hull of each steamer belonging to their respective districts and employed in the carriage of passengers, 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 her crew and passengers, 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, 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 such steamers before the same shall be used, and once in every year thereafter, subjecting them to a hydrostatic pressure, the limit to which, not exceeding one hundred and sixty-five pounds to the square inch for high pressure boilers, may be prescribed by the owner or the master, and shall satisfy themselves by examination and experimental trials, 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 the flues are sufficient, and that the fire line of the furnace is below the prescribed water-line of the boilers; 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, well arranged, and in good working order, (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;) that there is a suitable number of gauge-cocks properly inserted, and a suitable water-gauge and steam-gauge indicating the height of the water and the pressure of the steam; that in or upon the outside flue of each outside high-pressure boiler, there is placed in a suitable manner alloyed metals, fusible by the heat of the boiler when raised to the highest working pressure allowed, and that in or upon the top of the flues of all other high-pressure boilers in the steamer, such alloyed metals are placed, as aforesaid, fusing at ten pounds greater pressure than said metals on the outside boilers, thereby, in each case, letting steam escape; and that adequate and certain provision 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 flue: *Provided, however,* in steamers hereafter supplied with new high-pressure boilers, if the alloy fuses on the outer boilers at a pressure of ten pounds exceeding the working pressure allowed, and at twenty pounds above said pressure on the inner boilers, it shall be a sufficient compliance with this act.

*Third.* That in subjecting to the hydrostatic test aforesaid, boilers called and usually known under the designation of high-pressure boilers, the inspectors 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 of inspected iron plates at least one fourth of an inch thick, in the best manner, and of the quality herein required, and shall rate the working power of all high-pressure boilers, whether of greater or less diameter, 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 no high-pressure boilers hereafter made shall be rated above this standard: 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, using the water in such tests at a temperature not exceeding sixty degrees Fahrenheit; 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 specifically in their certificate, fix the working pressure of said boiler at less than three fourths of said test pressure, and no low-pressure boiler hereafter made shall be rated in its working pressure above the aforesaid standard: and provided that the same rules shall be observed in regard to boilers heretofore made, unless the proportion between such boilers and the cylinders or some other cause renders it manifest that its application would be unjust, in which cases the inspectors may depart from these rules, if it can be done with safety; but in no case shall the working pressure allowed exceed the hydrostatic test, and no valve under any circumstances shall be loaded or so managed in any way as to subject a boiler to a greater pressure than the amount allowed by the inspectors, nor shall any boiler or pipe 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 any other cause.

Mode of subjecting high-pressure boilers to hydrostatic pressure.

Low-pressure boilers.

Boilers not to be worked beyond the pressure allowed.

Defects in other respects.

*Fourth.* That when the inspection in detail is completed, and the inspectors approve of the vessel and her equipment throughout, they shall make and subscribe a certificate to the collector of the district, substantially as follows:—

Certificate of Inspectors.

State of \_\_\_\_\_ District of \_\_\_\_\_ Application having been made in writing by \_\_\_\_\_ to the subscribers, inspectors for said district, to examine the steamer \_\_\_\_\_ of \_\_\_\_\_ whereof \_\_\_\_\_ are owners, and \_\_\_\_\_ is master, we having performed that service, now, on this \_\_\_\_\_ day of \_\_\_\_\_ A. D. \_\_\_\_\_ do certify, that she was built in the year \_\_\_\_\_, is in all respects staunch, seaworthy, and in good condition for navigation, having suitable means of escape in case of accident from the main to the upper deck, that she is provided with (here insert the number of state-rooms, the number of berths therein, the number of other permanent berths for cabin passengers, the number of berths for deck or other classes of passengers, the number of passengers of each class for whom she has suitable accommodations, and in case of steamers sailing to or from any European port or to or from any port on the Atlantic or the Pacific, a distance of one thousand miles or upwards, the number of each she is permitted to carry,—and in case of a steamer sailing to any other port, a distance of five hundred miles or upwards, the number of deck passengers she is permitted to carry, also the number of boilers, and the form, dimensions, and material of which each boiler is made, the thickness of the metal, and when made — if made after this act takes effect, and of

