The Huntingdon Journal.

VOL. 47. HUNTINGDON, PA., NOVEMBER 6, 1872. NO. 44.

The Huntingdon Journal.

J. R. DURBORROW, - - J. A. NASH,
PUBLISHERS AND PROPRIETORS.

Office on the Corner of Fifth and Washington streets.

THE HUNTINGDON JOURNAL is published every Wednesday, by J. R. DURBORROW and J. A. NASH, under the firm name of J. R. DURBORROW & Co., at $2,00 per annum, IN ADVANCE, or $2,50 if not paid for in six months from date of subscription, and $3 if not paid within the year.

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	3 m	6 m	9 m	1 y		3 m	6 m	9 m	1 y
1 Inch	2 50	4 00	5 00	6 00	¼ col	9 00	18 00	$ 27	$ 36
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3 "	6 00	10 00	14 00	18 00	¾ "	34 00	50 00	65	80
4 "	8 00	14 00	20 00	24 00					
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Professional Cards.

B. F. GEHRETT, M. D., *ECLECTIC PHYCICIAN AND SURGEON*, having returned from Clearfield county and permanently located in Shirleysburg, offers his professional services to the people of that place and surrounding country. apr.3-1872.

DR. H. W. BUCHANAN,
DENTIST,
No. 228 Hill Street, HUNTINGDON, PA.
July 3, '72.

DR. F. O. ALLEMAN can be consulted at his office, at all hours, Mapleton, Pa. [march6,72.

D. CALDWELL, Attorney-at-Law, No. 111, 3d street. Office formerly occupied by Messrs. Woods & Williamson. [ap12,'71.

DR. A. B. BRUMBAUGH, offers his professional services to the community. Office, No. 523 Washington street, one door east of the Catholic Parsonage. [jan.4,'71.

E. J. GREENE, Dentist. Office removed to Leister's new building, Hill street Huntingdon. [jan.4,'71.

G. L. ROBB, Dentist, office in S. T. Brown's new building, No. 520, Hill St., Huntingdon, Pa. [ap12,'71.

H. GLAZIER, Notary Public, corner of Washington and Smith streets, Huntingdon, Pa. [jan.12'71.

H. C. MADDEN, Attorney-at-Law Office, No. —, Hill street, Huntingdon, Pa. [ap.19,'71.

J. FRANKLIN SCHOCK, Attorney-at-Law, HUNTINGDON, PA. june26,'72-6m.

J. SYLVANUS BLAIR, Attorney-at-Law, Huntingdon, Pa. Office, Hill street, three doors west of Smith. [jan.4'71.

J. R. DURBORROW, Attorney-at-Law, Huntingdon, Pa., will practice in the several Courts of Huntingdon county. Particular attention given to the settlement of estates of decedents.
Office in the JOURNAL Building. [feb.1,'71.

J. W. MATTERN, Attorney-at-Law and General Claim Agent, Huntingdon, Pa., Soldiers' claims against the Government for back pay, bounty, widows' and invalid pensions attended to with great care and promptness.
Office on Hill street. [jan.4,'71.

K. ALLEN LOVELL. J. HALL MUSSER.
LOVELL & MUSSER, *Attorneys-at-Law*, HUNTINGDON, PA.
Special attention given to COLLECTIONS of all kinds; to the settlement of ESTATES, &c.; and all other legal business prosecuted with fidelity and dispatch. [nov6,'72

MILES ZENTMYER, Attorney-at-Law, Huntingdon, Pa., will attend promptly to all legal business. Office in Cunningham's new building. [jan.4,'71.

P. M. & M. S. LYTLE, Attorneys-at-Law, Huntingdon, Pa., will attend to all kinds of legal business entrusted to their care. Office on the south side of Hill street, fourth door west of Smith. [jan.4,'71.

R. A. ORBISON, Attorney-at-Law, Office, 321 Hill street, Huntingdon, Pa. [may31,'71.

JOHN SCOTT. S. T. BROWN. J. M. BAILEY
SCOTT, BROWN & BAILEY, Attorneys-at-Law, Huntingdon, Pa. Pensions, and all claims of soldiers and soldiers' heirs against the Government will be promptly prosecuted.
Office on Hill street. [jan.4,'71.

