

Duty of the county physician.

the clerk of said county, faithfully and fairly to perform the duties of his office to the best of his skill and understanding, which oath or affirmation shall be filed by said clerk in his office.

2. That it shall be the duty of said county physician, in all cases of death in prison, and all violent, sudden or casual deaths within his county, to take a view of the body, and make all proper inquiry respecting the cause and manner of the death, for the purpose of ascertaining whether an inquest should be held; if, upon such view and inquiry, said physician shall be of an opinion that there is cause to suspect that the person whose body he has been called to view, came to his or her death by murder or manslaughter, or by the contrivance, aiding, procuring or other misconduct of any person or persons, then it shall be his duty to call upon one of the coroners of the county, or if such coroner cannot be had, upon a justice of the peace of said county, and request him, in writing, to issue the precept for the summoning of a jury of inquisition, to consist of not more than fifteen nor less than nine, and to hold an inquest and make return of the same according to law, and any post mortem examination or other medical service required upon said inquest shall be performed by said county physician.

Coroners and justices of the peace to act in case of vacancy.

3. That in case no election shall be made by the board of chosen freeholders of any county in this state, of such county physician, or in case one so elected shall omit to take the oath or affirmation herein required, or shall die or resign, or his office in anywise becomes vacant, then, during such failure to elect, or such omission or vacancy of the office, the coroners and justices of the peace in such county where there shall be no county physician, for any of the causes last named, shall perform the duties and exercise the powers prescribed by law.

County physician may appoint any other licensed physician to act in certain contingencies.

4. That in case said county physician shall be sick, or from any cause shall be unable to attend to make such view and inquiry, or post mortem examination, or attend at any inquest or perform any service required by this act, it shall be lawful for him to nominate and appoint in writing, under his hand, any other licensed physician of said county, to perform such specific service as he may be unable to perform; and the physician so appointed shall, in that behalf, possess all the powers of said county physician, and all fees and charges of said physician so appointed, for such service rendered while acting under such appointment, shall be paid by said county physician.

Physician to have exclusive right and power to make views and inquiries.

5. That in all cases where a county physician shall be elected and qualified, and fulfilling his office as aforesaid, he shall have exclusive right and power to make all views and inquiries heretofore made by coroners and justices of the peace; and that no precept for the summoning of a jury of inquest shall hereafter be issued by any justice or coroner of any county where a county physician shall be elected and qualified and fulfilling his office as aforesaid, except by the written request of said physician made as aforesaid; and the request in writing so made by such physician shall be annexed to the inquest made and returned by said coroner or justice.

6. That all acts and parts of acts inconsistent with this act are hereby repealed.

Pilots.

1. Commissioners appointed.
2. To certify appointment of pilot.
3. Pilot's oath.
4. Examination of applicants.
5. Fresh licenses taken out.
6. Power of removal.
7. Power to make rules.
8. Penalty on pilot for neglect.
9. Penalty for refusal to do duty.
10. Penalty for carelessness.
11. Of partnerships.
12. Commissioners disinterested.
13. Pilot's pay if carried to sea.
14. May receive pilotage, rates.
15. Fees for detention.
16. Fees for extra services.
17. Refusal of master to receive.
18. Of apprentices.
19. Who exclusively employed.
20. Precaution to be used.
21. Taxation or certificate of pilotage.
22. Penalty for intoxication.
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24. Percentage of commissioners.

- 25. Pilot's bond and license.
- 26. Commissioners' annual report.
- 27. Fees of commissioners.
- 28. Pay of pilot carried to sea.
- 29. Fees for pilotage.
- 30. Pilotage on merchant vessels outward.
- 31. Rates for intermediate distances.
- 32. Fees for detention on wharf.
- 33. Pilotage to whom payable.
- 34. Masters of vessels to give to pilot draught of vessel.
- 35. Fees for moving vessel in New York harbor.
- 36. Additional fees between November and April.
- 37. Penalty for piloting without holding license.
- 38. President of board may administer oath.
- 39. Penalty for neglect by pilot.
- 40. Penalty for carelessness.
- 41. Repealer.
- 42. From whom commissioners to be selected.
- 43. Appeal from commissioners to governor.
- 44. Appeal operates as a supersedeas.
- 45. Stationing of pilot boats.
- 46. One apprentice to every boat.
- 47. Repealer.
- 48. New Jersey coasting vessels not required to employ licensed pilot.
- 49. Repealer.