iron, whether they are such in all respects as the act requires, whether each boiler has been tried by hydrostatic test, the amount of pressure to the square inch in pounds applied to it, whether the amount allowed as the maximum working power was determined by the rule prescribed by this act, if not, the reason for a departure from it; also the number of safety valves required, their capacity, the load prescribed for each valve, how many are left in the control of the persons navigating the vessel, whether one is withdrawn, and the manner of securing it against interference, also the number and dimensions of supply pipes, and whether they and the other means provided are sufficient at all times and under all circumstances, when in good order, to keep the water up four inches at least above the top of the flue; also the number and dimensions of the steam-pipes, the number and kind of engines, the dimensions of their cylinders, the number and capacity of the forcing-pumps, and how worked, the number and kind of gauge-cocks, water and steam gauges, where situate, and how secured; also the manner of using alloyed metals, and the pressure at which they are known by the inspectors to fuse; the equipments for the extinguishment of fires, including hose, fire-buckets, and axes; the provisions for saving life in case of accident, including boats, life-preservers, and substitutes therefor, where kept, and all other provisions made on board for the security of the lives of passengers.) And we further certify, that the equipment of the vessel throughout, including pipes, pumps, and other means to keep the water up to the point aforesaid, hose, boats, life-preservers, and other things, is in conformity with the provisions of law; and that we declare it to be our deliberate conviction, founded upon the inspection which we have made, that the vessel may be employed as a steamer upon the waters named in the application, without peril to life, from any imperfection of form, materials, workmanship, or arrangement of the several parts, or from age or use. And we further certify, that said vessel is to run within the following limits, to wit: from                    to                    and back, touching at intermediate places.

Certificate to be sworn to.

In case of refusal to certify, the reasons to be assigned in writing.

Provision for licenses to carry certain dangerous articles.

License.

Revocation of license.

Record of certificates of inspection and licenses to carry said articles.

And which certificate shall be verified by the oaths of the inspectors signing it, before a person competent by law to administer oaths. And in case the said inspectors do not grant a certificate of approval, they shall state, in writing, and sign the same, their reasons for their disapproval.

*Fifth.* Upon the application of the master or owner of any steamer employed in the carriage of passengers, for a license to carry gunpowder, oil of turpentine, oil of vitriol, camphene, or other explosive burning fluids, and materials which ignite by friction, or either of them, the inspectors shall examine such vessel, and if they find that she is provided with chests or safes composed of metal, or entirely lined therewith, or one or more apartments thoroughly lined with metal at a secure distance from any fire, they may grant a certificate to that effect, authorizing such vessel to carry as freight any of the articles aforesaid, those of each description to be secured in such chest, safe, or apartment, containing no other article, and carried at a distance from any fire to be specified in the certificate: *Provided,* That any such certificate may be revoked or annulled at any time by the inspectors, upon proof that either of the said articles have been carried on board said vessel, at a place or in a manner not authorized by such certificate, or that any of the provisions of this act in relation thereto have been violated.

*Sixth.* The said inspectors shall keep a regular record of certificates of inspections of vessels, their boilers, engines, and machinery, whether of approval or disapproval, and when recorded, the original shall be delivered to the collector of the district; they shall keep a like record of certificates, authorizing gunpowder, oil of turpentine, oil of vitriol, camphene, or other explosive burning fluids and materials which ignite by

friction, or either of them, to be carried as freight, by any such vessel; and when recorded deliver the originals to said collector; they shall keep a like record of all licenses to pilots and engineers, and all revocations thereof, and shall from time to time report to the supervising inspector of their respective districts, in writing, their decisions on all applications for such licenses, or proceedings for the revocation thereof, and all testimony received by them in such proceedings.

Originals to be delivered to the collector.

Licenses to pilots, and engineers, and revocations thereof.

Report to supervising inspector.

*Seventh.* The inspectors shall license and classify all engineers and pilots of steamers carrying passengers.

Licenses and classification of pilots and engineers.

Engineers.

*Eighth.* Whenever any person claiming to be qualified to perform the duty of engineer upon steamers carrying passengers, shall apply for a certificate, the Board of Inspectors shall examine the applicant, and 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 give him a certificate to that effect, for one year, signed by them, in which certificate they shall state the time of the examination, and shall assign the appointee to the appropriate class of engineers.

Certificate for one year.

*Ninth.* Whenever any person claiming to be a skilful pilot for any such vessel shall offer himself for a license, the said board shall make diligent inquiry as to his character and merits; and if satisfied that he possesses the requisite skill, and is trustworthy and faithful, they shall give him a certificate to that effect, licensing him for one year to be a pilot of any such vessels within the limit prescribed in the certificate; but the license of any such engineer or pilot may be revoked upon proof of negligence, unskilfulness, or inattention to the duties of the station:

Pilots.

License for one year.