T. W. MYTON, Attorney-at-Law, Huntingdon, Pa. Office with J. Sewell Stewart, Esq. [jan.4,'71.

WILLIAM A. FLEMING, Attorney-at-Law, Huntingdon, Pa. Special attention given to collections, and all other legal business attended to with care and promptness. Office, No. 229, Hill street. [ap19,'71.

Hotels.

THE TRAVELERS' REST HOTEL, Cassville, Huntingdon co., Pa.
The undersigned would respectfully inform the traveling public that he has opened the above named Hotel and is prepared to accommodate travelers. He hopes that a liberal share of patronage will be extended.
y.24,'72.] GEORGE M. GREEN.

MORRISON HOUSE,
OPPOSITE PENNSYLVANIA R. R. DEPOT
HUNTINGDON, PA.
J. H. CLOVER, Prop.
April 5, 1871-1y.

WASHINGTON HOTEL,
S. S. BOWDON, Prop'r.
Corner of Pitt & Juliana Sts., Bedford, Pa. may1,

EXCHANGE HOTEL, Huntingdon, Pa. JOHN S. MILLER, Proprietor.
January 4, 1871.

Miscellaneous.

E. BARTOL. | A. KENNEDY. | J. MARCH. | DAVID MINGLE
BARTOL, KENNEDY & CO.
[*Lately Franklin Manufacturing Company.*]
Manufactures Flooring, Siding, Doors, Sash, Shutters, Blinds, Moulding, Scroll Work, Counters, Shelving, Wood Turnings, Hubbs, Spokes, Bent Work, Forks, Rakes, Brooms, Pick, and Hammer Handles, all kinds of Furniture, &c. Our Machinery the very best quality and giving our entire being of attention to the business we are able to manufacture all of the aboved named articles, as well as many others, in the best style and always promptly.
All orders addressed to
BARTOL, KENNEDY & CO.,
Huntingdon, Pa.,
will receive our immediate attention. Price list furnished when desired.
Lumber taken in exchange for all kinds of work.
Jan. 31, 1871.

R. A. BECK, Fashionable Barber and Hairdresser, Hill street, opposite the Franklin House. All kinds of Tonics and Pomades kept onhand and for sale. [ap19,'71-6m

[OFFICIAL.]

LAWS
OF THE
UNITED STATES
PASSED AT THE
FIRST SESSION OF THE FORTY-SECOND CONGRESS.

[GENERAL NATURE—No. 114.]

AN ACT to authorize the appointment of shipping commissioners by the several circuit courts of the United States, to superintend the shipping and discharge of seamen engaged in merchant ships belonging to the United States, and for the further protection of seamen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several circuit courts of the United States, in which circuits there is a sea port or sea ports for which there is a collector of customs, or in which there is a port of entry, shall appoint a commissioner for such sea port within their respective circuits as in their judgment may require the same, and which shall also be ports of ocean navigation; such commissioners to be termed "shipping commissioners;" and may, from time to time, remove from office any of the said 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 conducting 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 so appointed shall enter into bonds to the United States, conditioned for the faithful performance of the duties 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 oath before entering upon the duties of his office: "I do solemnly swear (or affirm, as the case my be) that I will support the Constitution of the United States; and that I will truly and faithfully discharge the duties of a shipping commissioner to the best of my ability, and according to law." Said oath shall be indorsed on the commission or certificate of appointment, and signed by him, and certified by the officer before whom such oath or affirmation shall have been taken.

SEC. 3. That any shipping commissioner may engage a clerk or clerks to assist him in the transaction of the business of the 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 incur by the violation of any of the provisions of this act; 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 officials acts, on which seal shall be engraved the arms of the United States and the name of the sea port or district for which he is commissioned. Any instrument, either printed or 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 prima facie evidence of the official character of such instrument, and of the truth of the facts therein set forth.

