

by the committee constituted by Senate Concurrent Resolution No. 14, of the Ninth Legislature of the State of Washington.

SEC. 2. The money hereby appropriated shall be expended on vouchers approved by the Governor, and disbursed in the manner provided by law.

Vouchers
to be
approved
by Govern-
nor.

Passed the House February 21st, 1907.

Passed the Senate March 13th, 1907.

Approved by the Governor March 15th, 1907.

CHAPTER 200.

[S. B. 180.]

REGULATION OF STEAM VESSELS, ETC.

AN ACT regulating steam vessels, and vessels or boats operated by machinery, navigating the waters within the jurisdiction of this state, excepting vessels which are subject to inspection under the laws of the United States, and providing penalties for the violation thereof.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. The Commissioner of Labor shall be charged with the administration of the provisions of this act, shall employ the necessary inspectors to enable him to carry said provisions into effect, and shall exercise supervision over them in the performance of their duties.

Commis-
sioner of
Labor to
administer
act.

SEC. 2. The Commissioner of Labor shall annually, or oftener if he has good cause to believe it reasonable, inspect, or cause to be inspected, every steam vessel or other vessel operated by machinery engaged in carrying passengers for hire or towing for hire, excepting vessels which are subject to inspection under the laws of the United States, examine carefully her hull, boats and other equipment, examine her engine and boilers, ascertain how long it will be safe to use the same, determine the pressure of steam to be allowed and so regulate the fusible plugs, safety valves and steam cocks as to insure safety, and he may require such changes, repairs and improvements to

Inspection
of vessels.

be adopted and used as he may deem expedient for the contemplated route. He shall also fix the number of passengers that may be transported. He shall also, whenever he deems it expedient, visit any vessel licensed under this act and examine into her condition for the purpose of ascertaining whether or not any party thereon having a certificate from him has conformed to and obeyed the conditions of such certificate and the provisions of this act. The owner, master, pilot, captain or engineer of such vessel shall answer all reasonable questions, and shall give all the information in his or their power, in regard to said vessel, her machinery and the manner of managing the same. In case of damage by fire or by explosion or by means of an electrical apparatus, he may investigate the cause thereof, and if found by him to have been occasioned by a violation of any of the provisions of this act, or of the orders, regulations and requirements issued by him, he shall so certify to the prosecuting attorney of the county where such violation occurred, together with the names of the persons guilty thereof and of the witnesses.

Owner or officers shall give information.

Investigation of accidents.

Commissioner shall test boilers.

SEC. 3. The Commissioner shall also test the boilers of all steam vessels, before the same shall be used, and at least once in every year thereafter. In subjecting to the hydrostatic test, boilers called and usually known under the designation of high pressure boilers, the hydrostatic pressure applied must be in proportion of one hundred and fifty pounds to the square inch to one hundred pounds to the square inch of the steam pressure allowed. And in subjecting to the hydrostatic test, that class of boilers usually designated and known as low pressure boilers, the Commissioner shall allow as the working power of each new boiler, a pressure of only three-fourths the number of pounds to the square inch, to which it shall have been subjected by the hydrostatic test, and found to be sufficient therefor; but should said Commissioner be of the opinion that such boiler, by reason of its construction or material will not safely allow so high a working pressure he may, for reasons specifically stated in his certificate, fix the working pressure of such boiler at less than three-fourths

of said test pressure; and no boiler or pipe, or any of the connections therewith, shall be approved, which is made in whole or in part, of bad material, or is unsafe in its form, or dangerous from defective workmanship, age, use or other cause. In addition to the hydrostatic test as herein provided, the Commissioner may cause a hammer test to be made and an internal examination of such boiler or boilers so tested, whenever deemed necessary. Any boiler having been in use ten years or more may be drilled at the bottom of shell or boiler, and also at such other points as the inspectors may direct to determine the thickness of such material at those points, and the general condition of such boiler or boilers at the time of inspection and the steam pressure allowed shall be determined by such ascertained thickness and general condition of the boiler. He shall also see that all connections to the said boiler or engines are of suitable material, size and construction; and that the boiler, machinery and appurtenances are such as may be employed with safety in the service to be performed. He shall also satisfy himself that the safety valves are of suitable dimensions and that the weights of the same are properly adjusted, so as to allow no greater pressure than the maximum amount prescribed by him; and that there is a sufficient number of gauge cocks, properly attached to the boiler, so as to indicate the quantity of water therein; and suitable steam gauges to correctly show the amount of steam carried; and as to any other matter connected with such steam vessel or the machinery thereof, that to said Commissioner shall seem necessary to the safety of her passengers and crew. And he shall make such inspection, examination and test of naphtha launches and electric launches and their apparatus and machinery, as will enable him to determine whether they can be safely used in navigation.

