## ALBANY REGISTER.

Supplement No. 12,

[OFFICIAL.]

## LAWS

## OF THE UNITED STATES.

PASSED AT THE SECOND SESSION OF THE FOR-TY-SECOND CONGRESS.

IGENERAL NATURE-No. 114.1

AN ACT to athorize the appointment of shipping-commissioners by the several circuit courts of the United States, to superintend the shipping and discharge of seamen en-gage in merchant ships belonging to the United States, and for the further protec-

Beit enacted by the Senate and House of Representatives of the United States of America in Longress assembled,

That the several circuit courts of the Unit That the everation out course and course ded S ares, in which directly there is a sea port or sea-ports for which there is a collector of customs, or in which there is a port of energy, shall appoint a commissioner for such secuport within their respective circuits as in their judgment may require the same, and port within their respective circuits as in their judgment may require the some, and which shalt also be jorts of ocean ravigation; such commissioners to be termed "shipping-commissioners;" and may, from time to time, remove from office any of the sail commissioners whom it may have reason to believe does not properly perform his duties; and shall provide for the proper performance of such duties until another person is duly appointed in his place; shall regulate the mode of condusting business in the shipping offices to be established by the shipping commissioners as hereinafter provided; and shall have full and complete control over the same, subject to the provisions herein contained.

SEC. 2. That every shipping-commissioner

sainet.

SEC. 2. That every shipping-commissioner so appointed shall enter into bonds to the United States, comilitoned for the faithful performance of the dutles required in his office, for a sum, in the discretion of the circuit judge, of not less than five thousand dollars, with two good and sufficient securities therefor, to be approved by said judge; and shall take and subscribe the following each before entering upon the dutles of his office: "I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States; and that I will truly and faithfully discharge the dutles of a shipping-commissioner to the best of my ability, and scording to law." Said each shall be indersed on the commission or certigatas of appoin ment, and signed by him, and certified by the officer before whom such each or affirmation shall have been taken.

Sec. 3. That any shipping-commissioner

mation shall have been taken.

SEC. 3. That any shipping-commissioner may engage a clerk or clerks to assis, him in the transaction of the business of shipping-office at his own proper cost, and may, in case of necessity, depute such clerk or clerks to act for him in his official capacity; but the shipping-commissioner shall be held responsible for the acts of every such clerk or deputy, and will be personally liable for any penalties such clerk or deputy may luctur by the violation of any of the provisions of thisact; and all acts done by a clerk, as such deputy, shall be as valid and binding as if done by the shipping-commissioner. Each shipping-commissioner shall provide a seal with which he shall authenticate all his official acts, on which seal shall be engraved for written, purporting to be the official act of a shipping-commissioner, and purporting to be under the seal and signature of such shipping-commissioner, shall be received as primes faciliar video of the official character. ping-commissioner, sha'l be received as prima-facie evidence of the official character of such instrument, and of the truth of the facts therefit set forth.

SEC. 4. That every shipping-commissioner shall leare, rent, or procure at this own and SEC. 4. That every shipping-commissioner shall learner rent, or procure at his own cost, suitable premises for the transaction of business, and for the preservation of the books and other documents conoccied therewith, and which premises shall be styled "the shipping-commissioner's office." And the general business of a shipping-commissioner shall be, first, to afford facilities for engaging seamen by keeping a register of their names shall be, first, to afford fact thes for engaging seamen by keeping a register of their names and characters; secondly, to superintend their engagement and discharge, in manner herehoaf, or mentioned; thirdly, to provide means for securing the presence on board at the proper times of men who are so engaged; four bly, to fact the making of apprenfor his, to facilia e the making of apprenticeships to the sea-service; and to perform such other duties reating to merchant seamen and merchant sips a archerely or may be reat er, night the powers herein contained, mitted to him.

oe committed to him.

SEC. 5. That such fees, not exceeding the sums specified in "table marked "A" in the schedule hereto annexed, shall be payable upon all engagements and discharges effected before shipping-commissioners as hereinafter mentioned, and such shipping-commissioners shall cause a scale of the fees payable to be prepared, and to be conspanously placed in the shipping-office; and the shipping-commissioner may refuse to proceed with any engagement or discharge unless the fees payable thereon are first paid.

SEC. 6. That every owner, consigned agent.

SEC. 6. That every owner, consignee, agent, SEC. 6. That every owner, consignee, agent, or master of a ship engaging or discharging any seamen or seamen in a shipping-office, or before a shipping-commissioner the whole of the fees hereby made payable in respect of such engagement or discharge, and may, for the purpose of in part reimbursing himself, deduct in respect of each such engagement or discharge, from the wages of all persons (except apprentices) so engaged or discharged, and relain any sums not exceeding the sams specified in that behalf in the table marked "B" in the schedule hereto annexed.