SEC. 4. That every shipping commissioner shall lease, rent or procure at his own cost, suitable premises for the transaction of business, and for the preservation of books and other documents connected 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 and characters; secondly, to superintend their engagement and discharge, in manner hereinafter mentioned; thirdly, to provide means for securing the presence on board at the proper times of men who are so engaged; fourthly, to facilitate the making of apprenticeships to the sea service; and to perform such other duties relating to merchant sea men and merchant ships as are hereby or may hereafter, under the powers herein contained, be committed to him.

SEC. 5. That such fees, not exceeding the sums specified in the 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 conspicuously 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, consignee, agent, or master of a ship engaging or discharging any seamen or seaman in a shipping office, or before a shipping commissioner, shall pay to shipping commissioner the whole of the fees hereby made payble 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 retain any sums not exceeding the sums specified in that behalf in the table marked "B" in the schedule hereto annexed.

SEC. 7. That any shipping commissioner, or any clerk or employee in any shipping office, who shall demand or receive any remuneration whatever, either directly or indirectly, for hiring or supplying any seaman for any merchant ships, excepting the lawful fees payable under this act, shall, for every such offense, incur a penalty not exceeding two hundred dollars.

SEC. 8. That in the case of any place or port in which no shipping commissioner shall have been appointed, then the whole or any part of the business of a shipping commissioner shall be conducted by the collector or dupty collector of customs of such place or port; and in respect of such business such customs house shall be deemed a shipping office, and the collector or deuply collector of 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 attempt to perform, either directly or indirectly, the duties which are by this act set forth as pertaining to a "shipping commissioner," shall incur a penalty not exceeding five hundred dollars: Provided, That nothing in this act shall be construed as as to prevent the owner, or consignee; or master of any ship, except such as are described in section twelve of this act, from performing himself, so far as the said ships are concerned, the duties of shipping commissioner under this act.

SEC. 9. That every shipping commissioner appointed under this act shall, if applied to for the purpose of apprenticing boys to the sea 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 making of such apprenticeships; but the shipping commissioner shall ascertain that the boy has voluntarily consented to be bound, and that the parents or guardian of said boy have consented to said apprenticeship, and has attained the age of twelve years, and is of sufficent health and strength, and that the master to whom the boy is bound is a proper person for the purpose: Provided, That said apprenticeship shall terminate when the apprentice becomes eighteen year of age. And the shipping commissioner may receive from the person availing themselves of such assistance the fees contained in table "C" in the schedule hereto annexed. And the shipping commissioner shall keep a register of all indentures of apprenticeship made before him.

SEC. 10. That the master of every foreign going ship shall, before carrying any apprentice to sea from any place in the United States, cause such apprentice to appear before the shipping commissioner before whom the crew is engaged, and shall produce to him the indenture by which such apprentice is bound, and the assignment or assignments thereof, (if any,) and the name of said apprentice, with the date of the indenture and the assignment or assignments thereof, (if any) shall be entered on the agreement; and no such assignment shall be made without the approval of a commissioner, the apprentice, his parents, or his guardian. And for any default in obeying the provisions of this section, the master shall, for each offense, incur a penalty not exceeding one hundred dollars.

SEC. 11. That if any person shall demand or receive, either directly or indirectly, from any seaman seeking employment as a seaman, 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 offence, incur a penalty not exceeding one hundred dollars.