An act to establish and regulate pilots, for the ports of Jersey City, Newark and Perth Amboy, by the way of Sandy Hook.

Approved April 17, 1846. R. S. 1049.

1. That the governor, by and with the advice and consent of the senate, shall appoint seven commissioners of pilotage, who shall hold their offices, respectively, for three years; and in case any commissioner of pilotage, so appointed, shall die or resign, or in any other way become disqualified to act, it shall be the duty of the governor, by and with the advice and consent of the senate, forthwith to fill such vacancy; and the person so appointed to fill such vacancy, shall hold his office for the like term of three years; and the commissioners of pilotage, or a majority of them, shall be authorized, and full power and authority are hereby given to them, to permit, at their discretion, any person to act as a branch pilot off the bar at Sandy Hook, or of the river Raritan, or of the harbours of Jersey City, Newark or Perth Amboy, they having examined the said person in the manner hereinafter mentioned, and made such inquiries respecting him and his qualifications, as to them, the said commissioners, or a majority of them, shall appear necessary and expedient.

Commissioners of pilotage appointed. Term. Powers.
2. That the commissioners of pilotage shall give to every person appointed by them as a branch pilot or deputy pilot, a certificate of his appointment, signed by a majority of them, or by their chairman, or by their direction; which certificate shall be presented to the governor.

Certificates to be given.
3. That whenever any person shall produce to the governor, or in case of his absence from the seat of government, to the secretary of state, a certificate of the aforesaid tenor, from the commissioners of pilotage, or a majority of them, the said governor or secretary of state, as the case may be, shall administer to such person the following oath or affirmation, to wit; I, A. B., do solemnly swear (or affirm), that I will well and faithfully, and according to the best of my skill and knowledge, execute and discharge the business and duty of a ——— branch pilot for the bar, Jersey City, Newark, and Perth Amboy and harbour of Sandy Hook, and that I will at all times use my best endeavors to repair on board all ships and vessels that I shall see and conceive to be bound for, or coming into, or going out of the harbour aforesaid, unless I am well assured that some other licensed pilot is then on board the same; and I do further swear (or affirm), that I will, from time to time and at all times, make the best dispatch in my power to bring safely over the bar at Sandy Hook, every vessel committed to my care in coming in or going out; and that I will, from time to time and at all times, truly observe, follow, and fulfil, to the best of my skill, ability, and knowledge, all such orders and directions as I shall or may receive from the commissioners of pilotage, relative to all matters or things that may appertain to the duty of a pilot: *and further*, that I will not be copartner with more than twelve pilots at the same time, in any affair relative or incident to the business, duty, or office of a pilot.

Oath to be administered.
4. That it shall be the duty of the said commissioners, before they grant a branch or license to any person applying therefor, to call such applicant before them, and in the presence of one or more of the branch pilots of this state, who shall be personally notified to attend for the purpose, or in case of the non-attendance of the pilot or pilots who shall be so notified to attend for that purpose, then without the assistance or presence of any

Examination of applicants.

branch pilot, to examine such person so applying for a branch or license to act as a pilot or deputy pilot, or to cause him to be examined touching his qualifications for such an employment, and in particular, touching his knowledge of the tides, soundings, bearings, and distances of the several shoals, rocks, bars, and points of land, in the navigation for which he applies for a branch or license to act as a pilot or deputy pilot.

When fresh licenses to be taken out.

5. That the commissioners of pilotage shall have power and authority to order and direct all pilots for the bar and harbour aforesaid, to deliver up their former, and to take out fresh licenses whenever so required; but no pilot shall be charged with any fee upon receiving a new license as aforesaid; and every pilot not complying with these conditions, or any of them, shall forthwith forfeit his license, and shall be disqualified to act as a pilot for twelve months, and shall afterwards obtain no pilot's branch, unless he be readmitted under the same formalities as one applying in the first instance.

Power to take away license.