*Provided,* however, If in cases of refusal to license engineers or pilots, and in cases of the revocation of any license by the local board of inspectors, any engineer or pilot deeming himself wronged by such refusal or revocation, may, within thirty days after notice thereof, on application to a supervising inspector, have his case examined anew by such supervising inspector, upon producing a certified copy of the reasons assigned by the local board for their doings in the premises; and such supervising inspector may revoke the decision of such local board of inspectors and license such pilot or engineer; and like proceedings, upon the same conditions may be had by the master or owner of any such vessel, or of any steamboat-boiler, for which the said local board shall have refused, upon inspection, to give a certificate of approval, or shall have notified such master or owner of any repairs necessary after such certificate has been granted.

Appeal (in case of refusal, of a pilot's or engineer's license) to supervising inspector.

Appeal from decision respecting steamboats, or boilers.

*Tenth.* It shall be unlawful for any person to employ, or any person to serve as engineer or pilot, on any such vessel, who is not licensed by the inspectors; and any one so offending shall forfeit one hundred dollars for each offence: *Provided, however,* That if a vessel leaves her port with a complement of engineers and pilots, and on her voyage is deprived of their services, or the services of any of them, without the consent, fault, or collusion of the master, owner, or any one interested in the vessel, the deficiency may be temporarily supplied, until others, licensed, can be obtained.

Employment of unlicensed pilots and engineers, forbidden except in certain cases of necessity.

*Eleventh.* In addition to the annual inspection, it shall be the duty of said board to examine, seasonably, steamers arriving and departing, 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 vessel unsafe, which service may be performed by one of the board; and if he shall discover an omission to comply with the law or that repairs have become necessary to make the vessel safe, he shall at

Provision for other than annual inspections.

Repairs may be ordered.

Appeal from such order.

Master and owners made responsible for damages from neglect to comply with such order.

Repairs where to be made.

Doings of one board when they may be modified by another.

Persons rejected by one board not to be licensed by any other.

Inspection of steamboats where there is no local board.

No new inspection to be made until former defects are remedied.

Penalty for navigating after refusal to certify.

Permit to go to another district for repairs.

Provision to compel attendance of witnesses, and their examination under oath.

Suspension or revocation of licenses of pilots, and engineers.

Payment of witnesses.

Reports of said board.

Mates, and licensed pilots, and engineers to assist said board and give them information, on penalty of revocation of license.

once notify the master, stating in the notice what is required; and if the master deems the requirements unreasonable or unnecessary, he may take the opinion of the board thereon, and if dissatisfied with the decision of such board may apply for a reëxamination of the case to the supervising inspector as is hereinbefore provided; and if he shall refuse or neglect to comply with the requirements of the local board, and shall, contrary thereto, and while the same remains unreversed by the supervising inspector, employ the vessel by navigating her, the master and owner shall be liable for any damage to the passengers and their baggage which shall occur from any defects so as aforesaid stated in said notice, which shall be in writing, and all inspections and orders shall be promptly made by the inspectors; and where 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 appoint a person coming from another, if such person has been rejected for unfitness or want of qualifications.

*Twelfth.* The said board, when thereto requested, shall inspect steamers belonging to 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 the inspectors are removed; and if any vessel shall be navigated after a board of inspectors have refused to make the collector a certificate of approval, she shall be liable to the same penalties as if she had been run without a license: *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 is safe so to do.

*Thirteenth.* The said board of inspectors shall have power to summon before them witnesses, and to compel their attendance by the same process as in courts of law; and after reasonable time given to the alleged delinquent, at the time and place of investigation, to examine said witnesses under oath, touching the performance of their duties by engineers and pilots of any such vessel; and if it shall appear satisfactorily that any such engineer or pilot is incompetent, or that life has been placed in peril by reason of such incompetency, or by negligence or misconduct on the part of any such person, the board shall immediately suspend or revoke his license, and report their doings to the chief officer of the customs; and the said chief officer of the customs shall pay out of the revenues herein provided such sums to any witness so summoned under the provisions of this act, for his actual travel and attendance, as shall be officially certified, by an inspector hearing the case, upon the back of the summons, not exceeding the rates allowed to a witness for travel and attendance in the Circuit and District Courts of the United States.

*Fourteenth.* That the said board shall report promptly all their doings to the chief officer of the customs, as well as all omissions or refusals to comply with the provisions of law on the part of any owner or master of any such vessel, propelled in whole or in part by steam, carrying passengers.