SEC. 12. That the master of every ship bound from a port in the United States to any foreign port, or of any ship of the burden of seventy five tons or upward, bound from a port on the Atlantic to a port on the Pacific, or vice versa, shall, before he proceeds on such voyage, make an agreement, in writing or in print, with every seaman whom he carries to sea 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 hereunto in table "D," in the schedule annexed, and shall be dated at the time of the first signature thereof, and shall be signed by the master before any seaman signs the same, and shall contain the following particulars, that is to say: First, the nature and, as far as possible, the duration of the intended 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; thirdly, the time at which each seaman is to be on board to begin work; fourthly, the capacity in which each seaman is to serve; fifthly, the amount of wages each seaman is to receive; sixthly, a scale of the provisions which are to be furnished to each seaman; seventhly, any regulations as to conduct on board, and as to fines, short allowance of provisions, or other lawful punishments for misconduct as may be sanctioned by Congress as regulations proper to be adopted, and which the parties agree to adopt; eighthly, any stipulations in reference to advance and allotment of wages, or other matters not contrary to law: Provided, That whenever the master of any vessel shall engage his crew, or any of the same, in any customs district where no shipping commissioner shall have been appointed under section one of this act, he may perform for himself the duties of such commissioner, in like manner as is provided by the provision of section eight of this act: Provided further, That this section shall not apply to masters of vessels where the seamen are by custom or agreement entitled to participate in the profits or result of a cruise or voyage, nor to masters of coastwise or to masters of lake going vessels that touch at foreign ports; but seamen may, by agreement, serve on board such vessels a definite time, or on the return of any vessel to a port in the United States may reship and sail in the same vessel on another voyage without the payment of additional fees to the shipping commissioner by either the seaman or the master.

SEC. 13. That the following rules shall be observed with respect to agreements: First, every agreement (except in cases of agreements as are hereinafter specially provided for) shall be signed by each seaman in the presence of a shipping commissioner; secondly, when the crew is first engaged the agreement shall be signed in duplicate, and one part shall be retained by the shipping commissioner, and the other part shall contain a special place or form for the description and signatures of persons engaged subsequently to the first departure of the ship, and shall be delivered to the master; thirdly, every agreement entered into before a shipping commissioner shall be acknowledged and certified under the hand and official seal of such commissioner, and shall be indorsed on or annexed to such agreement, and such certificate of acknowledgment shall be in form and manner following, to wit:

"State of——, county of——:

"On this——day of ——, personally appeared before me, a shipping commissioner in and for the said county, A. B., C. D., and E. F., severally known to be the same persons who executed the foregoing instrument, who each for himself acknowledged to me that he had read or heard the same; that he was by me made acquainted with the conditions thereof, and understood the same; and that, while sober and not in a state of intoxication, he signed it freeley and voluntarily, for the uses and purposes therein mentioned."

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 hereinbefore specified without entering into an agreement with the master of said ship, in the form and manner and at the place and times hereby in such offense shall incur a penalty not exceeding two hundred dollars: Provided always, That the ship shall not be held liable for any person carried to sea who shall have secretly stowed away himself without the knowledge of captain, mate, or 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 being carried to sea; secondly, if any master, mate, or other officer of a ship knowingly receives, or accepts to be entered on board of any merchant ship, any seaman who has been engaged or supplied contrary to the provisions of this act, the ship on board of which such seaman shall be found shall, for every such seaman, be liable to and incur a penalty of a sum not exceeding two hundred dollars: Provided further, That in case of desertion, 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 casualty, and report the same to the United States consul at the first port at which he shall arrive, without incurring such penalty.

SEC. 15. That every master of a merchant ship of the United States who engages any seaman at a place out of the United States, in which there is a consular officer or commercial agent, shall, before carrying such seaman before such officer; and the same rules as are hereinbefore contained with respect to the engagement of seamen before a shipping commissioner in the United States shall apply to such engagements made before consular officer or commercial agent; and upon every such engagement the consular officer or commercial agent shall endorse upon the agreement his sanction thereof, and an attestation to the effect that the same has been signed in his presence, and otherwise made as hereby required; and every master who engages any seaman in any place in which there is a consular officer or commercial agent otherwise than as hereinbefore required shall incur a penalty not exceeding one hundred dollars, for which penalty the ship shall be held liable; and all such agreements so made shall be made void, and the seaman so engaged shall be entitled to recover the highest rate of wages of the port from which the seaman was shipped.

SEC. 16. That all stipulations for the allotment of any part of the wages of a seaman during his absence which are made at the commencement 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 be made or advance security given to any person but to seaman himself, or to his wife or mother; and no advance of wages shall be made, or advance security given, unless the agreement contains a stipulation for the same, and an accurate statement of the amount thereof; and no advance wages or advance security shall be given to any seaman except in the presence of the shipping commissioner.