6. That the commissioners of pilotage, and a majority of them, shall have power and authority to take away the branch of any pilot or deputy pilot, (a) and to declare his license null and void, whenever it shall appear to them that such pilot has wilfully infringed or violated this act or the orders of the commissioners, or that he hath negligently and carelessly lost any vessel under his care, or that he is laboring under a mental derangement, so as to be incapable of attending to business, or that he is so addicted to the habits of intoxication as to be unfit to be intrusted with the charge of a vessel; and if any pilot hath forfeited his branch, or is no longer entitled to the use of his license by virtue of this or the foregoing clause, the commissioners of pilotage shall have power to call on him for the surrender of his license; and if he shall refuse to give up the same upon demand, the latter shall notify for one week, in the public papers of Jersey City, Newark, or in such paper as they shall deem necessary, that such person has no longer a right to act as a pilot until he is reinstated according to law; *provided*, that before any pilot shall be deprived of his branch or license, or suspended from acting thereunder, such pilot shall be summoned by a notice in writing, to be delivered to him personally, or to be left at his usual place of abode at least fifteen days before the time specified therein for his appearance, to appear before the said commissioners at such time as shall be specified in the said notice, to show cause, if any he may have, against his suspension or the revocation of his branch or license; and if such pilot shall neglect or refuse to appear at the time specified in such notice before the said commissioners, or if the cause shown by such pilot against his suspension or the revocation of his branch or license shall not appear sufficient and satisfactory to the said commissioners, it shall and may be lawful for them either to revoke the branch or license of such pilot, or to suspend him from acting as a pilot, as they may judge proper.

When pilot shall cease to act.

Proviso.

Power to make rules.

7. That the said commissioners shall have full power and authority to make and establish such rules, orders and regulations, not inconsistent with the constitution or the laws of this state or of the United States, for the better government of the said pilots, and with such fines and penalties for the breach thereof, as they shall deem proper, and the same from time to time to revoke or amend; and the commissioners, or a majority of them, are hereby authorized, upon due proof of misbehavior of a pilot, when in the execution of his duty, after due notice and hearing of such pilot, to fine such pilot, not exceeding twenty-five dollars, or to suspend him.

To fine for misbehavior.

Penalty on pilot for neglect.

8. That when any pilot or deputy pilot shall see a vessel on the coast having a signal for a pilot, or shall hear a gun or guns fired off the coast, and shall refuse or neglect to go to the assistance of such vessel, when it is practicable for him to do so, such pilot shall, on conviction, forfeit and pay one hundred dollars, to be recovered by action of debt in any court of record, one-half to the informer, the other half to the master of such vessel; and may, upon proof thereof, be rendered by the commissioners incapable of acting again as a pilot or deputy pilot. (See *Sec. 39*).

(a) Where a pilot is tried before the commissioners for neglect of duty, he cannot lawfully be tried on any other charge than that for which he is cited to answer, *State v. Nerry*, 5 *Dutch*, 189. If they suspend him for a certain length of time, they cannot afterwards re-try him for the same offence

and inflict additional punishment, *Ibid.* When the term for which he was suspended expires, he can perform his duties as a pilot under his license, and the commissioners have no right, as an additional punishment, to revoke his license, *Ibid.*

9. That every pilot cruising or standing out to sea shall offer his services first to the vessel nearest the land, or in most distress, under the penalty of fifty dollars; and if any pilot, not being hindered by sickness or other lawful cause, shall refuse to go on board any vessel, when required by the master, to execute his office, such pilot shall forfeit and pay the sum of one hundred dollars; and in either case, upon complaint and conviction before the commissioners, such pilot shall be liable to be suspended by them for such time as they shall think fit; and every pilot, on offering his services to the master of any vessel, shall produce and show to such master his warrant of appointment and license granted him in virtue of this act, under the penalty of ten dollars for every neglect.

His duty, and penalty for refusal.

Shall show his license.

10. That if any pilot or deputy pilot shall negligently or carelessly lose any vessel under his care, and be thereof convicted by due course of law, he shall for ever after such conviction be incapable of acting as pilot or deputy pilot in this state, and shall be also liable, by action at common law, to pay all such damages as any person shall sustain by such negligence or carelessness; and if any pilot or deputy pilot shall run any vessel on shore, he shall not be entitled to any pilotage; and if by negligence, he shall also be liable, by action at common law, to pay all damages occasioned thereby. (See *Sec. 40*).

Penalty for carelessness.