May make hammer test.

Boiler may be drilled, when.

Connections.

Safety valves.

Inspection of launches.

SEC. 4. The Commissioner, if satisfied that such vessel is in all respects safe and conforms to the requirements of this act, shall make and subscribe duplicate certificates, setting forth the age of the vessel, the date of inspection, the name of the vessel, the name of the owner, the master,

Certificate of inspection.

the number of licensed officers and crew which he deems necessary to manage the vessel with safety, the number of boats and life preservers required, and the number of passengers that she can safely carry, and if a steam vessel, the age of the boiler, and the pressure of steam she is authorized to carry. One of such certificates shall be kept posted in some conspicuous place on the vessel to be designated by the Commissioner in the certificate and the other copy shall be kept by the Commissioner and by him recorded in a book to be kept for that purpose. If the Commissioner refuses to grant a certificate of approval, he shall make a statement in writing, giving his reasons for such refusal, and deliver the same to the owner or master of the vessel.

Number of passengers.

SEC. 5. No greater number of passengers shall be transported upon any licensed steam vessel or other vessel included within the provisions of this act, than the number allowed in the certificate of such vessel, under a penalty of ten dollars, to be paid by the master for each passenger in excess of the allowed number, unless special permission is first obtained from the Commissioner under such precautions as he deems expedient.

Wood work about boiler, etc., shall be protected.

SEC. 6. All steamboats and other vessels to which this act is applicable, shall hereafter be so constructed that the wood work about the boilers, chimneys, fire-boxes, cook-houses, stove and steam pipes, or any machinery or apparatus involving danger of fire, where such wood-work is exposed to ignition, shall be so shielded by some incombustible material, that the air may circulate freely between such material and wood-work or other ignitable substances, and before granting a certificate of inspection, the Commissioner shall require that all other necessary provisions be made throughout such vessel, as he may judge expedient to guard against loss or damage by fire.

Stairways and gangways.

SEC. 7. Every vessel engaged in carrying passengers, shall be provided with permanent stairways and other sufficient means convenient for passing from one deck to the other, with gangways large enough to allow persons freely to pass, which shall be open fore and aft of the length of the vessel, and to and along the guards; and whoever ob-

structs such gangways by freight or otherwise shall forfeit fifty dollars to the State of Washington for every such violation.

SEC. 8. From and after the passage of this act, the following rules shall be observed in navigating all steam vessels when under steam, and all boats propelled by machinery on the waters within the jurisdiction of the State, excepting the waters which are under the jurisdiction of the United States:

Rules for
navigation
of vessels.

(1) When two steamboats are meeting, end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

(2) When two steam vessels are crossing so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

(3) When a steam vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, the steam vessel shall keep out of the way of the sailing vessel.

(4) When, by any of these rules, one of two vessels is to keep out of the way, the other shall keep her course and speed.

(5) Every vessel under steam, when approaching another steamboat or small boat or vessel of any kind, so as to involve the risk of collision, shall slacken her speed, or if necessary, shall stop and reverse her engine, and every vessel under steam shall, when in a fog, go at a moderate speed.

(6) Any steam vessel overtaking another steam vessel shall keep out of the way of the last mentioned steam vessel.

(7) When two steam vessels are going in the same direction the stern steam vessel wishing to pass the other shall signal the forward steam vessel of her intention to pass on the port side by two distinct whistles, and to pass on her starboard side, by one distinct whistle, which shall be answered by the forward steam vessel with the same number

of whistles, and the forward steam vessel shall keep on her course as though no signal had been given.