SEC. 1. That any subming-commissioner, or

Sign. 7. That any shipping-commissioner, or any elerke or employee in any shipping-office, who shall demand or receive any remunera-tion whatever, either directly or indirectly, for history or supplies any for hiring or supplying any seaman for any merchant ships, excepting the lawful fees payable under this act, shall, for every such a penalty not exceeding two

Nace 8. That in case of any place or port in which no shipping commissioner shall have been appointed, then the whole or in part of which no shipping-commissioner shall have been appeared, then the whole or in par of the business of a shipping-commissioner shall be conducted by the collector or deputy collector occusions of such place or port; and in respect of such business such customs to whom such business such customs to whom such business shall be committed shall for all purposes be deemed a shipping-commissioner within the meaning of this act; and any person other than a commissioner under this act who shall perform, or attempto perform, either directly or indirectly, the duties which are by this act set forth as persulting to a "shipping-commissioner," shall incar a penalfy not exceeding five hundred dollars. Provided, That sothing in this act squall be construed as to prevent the owner, or consignee, or master of any ship, exception is act, from performing himself, so far as the said ship are concerned, the duties of shipping-commissioner under this act.

shipping-commissioner under this act.

8ax 9. That every shipping-commissioner appelanci under this act shall, if applied to for the purpose of apprenticing boys to the sen-service by any masters or owners of ships, or by any person or persons legally qualified, give such assistance as in their power for facilitating the mixing of such apprenticeships; but the shipping-commissioner shall ancurain that the boy has voluntarily commented to be bound, and that the parante or guardian of said boy have consented to said apprenticeship, and has attained the age of teneve years, and is of sufficient health and strength, and that the master to whom the boy is to be bound is a proper person for the purpose; Provided, That said apprenticeship shall terminate when the apprentice becomes eighteen years of age. And the shipping-commissioner may receive from the persons avaiting themselves of such and state. becomes eighten years of age. And the shipping-commissioner may receive from the persons availing themselves of such a villance the fees contained in table "C" in the schedu's hereto annexed. And the shipping-commissioner shall keep a regiser of all incontinuous of apprenticeship made before him. Sec. 10, That the master of every foreignoing ship shall, before varieting the apprending ship shall, before varieting the apprending

there is sea from any place in the United United Unites, cause such apprentice to appear before the shipping-commissioner before whem the grow is engaged, and shall produce to him the infenture by which such appropriate to him the infenture by which such appropriate to bound. And assignment or assignments thereof, if any, and the name of aid apprentice, with the date of the indenture and the assignment or assignment and in any prentice, with the appropriate and no such assignment of accommissioner, the apprentice and no such assignment shall be made without the approval of a commissioner, the apprentice, his parents, or his guardan. And far any default in obesing the provisions of this section, the master shall, for each offense, incur a penalty not exceeding one hundred dellars.

Otherwise, the person descenting the scaurity must, on day after the finite of a the provision of aid approve the security, in any justice's or other competent court and in any such proceeding it shall be and the assumentially and receipted by the seament, and the scammants and the

section, the master shall, for each offense, incur a penalty not exceeding one handred dollars.

SEC, II. That if any person shall demand or receive, either directly or indirectly, from any scannan seeking employment as a seamen seeking employment as a seamen, or from any person on his behalf, any remuneration whatever, other than the fees hereby authorized, for providing him with employment, he shall, for every such offense, incur a penalty not exceeding one hundred dollars.

SEC, 12. That the master of every ship bound from a post in the United States to any foreign port, or of any ship of the burden of seventy-dive tons or upward, bound from a port on the Atlanta to a port on the Pacific, or vice versa, shall, before he proceeds on such voyage, make an agreement, in writing or in prior, with every seaman whom he carries to sen as one of the crew, in the manner hereinafter mentioned: and every such agreement shall be in the form, as near as may be, as heretofore in table "15," in the schodule annexe i, and shall be signed by the master before any seaman signs the same, and shall contain the following par iculars, that is to say: First, the nature and, as far as practicable, the dura ion of the in-ended voyage or engagement and the port or country at which the voyage is to terminate; secondly, the number and description of the crew, specifying their respective employments; third v, the time at which each seaman is to be on bused to begin work; fourfuly, the capacity in which each seaman is to serve; iff hly, the amount of wages cach seaman is to receive; sixthly, a scale of the provisions which are to be furnished to each seaman is to receive; sixthly, a scale of the provisions which are to be furnished to each seaman is to receive; sixthly, a scale of the provisions which are to be furnished to each seaman is to receive; sixthly, a scale of the provision of the fact, and shall tons in reference to a tymee and allotment of wages, or other matters or contrary to law; P. ovided, That whenever the master of any v or result of a cruise or voyage, nor to maters or constwise nor to masters of lake-going vessels that touch at foreign ports; but some may, by agreement, serve on boart such vesse's a definite time, or on the return of any vessel to a port in the United States may reserve to a port in the trace states of may reship and sail in the same vessel on another viviage without the payment of all distant fees to the shipping-commissioner by the rihe seaman or the master.