11. That no more than twelve pilots shall be in partnership, or in any manner share the profits derived from the pilot business, under the penalty of two hundred dollars for each and every offence, to be paid, one-half for the use of the informer, and the residue to the state treasurer, by each pilot thus in partnership.

Of partnerships.

12. That no commissioner shall be concerned or have any interest in the pilotage business.

Commissioners to have no interest.

13. That if any vessel going out shall carry off to sea, through the default of the owner or master of such vessel, any pilot or deputy pilot, when a boat is attending to receive such pilot from on board such vessel, the master or owner or consignee of such vessel shall pay the board of commissioners aforesaid, for the use of such pilot, besides the pilotage of such vessel, at and after the rate of seventy-five dollars per month, until such pilot shall return to the port of Jersey City, Newark or Perth Amboy, as the case may be. (See *Sec. 28*).

Pilot's pay if carried to sea.

14. That it shall and may be lawful for every branch pilot or deputy pilot, duly appointed and licensed, to ask and receive pilotage from any person or persons who shall employ him to pilot any vessel from the eastward or southward of the White Buoy, situate on the eastern edge of the Outer Middle Ground, near the bar, to the port of Jersey City, Newark or Perth Amboy, and shall there safely moor such vessel, or take her to a proper wharf, as the master, owner or consignee of such vessel may desire; and, likewise, from any person or persons who shall employ him to pilot any ship or other vessel from port, to the eastward or southward of said White Buoy, so far that such vessel may safely proceed to sea, at and after the following rates, that is to say: for vessels of the United States, and for vessels of other nations that are permitted by the laws of the United States to enter on the same terms as vessels of the United States, the sums following, viz: for every vessel drawing less than fourteen feet, any sum not exceeding two dollars for every foot such vessel shall draw; for every vessel drawing fourteen feet and less than eighteen feet, any sum not exceeding two dollars and fifty cents for every foot such vessel shall draw; and for every vessel drawing eighteen feet and upwards, any sum not exceeding three dollars for every foot such vessel shall draw; and for all vessels of war, any sum not exceeding five dollars for every foot such vessel shall draw; and for all other vessels, an addition of one-fourth to the above rates; and further, if the master or owner of any vessel having a pilot on board shall choose to have his said vessel, not destined to Jersey City, Newark or Perth Amboy as aforesaid, moored at any place within Sandy Hook, such pilot shall be allowed the same rate of pilotage as if the said ship or vessel was moored or conducted to a proper wharf, as aforesaid, and shall be entitled to his discharge from such ship or vessel within twenty-four hours thereafter; provided, that no more than half pilotage, at the rates aforesaid, shall be demanded or

May receive pilotage.

Rates of.

Half pilotage.

