

Proviso.

annum and the pro-rata compensation of the carriers whose routes they may be required to serve: *And provided further*, That no boxes for the collection of mail matter by carriers shall be placed inside of any building except a public building or railroad station."

Repeals.

SEC. 3.—That all laws inconsistent herewith are repealed.

Approved, August 2, 1882.

August 2, 1882.

CHAP. 374.—An act to regulate the carriage of passengers by sea.

The passenger
act, 1882.

Carriage of pas-
sengers by sea.

Emigrants and
passengers, other
than cabin passen-
gers, from foreign
ports to be pro-
vided with com-
partments, etc.

In steamship.

In sailing-vessel.

Space per pas-
senger.

Children com-
puted, etc.

Penalty for vio-
lation.

Berths for pas-
sengers; rules and
regulations for oc-
cupancy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall not be lawful for the master of a steamship or other vessel whereon emigrant passengers, or passengers other than cabin passengers, have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to any port or place in the United States unless the compartments, spaces, and accommodations hereinafter mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage; that is to say, in a steamship, the compartments or spaces, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow for each and every passenger carried or brought therein one hundred cubic feet, if the compartment or space is located on the main deck or on the first deck next below the main deck of the vessel, and one hundred and twenty cubic feet for each passenger carried or brought therein if the compartment or space is located on the second deck below the main deck of the vessel; and it shall not be lawful to carry or bring passengers on any deck other than the decks above mentioned. And in sailing-vessels such passengers shall be carried or brought only on the deck (not being an orlop deck) that is next below the main deck of the vessel, or in a poop or deck-house constructed on the main deck; and the compartment or space, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow one hundred and ten cubic feet for each and every passenger brought therein. And such passengers shall not be carried or brought in any between-decks, nor in any compartment, space, poop, or deck-house, the height of which from deck to deck is less than six feet. In computing the number of such passengers carried or brought in any vessel, children under one year of age shall not be included, and two children between one and eight years of age shall be counted as one passenger; and any person brought in such vessel who shall have been, during the voyage, taken from any other vessel wrecked or in distress on the high seas, or have been picked up at sea from any boat, raft, or otherwise, shall not be included in such computation. The master of a vessel coming to a port or place in the United States in violation of either of the provisions of this section shall be deemed guilty of a misdemeanor; and if the number of passengers other than cabin passengers carried or brought in the vessel, or in any compartment, space, poop, or deck house thereof, is greater than the number allowed to be carried or brought therein, respectively, as hereinbefore prescribed, the said master shall be fined fifty dollars for each and every passenger in excess of the proper number, and may also be imprisoned not exceeding six months.

SEC. 2. That in every such steamship or other vessel there shall be a sufficient number of berths for the proper accommodation as hereinafter provided, of all such passengers. There shall not be on any deck nor in any compartment or space occupied by such passengers more than two tiers of berths. The berths shall be properly constructed, and be separated from each other by partitions, as berths ordinarily are separated, and each berth shall be at least two feet in width and six feet in length; and the interval between the floor or lowest part of the lower

tier of berths and the deck beneath them shall not be less than six inches, nor the interval between each tier of berths, and the interval between the uppermost tier and the deck above it, less than two feet six inches; and each berth shall be occupied by not more than one passenger over eight years of age; but double berths of twice the above-mentioned width may be provided, each double berth to be occupied by no more and by none other than two women, or by one woman and two children under the age of eight years, or by husband and wife, or by a man and two of his own children under the age of eight years, or by two men personally acquainted with each other. All the male passengers upwards of fourteen years of age who do not occupy berths with their wives shall be berthed in the fore part of the vessel, in a compartment divided off from the space or spaces appropriated to the other passengers by a substantial and well-secured bulkhead; and unmarried female passengers shall be berthed in a compartment separated from the spaces occupied by other passengers by a substantial and well-constructed bulkhead, the opening or communication from which to an adjoining passenger space shall be so constructed that it can be closed and secured. Families, however, shall not be separated except with their consent. Each berth shall be numbered serially, on the outside berth-board, according to the number of passengers that may lawfully occupy the berth; and the berths occupied by such passengers shall not be removed or taken down until the expiration of twelve hours from the time of entry, unless previously inspected within a shorter period. For any violation of either of the provisions of this section the master of the vessel shall be liable to a fine of five dollars for each passenger carried or brought on the vessel.