SEC. 13. That the following rules shall be

Sec. 18. That the following rules shall be observed with respect to agreements: First, every agreement (except in such cases) agreements as are herefulafter specially provided for) shall be signed by each seaman in the presence of a slipping-commissioner; secondly, when he crew is first engaged the agreement shall be signed in dup kare, and one part shall be retained by the shipping-commissioner, and the other part shall contain a special place or form for the descripand signatures of persons engaged subequently to the first departure of the ship, and shall be delivered to the master; thirdly, every agreement entered upon into before a shipping-commissioner shall be acknowledged and certified under the hand and official seal certified under the part of the state of the search o

carried to sea as one of the crew on board of any ship making a voyage as herelabefore specified wi hout entering toto an agreement with the master of said ship, in the form and manner and at the place and time hereby in such cases required, the ship shall be held and for each such offense shall incur a penalty not exceeding two hundred dollars: Provided always. That the ship shall not be held had a for any person carried to sea who shall have secretly stowed away himself without the knowledge of captain, mate, or of any of the officers of the ship, or who shall have falsely personated himself to the captain, mate, or officers of the ship for the purpose of leng carried to sea; secondly, if any master, mate, or officers of the ship for the purpose of being carried to sea; secondly, if any master, mate, or other officer of a ship knowing y receives, or accepts to be entered on heard of any merchant ship, any seaman who has been engaged or supplied contrary to the provisions of this act, the ship on beard of which such seaman shall be found shall, for every such seaman, be liable to and focur a penalty of a sum not exceeding two hundred dollars; Provided further. That in case of describin, or of casualty resulting in the loss of one or or of casualty resulting in the loss of one or more seamen, the master may ship a number equal to the number of whose services he has been deprived by desertion or casua ity, and report he same to the United States consul-at the first-port at which he shall arrive, without incurring such penalty.

SEC. 15. That every muster of a merchant SEC. 15. That every musicer of a merchan ship of United S a es who engages any sea-man at a place out of the United States, in which there is a consular officer or commer-cial agent, shall, before carrying such sea-man to sea, procure the sameten of such offi-ces, and shall cogage seamen before such officer; and the same rules as are hereinbeofficer; and the same in ea as are hereinbe-forecomined with respect to the engagement of se men before a shipping commissioner in the United States shall apply to such engage-ments made before consular officer or com-mercial agent; and upon every such engage-ment the consular officer or commercial agent shall endosse upon the agreement his sanction thereof, and an at estation to the ef-fect that the same has beed signer in his pres-ence, and of herwise made as hereby require; and every master who engages any seminar and every master who engages any seamou in any place to which there is a consular officer of commercial agent otherwise than as hereinbetore required shall be are a penalty not exceeding one hundred do lars, for which penalty the ship shall be held liable; and all

penalty the ship shall be held liable; and all such agreements so made shall be vold, and the seamen so engage I shall be cutified to recover the highest rate of wages of the port from which the seaman was shipped.

Sic. 1a. That all atipulations for the allotment of any part of the wages of a seaman during his absence which are made at the compensement of the voyage shall be inserted in the agreement, and shall state the amounts and times of the payments to be made, and the persons to whom such payments are to be made.

SEC. 17. That no advance of wages shall b nade or advance security given to any per on but to the camon himself, or to his wife or mother; and no advance of wages shall be ma ie, or advance security gi en, un'ess the agreement contains a stipulation for the same agreement contains a superation of the sam and an accurate a atement of the amount thereof, and no advance wages or advance courity shall be given to any assume even in the presence of the sh poing-commissioner SEC. 13. That if any advance of wages i SEC. 13. That if any atvance of wages is made or sivance security given to any seaman in any such manner as to constitute a breach of any of the above provisions, the wages of such seaman shall be recovereable by him as if no such advance had been made or promised; and in the case of any advance security so given no person shall be sued thereon unless he was a party to such breach. SEC. 19. That whenever any advance security is discounted for any seaman, such seaman shall or set his mark to a receipt indorsed on the security, staing the sum asdorsed on the security, stating the sum-nally paid or accounted for to him by the son discounding the same; and if the scamer sails to the ship from the port of departure mentioned in the scattly, fand is then duly

earning his wages, or is previously discharged with the consent of the matter, but not

SEC. 20. That the master shall, at the com-

recens such port as alterestad, and to be duly proved.

Sic. 2a. That the master shall, at the commencement of every voyage or engagement, eause a legible copy of the agreement lomiting signaturest to be placed or pasted up in such part of the ship as to be accessible to the crew; and on default shall, for each offense, locur a penalty not exceeding one hundred dollars.

Sic. 21. That any seaman who has signed an agreement and is afterwarps dicharged before the commencement of the voyage or before one month's wages are carned, without had on his part justifping such discharge and without his consent, shall be entitled to receive from the master or owner, in adultion to now wages he may have carned, a sum equal in amount to one month's wages as compensa ion, and may, on ablucing such evidence as the court hearing the case deems sai factory of having been improperly discharged as affectal, recover such compensation as if it were wares fully earned.

Sic. 22. The all seamen discharged in the the United States from merchant ships engaged in; voyages as discribed in section twelve of this act shall be discharged and receive their wages in the presence of a duly authorized shipping dommissioner unjer this abt, except is cares where some competent court o herwise directs; and any master or owner of any such ship who discharges any such seeman belonging thoreto, or, except as a fore aid, pays his waites within the United States from the seeman belonging thoreto, or, except as a fore aid, pays his waites within the United States from a such ship who discharges any such seeman belonging thoreto, or, except as a fore aid, pays his waites within the United States from a such ship who discharges any such seeman belonging thoreto, or, except as a fore aid, pays his waites within the United States from the such ship who discharges for the pays his because of any seaman, deliver to him, or if he is to be discharged before a shipping commissioner, to such shipping commissioner, to such shipping commissioner, in an account of hi