Proviso.	received by any such pilot who shall, to the westward of the said White Buoy, take charge of any vessel coming into port; <i>and provided also</i> , that no pilotage whatever shall be demanded or received by any such pilot for any such vessel coming into port, unless such pilot shall take charge of such vessel to the southward of the Upper Middle Ground, and such vessel be at least of the burthen of one hundred tons, unless such vessel shall make the usual signal for a pilot, in which case it shall be the duty of such pilot to take charge of such vessel, and such pilot shall then be entitled to half pilotage therefor, as aforesaid; <i>and further</i> , that between the first day of November and the first day of April, inclusive, in every year, such pilot may ask and receive the additional sum of four dollars for every vessel drawing ten feet and upwards, and for every vessel drawing less than ten feet, the additional sum of two dollars, and one-half of such additional sum for half pilotage; and it shall be lawful for every pilot and deputy pilot to ask and receive from any person or persons who shall employ him to pilot any vessel, and which shall be taken in charge by such pilot at such distance from land as that Sandy Hook lighthouse cannot be seen from the deck of such vessel in the daytime in fair weather, the addition of one-fourth to the rates of pilotage allowed by this act. (See <i>Sec. 29, 30, 31, 36</i>).
Additional pilotage.	
Fees for detention.	15. That for every day which any pilot or deputy pilot shall be requested to remain or be detained on board any ship or vessel, by the master, owner or consignee, over and above the usual detentions of getting ships or vessels from the wharf to sea, and from sea to the wharf, he may demand and receive the sum of three dollars per day for each and every day he shall be so detained. (See <i>Sec. 32</i>).
Fees for extra services.	16. That every pilot or deputy pilot who shall have exerted himself for the preservation of any vessel appearing to be in distress, and in want of a pilot, shall be entitled for any extraordinary services to such sum as the pilot and master, owner or consignee can agree on, or in case of not agreeing, as the commissioners shall determine to be a reasonable reward.
Master refusing pilot, to pay half pilotage.	17. That if the master of any vessel (except schooners and sloops employed in the coasting trade licensed for that purpose, and not making the usual signal for a pilot,) coming into the ports of Jersey City, Newark and Perth Amboy, or into any of the waters of New Jersey, shall refuse to receive on board and employ a pilot who shall have offered to go on board and to take charge of the pilotage of such vessel, the master, owner or consignee of such vessel shall pay to the pilot half pilotage, from the place at which such pilot shall have offered himself to the port of destination; but no half pilotage shall be collected from any vessel in charge of a New York pilot.
Apprentices.	18. That to each and every boat in the pilot service, to and from Sandy Hook, there shall be not less than two apprentices, who shall be indented to the master of the said boat or boats, or some other branch pilot attached to the said boat or boats, for a term not less than four years; and it shall be the duty of the master pilot to whom such apprentices shall be indented, to attend diligently to the instruction of said apprentices in the art and mystery of a pilot, from time to time, and, not less than once in every month of the last two years of the said apprenticeship, to take such apprentices on board of ships or other square rigged vessels, for the purpose of teaching said apprentices to work and manœuvre such ships or vessels. Every person who shall have served four years as an apprentice to a licensed pilot, and two years as a deputy pilot, shall be entitled to be examined and licensed as a branch pilot, if found qualified, in preference to any other applicants; and every person having served four years as an apprentice to a licensed pilot, shall be entitled to be examined and licensed as a deputy pilot, if found qualified, in preference to any other applicants: <i>and further</i> , that the said commissioners shall annually, in the month of May, cause all the said apprentices to be examined in their office, in the presence of two or more of the branch pilots, (who are hereby required to attend for that purpose) touching and concerning their knowledge of the tides, bearing and distances of the several shoals, reefs, bars, and points of land, currents, and every other matter the said commissioners may think proper, tending to promote the
Instruction of.	
Examined and licensed.	
Annual examination.	

safe navigation of vessels between Jersey City, Newark, Perth Amboy and Sandy Hook.

19. That the branch pilots, deputy pilots, and apprentices indented as above mentioned, and boat keepers (to be selected from the apprentices) shall be the only persons employed in the pilot service to and from Sandy Hook. Who exclusively employed.

20. That it shall be the duty of every pilot or deputy pilot, upon taking charge of any vessel, either outward or inward bound, to cause the lead to be regularly hove, and to see that the lead line is properly marked, and in default thereof, that he forfeit his pilotage. Heaving the lead.

21. That in case the owner or consignee of any vessel shall not be satisfied with the amount of pilotage charged against such vessel, for the pilotage of such vessel to or from port, it shall be the duty of such pilot to have the amount of pilotage claimed by him as aforesaid, taxed or certified by the said commissioners, who are hereby required to examine and certify the same, without fee or reward; and that no suit or action shall be brought or maintained for such pilotage, until the same shall be taxed or certified as aforesaid. When pilotage taxed or certified.

22. That in order to prevent intoxication in persons having the charge of vessels as pilots, that if any pilot or deputy pilot shall become intoxicated in charge of any vessel, as pilot, he shall, for the first offence, forfeit his pilotage, be suspended from duty for six months, and in addition thereto, forfeit and pay fifty dollars to the commissioners aforesaid, and to be by them paid to the trustees of the pilot's charitable society, if such society is formed, and for the second offence, be deprived of his branch or license, as the case may be, and be for ever thereafter incapable of acting as a pilot. Penalty for intoxication.

23. That all forfeitures, fines and penalties, which shall or may be recovered and received under and by virtue of this act, and not otherwise appropriated, shall be applied, in the first instance, for, in or towards the payment of such costs of suit and disbursements of the said commissioners, in their prosecution and proceedings under this act, against offenders, as shall not be received by them from the party or parties prosecuted or proceeded against; and the overplus and residue thereof, if any overplus there should be, shall be accounted for and paid over on the first Monday in June, in each and every year, to the pilot's charitable fund, for the use and benefit of that association. How penalties applied.