*Fifteenth.* That it shall at all times be the duty of all engineers and pilots licensed under this act, and all mates, to assist the inspectors in the examination of any such vessels to which any such engineer, mate, or pilot belongs, and to point out all defects and imperfections in the hull or apparatus for steaming, and also to make known to them at the earliest opportunity, all accidents occasioning serious injury to the vessel or her equipment, whereby life may be in danger, and in default thereof the license of any such engineer or pilot shall be revoked.

SEC. 10. *And be it further enacted*, That in those cases where the number of passengers is limited by the inspector's certificate, it shall not be lawful to take on board of any steamer a greater number of passengers than is certified by the inspectors in the certificate; and the master and owners, or either of them, shall be liable, to any person suing for the same, to forfeit the amount of passage money and ten dollars for each passenger beyond the number allowed. And moreover, in all cases of an express or implied undertaking to transport passengers, or to supply them with food and lodging, from place to place, and suitable provision is not made of a full and adequate supply of good and wholesome food and water, and of suitable lodging for all such passengers, or where barges, or other craft, impeding the progress, are taken in tow, for a distance exceeding five hundred miles, without previous and reasonable notice to such passengers, in all such cases the owners and the vessel shall be liable to refund all the money paid for the passage, and to pay also the damage sustained by such default or delay: *Provided, however*, That if in any such case a satisfactory bond is given to the marshal for the benefit of the plaintiff, to secure the satisfaction of such judgment as he may recover, the vessel shall be released.

Provisions respecting the number of passengers, detentions on the passage, and accommodations, and penalties.

Vessel to be released on bond being given.

SEC. 11. *And be it further enacted*, That if the master of a steamer, or any other person, whether acting under orders or not, shall intentionally load or obstruct, or cause to be loaded or obstructed, in any way or manner, the safety valve or valves of a boiler, or shall employ any other means or device whereby the boiler shall be subjected to a greater pressure than the amount allowed by the certificate of the inspectors, or shall be exposed to a greater pressure, 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, 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 eighteen months.

Penalty for obstructing or deranging the means of regulating or indicating the pressure of steam.

SEC. 12. *And be it further enacted*, That if at any time there be a deficiency of water in a boiler, by suffering it to fall below three inches above the flue as prescribed in this act, unless the same happens through inevitable accident, the master, if it be by his order, assent, or connivance, and also the engineer, or other person, whose duty it is to keep up the supply, shall be guilty of an offence for which they shall severally be fined one hundred dollars each; and if an explosion or collapse happens in consequence of such deficiency, they, or any of them, may be further punished by imprisonment, for a period of not less than six nor more than eighteen months.

Penalty for allowing the water to fall below a certain line.

SEC. 13. *And be it further enacted*, That hereafter all boilers of steamboats made of iron shall be constructed of plates which have been stamped according to the provisions of this act.

Boilers to be made of stamped materials.

SEC. 14. *And be it further enacted*, That it shall be the duty of such inspectors to ascertain the quality of the material of which the boiler-plates of any such boiler so submitted to their inspection are made; and to satisfy themselves by any suitable means, whether the mode of manufacturing has been such as to produce iron equal to good iron made with charcoal, such as in their judgment may be used for generating steam-power without hazard to life; and no such boiler shall be approved which is made of unsuitable material, or of which the manufacture is imperfect, or is not in their opinion, of suitable strength, or whose plates are less than one fourth of an inch in thickness, for a high-pressure boiler of forty-two inches in diameter, and in that proportion of strength according to the maximum of working pressure allowed for high-pressure boilers of greater or less diameter, or which is made of any but wrought iron of a quality equal to good iron made with charcoal.

Examination of boiler plates.

Qualities to be required.

Boiler plates to be stamped.

SEC. 15. *And be it further enacted*, That all plates of boiler-iron shall be distinctly and permanently stamped in such manner as the Secretary of the Treasury shall prescribe, and if practicable, in such place or places that the mark shall be left visible after the plates are worked into boilers; with the name of the manufacturer, the quality of the iron, and whether or not hammered, and the place where the same is manufactured.

Penalty for making or using boilers made hereafter of unstamped plates.

SEC. 16. *And be it further enacted*, That it shall be unlawful to use in such vessel for generating steam for power, a boiler, or steam-pipe connecting the boilers made after the passage of this act, of any iron unless it has been stamped by the manufacturer as herein provided; and if any person shall make for use in any such vessel, a boiler of iron not so stamped, intended to generate steam for power, he shall, for any such offence, forfeit five hundred dollars, to be recovered in an action of debt by any person suing for the same; and any person using or causing to be used in any such vessel such a boiler to generate steam for power, shall forfeit a like sum for each offence.

