

and forward the same to the contractor to be filled; and if said requisition contains work or materials of a kind not provided for in the contract, the same shall be furnished by the contractor at a fair price; and upon presenting his bill to the state he shall append thereto the said requisition, which shall be filed as a voucher.

Printing board
authorized to
employ an
expert.

77. SEC. 9. That the printing board shall have authority to employ an experienced expert printer to assist them in preparing specifications, to examine proposals, and to report to the board the successful bidders; to examine all bills and certify to their correctness, and to examine all blanks and stationery and printed laws and documents, and to perform all such other duties as shall require the services of an expert printer.

Repealer.

78. SEC. 10. That all acts and parts of acts inconsistent with this act be and the same are hereby repealed.

Steamboats and Stages.

1. Regulations to be observed by steamboats.
2. Regulations on discharging passengers into small boats.
3. Steamboats not to run against each other.
4. Nor impede another's passing.
5. To keep at certain distance from each other.
6. Lights to be kept on board at night.
7. Stages not to run against each other, &c.
8. Care to be used by drivers.
9. Careful and sober drivers only to be employed.
10. Drivers liable to owner.
11. Act to be posted in boats.
12. Manner of prosecuting offenders.
13. Governor to appoint inspectors of steamboats. Term of office. Vacancy, how filled.
14. Duties of inspectors.
15. Unlawful to carry passengers except when boat has been licensed. Penalty.
16. Unlawful to carry more persons than number specified in license. Penalty.
17. Unlawful to carry greater number of pounds of steam than specified in license. Penalty.
18. Inspectors to examine persons as to fitness, &c., as engineers.
19. Unlawful to carry passengers except boat has licensed engineer. Penalty.
20. Compensation of inspectors and secretary of state.

Har. 179.

An act for the safety of travelers

Passed February 23, 1823.

R. S. 602.

Regulations to be
observed by
steamboats navi-
gating 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 offense, 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.

Regulations on
discharging
passengers into
small boats.

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 com-

mander 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.

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 willfully 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 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 offense, to be recovered in an action at law, with costs.

Steamboats not to be run against each other.

Penalty.

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 [to] 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 offense 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 offense, 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 willfully 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

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

Penalty.	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 ;
Owners liable for losses.	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 offense, to be recovered in an action at law, with costs.
Drivers of stages not to run against, &c., other stages.	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 willfully 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 offense, 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 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.
Penalty.	
Owners liable.	
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 offense.
Penalty.	
Owners liable.	
Sober and careful drivers only to be employed.	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 traveling, 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.
Penalty.	
Owners liable.	
Drivers liable to owners.	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.
This act to be posted up in steamboats.	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.
Penalty.	

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.

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.

Manner of prosecuting the violators of this act.

An act to regulate the running of steamboats upon the inland and private waters of this state for the conveying of passengers, and to provide for the inspection and licensing of steamboats and steamboat engineers.

Approved March 10, 1893.

P. L. 1893, p. 171.

13. SEC. 1. That it shall be the duty of the governor of this state to appoint such number of properly-qualified persons, not less than one and not exceeding three, as to him shall seem necessary and advisable, to be official inspectors of steamboats and steamboat boilers in this state for the purposes hereinafter mentioned, and such inspectors shall be appointed to hold their office for one year from the date of their appointment respectively, and shall be commissioned by the governor, and any vacancy occurring may be filled from time to time by a like appointment by the governor at his discretion; and such inspectors shall, before they enter upon the discharge of the duties of their office, take and subscribe an oath well, faithfully and impartially to discharge the duties of their office according to law.

Governor to appoint inspectors of steamboats.

Term of office.

Vacancy, how filled.

Oath to be taken.

14. SEC. 2. That it shall be the duty of such inspector of steamboats and steamboat boilers respectively, whenever requested so to do by or in behalf of any owner or owners of any steamboat or boat propelled by steam power, navigating any of the inland or private waters of this state, and upon tender of the fees fixed by law for such service, to thoroughly and carefully inspect and examine such steamboat and to thoroughly and carefully inspect, examine and test the steam boiler or boilers thereof for the purpose of ascertaining whether such steamboat is so constructed and is in such safe and seaworthy condition and state of repair that passengers can be conveyed thereon in safety and the number of persons that can be carried thereon with safety, and also for the purpose of ascertaining whether such steam boiler or boilers is or are safely constructed and in good repair and condition, and the number of pounds pressure per square inch which such boiler or boilers is or are capable of sustaining in safety, and forthwith to file in the office of the secretary of state a certificate certifying the result of such inspection, and it shall be the duty of the secretary of state to record such certificate in a book to be provided for that purpose, which record shall be a public record; and upon request by or in behalf of the owner or owners of such steamboat and upon payment of the fee therefor prescribed by law, in all cases where such certificate of the inspector shall show such steamboat or boat propelled by steam power to be seaworthy and safe for carrying passengers, and the number of persons who can safely be carried thereon at one time, and the boiler or boilers thereof to be in a safe and proper condition, to issue to the owner or owners of such steamboat a license under the great seal of the state, which license shall continue in force for one year from the date of such inspection and shall specify the name, description of the steamboat licensed, the name of the owner or owners thereof, the number of passengers it can safely carry at one time, and the number of pounds steam pressure per square inch the boiler or boilers thereof can safely carry and the date of such inspection and test and the name of the inspector and the fact that such steamboat and the boiler or boilers thereof were by such inspector at such date inspected and tested and found to be seaworthy and safe to the capacities stated.