SEC. 24. That upon the discharge of any seaman, or upon any payment of his wages, the master shall sign and give him a certificate of discharge, specifying the period of his service and the time and place of his disharge in the form here! o annexed, marke! "E;" and if any master fails to sign and give to any

in the form here!o annexed, markel 'E;
and if may master falls to sign and give to any
such seaman such certifica e and discharge,
he shall, for each offense, mour a penalty not
exceeding firly dollars. Provided, That the
proviso annexed to see lon twelve, which app ies to masters of vessels engaging seamen
under that proatso, shall a 'so apply to such
masters of vessels in the discharge of seamen.
Sec. 23. 'That every shipping-commissionershall hear and decide any question whatsoever between a master, consignee, agent, or
owner, and any of his crew, which both parties agree in writing to submit to him; and
every award so mate by him shall be binding
on both parties, and shall in any legal proceedings which may be taken in the mater,
before any court of justice, be deemed to be
conclusive as to the rights of parties and any
document purporling to be under the hand
and official seal of a commistoner, such submison or award shall be prima-facte evidence
thereof.

man, carried on before any shipping commis-

and certified under the hand and official seal certified under the hand and official seal certified under the hand and official seal certified under the the hand seal certified under the the provisions of the seal stoner, under the the provisions of this act, such scipping commissioner may call upon the stoner in and for the sall county. A. B. C. D., and E. F., severally known to me to be the same persons who executed the foregoing instrument, who erch for himse f acknowledged to me that he had read o heard read the same; that he was by me made acquainted with the could ions thereof, and understood the same; and that, while sober and not in a state of intoxication, he signed it freely and columnarily, for the uses and purposes therein mentione l."

SEC. 14. That, first if any person shall be carried to sea as one of the crew on board of any ship making a voyage as hered hefore specified without entering into an agreement each offense incur a penalty not exceeding one hundrid dollars, and on application be-ing ma e by the shipping commissioner, shall be further punished in the discretion of the court, as in other cases of contempt of the process of the court.

Sec. 27. That the following rules shall be SEC. 27. That the following rules shall be observed with respect to the set lement of wages, that is to say: First, upon the completion, before a ship ing-sommissioner, of any discharge and set lement, the master or owner and each seaman respectively, in the presence of the shipping-commissioner, shall sign a mutual release or will claims for wages in respect to the past voyage or engagement, and the shipping-commissioner shall also sign and attest it, and shall remain it in a book to be kept for that purpose: Provided, That both the master and seamen assent to such settlement, or the settlement has been adboth the master and seamen assent to such cettlement, or the settlement has been adjusted by the shipping-commissioner; secondly, such release so signed and attested shall operate as a mutual and settlement of all demands for wages between the parties thereto, on account of wages, in respect of the past voyage or engagement; thirdly, a copy of such release, certified under the final and seal of such shipping commissioner to be a true copy, shall be given by him to any party thereto requiring the same, and such copy shall be receivable in evidence upon any fature question touching such claims as aforesaid, and shall have all the effect of the original of which it purports to be acopy; fourthly, in case in which discharge and settlement before a shipping-commissioner are hereby ly, in cases in which discharge and settlement, before a shipping-commissioner are hereby required, no jayment, receipt, settlement, or discharge otherwise made, shall operate as evilence of the release or satisfacted of any claim; fif hly, unon payment being made by a master before a shipping-commissioner, the shipping-commissioner shall, if required, sign and give to such master a statement of the whole amount so pabl, and such statement shall, between the master and his employer, be received as evilence that he has made the be received as evi lence that he has made the

pa ments therein mentioned. SEC. 28. That upon every discharge effected before a shipping-commissioner the master shall make and sign, in a form market "E."

before a shipping-commissioner the master shall make and sigo, in a form marked "E." in schedule thereto annexet, a report of the conduct, character, and qualifications of the persons discharged, or may sia e on sail form that he dee, thus to give any opinion upon such particulars, or upon any of them; and the commissioner shall keep a register of the same, and shall, if deesired so to do by any seamen, give to him or indorse on his certificate of discharge a copy of so much of such report as congerns him.

SEC. 29. That every seaman, being a foreigner, who declares his intention of becoming a citizer of the Unit of States in any competent court, and shall have served three years on beard of a merchant ship or ships of he United States in any competent court, and shall have served during that time toge her with the certificate of his declaration of intendo to become a critical of the Court of the United States, and shall have served said three years, be deemed a critical of the United States, and shall have served said three years, be deemed a critical of the United States for the purpose of manning and serving on board any merchant ship of the United States, and shall have served said three years, be deemed a citizen of the United States, and shall have served said three years, be deemed a citizen of the United States, and shall have served said three years, be deemed a citizen of the United States, and shall have served said three years, be deemed a citizen of the United States, and shall have served said three years, be deemed a citizen of the United States for the purpose of manning and serving on board any merchant ship of the United States for the purpose of manning and serving on a said said three years, be deemed a citizen of the United States for the purpose of manning and serving on a said said the condition of the United States, and shall have served and the purpose of protection as an Amerikan of Leon, be deemed such, after the fling of his declaration of intention to become such citizen.

