

C H A P.
LXXIX.

mariners for their wages, which agreement or contract shall be made in writing, declaring what wages each seaman or mariner is to have respectively during the whole voyage, or for such time as he or they shall agree to serve on board such ship or vessel; and also to express in the said agreement or contract, the voyage for which such seaman or mariner agreed to serve; and in case any master or commander of any such ship or vessel shall carry out of this state any seaman or mariner (except his apprentice or apprentices) upon any voyage to parts beyond the seas, without first entering into such agreement or contract as aforesaid, such master or commander shall forfeit and pay the sum of twenty pounds current money for every seaman or mariner carried out of this state, without entering into such agreement in writing as aforesaid.

Seamen to
sign agree-
ment, &c.

XXXIV. **And be it enacted,** That if any seaman or mariner shall enter or ship himself on board any ship or vessel above forty feet keel, on any intended voyage for parts out of this state, such seaman or mariner shall, and he is hereby obliged to sign such agreement or contract, within three days after he shall have entered himself on board such ship or vessel, in order to proceed on any voyage as aforesaid; which agreement or contract, after the signing thereof, shall be conclusive and binding on all parties, for and during the time so agreed or contracted for.

To forfeit
wages, &c.

XXXV. **And be it enacted,** That in case any seaman or mariner, after agreeing or contracting as aforesaid, shall desert or refuse to proceed on the voyage on board any such ship or vessel, bound to any port or place out of this state, or that shall desert from the ship or vessel to which he shall belong, at any time during the term of his agreement, he shall forfeit to the owner or owners of such ship or vessel, the wages which shall be due to him or them at the time of his refusal or desertion from such ship or vessel, or obstinately refusing to proceed on such voyage.

Refusing to
sail may be
committed,
&c.

XXXVI. **And be it enacted,** That in case any such seaman or mariner shall refuse to sail, desert, or absent himself, from any such ship or vessel, after he shall have entered into and signed such contract or agreement to proceed upon any voyage as aforesaid, upon application made to any judge or justice of the peace by the master or commander, owner or owners, or other person having charge of the said ship or vessel to which such seaman or mariner did belong, it shall and may be lawful for such judge or justice, and he is hereby required, to issue his warrant to apprehend such seaman or mariner; and in case such seaman or mariner shall refuse to proceed on the voyage for which he contracted or agreed to perform as aforesaid, and shall not give a sufficient reason for such refusal, to the satisfaction of such judge or justice, such seaman or mariner shall be committed to the gaol of the county, there to remain not exceeding three months, and there to be kept to continual hard labour, according to health and strength of body.

Forfeiture for
absenting,
&c.

XXXVII. **And be it enacted,** That in case any seaman or mariner shall absent himself from the ship or vessel to which he shall belong, without leave from the master or commander, or other chief officer, having the charge of such ship or vessel, every such seaman or mariner shall, for every such day's absence, forfeit four days pay to the owner of the vessel.

For leaving
vessel, &c.

XXXVIII. **And be it enacted,** That in case any seaman or mariner shall leave such ship or vessel, to which he or they belong, before he or they shall have a discharge in writing from the master or commander, or other person having the charge of such ship or vessel (unless to enter into the public service of this state, or the United States) such seaman or mariner shall forfeit one month's pay to the owner of the vessel.

Wages to be
paid within
twenty days,
&c.

XXXIX. **And be it enacted,** That upon the arrival of any ship or vessel above forty feet keel, at any port within this state from parts beyond the seas, or any port or place out of this state, the masters or commanders of such ships or vessels