Duties of inspectors.

Certificate filed in office of secretary of state.

License issued under great seal, for one year.

Unlawful to carry passengers except when boat has been licensed.

Penalty for violation.

Unlawful to carry more persons than number specified in license.

Penalty for violation.

Unlawful to carry greater number of pounds of steam than specified in license.

Penalty for violation.

Inspectors to examine persons as to fitness, &c., as engineers.

Certificate filed in office of secretary of state, and license issued by him.

Unlawful to carry passengers except boat has licensed engineer.

Penalty for violation.

Compensation of inspectors.

Compensation of Secretary of state.

15. SEC. 3. That it shall not be lawful to carry passengers upon boats propelled by steam power upon any of the inland or private waters of this state, except such boats have been licensed so to do according to law, and which license shall be publicly and conspicuously posted up upon such boat, and any person or corporation violating the provisions of this section of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be liable to pay a fine of not less than fifty dollars and not more than five hundred dollars, at the discretion of the court, for each day they shall so offend.

16. SEC. 4. That it shall not be lawful to carry at one time a greater number of persons upon any steamboat, or boat propelled by steam, navigating the inland or private waters of this state, than the number specified in the license for such boat as the number of persons it can carry at one time in safety, and any person or corporation violating the provisions of this section of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be liable to pay a fine of not less than twenty-five dollars or more than five hundred dollars, at the discretion of the court, for each offense.

17. SEC. 5. That it shall not be lawful to carry any greater number of pounds steam pressure per square inch in the boiler or boilers of any steamboat while carrying passengers over the inland or private waters of this state than the number of pounds steam pressure per square inch specified in such license as the limit of safety, and any person or corporation offending against this section of this act shall upon conviction thereof be liable to pay a fine of not less than twenty-five dollars or more than five hundred dollars for each offense, at the discretion of the court.

18. SEC. 6. That it shall be the duty of each one of the persons appointed state inspector of steamboats and steamboat boilers to examine all such persons as shall apply to them for that purpose and as shall pay the examination fee established by law as to their scientific and mechanical knowledge, fitness and qualifications to follow the business or occupation of engineer upon boats propelled by steam power, and to issue to all persons so examined and found to be fit and qualified to follow such business or occupation a certificate of that fact under the signature of such inspector and stating the date of such examination, which certificate the person therein named and certified may file in the office of secretary of state, and thereupon it shall be the duty of the secretary of state to issue to such person a license reciting the fact that such person has been duly examined by such inspector and found duly qualified to follow the business or occupation of steamboat engineer, and a public record shall be kept of all such licenses issued in the secretary of state office.

19. SEC. 7. That it shall not be lawful for any person or persons or corporation to run or navigate or cause or procure to be run or navigated upon any of the inland or private waters of this state any boat propelled by steam power for the purpose of carrying or conveying passengers, except the engine and boilers of such boat be under the charge, care and control of a licensed engineer within the meaning of this act, and any person or corporation violating this section of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be liable to pay a fine of not less than twenty-five dollars or more than two hundred dollars, in the discretion of the court, for each day they shall so offend.

20. SEC. 8. That for each inspection of a steamboat and its boiler or boilers under the provisions of this act the inspector performing such service shall be entitled to charge and receive the sum of fifteen dollars, and for each examination of an applicant for license as engineer under the provisions of this act the inspector who performs such service shall be entitled to charge and receive the sum of five dollars, and that for filing the certificate of inspection and issuing and recording a license to any steamboat under the provisions of this act the secretary of state shall be entitled to charge and receive a fee of three dollars, and that for filing a certificate of examination and issuing and recording a license to a steamboat engineer hereunder the secretary of state shall be entitled to charge and receive a fee of two dollars.