(8) Steamboats approaching each other shall, at not less than three hundred yards distance between each other, give a signal with one loud distinct whistle.

(9) When two steamboats are approaching each other, and if the course of such steamboats is so far on the starboard side of each as not to be considered by the pilots as meeting end on, or nearly so, or if the steamboats are approaching each other, in such manner that passing to the right as in rule one is deemed unsafe by the pilot of either steamboat, the pilot so first deciding shall give two short and distinct blasts on his steam whistle, which the pilot of the other steamboat shall answer promptly by two blasts of his steam whistle, and they shall pass to the left (on the starboard) side of each other.

(10) When two steamboats are approaching each other and the pilot of either steamboat fails to understand the course or intention of the other, whether from the signals being given or answered erroneously or from other cause, the pilot so in doubt shall immediately signify the same by giving several short and rapid blasts of the steam whistle, and if the boats shall have approached within five hundred yards of each other, both shall be immediately slowed to a speed barely sufficient for steerageway until the proper signals are given, answered and understood, or until the boats have passed each other.

(11) When a steamboat is running in a fog or thick weather it shall be the duty of the pilot to cause a long blast of the steam whistle to be sounded at intervals not exceeding one minute.

(12) Signals of distress shall be four distinct blasts of the whistle, and shall be recognized by the master of any steamboat hearing the same, and he shall render such assistance as is in his power.

(13) In construing these provisions, due regard must be had to all the dangers of navigation, and to any special circumstances which may exist, rendering a departure therefrom necessary in order to avoid immediate danger.

(14) Every steam vessel which is under sail and not under steam is to be considered a sailing vessel, and every vessel under steam or otherwise propelled by machinery, whether under sail or not, is to be considered a steam vessel.

(15) Nothing in this act shall be construed to extend to any boat or lighter not being masted, or if masted and not decked, employed in the harbor of any town or city.

(16) All steamboats licensed under the provisions of this act shall conform to and obey such other rules and regulations as the Commissioner may prescribe, not inconsistent herewith.

(17) The Commissioner and the inspectors provided for in this act are authorized to make further rules and regulations applying generally to all steamboats, or especially to one or more of them; and on framing rules for the government of managers and employes of boats, the Commissioner shall, as far as practicable, be governed by the general rules and regulations prescribed by the United States board of supervising inspectors of steam vessels.

(18) Every steam vessel or other vessel propelled by machinery, carrying passengers for hire on the waters within the jurisdiction of this State, shall have two copies of this section framed, one to be placed in the pilot house for the government of the pilot, and the other to be hung in a conspicuous place on the boat, for the inspection of the passengers.

SEC. 9. The master of every steamboat or vessel propelled by machinery when navigating between sunset and sunrise, shall cause the same to carry the following lights:

Vessels
shall carry
lights.

(1) At the foremast head, a bright white light of such a character as to be visible on a dark night, with a clear atmosphere at a distance of at least two miles; and be so constructed as to show a uniform and unbroken light over an arc of the horizon of twenty points of the compass, and to be so fixed as to throw the light ten points on each side of the vessel from right ahead to two points abaft the beam on either side.

(2) On the starboard side a green light of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles; and be so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, and so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side.

(3) On the port side a red light of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles, and so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, and so fixed as to throw the light from right ahead to two points abaft the beam on the port side. The green and red lights shall be fitted with inboard screens, projecting at least three feet forward from the lights, so far as to prevent them from being seen across the bow.

(4) The master of every vessel other than a steamboat anchored in the night time shall cause her peak to be lowered and a good and sufficient light to be thrown from her taffrail in some part of her rigging and at least twenty feet above her deck. In the case of small vessels, the Commissioner may make specific rules for lights different from the foregoing.

Fire apparatus.

SEC. 10. Every steam vessel permitted by her certificate to carry one hundred passengers or upwards, shall be provided with a good double acting steam fire pump or other equivalent apparatus for throwing water, the same to be at all times during the navigation of such vessel, kept ready for immediate use, having at least one hundred feet of hose of suitable size and of sufficient strength to stand a pressure of at least seventy-five pounds to the square inch.

