

of the custodians of such buildings to provide work for such persons and to compel them to work therein when able, not less than six hours per day.

Travellers.

- | | |
|--|--------------------------------------|
| 1. Boats landing and receiving passengers. | 7. Stage not to run against another. |
| 2. Sending or receiving by small boat | 8. Care to be used by drivers. |
| 3. Boat not to run against another. | 9. Penalty for oversetting stage. |
| 4. Nor impede another's passing. | 10. Drivers liable to owner. |
| 5. To keep at certain distance. | 11. Act to be posted in boats. |
| 6. Lights to be kept at night. | 12. Manner of prosecuting offenders. |

An act for the safety of travellers.

Harr. 179.

R. S. 602.

Passed February 28, 1828.

Regulations to be observed by steamboats navigating the waters of this state.

1. That in all cases when any passenger or passengers is or are about to be landed from any steamboat navigating the waters within the jurisdiction of this state, and such steamboat is near the shore, so that the passenger or passengers can be landed immediately from the steamboat upon the shore, or upon another boat or vessel lying between the steamboat and the shore; and when any passenger or passengers is or are about to be taken on board of any steamboat, so navigating as aforesaid, immediately from the shore, or from any boat or vessel lying between such steamboat and the shore, such steamboat shall be stopped, and shall remain stopped, for the space of at least one minute, and as long as shall be necessary for the safety of the passengers landing from, or going on board of said steamboats; and if any captain, master or commander of any steamboat, or other person having the charge or command of any steamboat, shall cause or permit any passenger to be landed from, or taken on board the same, contrary to the provisions of this section, he shall forfeit and pay the sum of two hundred and fifty dollars for every such offence, to be recovered by action of debt, with costs of suit, in any court having cognizance thereof, by any person suing for the same; and the owner or owners of such steamboat shall be liable to any person who may be injured thereby for all damages thereby sustained, to be recovered in an action of trespass on the case, with costs of suit.

Penalty.

Engine to be stopped, etc.

2. That no passenger shall be put, or suffered to go from on board any steamboat navigating the waters within the jurisdiction of this state, into any small boat for the purpose of being landed, until the engine of such steamboat shall be stopped; and the said engine shall not be again put in motion, until the small boat shall be at least twenty yards from the nearest waterwheel of the steamboat, or until the small boat shall have reached the place at which the passenger is to be landed, if that be within the said distance of twenty yards; and the captain, master, or commander of any steamboat, or other person having the charge or command of any steamboat, for the time being, who shall offend against this provision, shall forfeit and pay the sum of one hundred dollars, to be recovered by action of debt, by any person suing for the same; and, at his election, either before any justice of the peace having cognizance thereof, with triple costs of suit, or before any court of common pleas having cognizance thereof, with lawful costs, any law to the contrary in anywise notwithstanding.

Penalty, how recovered.

Steamboats not to be run against each other.

3. That when two steamboats navigating the waters within the jurisdiction of this state, are going in the same direction, it shall not be lawful for either of them to be wilfully so navigated as to run against, hinder, or delay the other, or to run her aground or ashore, or in anywise to injure or impede her, or unnecessarily to approach her, to within the distance of twenty yards; and every captain, master, or commander of any steamboat, or other person having the charge or command of any steamboat, for the time being, who shall offend against this provision, shall forfeit and pay the sum of one hundred and fifty dollars, to be recovered

Penalty.

by action of debt, with costs of suit, in any court having cognizance thereof, by any person suing for the same; and the owner or owners of any steamboat which shall be made to violate any of the provisions of this section, shall be jointly and severally liable for all damages and losses occasioned by such offence, to be recovered in an action at law, with costs.

Owners liable for damages.

4. That when two steamboats, navigating the waters within the jurisdiction of this state, are going in the same direction, and one of them shall attempt to pass the other, the captain, master, or commander, of such other, or the person having the charge or command thereof for the time being, shall not cause her to deviate from her proper course, for the purpose of hindering or delaying the steamboat so attempting to pass, or of preventing or attempting to prevent her passing; and every captain, master, or commander of any steamboat, or other person having the charge or command of any steamboat, for the time being, who shall violate the provisions of this section, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punishable by fine or imprisonment, or both, in the discretion of the court before which such conviction shall be had, the fine not exceed two hundred dollars, nor the imprisonment, six months; and the said misdemeanor is hereby made indictable and punishable in the county adjoining the waters upon which such offence shall be committed; and the owner or owners of any steamboat so deviating as aforesaid, shall be jointly and severally liable for all damages and losses occasioned by such offence, to be recovered in an action of trespass on the case, with costs of suit; *provided*, that nothing herein contained shall be construed to take away any action or suit, to which such owner or owners may or shall become liable at common law; *and provided*, that nothing in this section contained shall be construed to extend to any case, where the person having charge of any small boat, not belonging to such steamboat, under the control of the captain or master thereof, shall wilfully or unnecessarily stop such small boat, within the said distance of twenty yards.

Boat not to deviate, to impede another's passing.

Further penalty.

Owners liable.

Proviso.