24. That the pilots shall, once in each month, account to the said commissioners for the fees received by them for the pilotage; and the said commissioners shall be entitled to receive five per centum from the said fees, as a compensation for their services under this act, to be divided among the commissioners, according to the days they may have respectively attended. (See *Sec. 26*). Fees of commissioners.

25. That as soon as any branch pilot or deputy pilot shall have taken and subscribed the oath or affirmation prescribed in the third section of this act, the governor shall direct the commissioners of pilotage for the time being to take bond from such branch pilot or deputy pilot, in the sum of five hundred dollars, with two sufficient sureties, to be approved of by the said commissioners, for the faithful discharge of his duties prescribed in this act; and thereupon the said commissioners shall deliver to such pilot a license referring to his respective branch; and every such license shall be signed by the governor, and be of force during the term therein specified, or during such pilot's good behaviour; and every person who shall be appointed a pilot, and who shall have taken and subscribed an oath or affirmation, as directed in this act, and shall have given bond as aforesaid, shall be to all intents and purposes a pilot, agreeably to the certificate of the said commissioners. Pilots to give bond. And receive license.

26. That it shall be the duty of the said commissioners to lay before the legislature, as early as the second week of their session, yearly and every year, all bonds taken by them as aforesaid, an abstract of their proceedings within the year then last past, together with a statement of the number of pilots in commission, the number of vessels taken in and out, and such observations in relation to the system of pilotage as in their Annual report.

opinion may tend to the benefit of the cause of commerce and may be of advantage to the general interests of this state.

P. L. 1850, p. 170.

Supplement.

Approved March 5, 1850.

Fees of commissioners.

27. SEC. 1. That the fees of the commissioners on pilotage, mentioned in the twenty-fourth section of the act to which this is a supplement, shall hereafter be three per centum on the fees received by the pilots for pilotage; *provided*, that said commissioners shall not be entitled to receive said commissions on extra pilotage for boarding off shore, or for fees received for what is called transportation or harbor pilotage. (See *Sec. 24*).

Proviso.

Supplement.

Approved February 16, 1855.

P. L. 1855, p. 70.

Pay of pilot carried to sea.

28. SEC. 1. That a pilot who is carried to sea, when a boat is attending to receive him, shall receive at the rate of one hundred dollars per month, and his reasonable expenses, during his necessary absence. (See *Sec. 13*).

Fees for pilotage.

29. SEC. 2. That the fees for pilotage are hereby established, as follows: for every merchant vessel, inward bound, and not exempted from pilotage by virtue of the act to which this is a supplement, drawing less than fourteen feet of water, two dollars and forty-four cents per foot; for every vessel drawing fourteen feet, and less than eighteen feet of water, three dollars and six and one-quarter cents per foot; for every vessel drawing eighteen feet, and under twenty-one feet of water, three dollars and sixty-nine cents per foot; for every vessel drawing twenty-one feet of water, and upwards, four dollars and thirty-one and a quarter cents per foot; and for pilotage between any point within the Narrows, and any point in Staten Island sound, Newark bay, the Passaic, Hackensack, or Raritan rivers, for every vessel, either inward or outward bound, drawing less than six feet of water, not to exceed seventy-five cents per foot; and for every vessel drawing six feet or more of water, not to exceed one dollar per foot; and for every day's detention or loss, engaged in piloting a vessel between any point within the Narrows, and any point in the sound, bay, or rivers aforesaid, two dollars per day; if the masters or owners of any vessel shall request the pilot to moor said vessel at any place within Sandy Hook, and not to be taken to the wharf or harbors of Jersey City, Newark, Perth Amboy, or New York, or the vessel to be detained at quarantine, the same pilotage shall be allowed, and the pilot entitled to his discharge; for piloting national vessels of the United States, and also those of foreign nations, five dollars per foot; when any ship or vessel bound to the ports aforesaid, and boarded, by any pilot appointed by said commissioners of pilotage, at such distance to the southward or eastward of Sandy Hook lighthouse, as that said lighthouse could not be seen from the deck of such ship or vessel in the daytime, and in fair weather, the addition of one-fourth to the rates of pilotage hereinbefore mentioned shall be allowed to such pilot; *and be it further enacted*, that if changes take place in the rates of pilotage of the New York pilots, that then the rates of pilotage for New Jersey pilots shall be made to conform to such changes, by the commissioners of pilotage for New Jersey, on their being made duly cognizant thereof. (See *Sec. 14*).