Vessels small carry boats.

SEC. 11. Every ferry boat propelled by steam or electricity shall be provided with at least one substantial boat, fifteen feet or more in length, and properly supplied with oars, and kept tight and in good condition at all times, and so attached to such ferry boat that it may in case of need be launched into the water for immediate use. Every

steamboat or vessel propelled by machinery and carrying passengers shall be provided, if of the measurement of two hundred and fifty and less than five hundred tons burden, with at least two substantial row boats, with life lines attached and properly supplied with oars, and kept tight and in good condition at all times, and so attached as to be capable of being launched into the water for immediate use in case of need; and if of the measurement of five hundred tons or more, with at least one first class life boat and one row boat twenty-five feet long by seven wide, capable of carrying or supporting fifty persons each, and at least one row boat of the usual size and construction, all to be properly supplied with oars, and kept tight and in good condition at all times, and so attached as to be capable of being launched into the water for immediate use in case of need. Every such vessel may also be required to carry such other boats as the Commissioner, on account of the route, or the number of passengers, shall deem requisite, and the master of such vessel shall exercise and discipline his crew in the launching, use and management of the boat until they become skillful boatmen.

SEC. 12. Every steam vessel or vessel propelled by machinery used in the transportation of passengers for hire, shall have a life preserver or life float for each passenger she is allowed to carry and for each member of her crew. At least one-half thereof shall be life-preservers of the sort prescribed by the supervising inspector appointed under this act, and the other half or part thereof may be life floats, to be constructed of dry pine plank, four feet long, two inches thick and twelve inches wide, with lines properly attached in such manner as to be convenient for use; and it shall be the duty of the Commissioner to satisfactorily ascertain that every life preserver and such life floats are as herein required. Such life preservers and life floats shall be kept in convenient accessible places in such vessel in readiness for immediate use in case of accident, and the places where the same are to be kept shall be designated in the Commissioner's certificate, and also pointed out by printed notices posted in such places as the Com-

Life-preservers.

Shall be kept in accessible places.

missioner directs. Every such vessel shall carry in convenient places, at least ten buckets filled with water, with dip lines attached, and three axes in good condition, but the inspectors may, if they deem it necessary or proper, require a larger, or in case of very small vessels, permit a smaller number of buckets and axes.

Obstruction
of safety
valves.

SEC. 13. Whoever intentionally loads or obstructs, or causes to be loaded or obstructed, in any way, the safety valve of the boiler, or employs any other means or device whereby the boiler may be subjected to a greater pressure than the amount allowed by the Commissioner's certificate, or intentionally deranges or hinders the operation of any machinery or device employed to denote the stage of the water or steam in any boiler, or to give warning of any approaching danger, or intentionally permits the water to fall below the prescribed low water limit of the boiler, shall forfeit to the State of Washington the sum of five hundred dollars for each violation.

Penalty.

Examina-
tion of
officers.

SEC. 14. Every person employed as master, pilot or engineer on board of a steam vessel or a vessel propelled by machinery, carrying passengers for hire or towing for hire, shall be examined by the Commissioner as to his qualifications, and if satisfied therewith he shall grant him a license for the term of one year for such boat, boats or class of boats as said Commissioner may specify in such license. In a proper case, the license may permit and specify that the master may act as pilot, and in case of small vessels also as engineer and pilot. The license shall be framed under glass, and posted in some conspicuous place on the vessel on which he may act. Whoever acts as master, pilot or engineer, without having first received such license, or upon a boat or class of boats not specified in his license, shall be liable to a penalty of fifty dollars for each day that he so acts, except as in this act otherwise specified, and such license may be revoked by the Commissioner for intemperance, incompetency or willful violation of duty.

License.

OIL.

SEC 15. No licensed vessel carrying passengers for hire shall be allowed to use in lamps, lanterns or other lights

on such vessels, any oil which will not stand a fire test of at least three hundred degrees Fahrenheit.