SEC. 30. That a seaman's right to wage SEC. 30. That a seaman's light to wage and provisions shall be taken to commence either at the time at which he commence work, or at the time aspecified in the agreement for his commencement of work or presence on board, whichever first happens.

SEC. 31. That no seaman shall, by any agreement other than is provided by this act ferfeights lien upon the skip, or be deprived of any remisely for the reservery of his wages

to which he would otherwise have been ento which he would otherwise have been criticled; and every stipulation in any agreement inconsistent with any provision of this act, and every stipula ion by which any seamon consents to abandon his right to his wages in the case of the loss of the sidp, or to abandon any right which he may have or obtain in the mature of salvage, shall be whelly inoperative.

See 32 That no wight to wages shall be

wholly inoperative.

SEC. 32. That no right to wages shall be dependent on the earning of freight by the ship, and every scannan and apprentive who would be entitled to demand and receive any wages if the ship on which be has served had earned freight shall, subject to all other rules of law and could home applicable to the case, be entitled to claim and recover the same of the master or owner in personam, notwithstanding that freight has not been earned; but in all cases of week or loss of ship, proof that he has not exerted himself to the utmost To save the ship, cargo, and stores shall bar his claim.

SEC. 33. That in cases where the service of any seaman terminates before the period con-templated in the agreement, by reason of the wreck or loss of the ship, such seaman shall be entitled to wages for the time of service prior to such termination, but not for any further period.

SEC. 34. That no seaman or apprentice shall be entitled to wages for any period during which he un'awfully refuses or neglects to work when required, after the time fixed by the agreement for his beginning work, nor muess the court hearing the case or berwise directs, for any period during which he is lawfully imprisoned for any offense committed by him.

lawfully imprisoned for any offense committest by him.

Six. 33. That the master or owner of any
ship making voyages as hereinbefore described
in ection twelve of this act, except foreign
going ships, shall pay to overy seaman his
wages within two days after the termination
of the agreement, or at the time such seaman
is discharged, whichever first happens, and
in the case of foreign-going ships, within
three days after the cargo has been delivered,
or within five days after the seaman's discharge, whichever first happens; and in all
cases the seaman shall, at the time of his dicharge, be entitled to be paid, on account, a
sum equal to one-fourth part of the balance
due to him; and every master or owner who
neglects or refuses to finate juy ment in marner aforesaid without sufficient cause shall
pay to the seaman a sum not exceeding the pay to the seamon a some not exceeding the amount of two days' pay for each of the days, not exceeding ten days, during which payment is delayed beyond the respective periods aforesal; and such sum shall be recoverable as wages in any claim made before the court: Provided, That this section shall not apply to the masters or owners of any vessel where the seaman is entitled to share in the profits of the croise or voyage.

SEC. 31. That any three or more of the crew of any mercuant ship of the United States, as described in section twelve of this States, as described in section (welve of this such officer shall thereupon examine the said provisions or water or cause them to be examined, and if on examination such provisions or water are found to be of bad quality and unfit sor use, or be deficient at quantity, the person making such examination shall signify the same in writing to the master of the ship; and if such master does not thereupon provide other proper provisions of water, where the same can be han, in lieu of any to signified to be of a bad quality and unfit for use or does not procure the requisite quratity of any so the same can be han, in fleu of any to signified to be of and quality and unfit for use or does not procure the requisite quantity of any so signified to be insufficient in quantity for uses, any provisions or water which have been so signified as aforesaid to be of bad quality and unfit for use, he shall in every such case incur a penalty not exceeding one hundred dollars; and upon every such examination on aforesaid the officers making or directing the same shall enter a statement of the result of the examination in the log-book, and shall send a report thereof to the district judge of the port at which such vessel is bound and such report shall be received in gridence in any legal proceedings.

SEC. 37. That if the officer to twhom any such complaint as last rfore aid is made certifies in such statement as aforesaft that there was no reasonable ground for such complaint each of the parties so complaining shall be liable to forfeit to the master or owner, out of his wages a sum not exceeding one week's wages.

ter that the That Heart seamen as aforesaid, aloresath to any consular officer, or naval officer of any ship of the United States or any shipping commissioner, against the master, the said master shalf if the ship is then at a p ace where there is any such officer as afore-said as soon as the service of the ship will per-mit, and if the ship is not then at such a place-sa soon after her first arrival at such place as the service of the ship will permit allow such seamen, or any of them, to go ashore, or send nim or them ashore in proper custody so that he or they may be en-th-of to make such com-plaints and shall in default have a penalty not exceeding one hundred dollars.

ls to say, first, if during a voyage he allowance of any of the provisions which any seaman has by his agreement stipulated for is reduced lexcept in accordance with any regulations for reduction by way of punishment, contained in the agreement, and also for any time during which seaman within and at home sufficient cause refuses or neglects to perform his duty, or is lawfully underconfinement für nisconduct either on both or on shore; secondly, if it is shown that any of such provisions are or have been during the voyage bad in quality, and unfit for use, the seaman shall receive by way of compensation for such redubtion or bad quality according to the time of it continuance, the following sums, to be paid to him in addition to, and to be rehoverable as wages, that is to say: First, if his allowance is restricted by any quantity not exceeding one-thirn of the quantity specified in the agreement, a sum not exceeding fif y cents a day; secondly, if his allowance is reduced by more than one-third of such quantity, a sum nat exceeding one dollar a day, thirthly, in respect to such had quality, as afore-add a sum not exceeding one dollar a day. But if it be shown to the satisfaction of the court before which the case is tried that any provisions the allowance of which has been reduced, could not be provided or supplied in sufficient quantities, or were unavoidance of any of the provisions which any seaany provisions the allowance of which has been reduced, could not be preserted or supplied in sufficient quantities, or were unavoidably injured or lost, and that proper and equiva ent substitutes were susplied in her thereof in a reasonable time, the court shall take such circumstances into consideration, and shall mailty or refuse compensation, as the juffice of the case may require.