SEC. 3. That every such steamship or other vessel shall have adequate provision for affording light and air to the passenger-decks and to the compartments and spaces occupied by such passengers, and with adequate means and appliances for ventilating the said compartments and spaces. To compartments having sufficient space for fifty or more of such passengers at least two ventilators, each not less than twelve inches in diameter, shall be provided, one of which ventilators shall be inserted in the forward part of the compartment, and the other in the after part thereof, and shall be so constructed as to ventilate the compartment; and additional ventilators shall be provided for each compartment in the proportion of two ventilators for each additional fifty of such passengers carried or brought in the compartment. All ventilators shall be carried at least six feet above the uppermost deck of the vessel, and shall be of the most approved form and construction. In any steamship the ventilating apparatus provided, or any method of ventilation adopted thereon, which has been approved by the proper emigration officers at the port or place from which said vessel was cleared, shall be deemed a compliance with the foregoing provisions; and in all vessels carrying or bringing such passengers there shall be properly-constructed hatchways over the compartments or spaces occupied by such passengers, which hatchway shall be properly covered with houses or booby hatches, and the combings or sills of which shall rise at least six inches above the deck; and there shall be proper companion-ways or ladders from each hatchway leading to the compartments or spaces occupied by such passengers; and the said companion-ways or ladders shall be securely constructed, and be provided with hand-rails or strong rope, and, when the weather will permit, such passengers shall have the use of each hatchway situated over the compartments or spaces appropriated to their use; and every vessel carrying or bringing such passengers shall have a properly located and constructed caboose and cooking-range, or other cooking-apparatus, the dimensions and capacity of which shall be sufficient to provide for properly cooking and preparing the food of all such passengers. In every vessel carrying or bringing such passengers there shall be at least two water-closets or privies, and an additional water-closet or privy for every one hundred male passengers on board, for the exclusive use of such male pas-

Children.

Females.

Husband and wife.

Males.

Females, unmarried.

Families.

Serial numbers to berths.

Inspection of berths.

Penalty for violation.

Light and air to passenger decks, etc.

Ventilation.

Hatchways.

Companion-ways.

Caboose, with capacity, etc.

Water-closets.