Penalty for fraud, &c., as to stamps.

SEC. 17. *And be it further enacted*, That if any person shall counterfeit the marks and stamps required by this act, or shall falsely stamp any boiler-iron, and be convicted thereof, he shall be fined not exceeding five hundred dollars and imprisoned not exceeding two years. And if any person or persons shall stamp or mark plates with the name or marks of another with intent to mislead, deceive, or defraud, such person or persons shall be liable to any one injured thereby, for all damage occasioned by such fraud or deception.

Penalty for using the stamp of another with intent to defraud.

Nine Supervising Inspectors, to be appointed.

SEC. 18. *And be it further enacted*, That in order to carry this act fully into execution, the President of the United States shall, with the advice of the Senate, appoint nine supervising inspectors, who shall be selected for their knowledge, skill, and experience in the uses of steam for navigation, and who are competent judges not only of the character of vessels but of all parts of the machinery employed in steaming, who shall assemble together at such places as they may agree upon once in each year at least, for joint consultation and the establishment of rules and regulations for their own conduct and that of the several boards of inspectors within the districts, and also to assign to each of the said nine inspectors the limits of territory within which he shall perform his duties.

Their qualifications.

To meet as a board at least yearly.

May establish rules, and assign limits.

Pay of said Supervising Inspectors. Their expenses.

And the said supervising inspectors shall each be paid for his services after the rate of fifteen hundred dollars a year, and in addition thereto, his actual reasonable travelling expenses, incurred in the necessary performance of his duty when away from the principal port in his district, and certified and sworn to by him under such instructions as shall be given by the Secretary of the Treasury, who is hereby authorized to pay such salaries, and also such travelling expenses, and the actual reasonable expenses (both to them and other inspectors) of transporting from place to place the instruments used in inspections, which expenses shall be proved to his satisfaction.

Expense of transportation of instruments of examination.

Payment of supervising and local inspectors.

Duties of supervising inspectors.

SEC. 19. *And be it further enacted*, That the supervising inspectors shall watch over all parts of the territory assigned them, shall visit, confer with, and examine into the doings of the several boards of inspectors, and shall, whenever they think 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, 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.

Their reasonable inquiries to be answered and information to be given them.

Duties as to prosecution of persons failing to comply with this act.

SEC. 20. *And be it further enacted*, That whenever a supervising inspector ascertains to his satisfaction that the master, engineer, pilot, or owner of any such vessel fail to perform their duties according to the

provisions of this act, he shall report the facts in writing to the board in the district where the vessel belongs, and, if need be, cause the negligent or offending parties to be prosecuted; and if he has good reason to believe there has been, through negligence, or from 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.

Report as to neglect of local board.

Delinquent to be removed.

SEC. 21. *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 collection 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 by their established rules, harmonize differences of opinion when they exist in different boards.

Duties as to supervising the local boards.

SEC. 22. *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 boilers of each steamer in any such district, or in any other district where, from distance or other cause, it is inconvenient to resort to the local board, and to grant certificates of approval according to the provisions of this act, and to do and perform in such districts all the duties imposed upon boards in the districts where they exist: *Provided*, That no supervising or other inspector shall be deemed competent to inspect in any case where he is directly or indirectly personally interested, or is associated in business with any person who is so interested, but in all such cases the duty shall be performed by disinterested inspectors, and inspection made in violation of this rule shall be void and of no effect.

Provision, where there is no local board or where it is inconvenient to resort to it.

No inspector to act where he is interested, or associated with persons in interest.

Inspection by such interested person to be void.

Each collector to report the licenses granted or refused.

SEC. 23. *And be it further enacted*, That it shall be the duty of each of the collectors or other chief officer of the customs for the districts aforesaid, except San Francisco, to make known without delay, to the collectors of all the said districts, except San Francisco, the names of all persons licensed as engineers or pilots for such vessels, and the names of all persons from whom upon application, licences have been withheld, and the names of all whose licenses have been revoked or suspended, and also the names of all such vessels which neglect or refuse to make such repairs as may be ordered under the provisions of this act, and the names of all for which license has been, on application, refused.

SEC. 24. *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 such 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 removed from office, and shall also be subject 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.

Collectors, inspectors, &c., to attend to enforcing this law, on penalty of loss of office and a fine.

Penalty.

