

CHAP. 1454.—An Act To amend sections forty-four hundred and seventeen, forty-four hundred and fifty-three, forty-four hundred and eighty-eight, and forty-four hundred and ninety-nine of the Revised Statutes relating to the Steamboat-Inspection Service, and section fifty-three hundred and forty-four of the Revised Statutes relating to misconduct by officers or owners of vessels.

March 3, 1905.
[H. R. 18198.]

[Public, No. 187.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section forty-four hundred and seventeen of the Revised Statutes of the United States be amended to read as follows:

Steamboat-Inspection Service.

“SEC. 4417. The local inspectors shall, once in every year, at least, carefully inspect the hull of each steam vessel within their respective districts, 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 passengers and the crew, 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, anchors, cables, 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. The local inspectors shall, once in every year, at least, carefully inspect the hull of each sail vessel of over seven hundred tons carrying passengers for hire and all other vessels and barges of over one hundred tons burden carrying passengers for hire within their respective districts, 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 the crew, and is in condition to warrant the belief that she may be used in navigation with safety to life: *Provided*, That vessels while laid up and dismantled and out of commission may, by regulations established by the Board of Supervising Inspectors, with the approval of the Secretary of Commerce and Labor, be exempted from any or all inspection under sections forty-four hundred and seventeen, forty-four hundred and eighteen, forty-four hundred and twenty-six, forty-four hundred and twenty-seven. Whenever any inspector or assistant inspector shall, in the performance of his duty, find on board any vessel subject to the provisions of this title, as part of the required equipment thereof, any equipment, machinery, apparatus, or appliances not conforming to the requirements of law, he shall require the same to be placed in proper condition by the owner or master of the said vessel, if possible; and if said inspector or assistant inspector shall find on board any such vessel any life-preservers or fire hose so defective as to be incapable of repair, he shall require that the same be destroyed in his presence by such owner or master. And in any of the foregoing cases local inspectors by whom or under whose supervision said vessel is then being inspected shall have power to enforce the foregoing requirements by revoking the certificate of the said vessel, and by refusing to issue a new certificate to the said vessel until the said requirements shall have been fully complied with or until such action of the local inspectors shall have been reversed, modified, or set aside by the supervising inspector of the district on proper appeal by the owner or master of said vessel, which appeal shall be made to the said supervising inspector within ten days after the final action as aforesaid by the local inspectors; and upon such appeal, duly made, the supervising inspector shall have power to affirm, modify, or set aside such action by the local inspectors.”

Inspection of hulls of steamboats.
R. S., sec. 4417, p. 856, amended.

Sail vessels.

Proviso.
Vessels out of commission exempt.
Post, pp. 1027, 1029.
R. S., sec. 4427, p. 858.

Equipment to be kept in order.

Destruction of useless life-preservers, etc.

Revocation of certificate, etc.

Appeal.

SEC. 2. That section forty-four hundred and fifty-three of the Revised Statutes of the United States be, and it is hereby, amended to read as follows:

“SEC. 4453. In addition to the annual inspection, the local inspectors shall examine, at proper times, steamers arriving and departing to and from their respective ports, so often as to enable them to detect

Reinspection and notice of repairs.
R. S., sec. 4453, p. 862, amended.

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 vessels unsafe; and if they shall discover any omission to comply with the law, or that repairs have become necessary to make the vessel safe, the inspectors shall at once notify the master, in writing, stating in the notice what is required; and if the master deems the requirements unreasonable or unnecessary, he may apply for a reexamination of the case to the supervising inspector, as provided in the preceding section. All inspections and orders for repairs shall be promptly made by the inspectors, and, when it can be safely done in their judgment, they shall permit repairs to be made where those interested can most conveniently do them. And whenever any local inspector or supervising inspector ascertains to his satisfaction that any vessel, subject to the provisions of this title, has been or is being navigated or operated without complying with the terms of the vessel's certificate of inspection regarding the number and class of licensed officers and crew, or without complying with the provisions of law and her said certificate as to the number or kind of life-saving or fire-fighting apparatus, or without maintaining in good and efficient condition her lifeboats, fire pumps, fire hose, and life-preservers, or that for any other reason said vessel can not be operated with safety to life, the said local or supervising inspector shall order the owner or master of said vessel to correct such unlawful conditions, and may require that the vessel at once cease navigating and be submitted to reinspection; and in case the said orders of such inspector shall not at once be complied with, the said inspector shall revoke the said vessel's certificate of inspection and shall immediately give to the owner, master, or agent of said vessel notice, in writing, of such revocation; and no new certificate of inspection shall be again issued to her until the provisions of this title have been complied with. Any vessel subject to the provisions of this title operating or navigating or attempting to operate or navigate after the revocation of her certificate of inspection and before the issuance of a new certificate, shall, upon application by the inspector to any district court of the United States having jurisdiction, and by proper order or action of said court in the premises, be seized summarily by way of libel and held without privilege of release by bail or bond until a proper certificate of inspection shall have been issued to said vessel: *Provided*, That the master or owner of any vessel whose certificate shall have been so revoked may within thirty days after receiving notice of such revocation appeal to the Secretary of Commerce and Labor for a reexamination of the case, and upon such appeal the said Secretary shall have power to revise, modify, or set aside such action of the local or supervising inspector and direct the issuance to such vessel of her original certificate or of a new certificate of inspection; and in case the said Secretary shall so direct the issuance of a certificate, all judicial process against said vessel based on this section shall thereupon be of no further force or effect, and the vessel shall thereupon be released."