Pilotage on merchant vessels outward.

30. SEC. 3. That the pilotage on merchant vessels outward shall be as follows: for every vessel drawing less than fourteen feet of water, one dollar and eighty-one cents per foot; for every vessel drawing fourteen feet, and less than eighteen feet of water, two dollars and twelve and a half cents per foot; for every vessel drawing eighteen feet, and less than twenty-one feet of water, two dollars and seventy-five cents per foot; for every vessel drawing twenty-one feet, and upwards, three dollars and eighteen and three-fourth cents per foot. (See *Sec. 14*).

Rates for intermediate distances.

31. SEC. 4. That the rates of pilotage for any intermediate distance shall be determined by the board of commissioners, and promulgated in their rules and regulations for the government of pilots. (See *Sec. 14*).

Fees for detention at wharf.

32. SEC. 5. That for every day of detention at the wharf, or in the harbor, beyond the time notified to the pilot, for him to attend the vessel, or beyond the usual time of getting vessels from sea to the wharf, and

from the wharf to the sea, and for every day of detention of an inward bound vessel, by ice, longer than two days for the passage from sea to the wharf, three dollars shall be added to the pilotage; if any pilot shall be detained at quarantine by the health officer, for having been on board a sickly vessel as pilot, the master, owner, agent, or consignee of said vessel shall pay to such pilot all necessary expenses of living, and three dollars per day for each and every day of such detention. (See *Sec. 15*).

33. SEC. 6. That the pilotage shall be payable by the master, owner, agent, or consignee entering or clearing the vessel, at either of the ports aforesaid, who shall be jointly and severally liable therefor.

Pilotage, to whom payable.

34. SEC. 7. That masters of vessels shall give an account to the pilot, when boarding, of the draught of such vessels; and in case the draught given is less than the actual draught, he shall forfeit the sum of twenty-five dollars, which may be sued for and recovered by the New Jersey pilots, under the certified order of the commissioners of pilotage for New Jersey, and applied as is directed in the twenty-third section of the act to which this is a supplement.

Masters of vessels to give account to pilot of draught of vessel.

35. SEC. 8. That for services rendered by pilots moving or transporting vessels in the harbor of New York, the following shall be the rates: for moving from North to East river, or *vice versa*, if a seventy-four gun ship, twenty dollars; if a frigate, fifteen dollars; if a sloop-of-war, ten dollars; if a merchant vessel, five dollars; for moving any vessel from quarantine to the city of New York or Jersey City, one-quarter of the sum that would be due for the inward pilotage of such vessel, exclusive of the offshore pilotage; for hauling any vessel from the river to wharf, or from a wharf into the river, three dollars.

Fees for moving or transporting vessels in harbor of New York.

36. SEC. 9. That between the first day of November and the first day of April, inclusive, four dollars shall be added to the full pilotage of every vessel coming into or going out of the ports of Jersey City, Newark, Perth Amboy, or New York. (See *Sec. 14*).

Additional fees between November and April.

37. SEC. 10. That any person not holding a license as pilot under this act, or under the laws of the state of New York, who shall pilot, or offer to pilot, any ship or vessel not exempted by virtue of the act to which this is a supplement, from pilotage, to or from the ports of Jersey City, Newark or Perth Amboy, by the way of Sandy Hook and Kill Van Kull, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding sixty days; and all persons employing a person to act as pilot not holding a license as aforesaid, shall forfeit and pay to the pilots suing therefor, in behalf of themselves and the commissioners of pilotage for New Jersey, the sum of one hundred dollars, to be collected by decision of the courts authorized to act in such cases.

Penalty for piloting without holding license.

38. SEC. 11. That the president of the board of New Jersey pilot commissioners is hereby authorized to administer an oath to any person or persons preferring or rebutting a complaint before the board of said commissioners.

President of board may administer oath.