SEC. 40- That every ship belonging to a ctiten or citizens of the United Sia ce, as described in section twelve of this act shall be provided with a chest of medicines; and every sailing-ship bound on a voyage across the Ai-antic or Pacific Ocean, or around Cape Horn or the Cape of Good Hope, or engaged in the whale or other fisherise, or in sea log shall also be provided with and cause to be kept, a sufficient quantity of time on lemon juice, and also sugar and vinegar, or other and-sosrbuties as Courress may sanction, to be served tices as Congress may sanction, to be served out to every seaman as follows, that is to say, the mis er of every standing as follows, that its to say, the mis er of every ship as fast foresaid, shall serve the lime or semon juice and sugar and vinegar, to the crew within ten days after sat provisions mainly have been served out to the crew, and so long afterward as such consumption of salt provisions communes, the lime or lenson juice and sugar daily at the rate of half an ounce each per day, and the vinegar week's at the rate of half a pint per week for each member of the crew.

SEC. 41. That if on any such shiff as afore-SEC. 44. That if on any such shift as afforcing it such medicates, menical stores, lime or lemon juice, or other articles, stegar are vinegar as are hereinbefore required, the master or owner shall hour a penalty not exceeding five hundred dollars; and if the master of any such ship as aforcing neglects to serve out the line or lemon juice rad sugar and vinegar in the case and manner hereinlefore directed, he shall for each of such offense hour a regular not exceeding one hundred dollars. a penalty not exceeding one hundred dollars; and if any master is convicted in either of the last mentioned penalties, and it appears that the offense is owing to the act or default of the owner such master may recover the amount of such penalty, and the costs incurred by him, from the owner.

SEC. 42. That every master shall keep on beard proper weights and measures for the purpose of determining the quantities of the several provisions and articles served out, and shall allow the same to be used at the time of serving out such provisions and articles, in the presence of a witness, whenever any disjute arises about such quantities and in default shall, for every offense incur a penalty not exceeding fifty dollars. And every vas el bound on any foreign port shall be previled with at least one smill of woolen clothing for each e-man during the wister months, and every shall vessel shall be provided with fact and a safe suitable room in which a fireman be kep for the use of scames.

Sec. 48. That whenever any scaman or ap-SEC. 42. That every master shall keen

SEC. 43. That whenever any seaman or ap prentice belonging to or sent home on any introduct shap whenever a foreign going ship

or home trade chip, employed on a voyage, which is to terminate in the United States, dies storing such wo age the master shall take charge of all montes, dothes and effects which he homes on beard, and fhall if he hinks fit, cause all or any of the raid cothes and effects to be sold at any ion at the mass or other public angelon, and shall thereupon right an entry in the official log-book, containing the following particulars, that is to fay: First, A statement of the amount of money so left by the decease. Secondly, In case of a sail, a description of each article sold and the sum received for each. Thirdly, A statement of the statement of the amount of each article sold and the function and shall cause such entry to be attested by the male and one of the crew.

SEC 44. That in cases provided for by the

the stim due to decented as wages and the for init amount of deflictions if any, to be made the error; and which came such entry to be attested by the male and one of the error.

S17, 44. That it cases provides for by the last preceding section, the following rules shall be observed: First, if the ship process at one to any port in the United States the master shall within forty-eight hours after his arrival, achiver any such elicities as aforessed remaining mostd, and pay any money which he has taken charge 4t. or received from such 12 ca. accounts, at all as a the far account of the count, of the ship into the United States the master shall within forty-eight hours after the master shall remaining mostd, and pay any money which he has taken charge 4t. or received from such 12 ca. accounts, at all as a the far account of the ship of the count, of the ship into some interest of the ship in the United States the master shall reflect and the ship of the voyage; and shall be also be ship of the voyage; and shall officer may if the considered and the ship of the voyage; and shall collidar may if the considered in the United States proline in the United States in the proline in the United States proline in the United St

SEC. 45. That if any master fails to take such charge of the money or other effects of a seaman or apprentice during a voyage, or to make such entries in respect thereof, or to procure such attestation to such entries, or to make such entries in or to make such entries for respect thereof as the procure during a voyage, or to give such account in respect thereof as herein before respectively directed, he shall be accountable for the money, wages, and effects of the seaman or apprentice to the judicial circuit court in whose joristic ion such port of destination is situate, and shall pay and deliver the same accordingly; and such mastershall, lo addition for every such offense, focur a penalty not exceeding treble the value of the money or effects, or, if such value is not ascertained, not exceeding two hundred dollars; and if any such money, wages, or effects are not duly paid, deliverest, and accounted for by the master, the owner of the ship shall pay, deliver, and account for the same, and such money and wages and the value of such effects shall be recoverable from him accordingly; and if he fails to account for and pay the same, he shall, in adultion to his liability. SEC. 45. That if any master fails to take incurred by the master for a like offense; and all money, wages, and effects of any seaman or apprentice dying during a voyage shall be recoverable in the same courts and by the same modes of proceeding by which seaman are enabled to recover wages due to them.