Noncompliance with certificate of inspection, etc.

Reinspection.

Revocation of certificate of inspection,

Seizure on attempting to navigate after revocation.

Provido.
Appeal for reexamination.

Revision, etc.

Release.

Life-boats, etc., on ocean, lake, and sound steamers.
R. S., sec. 4488, p. 868, amended.

SEC. 3. That section forty-four hundred and eighty-eight of the Revised Statutes of the United States be amended to read as follows:

"SEC. 4488. Every steamer navigating the ocean, or any lake, bay, or sound of the United States, shall be provided with such numbers of lifeboats, floats, rafts, life-preservers, line-carrying projectiles, and the means of propelling them, and drags, as will best secure the safety of all persons on board such vessel in case of disaster; and every seagoing vessel carrying passengers, and every such vessel navigating any of the northern or northwestern lakes, shall have the lifeboats required by law, provided with suitable boat-disengaging apparatus, so arranged as to allow such boats to be safely launched while such vessels are under speed or otherwise, and so as to allow such disengag-

ing apparatus to be operated by one person, disengaging both ends of the boat simultaneously from the tackles by which it may be lowered to the water. And the board of supervising inspectors shall fix and determine, by their rules and regulations, the character of lifeboats, floats, rafts, life-preservers, line-carrying projectiles, and the means of propelling them, and drags that shall be used on such vessels, and also the character and capacity of pumps or other appliances for freeing the steamer from water in case of heavy leakage, the capacity of such pumps or appliances being suited to the navigation in which the steamer is employed. Every vessel subject to the provisions of this title shall, while in operation, carry one life-preserver for each and every person allowed to be carried on said vessel by the certificate of inspection, including each member of the crew: *Provided, however,* That upon such vessels and under such conditions as are specified in section forty-four hundred and eighty-two floats may be substituted for life-preservers. Any person who willfully and knowingly manufactures or sells, or offers for sale, or has in his possession with intent to sell, life-preservers containing metal or other nonbuoyant material, for the purpose of increasing the weight thereof, or more metal or other such material than is reasonably necessary for the construction thereof, or who shall so manufacture, sell, offer for sale, or possess with intent to sell any other articles commonly used for preservation of life or the prevention of fire on board vessels subject to the provisions of this title, which articles shall be so defective as to be inefficient to accomplish the purposes for which they are respectively intended and designed, shall upon conviction, be fined not more than two thousand dollars, and may, in addition thereto, in the discretion of the court, be imprisoned not exceeding five years."

Line-carrying projectiles, etc.

Life-preserver for each person.

Proviso.
Substitution of floats.

Sale, etc., of improperly constructed life-preservers prohibited.

Penalty.

SEC. 4. That section forty-four hundred and ninety-nine of the Revised Statutes of the United States be, and it is hereby, amended to read as follows:

"SEC. 4499. If any vessel propelled in whole or in part by steam be navigated without complying with the terms of this title, the owner shall be liable to the United States in a penalty of five hundred dollars for each offense, one-half for the use of the informer, for which sum the vessel so navigated shall be liable, and may be seized and proceeded against by way of libel in any district court of the United States having jurisdiction of the offense. Persons or corporations chartering or engaging or contracting for the use of vessels subject to this title, under such terms and conditions that they have full and exclusive control of the management and operation of such vessels, shall be subject to the same penalties for violations of the provisions of this title as are now imposed upon owners of vessels thereunder, and in such cases the owners shall not be liable to such penalties for such violations by such charterers or contractors."

Penalty for failure to comply.
R. S., sec. 4499, p. 869, amended.

Chartered, etc., vessels.