Location.	sengers, and an additional water-closet or privy for every fifty female passengers on board, for the exclusive use of the female passengers and young children on board. The aforesaid water-closets and privies shall be properly enclosed and located on each side of the vessel, and shall be separated from passengers' spaces by substantial and properly-constructed partitions or bulkheads; and the water-closets and privies shall be kept and maintained in a serviceable and cleanly condition throughout the voyage. For any violation of either of the provisions of this section, or for any neglect to conform to the requirements thereof, the master of the vessel shall be liable to a penalty not exceeding two hundred and fifty dollars.
Penalty for violation, etc.	
Food.	SEC. 4.—An allowance of good, wholesome, and proper food, with a
Fresh provisions.	reasonable quantity of fresh provisions, which food shall be equal in value to one and a half navy rations of the United States, and of fresh water, not less than four quarts per day, shall be furnished each of such passengers. Three meals shall be served daily, at regular and stated hours, of which hours sufficient notice shall be given. If any such passengers shall at any time during the voyage be put on short allowance for food and water, the master of the vessel shall pay to each passenger three dollars for each and every day the passenger may have been put on short allowance, except in case of accidents, where the captain is obliged to put the passengers on short allowance. Mothers with infants and young children shall be furnished the necessary quantity of whole-some milk or condensed milk for the sustenance of the latter. Tables and seats shall be provided for the use of passengers at regular meals. And for every willful violation of any of the provisions of this section the master of the vessel shall be deemed guilty of a misdemeanor and shall be fined not more than five hundred dollars, and be imprisoned for a term not exceeding six months. The enforcement of this penalty, however, shall not affect the civil responsibility of the master and owners of the vessel to such passengers as may have suffered from any negligence, breach of contract, or default on the part of such master and owners.
Meals per day.	
Short allowance, penalty for.	
Mothers with infants.	
Tables and seats.	
Penalty for violation, etc.	
Hospital compartments.	SEC. 5.—That in every such steamship or other vessel there shall be properly built and secured, or divided off from other spaces, two compartments or spaces to be used exclusively as hospitals for such passengers, one for men and the other for women. The hospitals shall be located in a space not below the deck next below the main deck of the vessel. The hospital spaces shall in no case be less than in the proportion of eighteen clear superficial feet for every fifty such passengers who are carried or brought on the vessel, and such hospitals shall be supplied with proper beds, bedding, and utensils, and be kept so supplied throughout the voyage. And every steamship or other vessel carrying or bringing emigrant passengers, or passengers other than cabin passengers, exceeding fifty in number, shall carry a duly qualified and competent surgeon or medical practitioner, who shall be rated as such in the ship's articles, and who shall be provided with surgical instruments, medical comforts, and medicines proper and necessary for diseases and accidents incident to sea-voyages, and for the proper medical treatment of such passengers during the voyage, and with such articles of food and nourishment as may be proper and necessary for preserving the health of infants and young children; and the services of such surgeon or medical practitioner shall be promptly given, in any case of sickness or disease, to any of the passengers, or to any infant or young child of any such passengers, who may need his services. For a violation of either of the provisions of this section the master of the vessel shall be liable to a penalty not exceeding two hundred and fifty dollars.
Surgeon.	
Medicines, surgical appliances, etc.	
Penalty for violation, etc.	
Discipline, cleanliness, etc., to be maintained.	SEC. 6.—That the master of every such steamship or other vessel is authorized to maintain good discipline and such habits of cleanliness among such passengers as will tend to the preservation and promotion of health, and to that end he shall cause such regulations as he may

adopt for such purpose to be posted up on board the vessel, in a place or places accessible to such passengers, and shall keep the same so posted up during the voyage. The said master shall cause the compartments and spaces provided for, or occupied by, such passengers to be kept at all times in a clean and healthy condition, and to be, as often as may be necessary, disinfected with chloride of lime, or by some other equally efficient disinfectant. Whenever the state of the weather will permit, such passengers and their bedding shall be mustered on deck, and a clear and sufficient space on the main or any upper deck of the vessel shall be set apart, and so kept, for the use and exercise of such passengers during the voyage. For each neglect or violation of any of the provisions of this section the master of the vessel shall be liable to a penalty not exceeding two hundred and fifty dollars.

Space on main deck for exercise of passengers.

SEC. 7. That neither the officers, seamen, nor other persons employed on any such steamship or other vessel shall visit or frequent any part of the vessel provided or assigned to the use of such passengers, except by the direction or permission of the master of such vessel first made or given for such purpose; and every officer, seaman, or other person employed on board of such vessel who shall violate the provisions of this section shall be deemed guilty of a misdemeanor, and may be fined not exceeding one hundred dollars, and be imprisoned not exceeding twenty days, for each violation; and the master of such vessel who directs or permits any officer, seaman, or other person employed on board the vessel to visit or frequent any part of the vessel provided for or assigned to the use of such passengers, or the compartments or spaces occupied by such passengers, except for the purpose of doing or performing some necessary act or duty as an officer, seaman, or other person employed on board of the vessel, shall be deemed guilty of a misdemeanor, and may be fined not more than one hundred dollars for each time he directs or permits the provisions of this section to be violated. A copy of this section, written or printed in the language or principal languages of the passengers on board, shall, by or under the direction of the master of the vessel, be posted in a conspicuous place on the fore-castle and in the several parts of the vessel provided and assigned for the use of such passengers, and in each compartment or space occupied by such passengers, and the same shall be kept so posted during the voyage; and if the said master neglects so to do, he shall be deemed guilty of a misdemeanor, and shall be fined not more than one hundred dollars.

Officers, seamen, etc., prohibited from visiting passengers' apartments.

Penalty for violation, etc.

Notice posted, etc.

Penalty for violation, etc.