5. That when two steamboats, navigating the waters within the jurisdiction of this state, are going in opposite directions, and meeting each other, it shall not be lawful for either of them to be so navigated as unnecessarily to approach the other, to within the distance of ten yards; and every captain, master, or commander of any steamboat, or other person having the charge or command of any steamboat, for the time being, who shall offend against this provision, shall forfeit and pay the sum of fifty dollars, to be recovered by action of debt, with costs of suit, in any court having cognizance thereof, by any person suing for the same.

Steamboats not to approach nearer than ten yards to each other.

Penalty.

6. That whenever any steamboat shall be navigating any of the waters within the jurisdiction of this state, in the night time, she shall show two good and sufficient lights, one whereof shall be exposed near her bows, the other near her stern, and the last shall be at least twenty feet above her deck; and in case any steamboat shall navigate any of the waters within the jurisdiction of this state, without carrying and having exposed such lights as aforesaid, the captain, master, or commander, or person having charge of such steamboat at the time, shall forfeit and pay two hundred dollars, to be recovered by action of debt, with costs of suit, in any court having cognizance thereof, by any person suing for the same; and the owner or owners of any steamboat which shall be made to violate any of the provisions of this section, shall be jointly and severally liable for all damages and losses occasioned by such offence, to be recovered in an action at law, with costs.

Lights to be kept on board when under way at night.

Penalty.

Owners liable for losses.

7. That no person hereafter driving any stage coach, wagon, sleigh, or other carriage upon any turnpike road or public highway, within this state, shall wilfully so drive the same as to run against, delay or hinder any other stage coach, wagon, sleigh, or other carriage, or shall run his horses, to pass or prevent being passed, by any other stage coach, wagon, sleigh, or other carriage, or on any other occasion, or for any other purpose; and every person offending against the provision of this section, shall, for every such offence, forfeit and pay the sum of thirty dollars, to be recovered, with costs of suit, in an action of debt, before any justice of the peace having cognizance thereof, by any person who

Drivers of stages not to run against, etc., other stages.

Penalty.

- Owners liable. shall first sue for the same to effect; and the owner or owners of any such stage coach, wagon, sleigh, or carriage used for carrying passengers for hire, whether with or without passengers, the driver of which shall offend against this section, are hereby made jointly and severally liable for the said penalty.
- Drivers to be careful. 8. That it shall not be lawful for the driver of any stage coach, wagon, sleigh, or carriage, used for carrying passengers for hire or reward, to leave the horses attached thereto without first making them fast with a sufficient rope, chain, or halter, or placing the lines in the hands of some other person to hold, till he, the said driver, shall return and take charge of said horses; and if any such driver shall offend against this section, he shall be liable to a penalty of twenty dollars, to be recovered in an action of debt, with costs of suit, before any justice of the peace having cognizance thereof, by any person who shall first sue for the same to effect; and the owner or owners of any such stage coach, wagon, sleigh, or carriage, the driver of which shall offend against this section, shall be jointly and severally liable for all damages and losses occasioned by such offence.
- Penalty. 9. That it shall be, and hereby is declared to be the duty of the owner or owners of every stage coach, wagon, or other carriage, used for conveying passengers for hire or reward, to employ none but prudent, careful, and sober drivers of every such stage coach, wagon, or other carriage; and in case any such stage coach, wagon, or other carriage, in which any passenger or passengers shall be travelling, shall be overset in consequence or by reason of the intoxication or misconduct of the driver thereof, the driver so offending shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by fine or imprisonment, or both, at the discretion of the court before whom such conviction shall be had, the fine not to exceed one hundred dollars, nor the imprisonment twelve months; and the owner or owners of any stage coach, wagon, or other carriage, which shall be overset, as aforesaid, shall be jointly and severally liable to each and every passenger who shall be personally injured thereby, for all damages thereby sustained.
- Owners liable. 10. That in all cases when the owner or owners of any such stage coach, wagon or sleigh, or other carriage, shall pay, or be compelled to pay, any fine or damages recovered against him or them for anything prohibited by this act, occasioned by the act or neglect of any driver, such owner or owners may set off the amount thereof against any sum which may be due to such driver from said owner or owners.
- Drivers liable to owners. 11. That it shall be the duty of the owner or owners, captain or commander of every steamboat navigating the waters within the jurisdiction of this state, to keep a copy of this act posted up in some conspicuous place in the cabin of such boat, for the inspection of all passengers on board the same, under the penalty of twenty-five dollars for every neglect herein, to be recovered against the owner or owners, captain or commander of such steamboat, by action of debt, with costs of suit, in any court having cognizance thereof, by any person who shall first sue for the same to effect; and the said owner or owners, captain or commander, are hereby made jointly and severally liable for the said penalty.
- This act to be posted up in steamboats. 12. That whenever any penalty imposed by this act is incurred, the suit or action for the recovery thereof, may be commenced by warrant or summons, in case the same is prosecuted in a court for the trial of small causes, and by *capias ad respondendum* or summons, in case the same is prosecuted in any other court, any law, usage, or custom to the contrary notwithstanding.
- Penalty. Manner of prosecuting the violators of this act.