

## CHAPTER 6—GENERAL DUTIES OF SHIP OFFICERS AND OWNERS AFTER COLLISION OR OTHER ACCIDENT

### §§ 361 to 368. Repealed. Pub. L. 98–89, § 4(b), Aug. 26, 1983, 97 Stat. 599

Section 361, act June 20, 1874, ch. 344, § 10, 18 Stat. 128; 1946 Reorg. Plan. No. 3, §§101–104, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097, required filing of reports to Coast Guard on accidents involving United States vessels and provided penalty for failure to comply. See sections 6101, 6103 of Title 46, Shipping.

Section 362, act June 20, 1874, ch. 344, § 11, 18 Stat. 128; 1946 Reorg. Plan. No. 3, §§101–104, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097, required reporting of probable loss of vessels and provided penalty for failure to comply. See sections 6101, 6103 of Title 46.

Section 363, acts June 20, 1874, ch. 344, § 12, 18 Stat. 128; Feb. 14, 1903, ch. 552, § 10, 32 Stat. 829; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736; 1946 Reorg. Plan. No. 3, §§101–104, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097, related to transmission of reports by Coast Guard officials to Commandant of Coast Guard.

Section 364, acts June 20, 1874, ch. 344, § 13, 18 Stat. 128; Mar. 3, 1897, ch. 389, § 11, 29 Stat. 689; Feb. 14, 1903, ch. 552, § 10, 32 Stat. 829; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736; 1946 Reorg. Plan. No. 3, §§101–104, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097, related to remission and recovery of penalties. See section 2107 of Title 46.

Section 365, act Mar. 4, 1915, ch. 153, § 15, 38 Stat. 1184; 1946 Reorg. Plan. No. 3, §§101–104, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097, related to reports by owners of barges in tow. See section 6101 of Title 46.

Section 366, act Mar. 4, 1915, ch. 153, § 15, 38 Stat. 1184; 1946 Reorg. Plan. No. 3, §§101–104, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097, required Commandant of Coast Guard to transmit annually to Congress a summary of reports transmitted to him by Coast Guard officials as required under sections 361 to 365 of this title. See section 6307 of Title 46.

Section 367, act Sept. 4, 1890, ch. 875, § 1, 26 Stat. 425, related to duty of master of a vessel in collision to give aid, and to give name of his vessel together with other information about his vessel. See sections 2303, 2304 of Title 46.

Section 368, act Sept. 4, 1890, ch. 875, § 2, 26 Stat. 425, set out penalties for failure to give aid as required by section 367 of this title. See sections 2303, 2304 of Title 46.

Act Sept. 4, 1890, ch. 875, § 3, 26 Stat. 425, which provided that sections 367 and 368 of this title were to take effect at a time to be fixed by President by proclamation (effective Dec. 15, 1890, by Presidential Proclamation of Nov. 18, 1890, 26 Stat. 1561), was repealed by Pub. L. 98–89, § 4(b), 97 Stat. 599.

## CHAPTER 7—REGULATIONS FOR THE SUPPRESSION OF PIRACY

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### § 381. Use of public vessels to suppress piracy

The President is authorized to employ so many of the public armed vessels as in his judgment the service may require, with suitable instructions to the commanders thereof, in protecting the merchant vessels of the United

States and their crews from piratical aggressions and depredations.

(R.S. § 4293.)

#### CODIFICATION

R.S. § 4293 derived from acts Mar. 3, 1819, ch. 77, § 1, 3 Stat. 510; Jan. 30, 1823, ch. 7, 3 Stat. 721.

### § 382. Seizure of piratical vessels generally

The President is authorized to instruct the commanders of the public armed vessels of the United States to subdue, seize, take, and send into any port of the United States, any armed vessel or boat, or any vessel or boat, the crew whereof shall be armed, and which shall have attempted or committed any piratical aggression, search, restraint, depredation, or seizure, upon any vessel of the United States, or of the citizens thereof, or upon any other vessel; and also to retake any vessel of the United States, or its citizens, which may have been unlawfully captured upon the high seas.

(R.S. § 4294.)

#### CODIFICATION

R.S. § 4294 derived from acts Mar. 3, 1819, ch. 77, § 2, 3 Stat. 512; Jan. 30, 1823, ch. 7, 3 Stat. 721.

### § 383. Resistance of pirates by merchant vessels

The commander and crew of any merchant vessel of the United States, owned wholly, or in part, by a citizen thereof, may oppose and defend against any aggression, search, restraint, depredation, or seizure, which shall be attempted upon such vessel, or upon any other vessel so owned, by the commander or crew of any armed vessel whatsoever, not being a public armed vessel of some nation in amity with the United States, and may subdue and capture the same; and may also retake any vessel so owned which may have been captured by the commander or crew of any such armed vessel, and send the same into any port of the United States.

(R.S. § 4295.)

#### CODIFICATION

R.S. § 4295 derived from acts Mar. 3, 1819, ch. 77, § 3, 3 Stat. 513; Jan. 30, 1823, ch. 7, 3 Stat. 721.

### § 384. Condemnation of piratical vessels

Whenever any vessel, which shall have been built, purchased, fitted out in whole or in part, or held for the purpose of being employed in the commission of any piratical aggression, search, restraint, depredation, or seizure, or in the commission of any other act of piracy as defined by the law of nations, or from which any piratical aggression, search, restraint, depredation, or seizure shall have been first attempted or made, is captured and brought into or captured in any port of the United States, the same shall be adjudged and condemned to their use, and that of the captors after due process and trial in any court having admiralty jurisdiction, and which shall be holden for the district into which such captured vessel shall be brought; and the same court shall thereupon order a sale and distribution thereof accordingly, and at its discretion.