SEC. 8. That it shall not be lawful to take, carry, or have on board of any such steamship or other vessel any nitro-glycerine, dynamite, or any other explosive article or compound, nor any vitriol or like acids, nor gunpowder, except for the ship's use, nor any article or number of articles, whether as a cargo or ballast, which, by reason of the nature or quantity or mode of storage thereof, shall, either singly or collectively, be likely to endanger the health or lives of the passengers or the safety of the vessel, and horses, cattle, or other animals taken on board of or brought in any such vessel shall not be carried on any deck below the deck on which passengers are berthed, nor in any compartment in which passengers are berthed, nor in any adjoining compartment except in a vessel built of iron, and of which the compartments are divided off by water-tight bulkheads extending to the upper deck. For every violation of any of the provisions of this section the master of the vessel shall be deemed guilty of a misdemeanor, and shall be fined not exceeding one thousand dollars, and be imprisoned for a period not exceeding one year.

Articles prohibited in cargo, etc.

Penalty for violation, etc.

SEC. 9. That it shall not be lawful for the master of any such steamship or other vessel, not in distress, after the arrival of the vessel within any collection district of the United States, to allow any person or persons, except a pilot, officer of the customs, or health officer, agents of the vessel, and consuls, to come on board of the vessel, or to leave the vessel, until the vessel has been taken in charge by an officer of the

No person, on arrival of vessel in port, allowed to go on board, etc.; exceptions.

8,720. 7346.
746. 7130.

Correct list of passengers, etc., with deaths, if any, to be delivered to first officer of customs on board.

Duplicate of list, etc., to be delivered to collector of customs, etc.

Penalty for violation, etc.

S. 7117.

In case of death of passengers at sea, master of vessel to pay, etc.; money to be paid into United States Treasury.

Inspection and examination of vessel, etc.

Report made to Secretary of the Treasury.

customs, nor, after charge so taken, without leave of such officer, until all the passengers, with their baggage, have been duly landed from the vessel; and on the arrival of any such steamship or other vessel within any collection district of the United States, the master thereof shall deliver to the officer of customs who first comes on board the vessel and makes demand therefor a correct list, signed by the master, of all the passengers taken on board the vessel at any foreign port or place, specifying separately the names of the cabin passengers, their age, sex, calling, and the country of which they are citizens, and the number of pieces of baggage belonging to each passenger, and also the name, age, sex, calling, and native country of each emigrant passenger, or passengers other than cabin passengers, and their intended destination or location, and the number of pieces of baggage belonging to each passenger, and also the location of the compartment or space occupied by each of such passengers during the voyage; and if any of such passengers died on the voyage, the said list shall specify the name, age, and cause of death of each deceased passenger; and a duplicate of the aforesaid list of passengers, verified by the oath of the master, shall, with the manifest of the cargo, be delivered by the master to the collector of customs on the entry of the vessel. For a violation of either of the provisions of this section, or for permitting or neglecting to prevent a violation thereof, the master of the vessel shall be liable to a fine not exceeding one thousand dollars.

SEC. 10. That in case there shall have occurred on board any such steamship or other vessel any death among such passengers during the voyage, the master or consignees of the vessel shall, within forty-eight hours after the arrival of the vessel within a collection district of the United States, or within twenty-four hours after the entry of the vessel, pay to the collector of customs of such district the sum of ten dollars for each and every such passenger above the age of eight years who shall have died on the voyage by natural disease; and the master or consignees of any vessel who neglect or refuse to pay such collector, within the times hereinbefore prescribed, the sums of money aforesaid, shall be liable to a penalty of fifty dollars in addition to the sum required to be paid as aforesaid for each passenger whose death occurred on the voyage. All sums of money paid to any collector under the provisions of this section shall be by him paid into the Treasury of the United States in such manner and under such regulations as shall be prescribed by the Secretary of the Treasury.

