

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.

C H A P.
LXXIX.

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.

Forfeiture for
absenting,
&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.

For leaving
vessel, &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 shall be, and they are hereby, obliged to pay the seamen and mariners belonging to such ships or vessels, their wages if demanded, in twenty days after the said ship or vessel being entered at the naval office (except in case where a covenant shall be entered into to the contrary) or at the time the said seamen and mariners shall be discharged, which shall first happen, if demanded; deducting out of such wages the penalties and forfeitures by this act imposed, under the penalty of paying to each seaman or mariner that shall be unpaid contrary to the intent and meaning of this act, three pounds current money, over and above the wages that shall be due to each person, to be recovered before any justice of the peace, and such payment of wages aforesaid shall be good and valid in law, notwithstanding any action, bill of sale, attachment, or incumbrance whatsoever.

Wages to be
paid within
20 days, &c.

XL. And be it enacted, That no seaman or mariner, by entering into or signing such contract or agreement as aforesaid, shall be deprived of or hindered from using any means or methods for the recovery of wages against any ship, the master or owner thereof, which he may now lawfully make use of; and that in all cases where it shall or may be necessary, that the contract or agreement in writing aforesaid should be produced in court, no obligation shall lie on any seaman or mariner to produce the same, but on the master, owner or owners, of the ship for which the wages shall be demanded; and no seaman or mariner shall fail in any suit, action, or process, for recovery of wages, for want of such agreement or contract being produced.

Seamen not to
be hindered
from recover-
ing wages,
&c.

XLI. And be it enacted, That if any master of any merchant ship or other vessel shall, during his being abroad, force his apprentice, or any mariner or seaman, on shore, or wilfully leave him behind at any port or place out of this state, or shall refuse to bring home with him all such of the men which he carried out, as are in a condition to return, such master shall forfeit fifty pounds current money, or suffer twelve months imprisonment, or both, in the discretion of the court.

Penalty on
masters leav-
ing seamen on
shore, &c.

XLII. And be it enacted, That all masters of vessels shall lay in a sufficient quantity of sound and good provisions and water for the intended voyage,

Masters to lay
in provisions,
&c.