SEC. 25. *And be it further enacted*, That the 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, two certified copies thereof, one of which shall be placed by such master or owner in some conspicuous place in the vessel, where it will be most likely to be observed by passengers and others, and there kept at all times; the other shall be retained by such master or owner as evidence of the authority thereby conferred; and if any person shall receive or carry any passenger on board any such steamer not having a certified copy of the certificate of approval as required by this act, placed and kept as aforesaid;

Collector to retain certificates of inspectors and to give out two certified copies.

One copy to be kept posted in a conspicuous place in the steamboat.

Penalty for not having such certificate so posted, and for carrying gunpowder, &c., without license, or improperly stowed.

Penalty on inspector, for giving false certificates.

Penalty on the master for navigating a vessel not being in conformity with such certificate.

Exception as to deficiency by danger of navigation.

Stopping of steamers when navigation is dangerous on rivers.

Liability to damages if not so stopped.

Rules for passing, to be adopted by the supervising board, and to be kept posted in every steamboat.

Penalty for neglecting to observe such rules.

Liability of owner, &c., for damage to passengers or their baggage.

or who shall receive or carry any gunpowder, oil of turpentine, oil of vitriol, camphene, or other explosive burning fluids, or materials which ignite by friction, as freight, on board any steamer carrying passengers, not having a certificate authorizing the same, and a certified copy thereof placed and kept as aforesaid; or who shall stow or carry any of said articles, at a place or in a manner not authorized by such certificate, shall forfeit and pay for each offence one hundred dollars, to be recovered by action of debt in any court of competent jurisdiction.

SEC. 26. *And be it further enacted*, That every inspector who shall wilfully certify falsely touching any such vessel propelled in whole or in part by steam, and carrying passengers, 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. 27. *And be it further enacted*, That if any such vessel carrying passengers, having a license and certificate, as required by this act, shall be navigated without having her hull, accommodations, boilers, engines, machinery, and their appurtenances, and all equipments, in all things conformable to such certificate, the master or commander by whom she shall be so navigated, having knowledge of such defect, shall be punished by fine not exceeding one hundred dollars, or imprisonment not exceeding two months, or both: *Provided*, That such master or commander shall not be liable for loss or deficiency occasioned by the dangers of navigation, if such loss or deficiency shall be supplied as soon as practicable.

SEC. 28. *And be it further enacted*, That on any such steamers navigating rivers only, when from darkness, fog, or other cause, the pilot on watch shall be of opinion that the navigation is unsafe, or from accident to, or derangement of the machinery of the boat, the engineer on watch 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 prudently can 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 and 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.

SEC. 29. *And be it further enacted*, That it shall be the duty of the supervising inspectors to establish such rules and regulations to be observed by all such vessels in passing each other, as they shall from time to time deem necessary for safety; 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 on such vessels, which rules shall be observed both night and day. Should any pilot, engineer, or master of any such vessel neglect or wilfully refuse to observe the foregoing regulations, any delinquent so neglecting or refusing, shall be liable to a penalty of thirty dollars, and to all damage done to any passenger, in his person or baggage, by such neglect or refusal; and no such vessel shall be justified in coming into collision with another if it can be avoided.

SEC. 30. *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 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 an engineer or pilot, or their neglect or refusal to obey the provisions of law herein prescribed as to navigating such steamers, may sue such engineer or pilot, and recover damages for any such injury caused as aforesaid by any such engineer or pilot.

SEC. 31. *And be it further enacted*, That before issuing the annual license to any such steamer, the collector or other chief officer of the customs for the port or district, shall demand and receive from the owner or owners of the steamer, as a compensation for the inspections and examinations made for the year, the following sums, in addition to the fees for issuing enrolments and licenses, now allowed by law, according to the tonnage of the vessel, to wit: for each vessel of a thousand tons and over, thirty-five dollars; for each of five hundred tons and over, but less than one thousand tons, thirty dollars; and for each under five hundred tons and over one hundred and twenty-five tons, twenty-five dollars; and for each under one hundred and twenty-five tons, twenty dollars, at the time of obtaining registry, and once in each year thereafter, pay according to the rate of tonnage before mentioned, the sum of money herein fixed. And each engineer and pilot licensed as herein provided, shall pay for the first certificate granted by any inspector or inspectors, the sum of five dollars, and for each subsequent certificate one dollar, to such inspector or inspectors, to be accounted for and paid over to the collector or other chief officer of the customs; and the sums derived from all the sources above specified shall be quarterly accounted for and paid over to the United States in the same manner as other revenue.