SEC. 16. Every vessel subject to the provisions of this act, shall have her name and the port to which she belongs painted on her stern on a black background in white, yellow or gilt letters, or on a white background in black, yellow or gilt letters of not less than three inches in length. If any vessel, which is subject to the provisions of this act, shall be found without having her name, and the name of the port to which she belongs so painted, the owner or owners shall be liable to a penalty of fifty dollars to the State of Washington. The Commissioner may, however, in the case of small vessels, permit such name to be placed elsewhere and in letters of less length, the permission, the place of the name and length of letters to be stated in a certificate to be given to the master, who shall exhibit the same whenever requested.

SEC. 17. Small boats containing passengers may be landed from or drawn to a steamboat by means of a line hauled in by hand, but in no case shall the line be attached to or hauled in by the machinery of any vessel. No passenger shall be put or suffered to go into any such small boat for the purpose of being landed until such small boat shall be completely afloat and wholly disengaged from the vessel, except held by a painter. A good and sufficient pair of oars suitable for the purpose shall be kept in such small boat. In landing or receiving any passenger in the night time, there shall be a signal from the small boat at the shore by means of a horn or trumpet, to enable those having charge on board the vessel to determine when the small boat, having landed or received her passengers, is ready to leave the shore.

SEC. 18. While landing or receiving passengers the engine of the vessel shall not be put in motion except:

(1) To give sufficient force to carry the small boat to the shore, or,

(2) To keep the vessel in proper direction and to prevent her from drifting or being driven on shore; but in no case shall it be put in motion while passengers are

Name.

Landing passengers in small boats.

Engine shall be stopped, when.

being transferred from such vessel into a small boat for the purpose of being landed.

Combustibles shall not be carried.

SEC. 19. No loose hay, loose cotton or loose hemp, camphene, nitro-glycerine, naphtha, benzine, benzole, coal oil, crude petroleum or other like explosive burning fluids or dangerous articles, shall be carried as freight or used in stoves on any steamer or vessel licensed to carry passengers under this act; except that refined petroleum which will not ignite at a temperature of less than one hundred and twenty degrees Fahrenheit may be carried on the main deck of any vessel, provided the barrels or cases containing such oil are fully provided with a tarpaulin. But nothing in this section provided shall be construed to prevent any vessel of twenty tons burden or under which uses petroleum for fuel from carrying sufficient petroleum with which to replenish the fires and properly equip such vessel for use; said petroleum to be carried in metal cans or tanks, which shall be properly protected by a covering of wood or other substance which would equally protect from accident, and be approved by said commissioner, and to be conveyed from said cans or tanks to said fires through metal pipes.

Petroleum may be carried on deck.

Steam pressure.

SEC. 20. No master, engineer or other person having charge of the boiler or apparatus for the generation of steam, of any steamboat or vessel shall create, or allow to be created any undue or unsafe quantity of steam in order to increase the speed of such boat or to excel another boat in speed. Any person violating the provisions of this section shall forfeit to the State of Washington the sum of five dollars for every such violation.

Penalty.

SEC. 21. Every master of a steamboat or vessel who shall violate any of the preceding sections of this act shall, for every such violation, forfeit to the State of Washington the sum of two hundred and fifty dollars, unless a different penalty is prescribed.

Liability of owner.

SEC. 22. The owner of every steamboat or vessel shall be responsible for the good conduct of the master employed by him, and if any penalty incurred by such master is not

paid by him and cannot be collected from him by due course of law, it may be recovered of the owner or owners, jointly or severally, of the steamboat or vessel in whose employ he was at the time of the incurring of such penalty, in the same manner as if such owner or owners were sureties of such master.

SEC. 23. The master of every vessel shall keep a copy of the preceding sections of this act posted in a conspicuous place on such vessel for the inspection of all persons on board thereof. Every master violating the provisions of this section shall forfeit to the State of Washington, twenty-five dollars, and the additional sum of twenty-five dollars for each month while such violation continues.

Act shall be posted.

Penalty.

SEC. 24. The Commissioner shall on or before the first day of January in each year, make a verified report to the Governor, containing a detailed statement of the names and number of vessels examined and licensed, the names and number of vessels to which licenses were refused and stating the reasons for the refusal, the names and number of persons examined and licensed, the names and number to whom licenses were refused and stating the reasons therefor, and may include in such report any other information he may deem desirable.