SEC. 18. That if any advance of wages is made or advance 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 recoverable 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 sign or set his mark to a receipt indorsed on the security, stating the sum actually paid or accounted for to him by the person discounting the same; and if the seaman sails in the ship from the port of departure mentioned in the security, and is then duly earning his wages, or is previously discharged with the consent of the master, but not otherwise, the person discounting the security may, ten days after the final departure of the ship from the said port of departure entioned in the security, sue for and recover the amount promised by the security, with costs, either from the owner or from any angent who has drawn or authorized the drawing of the security, in any justice's or other competent court; and in any such proceeding it shall be sufficient for such person to prove the security was given by the owner or master, or some other authorized agent, and that the same was discounted to and receipted by the seaman, and the seaman shall be presumed to have sailed in the ship from such port as aforesaid, and to be duly earning his wages, unless the contrary is proved.

SEC. 20. That the master shall, at the commencement of every voyage or engagement, cause a legible copy of the agreement (omitting signatures) to be placed or posted up in such part of the ship as to be accessible to the crew; and on default shall, for each offense, incur a penalty not exceeding one hundred dollars.

SEC. 21. That any seaman who has signed an agreement and is afterwards discharged before the commencement of the voyage or before one month's wages are earned, without fault on his part just fying such discharge, and without his consent, shall be entitled to receive from the master or owner, in addition to any wages he may have earned, a sum equal in amount to one month's wages as compensation as if it were wages duly earned.

SEC. 22. That all seamen discharged in the United States from merchant ships engaged in voyages as described in section twelve of this act shall be discharged and receive their wages in the presence of a duly authorized shipping commissioner under this act, except in cases where some competent court otherwise directs; and any master or owner of any such ship who discharges any such seaman belonging thereto, or, except as aforesaid, pays his wages within the United States in any other manner, shall incur a penalty not exceeding fifty dollars.

SEC. 23. That every master shall, not less than forty eight hours before paying off or discharging any seaman, deliver to him, or if he is to be discharged before a shipping commissioner, to such shipping commissioner, a full and true account of his wages, and all deductions to be made therefrom on any account whatsoever; and in default shall, for each offense, incur a penalty not exceeding fifty dollars; and no deduction from the wages of any seaman (except in respect of any matter happening after such delivery) shall be allowed, unless it is included in the account delivered: and the master shall, during the voyage, enter the various matters in respect to which such deductions are made, with the amounts of the respective deductions as they occur, in a book to be kept for that purpose, to be called the "Official Log Book," as hereinafter provided, and shall, if required, produce such book at the time of the payment of wages, and, also, upon the hearing, before any competent authority, of any complaint or question relating to such payment.

SEC. 24. That upon the discharge of any seaman, or upon 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 discharge, in the form hereto annexed, marked "E;" and if any master fails to sign and give to any such seaman such seaman such certificate and discharge, he shall, for each such offense, incur a penalty not exceeding fifty dollars: Provided, That the proviso annexed to section twelve, which applies to masters of vessels engaging seamen under that proviso, shall also apply to such masters of vessels in the discharge of seamen.

SEC. 25. That every shipping commissioner shall hear and decide on 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 made by him shall be binding on both parties, and shall, in any legal proceedings which may be taken in the matter, before any court of justice, be deemed to be conclusive as to the rights of parties, and any document purporting to be under the hand and official seal of a commissioner, such submission or award shall be prima facie evidence thereof.

