

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 dispute arises about such quantities, and in default shall, for every offence, incur a penalty not exceeding fifty dollars. And every vessel bound on any foreign port shall also be provided with at least one suit of woollen clothing for each seaman for use during the winter months, and every such vessel shall be provided with fuel and a safe and suitable room in which a fire can be kept for the use of seamen.

used in presence of a witness, if dispute as to quantity arises.

Woollen clothing and fuel.

SEC. 43. That whenever any seaman or apprentice belonging to or sent home on any merchant ship, whether a foreign-going ship or home-trade ship, employed on a voyage which is to terminate in the United States, dies during such voyage, the master shall take charge of all moneys, clothes, and effects which he leaves on board, and shall, if he thinks fit, cause all or any of the said clothes and effects to be sold by auction at the mast or other public auction, and shall thereupon sign an entry in the official log-book, containing the following particulars, that is to say: First, a statement of the amount of money so left by the deceased; secondly, in case of a sale, a description of each article sold, and the sum received for each; thirdly, a statement of the sum due to deceased as wages, and the total amount of deductions, if any, to be made therefrom; and shall cause such entry to be attested by the mate and one of the crew.

Effects of seamen dying on board, how to be cared for and disposed of;

entry in log-book;

SEC. 44. That in cases provided for by the last preceding section, the following rules shall be observed: First, if the ship proceeds at once to any port in the United States, the master shall, within forty-eight hours after his arrival, deliver any such effects as aforesaid remaining unsold, and pay any money which he has taken charge of, or received from such sale as aforesaid, and also the balance of wages due to the deceased, to the shipping-commissioner at the port of destination in the United States; secondly, if the ship touches and remains at some foreign port before coming to any port in the United States, the master shall report the case to the United States consular officer there, and shall give to such officer any information he requires as to the destination of the ship and probable length of the voyage; and such officer may, if he considers it expedient so to do, require the said effects, money, and wages to be delivered and paid to him, and shall, upon such delivery and payment, give to the master a receipt; and the master shall within forty-eight hours after his arrival at his port of destination in the United States produce the same to the shipping-commissioner there; and such consular officer shall in such case indorse and certify upon the agreement with the crew, the particulars with respect to such delivery and payment; thirdly, if such officer as aforesaid does not require such payment and delivery to be made to him, the master shall take charge of the said effects, money, and wages, and shall, within forty-eight hours after his arrival at his port of destination in the United States, deliver and pay the same to the shipping-commissioner there; fourthly, the master shall in all cases in which any seaman or apprentice dies during the progress of the voyage or engagement, give to such officer or shipping-commissioner as aforesaid an account, in such form as they may respectively require, of the effects, money, and wages so to be delivered and paid, and no deductions claimed in such account shall be allowed unless verified, if there is any official log-book, by such entry therein as hereinbefore required; and also by such other vouchers (if any) as may be reasonably required by the officer or shipping-commissioner to whom the account is rendered; fifthly, upon due compliance with such of the provisions of this section as relates to acts to be done at the port of destination in the United States, the shipping-commissioner shall grant to the master a certificate to that effect, and no officer of customs shall clear inward any foreign-going ship without the production of such certificate.

duty of master, if vessel arrives at a home port;

if in a foreign port;

upon arrival at port of destination in the United States.

Master to give an account to shipping-commissioner, &c.

Commissioner to give master certificate, &c.

SEC. 45. That if any master fails to take such charge of the money or

Penalty upon

master for not complying with the provisions of law as to the effects of deceased seamen and apprentices.

Owners liable.

What courts to have jurisdiction.

Duty of consuls, &c., as to effects of such seamen dying at any place out of the United States.

Wages due any seaman or, &c., dying in the United States, to be paid to shipping-commissioner.

Commissioner within one week to deliver such wages to circuit court, &c.

Penalty.

Power and duty of circuit court as to the distribution of the money and effects so delivered, if not over \$300 in value.