Fees for inspectors' certificates, and for licenses.

License fees to be paid to the inspectors, and by them to the collector.

SEC. 32. *And be it further enacted*, That each inspector shall keep an accurate account of every such steamer boarded by him during the year, and of all his official acts and doings, which in the form of a report he shall communicate to the collector or other chief officer of the customs, on the first days of May and November, in each year.

Inspectors to keep a record of all their doings, and report the same to the collector semi-annually.

SEC. 33. *And be it further enacted*, That the inspectors in the following districts shall each be allowed annually, the following compensation, to be paid under the direction of the Secretary of the Treasury, in the manner officers of the revenue are paid, to wit:

Compensation of the district inspectors.

For the district of Portland, in Maine, three hundred dollars.	Portland.
For the district of Boston and Charlestown, in Massachusetts, eight hundred dollars.	Boston and Charlestown.
For the district of New London, in Connecticut, three hundred dollars.	New London.
For the district of New York, two thousand dollars.	New York.
For the district of Philadelphia, in Pennsylvania, one thousand dollars.	Philadelphia.
For the district of Baltimore, in Maryland, one thousand dollars.	Baltimore.
For the district of Norfolk, in Virginia, three hundred dollars.	Norfolk.
For the district of Charleston, in South Carolina, four hundred dollars.	Charleston.
For the district of Savannah, in Georgia, four hundred dollars.	Savannah.
For the district of Mobile, in Alabama, one thousand dollars.	Mobile.
For the district of New Orleans, or in which New Orleans is the port of entry, in Louisiana, two thousand dollars.	New Orleans.
For the district of Galveston, in Texas, three hundred dollars.	Galveston.
For the district of St. Louis, in Missouri, fifteen hundred dollars.	St. Louis.
For the district of Nashville, in Tennessee, four hundred dollars.	Nashville.
For the district of Louisville, in Kentucky, twelve hundred dollars.	Louisville.
For the district of Cincinnati, Ohio, fifteen hundred dollars.	Cincinnati.
For the district of Wheeling, Virginia, five hundred dollars.	Wheeling.
For the district of Pittsburgh, Pennsylvania, fifteen hundred dollars.	Pittsburgh.
For the district of Chicago, Illinois, five hundred dollars.	Chicago.
For the district of Detroit, Michigan, eight hundred dollars.	Detroit.
For the district of Cleveland, Ohio, five hundred dollars.	Cleveland.
For the district of Buffalo, New York, twelve hundred dollars.	Buffalo.

- Oswego. For the district of Oswego, or of which Oswego is the port of entry, New York, three hundred dollars.
- Vermont. For the district of Vermont, two hundred dollars.
- San Francisco. For the district of San Francisco, California, fifteen hundred dollars.
- Instruments of examination to be provided. SEC. 34. *And be it further enacted*, That the Secretary of the Treasury shall provide the inspectors with a suitable number of instruments, of uniform construction, so as to give uniform results to test the strength of boilers.
- Record of passengers to be kept daily, and to be open to examination by the inspectors. SEC. 35. *And be it further enacted*, That it shall be the duty of the master of any such steamer to cause to be kept 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 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, A bond may, as provided for in other cases, be given to secure the satisfaction of the judgment.
- Penalty on master for neglect. SEC. 36. *And be it further enacted*, That every master or commander of any such steamer, 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 so to do, or shall unreasonably refuse to exhibit a copy of the same to any passenger who shall ask it, he shall forfeit twenty dollars.
- Lien on the vessel for penalties respecting passengers. SEC. 37. *And be it further enacted*, That any inspector who shall, upon any pretence, receive any fee or reward for his services rendered under this act, except what is herein allowed to him, shall forfeit his office; and if found guilty, on indictment, be otherwise punished, according to the aggravation of the offence, by fine not exceeding five hundred dollars, or imprisonment not exceeding six months, or both.
- Bond may be given. SEC. 38. *And be it further enacted*, That all engineers and pilots of any such vessel shall, before entering upon their 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, perform all the duties required of him by this act, without concealment or reservation; and if any such engineer, pilot, or any witness summoned under this act as a witness, shall, when under examination on oath, knowingly and intentionally falsify the truth, such person shall be deemed guilty of perjury, and if convicted be punished accordingly.
- Two copies of this act (furnished by Sec'y of the Treasury) to be kept on board each steamboat, and exhibited to any passenger calling for it, under penalty of \$20. SEC. 39. *And be it further enacted*, That the supervising inspectors appointed under the provisions of this act, shall, within their respective districts, under the direction of the Secretary of the Treasury, take the examination, or receive the statements in writing, of persons of practical knowledge and experience in the navigation of steam-vessels, the construction and use of boilers, engines, machinery, and equipments, touching the form, material, and construction of engines and their appurtenances; the causes of the explosion of boilers and collapse of flues and the means of prevention; the kind and description of safety-valves, water and steam-gauges or indicators; equipments for the extinguishment of fires, and for the preservation of life in case of accident, on board of such vessels, and all other means in use or proper to be adopted, for the better security of the lives of persons on board vessels propelled in whole or in part by steam; the advantages and disadvantages of the different descriptions of boilers, engines, and their appurtenances, safety-valves, water and steam-gauges or indicators, equipments for the prevention or extinguishment of fires, and the preservation of life in case of accident, in use on board such vessels; whether any, and what further legislation is necessary or proper for the better security of the lives of
- Penalty on them, and witnesses, for false swearing.
- Pilots and engineers to be sworn before entering on their duties.
- Supervising inspectors to receive information respecting certain topics relating to steam-boats, and transmit the same to the Secretary of the Treasury.

