

1799.

L A W S O F M A R Y L A N D.

C H A P.
LXXXII.

stolen, to the great injury of the owners or insurers, and it would be highly expedient to appoint a wreck-master in said county; therefore,

A wreck-mas-
ter to be ap-
pointed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That it shall be lawful for the governor, by and with the advice and consent of the council, and he is hereby required, to nominate and appoint one discreet and sensible person, residing on or near the bay or sea shores of Worcester county, to act in the office of a wreck-master, whose business and duty it shall be, on the earliest intelligence, or on application to him made by or on behalf of any owner or commander of a ship or other vessel being in danger of being stranded, or being stranded, to command any constable or constables, to be appointed by him for that purpose, nearest the coast where such ship or vessel shall be in danger, to summon as many men as shall be thought necessary to the assistance of such ship or vessel; and if there shall be any ship or vessel belonging to any citizen of this state, riding near the place, the wreck-master shall have power to demand of the commanding officer of such ship or vessel assistance by their boats, and such hands as they can conveniently spare; and if any commanding officer shall neglect to give such assistance, he shall forfeit one hundred pounds, to be recovered by the officer or owner of the ship in distress, with costs, in any court of record within this state; and the wreck-master, and the commanding officer of any ship or vessel, and all others who shall assist in preserving any ship or other vessel in distress, or their cargoes, shall, within forty days, be paid a reasonable reward by the commander or owner of the ship or other vessel in distress, or by the merchant whose vessel or goods shall be saved, and in default thereof the vessel or goods shall remain in the custody of the wreck-master until all charges be paid, or security given for that purpose, to the satisfaction of the parties; and in case the parties shall disagree, touching the monies deserved by the persons employed, it shall be lawful for the commander of such vessel saved, or the owner, supercargo or factor, of the goods or merchandise saved, to call on either of the associate justices of the said county, giving the parties interested at least five days notice of the time and place, for determining the quantum of salvage or compensation to be paid, who is hereby authorized to determine the same in a summary way, and whose judgment and determination shall be conclusive; and if the amount of such salvage so to be adjudged be not paid within thirty days thereafter, the wreck-master is hereby authorized to sell any of the goods, wares, merchandise, or articles saved, to the amount of the judgment, so determined by the associate justice, from whose judgment or decision an appeal shall lie to the chief justice of the district, by any person or persons who shall or may consider him or themselves aggrieved by such determination of the associate justice, whose duty it shall be to determine the same within thirty days after such appeal, and if no appeal shall be made within ten days after such determination and decision of the associate justice aforesaid, such determination and decision shall be final and conclusive; and if no person shall claim the goods saved, the wreck-master shall take possession thereof, and cause a true description of the marks, numbers and kinds of such goods, to be advertised four weeks in the Easton, Baltimore and Philadelphia news-papers; and if no person shall claim the same within three months, public sale shall be made thereof by the said wreck-master, (but if perishable, the goods shall be forthwith sold,) and after charges deducted, the residue of the money, with an account of the whole, shall be transmitted to the treasurer, who shall keep an account of the same for the benefit of the owners or insurers, who, upon proof of his, her or their property, to the satisfaction of the auditor, shall, upon his warrant, receive the same; if any person, besides those empowered by the wreck-master, shall enter or endeavour to enter on board any vessel in distress, without the leave of the commanding officer, or in case any person shall molest him or them in saving the vessel or goods, or shall endeavour to hinder the saving such vessel or goods, or shall deface the marks of any such goods before they be taken down in a book by the wreck-master, every person shall forfeit and pay the sum of fifty pounds, to be recovered, with costs, by action of debt in any court of record within this state, and applied to the use of the owners of the vessel or goods, as the case may be, and in case of failure to pay such forfeiture immediately, or giving security to pay the same within one month, he, she or they, shall receive not exceeding thirty-nine lashes on his, her or their bare back, by order of such court; it shall be lawful for any commanding officer of a vessel in distress, or the wreck-master, to repel by force any persons who shall, without consent as aforesaid, press on board any vessel in distress, and thereby molest them in preserving the vessel or goods; and in case any goods shall be found upon any person that were stolen or carried off from any vessel in distress, the person on whom such goods be found shall, upon demand, deliver the same to the owner or wreck-master, or to such other person as shall be authorized by the wreck-master or owner to receive such goods, or shall be liable to pay four times the value, to be recovered, with costs, in any court of record; if any person shall make, or be assisting in making, a hole in any vessel in distress, or steal any pump, materials or goods, or shall be aiding in stealing such pump, materials or goods, from any vessel, or shall wilfully do any thing tending to the immediate loss of such vessel, such person shall be guilty of felony, and suffer death without benefit of clergy.