SEC. 46. That if any such seaman or apprentice as last aforesaid dies at any place out seamen, or any of them, to go ashore, or send aim or them ashore in proper custody so that he or they may be enabled to make such complaint- and shall in default hear a penalty not exceeding one hundred dollars.

SEC. 39. That in the following cases, that is to say, first, if during a voyage he allowprentice delivered to him under the provisions of this act, and shall quarterly remit to the judge of the district court of the port from which such ship salled, or the port where the voyage terminates, all modes belonging to or arising from the sale of the effects or paid as wages of any deceased seaman or apprentices which may have come to file hands under the provisions i tercihefore mentioned, and shall render such accounts thereof as the district judge requires.

Sec. 47. That whenever any segment or any

SEC. 47. That whenever any sepman or apprentice dies in the United Stotes, and is at the time of his death entitled to claim from the master or owner of any ship in which he has served any unpaid wages or effects, such master or owner shall pay and deliver, or ac-count for the same, to the shipping-ammis-sioner at the port where the seamar or ap-prentice was discharged, or was to have been discharged.

SEC. 48. That every shipping commissioner in the United States shall, within one week In the United States shall, within one week from the date of receiving such money, wages or effects of any decensed scanm or apprentice, pay, remit, or deliver to the circuit court of the circuit in which he resides, the said money, wages or effects, subject to such deductions as may be allowed by the circuit court for expenses the urreful respect to said money and effects; and should any commissioner fail to pay, remit or deliver to the circuit court within the time hereinbolior mentioned, he shall incura penalty not excending treble the amount of the value of such money and effects. and effects.

SEC. 49. That if the money and effects of any seamen or apprentice paid, remitted, or delivered to the dreadt court, including the moneys received for any part of said effects which have been sold, either before delivery to the dreatt court of by its directions, do not exceed in value the sum of three hundred deliars, then, subject to the provisions hereinafter contained, and to all such deductions for expenses incurred in respect to the seaman or apprentice, or of his said money and effects, as the said court thinks fit to allow, the said court may, of it thinks fit so to do, pay and deliver the said money and effects either to any d'almants who can prove ihemselves to the saidsfields of the court either to be his widow or children, or to be entitled to the effects of the deceased under his will, (if any), SEC. 49. That if the money and effects of who or children, or to be entitled to the effects of the deceased under his will, (if any), or under the statute for the distribution of the effects of intestates, or under any other statute, or at common law, or to be entitled to produce probate, or take out letters of administrationion or confirmation, although no probate or letters of administration for confirmation have been taken out; and shall thereby be discharged from all further liability in respect of the money and effects so taid and delivered, or may if it thinds its ot todo, require probate, or letters of administration or confirmation, to be taken out, and therespon pas and de fiver the said money and effects to the legal personal representatives of the deceased; and if such money and effects exceed in volue the sum of three hundred dollars, then, subject to deduction for expenses, the court shalt pay and deliver the same to the legal personal appresentatives of the decease.

SEC. 50. That in cases of wages or effects of deceased seamen or apprentices received by the circuit courte, to which no claim is substantiated within six years after the receipt thereof by any of the said counts, it shall be in the absolute discretion of any of such courts, if any subsequent claim is made, either to allow or refuse the same; and each of the respective courts shall, from time to time, pay any moneys anising from the unclaimed wages and effects of deceased scamen, which, in the opinion of such court, it is not necessary to retain for the purpose of satisfying claims, into the treasury of the United States, which moneys shall forms fund for, and be appropriated to, the relief of sick and disabled and destitute seamen seamen be onging to the United States merchant marine service. SEC. 50. That in cases of wages or effects

DISCIPLINE OF SEAMEN.

has been lawfully evenged, or any apprentice to the sea cervice, commits any of the following offenses, he shall be liable to be panished as follows, that is to say: first, for leserrien, he shall be liable to imprisonment for any period not exceeding three mone by, and also to forfeit all or any part of the clothes or affects he leaves on board, and all or any part of the wrges or concluments which he has earned; secondly, for neglecting and refusing, without reasonable cause, to join his ship, or for absence without leave at any time within twenty-four hours of the skip's valling from any part, either at the commencement or during the progress of any voyage, or for absence at any time without leave, and without sufficient reason from his ship, or from his duty, not amounting to desertion, or not treated as such by the master, he shall be table to imprisonment for any period not exceeding one month and also, at the di cre ion of the court, to for-

mages may be retained in casemacon of maceums of such liability) and shall also be liable to imprisonment for a period not exceeding tweive months.