39. SEC. 12. That if any pilot or deputy pilot shall see a vessel on the coast, having a signal for a pilot, or shall hear a gun or guns fired off the coast, and shall refuse or neglect to go to the assistance of such vessel, when it is practicable for him to do so, such pilot, on conviction before the commissioners, shall forfeit and pay the sum of fifty dollars for each and every offence, and may be rendered incapable of acting as pilot or deputy pilot. (See *Sec. 8*).

Penalty for neglect of duty by pilot.

40. SEC. 13. That if any pilot or deputy pilot shall negligently or carelessly lose, or run any vessel on shore, he shall not be entitled to any pilotage; and such pilot, on conviction before the commissioners, shall forfeit and pay the sum, not to exceed two hundred and fifty dollars, for each and every offence, and may be rendered incapable of acting as pilot or deputy pilot. (See *Sec. 10*).

Penalty for neglect and carelessness.

41. SEC. 14. That all laws, or sections of laws, now in force, which are inconsistent with the provisions of this supplementary act, are hereby repealed.

Repealer.

P. L. 1860, p. 551.

Supplement.

Approved March 22, 1860.

From whom commissioners of pilotage to be selected.

42. SEC. 1. That the commissioners of pilotage referred to in the first section of the act to which this is a supplement, shall in future be selected from among such persons as have been officers in our naval, revenue or merchant service, or such as have been commanders of vessels engaged in our coasting trade.

P. L. 1867, p. 135.

Supplement.

Approved March 5, 1867.

Appeal from commissioners to governor of state.

43. SEC. 1. That from any judgment, order or direction of the said commissioners of pilotage affecting said pilots or any of them, an appeal may be taken to the governor of said state for the time being, who may affirm, reverse or modify said judgment, order or direction; *provided*, such appeal shall be in writing, signed by a majority of the pilots, and delivered to the governor within twenty days after such judgment, order or direction shall be fairly promulgated by said commissioners of pilotage, which appeal shall state the judgment, order or direction complained of, and the grounds of the appeal, a copy whereof shall be served upon the secretary of the board of commissioners.

Appeal operates as supersedeas.

44. SEC. 2. The filing of said appeal shall operate as a supersedeas to such judgment, order or direction, until its final determination by the governor.

Stationing of pilot boats.

45. SEC. 3. It shall be lawful for "the New Jersey and Sandy Hook pilots" to make an arrangement with the New York pilots to regulate the stationing of pilot boats, for the purpose of receiving pilots from outward bound vessels.

One apprentice to every boat.

46. SEC. 4. That to each and every boat in the pilot service to and from Sandy Hook there shall be one apprentice instead of two, as provided in the eighteenth section of the act to which this is a supplement, and that every apprentice shall serve at least one year as a boat keeper before he shall be licensed as a deputy pilot.

Repealer.

47. SEC. 5. That all acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

P. L. 1871, p. 66.

Supplement.

Approved March 28, 1871.

New Jersey coasting vessels not required to employ licensed pilot.

48. SEC. 1. That henceforth no citizen of New Jersey, being master of any vessel navigated under a coasting license, employed in the coasting trade, and whose vessel shall be bound either in or out of any of the navigable waters of the state of New Jersey, or over which the said state has concurrent jurisdiction with other states, constituting waters wherein pilotage is usually charged, demanded or received, whether the same be in or out of the capes of the Delaware, or in the Delaware bay or river, or in or over the bar of Sandy Hook, shall be required to employ a licensed pilot.

Repealer.

49. SEC. 2. That all laws now in force, and which are inconsistent with the provisions of this act, be and the same are hereby repealed.

Plank Roads.

1. Formation of companies authorized.
2. Survey of route and description to be filed.
3. Map and profile to be made and filed.
4. Constitution to be adopted by company.
5. Election of directors.
6. Names of stockholders to be recorded.
7. Payment of instalments, how made and enforced.
8. Company not to incur debts beyond capital.
9. Semi-annual dividends.
10. Company authorized to construct road.
11. Road may be made free on payment of cost.
12. Statement of cost to be filed.
13. Road how to be laid out and constructed.
14. Inspectors to be appointed. Rates of toll.
15. Milestones to be erected.
16. Penalty for injuring works.
17. Penalty for delaying travelers.
18. Penalty for obstructing passage.
19. Annual statement to be made.
20. Time for commencing and completing road.
21. Proceedings in case road and bridges not kept in repair.