SEC. 11. That the collector of customs of the collection district within which, or the surveyor of the port at which, any such steamship or other vessel arrives, shall direct an inspector or other officer of the customs to make an examination of the vessel, and to admeasure the compartments or spaces occupied by the emigrant passengers, or passengers other than cabin passengers, during the voyage; and such measurement shall be made in the manner provided by law for admeasuring vessels for tonnage; and to compare the number of such passengers found on board with the list of such passengers furnished by the master to the customs officer; and the said inspector or other officer shall make a report to the aforesaid collector or surveyor, stating the port of departure, the time of sailing, the length of the voyage, the ventilation, the number of such passengers on board the vessel, and their native country, respectively; the cubic quantity of each compartment or space, and the number of berths and passengers in each space, the kind and quality of the food furnished to such passengers on the voyage; the number of deaths, and the age and sex of those who died during the voyage, and of what disease; and in case there was any unusual sickness or mortality during the voyage, to report whether the same was caused by any neglect or violation of the provisions of this act, or by the want of proper care against disease by the master or owners of the vessel; and the said reports shall be forwarded to the Secretary of the Treasury at such times and in such manner as he shall direct.

SEC. 12. That the provisions of this act shall apply to every steamship or other vessel whereon emigrant passengers, or passengers other than cabin passengers, are taken on board at a port or place in the United States for conveyance to any port or place in a foreign country except foreign territory contiguous to the United States, and shall also apply to any vessel whereon such passengers are taken on board at any port or place of the United States on the Atlantic Ocean or its tributaries, or vice versa; and whether the voyage of said vessel is to be continuous from port to port or such passengers are to be conveyed from port to port in part by the way of any overland route through Mexico or Central America; and the said collector of customs may direct an examination of the vessel to be made by an inspector or other officer of the customs, who shall make the examination and report whether the provisions of this act have been complied with in respect to such vessel, and the said collector is authorized to withhold the clearance of such vessel until the coming in of such report; and if the said report shall show that any of the provisions of this act have not been complied with, the collector is authorized and directed to withhold the clearance of such vessel until the said provisions are complied with; and if any such vessel leaves the aforesaid port or place without having been duly cleared by the collector of customs, the master shall be deemed guilty of a misdemeanor, and may be fined not exceeding one thousand dollars, and be imprisoned not exceeding one year, and the vessel shall be liable to seizure and forfeiture.

Provisions of this act to apply to vessels carrying emigrants, etc., from United States to foreign countries, etc.

Clearance of vessels withheld until compliance with provisions of this act, etc.

Penalty for violation, etc.

SEC. 13. That the amount of the several fines and penalties imposed by any section of this act upon the master of any steamship or other vessel carrying or bringing emigrant passengers, or passengers other than cabin passengers, for any violation of the provisions of this act, shall be liens upon such vessel, and such vessel may be libeled therefor in any circuit or district court of the United States where such vessel shall arrive or depart.

Fines and penalties to be lien, etc., upon vessels.

SEC. 14. That this act shall come into operation and take effect ninety days after the passage of this act; and sections forty-two hundred and fifty-two to forty-two hundred and seventy-seven, inclusive, of the Revised Statutes of the United States are, from and after said date, repealed; and this act may be cited for all purposes as "The passenger act, eighteen hundred and eighty-two."

Act to take effect, etc.
R. S. 4252 to R. S. 4277, pp. 820 to 826, repealed.

Approved, August 2, 1882.

CHAP. 375.—An act making appropriations for the construction, repair, and preservation of certain works on rivers and harbors, and for other purposes.

August 2, 1882.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, and to be expended under the direction of the Secretary of War, for the construction, completion, repair, and preservation of the public works hereinafter named:

Appropriations. Rivers and harbors:

Improving harbor at Portland, Maine: Continuing improvement, thirty-five thousand dollars.

Portland Harbor.

Improving harbor at Richmond, Maine: Continuing improvement, ten thousand dollars.

Richmond Harbor.

Improving harbor at Rockland, Maine: Constructing breakwaters, forty thousand dollars.

Rockland Harbor.

Improving harbor at Portsmouth, New Hampshire: Continuing improvement, seventeen thousand dollars.

Portsmouth Harbor.

Improving harbor at Burlington, Vermont: Continuing improvement, twelve thousand dollars.

Burlington Harbor.

Improving harbor at Swanton, Vermont: Continuing improvement, four thousand five hundred dollars.

Swanton Harbor.