SEC. 26. That in any proceeding relating to the wages, claims, or discharge of any seaman, carried on before any shipping commissioner, under the provision of this act, such shipping commissioner may call upon the owner, or his agent, or upon the master, or any mate, or any other member of the crew, to produce any log books, papers, or other documents in their respective possession or power, relating to any matter in question in such proceedings, and may call before him and examine any of such persons, being then at or near the place, on any such matter; and ever owner, agent, master, mate, or other member of the crew who when called upon by the shipping commissioner, does not produce any such books, papers, or documents as aforesaid, if in his possession or power, or does not appear and give evidence, shall, unless he shows some reasonable cause for such a default, for each offense incur a penalty not exceeding one hundred dollars, and, on application being made 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 observed with respect to the settlement of wages, that is to say: First, upon the completion, before a shipping commissioner, of any discharge and settlement, the master or owner and each seaman respectively, in the presence of the shipping commissioner, shall sign a mutual release of all claims for wages in respect of the past voyage or engagement, and the shipping commissioner shall also sign and attest it, and shall retain it in a book to be kept for that purpose: *Provided*, That both the master and seaman assent to such settlement has been adjusted by the shipping commissioner: secondly, such release so signed and attested shall operate as a mutual discharge 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 hand 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 future question touching such claims as aforesaid, and shall have all the effect of the original of which it purports to be a copy; fourthly, in cases in which discharge and settlement before a shipping commissioner are hereby required, no payment, receipt, settlement, or discharge otherwise made, shall operate as evidence of the release or satisfaction of any claim; fifthly, upon 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 paid, and such statement shall, between the master and his employer, be received as evidence that he has made the payments therein mentioned.

SEC. 28. That every discharge effected before a shipping commissioner the master shall make and sign, in a form marked "E," in schedule hereto annexed, a report of the conduct, character, and qualifications of the persons discharged, or may state on said form that he declines 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 desired so to do by any seaman, give to him or indorse on his certificate of discharge a copy of so much of such report as concerns him.

SEC. 29. That every seaman, being a foreigner, who declares his intention of becoming a citizen of the United States in any competent court, and shall have served three years on board of a merchant ship or ships of the United States subsequent to the date of such declaration, may, on his application to any competent court, and the production of his certificate of discharge and good conduct during that time, together with the certificate of his declaration of intention to become a citizen, be admitted a citizen of the United States; and every seaman, being a foreigner, shall, after his declaration of intention to become 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, anything to the contrary in any previous act of Congress notwithstanding; but such seaman shall, for all purposes of protection as an American citizen, be deemed such, after the filing of his declaration of intention to become such citizen.

SEC. 30. That a seaman's right to wages and provisions shall be taken to commence either at the time at which he commences work, or at the time specified 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 forfeit his lien upon the ship, or be deprived of any remedy for the recovery of his wages to which he would otherwise have been entitled; and every stipulation in and agreement inconsistent with any provision of this act, and every stipulation by which any seaman consents to abandon his right to his wages in the case of the loss of the ship, or to abandon any right which he may have or obtain in the nature of salvage, shall be wholly inoperative.

SEC. 32. That no right to wages shall be dependent on the earning of freight by the ship, and every seaman and apprentice who would be entitled to demand and receive any wages if the ship on which he has served had earned freight shall, subject to all other rules of law and conditions applicable to the case, be entitled to claim and recover the same of the master or owner in personam, notwithstanding that freight has been earned; but in all cases of wreck 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 contemplated 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 unlawfully refuses or neglects to work when required, after the time fixed by the agreement for his beginning work, nor, unless the court hearing the case otherwise directs, for any period during which he is lawfully imprisoned for any offense committed by him.

SEC. 35. That the master or owner of any ship making voyages as hereinbefore described in section twelve of this act, except foreign going ships, shall pay to every 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 discharge, 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 make payment in manner aforsaid without sufficient cause shall pay to the seaman a sum not exceeding ten days, during which payment is delayed beyond the respective periods aforsaid; 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 vessels where the seaman is entitled share in the profit of the cruise or voyage.

SEC. 36. That any three or more of the crew of any merchant ship of the United States, as described in section twelve of this act, may complain to any officer in command of any of the ships of the United States navy, or any American consular officer, or any shipping-commissioner, or any chief of the customs, that the provisions or water for the use of the crew are at any time of bad quality, unfit for use, or deficient in quantity; 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 for use, or be deficient in 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 or water, where the same can be had, in lieu of any so signified to be of a bad quality and unfit for use, or does not procure the requisite quantity of any so signified to be insufficient in quantity or 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 as 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 evidence in any legal proceedings.