SEC. 5. That section fifty-three hundred and forty-four of the Revised Statutes of the United States be, and it is hereby, amended to read as follows:

"SEC. 5344. Every captain, engineer, pilot, or other person employed on any steamboat or vessel, by whose misconduct, negligence, or inattention to his duties on such vessel the life of any person is destroyed, and every owner, charterer, inspector, or other public officer, through whose fraud, neglect, connivance, misconduct, or violation of law, the life of any person is destroyed, shall be deemed guilty of the felony of manslaughter, and upon conviction thereof, before any circuit court of the United States, shall be sentenced to pay a fine of not more than ten thousand dollars, or to confinement at hard labor for a period of not more than ten years, or either, or both: *Provided,* That when the owner or charterer of any steamboat or vessel shall be a corporation, any executive officer of such corporation,

Punishment for loss of life by misconduct of officers, owners, charterers, inspector, etc.
R. S., sec. 5344, p. 1038, amended.

Proviso.
Executive officer of corporation.
Liability of.

for the time being actually charged with the control and management of the operation, equipment, or navigation of such steamboat or vessel, who has knowingly and willfully caused or allowed such fraud, neglect, connivance, misconduct, or violation of law, by which the life of any person is destroyed, shall be deemed guilty of the felony of manslaughter, and upon conviction thereof, before any circuit court of the United States, shall be sentenced to confinement at hard labor for a period of not more than ten years."

Penalty.

Effect.

SEC. 6. That this Act shall take effect and be in force on and after the first day of July, nineteen hundred and five.

Approved, March 3, 1905.

March 3, 1905.
[H. R. 18200.]

CHAP. 1455.—An Act To amend section forty-four hundred and fourteen of the Revised Statutes of the United States.

[Public, No. 188.]

Steamboat-Inspection Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section forty-four hundred and fourteen of the Revised Statutes of the United States be, and it is hereby, amended to read as follows:

Inspectors of hulls and boilers.
Collection districts.

"SEC. 4414. There shall be in each of the following collection districts, namely, the districts of Philadelphia, Pennsylvania; San Francisco, California; New London, Connecticut; Baltimore, Maryland; Detroit, Michigan; Chicago, Illinois; Bangor, Maine; New Haven, Connecticut; Michigan, Michigan; Milwaukee, Wisconsin; Willamette, Oregon; Puget Sound, Washington; Savannah, Georgia; Pittsburg, Pennsylvania; Oswego, New York; Charleston, South Carolina; Duluth, Minnesota; Superior, Michigan; Apalachicola, Florida; Galveston, Texas; Mobile, Alabama; Alaska; Providence, Rhode Island, and in each of the following ports: New York, New York; Jacksonville, Florida; Portland, Maine; Boston, Massachusetts; Buffalo, New York; Cleveland, Ohio; Toledo, Ohio; Norfolk, Virginia; Evansville, Indiana; Dubuque, Iowa; Louisville, Kentucky; Albany, New York; Cincinnati, Ohio; Memphis, Tennessee; Nashville, Tennessee; Saint Louis, Missouri; Port Huron, Michigan; New Orleans, Louisiana; Gallipolis, Ohio; Wheeling, West Virginia, and Burlington, Vermont, one inspector of hulls and one inspector of boilers.

Ports.

Salaries.

"The inspectors of hulls and the inspectors of boilers in the districts and ports enumerated in the preceding paragraph shall be entitled to the following salaries, to be paid under the direction of the Secretary of Commerce and Labor, namely:

"For the port of New York, New York, at the rate of two thousand five hundred dollars per year for each local inspector.

"For the districts of Philadelphia, Pennsylvania; Baltimore, Maryland; San Francisco, California, and Puget Sound, Washington, and the ports of Boston, Massachusetts; Buffalo, New York, and New Orleans, Louisiana, at the rate of two thousand two hundred and fifty dollars per year for each local inspector.

"For the districts of Michigan, Michigan; Milwaukee, Wisconsin; Duluth, Minnesota; Providence, Rhode Island; Chicago, Illinois, and Alaska, and the ports of Albany, New York; Cleveland, Ohio; Portland, Maine, and Norfolk, Virginia, at the rate of two thousand dollars per year for each local inspector.

"For the districts of Oswego, New York; Willamette, Oregon; Detroit, Michigan, and Mobile, Alabama, and the ports of Saint Louis, Missouri, and Port Huron, Michigan, at the rate of one thousand eight hundred dollars per year for each local inspector.

"For the districts of Pittsburg, Pennsylvania; New Haven, Connecticut; Savannah, Georgia; Charleston, South Carolina; Galveston,