SEC, 52. That upon the commission of any of the offenses enumerated in the last preceding section, an entry thereof-shall be made in the official leg-book and shall be signed by the master, and also by the mate or one of the crew; and the offender if shill in the ship, shall before the next subsequent arrival of the ship at any port or if she is at the time in port before, for elegative therefrom, either be furnished with a copy of such entry or cave the same read over distinctly and audibit to him, and may thereupon make such reply thereto as he thinks fit; and a statement that the copy of the said entry has been so furnished or that the same has been so reod over as aforesaid, and the reply(if ony) made by the offender, shall likewise be entered and signed in manner aforesaid; and in any subsequent legal proceedings the entries hereinbefore required shall if pacificable be produced or proved and in denult of such production or proof, the court hearing the case may at its effection refuse to receive evidence of the offense.

Sit, 53. That whenever, either at the commencement or during the progress of any voyage any seaman or apprentice neglects or refuses to join or deserts from or refuses to proceed to sea, in any ship in which he is duly engaged to serve or is found otherwise absenting himself therefrom without leave the master or any mate or the owner or consiguee or shipping-a ministioner, may in any place in any place in the United States, if and also at any out of the United States, if and so far as the laws in force at such place will permit apprehens in my without first procuring as varrant, him before any court of justice or justices of any Sate, city, town or county, within the

hend him without first procuring as warrant, him before any court of justice or justices of any State, diry, town or county, within the United States capable of taking cognisance of offenses of like degree and kind of the matter to be delt with according to the provisions hereinbetor, contained in reference to such cases; and may for the purpose of conveying him before such court of justice, detain him in custody for a period not exceeding twenty-four hours or shorter time as may be necessary or may if he does not so require, or if there is no such court at or nera the place at once convey him on board; and if such apprehension appears to the court of justice before which the case is bought to have been made on improper or on insufficient grounds, the masser, mate, consignee or shipping commison improper or on insumeren grounds, the master, mate, consignee or shipping commissioner who makes the same or causes the same to be made, shall merr a penalty not exceeding one hundred dollars; but such penalty, if inflicted, shall be a bar to any actsou for false insuring ment.

SEC. 54. That any master of, or any sea-SEC. 54. That any master of, or any seaman or apprentice belonging to any merchantship who, by willful breach of duty, or who, by reason of drunkeness, does any act tending to the immediate loss, destruction, or serious damage to such ship, or tending immediately to endanger the life or limb of any person belonging to or on band of such ship, or who by willful breach of duty, or by neglect of nuty, or by reason of drunkenness, rejuctor and mists to do ony lawful act proper and requisite to be done by him for preserving such ship from immediate loss, destruction, or serious chanage, or for yreserving any tion, or serious damage, or for yreserving any person belonging to or on board of such ship from immediate danger to life or limb, shall, for every such offense, be deemed guilty of a misdemeanor, and shall be liable to imprison-ment for a period not exceeding twelve

misdemeanor, and shall be liable to imprisonment for a period of exceeding twelve months.

S.G. 32. That all clothes, effects, and wages which under the provisions of this act, are forleited for descriton, shall be applied, in the first instance, in payment of the expenses occasioned by such descrition to the master or owner of the ship from which the descrition has taken place, and the balance if any shall be paid by the master or owner to any shipping-commissioner resident at the port at which the voyage of such ship terminaes; and the shipping-commissioner resident at the port at which the voyage of such ship terminaes; and the shipping-commissioner resident at the port at which the voyage of such ship terminaes; and the shipping-commissioner resident to the pidge of the circuit court within one month after salp commissioner reselves the same, to be disposed of by him in the same manner as is hereinsbefore provided for the stisposal of the money, effects, and wages of deceases seamen; in all other cases of forfeiture of wages, under the provisions hereinbefore contained, the forfeiture shall be for the benefit of the master or owner by whom the wages are pay-locks or refuses to pay gover to the shipping-commissioner such balance aforesaid, he shall incur a penalty of double the amount of such balance, which shall be recoverable by the commissioner in the same manner that seaman's wages are recovered.

PROTECTIOF OF SEAMEN.

## PROTECTIOF OF SEAMEN.

SEC. 61. That no wages due or accruing to any scaman or apprentice shall be subject to attachment or arrestment from any court; and every payment of wages to a scaman or apprentice shall be valid in law, notwithstanding any previous sale or assignment of such wages, or of any attachment, incum-brance or arrestment thereon; and no as-signment or sale of sach wages, or of salvage made prior to the account thereof, shall bind the party making the same, except such advanced securities as are previded for in this

act.
SEC, 62. That every person who, not being in the United States service, and not being duly authorized by law for the purpose, goes on boardany ship about to arrive at the place of her descination before her actual arrival and before she has been completely moored, without permission of the master, shall, for every such offense, incar a penalty not exceeding two hundred dollars, and shall be liable to imprisonment for any period not exceeding six months; and the master or person in charge of said ship may take any such person so going on hoard as aforesaid into custofy, and deliver him up forthwith te any constable or police officer to be by him taken before any justice of the peace, and to be dealt with according to the provisions of the sat.

SEC. 63. That if, within twenty-four hours

with according to the provisions of this act.

Sec. 63. That if, within twenty-four hours
after the arrival of any ship at any ship at
any port in the United States, any person,
then being on beard such ship, so talls any
seaman to become a lodger at the house of
any person lening leaguings for hire, or takes
out of such ship any effects of any seaman,
except under his personal direction, and with
the permission of the master, he shall, for SEC. 51. That whitneser any semman who