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 payment or delivery of any money, wages, or effects of any seaman or apprentice dying during a voyage, or to give such account in respect thereof as hereinbefore respectively directed, he shall be accountable for the money, wages, and effects of the seaman or apprentice to the judicial circuit court in whose jurisdiction such port of destination is situate, and shall pay and deliver the same accordingly; and such master shall, in addition for every such offence, incur 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, delivered, 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 addition to his liability for the said money and value, incur the same penalty which is hereinbefore mentioned as incurred by the master for a like offence; 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 seamen 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 of the United States, leaving any money or effects not on board of his ship, the United States consul or commercial agent at or nearest the place shall claim and take charge of such money and effects; and such officer shall, if he thinks fit, sell all or any of such effects, or any effects of any deceased seaman or apprentice 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 sailed, or the port where the voyage terminates, all moneys belonging to or arising from the sale of the effects or paid as the wages of any deceased seamen or apprentices which have come to his hands under the provisions hereinbefore contained, and shall render such accounts thereof as the district judge requires.

SEC. 47. That whenever any seaman or apprentice dies in the United States, 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 account for the same, to the shipping-commissioner at the port where the seaman or apprentice was discharged, or was to have been discharged.

SEC. 48. That every shipping-commissioner in the United States shall, within one week from the date of receiving any such money, wages, or effects of any deceased seaman 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 incurred in respect to said money and effects; and should any commissioner fail to pay, remit, and deliver to the circuit court within the time hereinbefore mentioned, he shall incur a penalty not exceeding treble the amount of the value of such money and effects.

SEC. 49. That if the money and effects of any seaman or apprentice paid, remitted, or delivered to the circuit court, including the moneys received for any part of said effects which have been sold, either before delivery to the circuit court, or by its directions, do not exceed in value the sum of three hundred dollars, then, subject to the provisions herein-after 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, if it thinks fit so to do, pay and deliver the said money and effects either to any claimants who can prove themselves to the satisfaction of the court either to be his widow or

master for not complying with the provisions of law as to the effects of deceased seamen and apprentices.

Owners liable.

What courts to have jurisdiction.

Duty of consuls, &c., as to effects of such seamen dying at any place out of the United States.

Wages due any seaman or, &c., dying in the United States, to be paid to shipping-commissioner.

Commissioner within one week to deliver such wages to circuit court, &c.

Penalty.

Power and duty of circuit court as to the distribution of the money and effects so delivered, if not over \$300 in value.

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 payment or delivery of any money, wages, or effects of any seaman or apprentice dying during a voyage, or to give such account in respect thereof as hereinbefore respectively directed, he shall be accountable for the money, wages, and effects of the seaman or apprentice to the judicial circuit court in whose jurisdiction such port of destination is situate, and shall pay and deliver the same accordingly; and such master shall, in addition for every such offence, incur 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, delivered, 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 addition to his liability for the said money and value, incur the same penalty which is hereinbefore mentioned as incurred by the master for a like offence; 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 seamen 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 of the United States, leaving any money or effects not on board of his ship, the United States consul or commercial agent at or nearest the place shall claim and take charge of such money and effects; and such officer shall, if he thinks fit, sell all or any of such effects, or any effects of any deceased seaman or apprentice 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 sailed, or the port where the voyage terminates, all moneys belonging to or arising from the sale of the effects or paid as the wages of any deceased seamen or apprentices which have come to his hands under the provisions hereinbefore contained, and shall render such accounts thereof as the district judge requires.

SEC. 47. That whenever any seaman or apprentice dies in the United States, 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 account for the same, to the shipping-commissioner at the port where the seaman or apprentice was discharged, or was to have been discharged.

SEC. 48. That every shipping-commissioner in the United States shall, within one week from the date of receiving any such money, wages, or effects of any deceased seaman 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 incurred in respect to said money and effects; and should any commissioner fail to pay, remit, and deliver to the circuit court within the time hereinbefore mentioned, he shall incur a penalty not exceeding treble the amount of the value of such money and effects.

SEC. 49. That if the money and effects of any seaman or apprentice paid, remitted, or delivered to the circuit court, including the moneys received for any part of said effects which have been sold, either before delivery to the circuit court, or by its directions, do not exceed in value the sum of three hundred dollars, then, subject to the provisions herein-after 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, if it thinks fit so to do, pay and deliver the said money and effects either to any claimants who can prove themselves to the satisfaction of the court either to be his widow or