

AMENDMENTS

1993—Subsec. (a). Pub. L. 103-206, § 418(1), substituted “in section 10706 of this title” for “by regulations prescribed by the Secretary”.

Subsec. (b). Pub. L. 103-206, § 418(2), substituted “to a district court of the United States” for “as prescribed by regulations”.

Subsec. (c). Pub. L. 103-206, § 418(3), substituted “section 10706 of this title” for “subsection (a) of this section”.

§ 10704. Duties of consular officers

When a seaman dies outside the United States leaving money or property not on board a vessel, the consular officer nearest the place at which the money and property is located shall claim and take charge of it.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 573.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 10704, 46:624

Section 10704 requires consular officers to take charge of the property (not left on board a vessel) of deceased seamen who have died outside the United States.

§ 10705. Disposition of money, property, and wages by consular officers

When money, property, or wages of a deceased seaman comes into possession of a consular officer, the officer may—

- (1) sell the property and remit the proceeds and other money or wages of the seaman the officer has received, to the district court of the United States for the district in which the voyage begins or ends; or
(2) deliver the money, property, and wages to the district court.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 573.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 10705, 46:624

Section 10705 instructs consular officers on the disposal of the property and wages of deceased seamen who have died outside the United States.

§ 10706. Seamen dying in the United States

When a seaman dies in the United States and is entitled at death to claim money, property, or wages from the master or owner of a vessel on which the seaman served, the master or owner shall deliver the money, property, and wages to a district court of the United States within one week of the seaman's death. If the seaman's death occurs at sea, such money, property, or wages shall be delivered to a district court or a consular officer within one week of the vessel's arrival at the first port call after the seaman's death.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 573; Pub. L. 103-206, title IV, § 419, Dec. 20, 1993, 107 Stat. 2438.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 10706, 46:625

Section 10706 provides for the disposal by the master of the property and wages of deceased seamen who have died in the United States.

AMENDMENTS

1993—Pub. L. 103-206 substituted “to a district court of the United States within one week of the seaman's death. If the seaman's death occurs at sea, such money, property, or wages shall be delivered to a district court or a consular officer within one week of the vessel's arrival at the first port call after the seaman's death.” for “as provided by regulations prescribed by the Secretary.”.

[§ 10707. Repealed. Pub. L. 103-206, title IV, § 420(a), Dec. 20, 1993, 107 Stat. 2438]

Section, Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 573, related to delivery to district court of money, property, and wages of a deceased seaman.

§ 10708. Sale of property

A district court of the United States may direct the sale of any part of the property of a deceased seaman. Proceeds of the sale shall be held as wages of the seaman are held.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 574.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 10708, 46:628

Section 10708 permits a district court to sell a deceased seaman's property and treat the proceeds as wages.

§ 10709. Distribution

(a)(1) If the money, property, and wages of a seaman, including proceeds from the sale of property, are not more than \$1,500 in value, the court, subject to deductions it allows for expenses and at least 60 days after receiving the money, property, and wages, may deliver the money, property, and wages to a claimant proving to be—

- (A) the seaman's surviving spouse or child;
(B) entitled to the money, property, and wages under the seaman's will or under a law or at common law; or
(C) entitled to secure probate, or take out letters of administration, although no probate or letters of administration have been issued.

(2) The court is released from further liability for the money, property, and wages distributed under paragraph (1) of this subsection.

(3) Instead of acting under paragraphs (1) and (2) of this subsection, the court may require probate or letters of administration to be taken out, and then deliver the money, property, and wages to the legal representative of the seaman.

(b) If the money, property, and wages are more than \$1,500 in value, the court, subject to deductions for expenses, shall deliver the money, property, and wages to the legal representative of the seaman.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 574; Pub. L. 99-307, § 1(15), May 19, 1986, 100 Stat. 446.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 10709, 46:627