persons on board such steam-vessels; which examination and statements so taken and received shall be transmitted to the Secretary of the Treasury, at such time as he shall prescribe.

SEC. 40. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause such interrogatories to be prepared and published as in his opinion may be proper to elicit the information contemplated by the preceding section, and upon the receipt of the examination and statements taken by the inspectors shall report the same to Congress, together with the recommendation of such further provisions as he may deem proper to be made for the better security of the lives of persons on board steam-vessels.

Secretary of the Treasury to prepare interrogatories to elicit such information, and report the information to Congress with his own recommendation.

SEC. 41. *And be it further enacted*, That all penalties imposed by this act may be recovered in an action of debt by any person who will sue therefor in any court of the United States.

Penalties, how sued for and recovered.

SEC. 42. *And be it further enacted*, That this act shall not apply to public vessels of the United States or vessels of other countries; nor to steamers used as ferry-boats, tug-boats, towing-boats, nor to steamers not exceeding one hundred and fifty tons burthen and used in whole or in part for navigating canals. The inspection and certificate required by this act shall in all cases of ocean steamers constructed under contract with the United States for the purpose, if desired, of being converted into War Steamers, be made by a Chief Engineer of the Navy, to be detailed for that service by the Secretary of the Navy, and he shall report both to said Secretary and to the supervising inspector of the district where he shall make any inspection.

This act not to apply to certain vessels.

Inspection of the Ocean Mail Steamers.

SEC. 43. *And be it further enacted*, That all such parts of this act as authorize the appointment and qualification of inspectors, and the licensing of engineers and pilots, shall take effect upon the passage thereof; and that all other parts of this act shall go into effect at the times and places as follows: in the districts of New Orleans, St. Louis, Louisville, Cincinnati, Wheeling, Pittsburgh, Nashville, Mobile, and Galveston, on the first day of January next, and in all other districts on the first day of March next.

When this act shall take effect.

Post, p. 261.

SEC. 44. *And be it further enacted*, That all parts of laws heretofore made, which are suspended by or are inconsistent with this act, are hereby repealed.

Inconsistent laws repealed.

APPROVED, August 30, 1852.

CHAP. CVII.—*An Act in addition to An Act to Promote the Progress of the Useful Arts.* (a).

August 30, 1852.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That appeals provided for in the eleventh section of the act entitled An Act in addition to an act to promote the progress of the useful arts, approved March the third, eighteen hundred and thirty-nine, may also be made to either of the assistant judges of the Circuit Court of the District of Columbia, and all the powers, duties, and responsibilities imposed by the aforesaid act, and conferred upon the chief judge, are hereby imposed and conferred upon each of the said assistant judges.

1836, ch. 357.  
1839, ch. 88.

Appeals from the decisions of the Com'r of Patents may be made to either of the Assistant Judges of the Circuit Court for the District of Columbia.

SEC. 2. *And be it further enacted*, That in case appeals shall be made to the said chief judge, or to either of the said assistant judges, the Commissioner of Patents shall pay to such chief judge or assistant judge the sum of twenty-five dollars, required to be paid by the appellant into the Patent-Office by the eleventh section of the said act, on said appeal.

Payment to the Judge for his services in appeal cases.

(a) For previous acts and decisions see 1836, ch. 357; vol. i. pp. 109, 318; and 1848, ch. 47.