Commissioner shall report to Governor.

SEC. 25. All steam vessels, naphtha, gasoline and electric launches, or any craft propelled by machinery, carrying passengers for hire, or towing for hire must comply with all the terms and provisions of this act, and with all orders, regulations and requirements of the Commissioner except that any such vessel not propelled by steam, or when not under steam, is exempt from the provisions in regard to the blowing of whistles. If any such vessel is navigated without complying therewith, except as herein stated, or without the requisite certificates of the Commissioner, the owners and masters shall forfeit to the State of Washington the penalties prescribed in this act, and the vessel so navigated shall also be liable therefor, and may be attached and proceeded against in any court having jurisdiction. But if any such vessel is deprived of

Vessels must comply with act, etc.

Penalty.

the services of any licensed officer, without the consent, fault or collusion of the master, owner or any person interested in the vessel, the deficiency may be temporarily supplied, until a licensed officer can be obtained. If the owner or master of any vessel shall at least twenty days before the expiration of his certificate notify the Commissioner of such expiration and request a new inspection and certificate, the certificate then expiring shall continue in force until an inspection is made and such owners and masters are not liable for any of the penalties provided in this act on account of navigating said vessel, without such new certificate. No launch under ten tons carrying passengers shall navigate the waters of the straits of Juan de Fuca, unless provided with a boat of sufficient size to accommodate said passengers and be under the management of a person holding a United States license for steam vessels.

Fees.

SEC. 26. For each inspection provided for in sections two and three of this act the owner or master of each vessel shall pay the Commissioner of Labor an inspection fee, which shall not be less than five dollars, nor more than twenty dollars, to be fixed by the Commissioner of Labor with reference to the size of the vessel inspected. For each license issued under section eighteen of this act the person so licensed shall pay to the Commissioner of Labor the sum of five dollars. All of the fees received from this source shall be accounted for by the Commissioner of Labor to the State Treasurer, and credited to the general fund.

Compensation of inspectors.

SEC. 27. The inspectors provided for in this act shall receive seven dollars per diem for the time actually engaged in making the inspections and examinations provided for herein, and shall be paid necessary traveling expenses when making such inspections and conducting such examinations at other than the domicile of said inspectors.

Inspectors deemed deputies of Commissioner.

SEC. 28. Any inspector duly employed by the Commissioner of Labor for the execution of any of the provisions of this act, shall be deemed to be a deputy of said Commissioner for the purposes hereof, and may perform any act

and exercise any authority herein prescribed for the Commissioner of Labor.

Passed the Senate February 28th, 1907.

Passed the House March 6th, 1907.

Approved by the Governor March 15th, 1907.

CHAPTER 201.

[S. B. 316.]

AMENDING ACT PROVIDING FOR PRESERVATION OF FORESTS.

AN ACT to amend section 3 of an act entitled "An act to provide for the preservation of the forests of this state, for the prevention, control and suppression of forest fires, to create a state board of forest commissioners, providing for a state fire warden and forester, deputy fire wardens, forest rangers, defining their duties and powers, making an appropriation therefor, and providing punishments for the violation thereof, and repealing an act entitled 'An act to protect from fire forests and other property within the State of Washington, and creating forest fire wardens, deputies, patrolmen and defining the duties and providing penalties, and declaring an emergency,' approved March 16, 1903," approved March 11, 1905.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 3 of an act entitled "An Act to provide for the preservation of the forests of this State, for the prevention, control and suppression of forest fires, to create a State Board of Forest Commissioners, providing for a State Fire Warden and Forester, deputy fire wardens, forest rangers, defining their duties and powers, making an appropriation therefor, and providing punishments for the violation thereof, and repealing an act entitled 'An Act to protect from fire, forests and other property within the State of Washington, and creating forest fire wardens, deputies, patrolmen and defining the duties and providing penalties, and declaring an emergency,' approved March 16, 1903," approved March 11, 1905, be,

and the same is hereby amended to read as follows: Sec. 3. The State Board of Forest Commissioners shall appoint

State Fire
Warden
and For-
ester.