SEC. 37. That if the officer to whom any such complaint as last aforesaid is made certifies in such statement as aforesaid 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.

SEC. 38. That if any seaman, as aforesaid, while on board any ship, shall state to the master that they desire to make complaint, as aforesaid, to any consular officer, or naval officer of any ship of the United States, or any shipping commissioner, against the master, the said master shall, if the ship is then at a place were there is any such officer as aforesaid, so soon as the service of the ship will permit, and if the ship is not then at such a place, so soon after her first arrival at such place as the service of the ship will permit, allow such seaman, or any of them, to go ashore, or send him or them ashore, in proper custody, so that he or they may be enabled to make such complaint; and shall often incur a penalty not exceeding one hundred dollars.

SEC. 39. That in the following cases, that is to say, first, if, during a voyage, the allowance of any of the provisions which any seaman has, by his agreement, stipulated for is reduced, (except in accordance with any regulations for reduction by way of punishment, contained in the agreement, and also for any time during which such seaman wilfully, and without sufficient causes refuses or neglects to perform his duty, or is lawfully under confinement for misconduct, either on board 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 reduction or bad quality, according to the time of its continuance, the following sums, to be paid to him in addition to, and to be recoverable as, wages, that is to say: First, if his allowanced is reduced by any quantity not exceeding one third of the quantity specified in the agreement, a sum not exceeding fifty cents a day; secondly, if his allowance is reduced by more than one third of such quantity, a sum not exceeding one dollar a day; thirdly, in respect of such bad quality, as aforesaid, a sum not exceeding one dollar a day. But if it is 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 procured or supplied in sufficient quantities, or were unavoidably injured or lost, and that proper and equivalent substitutes were supplied in lieu thereof in a reasonable time, the court shall take such circumstances into consideration, and shall modify or refuse compensation, as the justice of the case may require.

SEC. 40. That every ship belonging to a citzen or citizens of the United States 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 Atlantic and Pacific Ocean, or around Cape Horn, or the Cape of Good Hope, or engaged in the whale or other fisheries, or in scaling shall also be provided with, and cause to be kept, a sufficient quantity of lime or lemon juice, and also sugar and vinegar, or other anti scorbutics, as Congress may sanction, to be served out to every seaman as follows, that is to say, the master of every such ship, as last aforsaid, shall serve the lime or lemon juice, and sugar and vinegar, to the crew, within ten days after salt provisions mainly have been served out to the crew, and so long afterward as such consumption of salt provisions continues, the lime or lemon juice and sugar daily at the rate of half an ounce each per day, and the vinegar weekly at the rate of half a pint per week for each member of the crew.

SEC. 41. That if on any such ship as aforesaid such medicines, medical stores, lime or lemon juice, or other articles, sugar and vinegar, as are hereinbefore required, are not provided and kept on board, as hereinbefore required, the master or owner shall incur a penalty not exceeding five hundred dollars; and if the master of any ship as aforesaid neglects to serve out the lime or lemon juice, and sugar and vinegar in the case and manner hereinbefere directed, he shall for each such offense incur 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 board proper weights and measures for the purpose of determining the qunatities 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 dispute arises about such quantities, and in default shall, for every offense, 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 woolen clothing for each seaman for use during the winter months, and every such vessel shall be provided with fuel and a safe suitable room in which a fire can be kept for the use of seaman.

SEC 43. That whenever any seaman or apprentice belonging to or sent home on any merchant ship, whether a foreign going ship or hometrade 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.

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, the master shall report the case of the United States consular office there, and shall give to such officer any information he requires as to the destination of the ship and probable length of voyage; and such officer may, if he considers it expedient so to do, reqtire 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 which form as they may respectively require, of the effects, money, and wages so to be delivered and paid, and no reductions claimed in such account shall be allowed unless verified, if there is an 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.

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 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 offense, 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 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 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 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 seaman 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