

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.

See 1809, ch. 138.

Penalty for
being guilty
of fraud,
&c.

SEC. 3. *And be it enacted,* That if any wreck-master shall, by fraud or wilful neglect, abuse the trust reposed in him, he shall, upon conviction thereof, forfeit and pay four times the damages to the party aggrieved, to be recovered, with costs, by action on the case, in any court of record, and shall thenceforth be incapable of acting as a wreck-master; any constable, or person summoned by him, refusing or neglecting to give the assistance required for the saving of any vessel, or the cargo, shall forfeit and pay, to the use of Worcester county, the sum of ten pounds, to be recovered before any justice by the wreck-master ordering the duty, and shall be moreover subject to the payment of the same damages, and to be recovered by the party aggrieved in the same manner, as in case of a wreck-master; the wreck-master shall set up a copy of this act once in every year in the court-house of the said county.

Proviso.

SEC. 4. *Provided always, and be it enacted,* That the wreck-master appointed by virtue of this act shall give bond and security, in the court of the county where he resides, in the sum of one thousand pounds, for the due and faithful execution of his office; and that it shall not be lawful for such wreck-master to enter upon the duties of his office before he gives bond and security as aforesaid.