

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 24, 1981, see section 7 of Pub. L. 96-591, set out as an Effective Date of 1980 Amendment note under section 1604 of this title.

SUBCHAPTER IV—STEERING AND SAILING RULES

§§ 341 to 351. Repealed. Pub. L. 96-591, § 8(a), Dec. 24, 1980, 94 Stat. 3435

Section 341, R.S. § 4233; Feb. 19, 1895, ch. 102, § 1, 28 Stat. 672; Mar. 3, 1897, ch. 389, § 12, 29 Stat. 690; May 21, 1948, ch. 328, § 4, 62 Stat. 253, related to rate of speed in fog or bad weather conditions.

Section 341a, R.S. § 4233; May 21, 1948, ch. 328, § 4, 62 Stat. 254, related to ascertainment of risk of collision.

Section 342, R.S. § 4233; Feb. 19, 1895, ch. 102, § 1, 28 Stat. 672; Mar. 3, 1897, ch. 389, § 12, 29 Stat. 690; May 21, 1948, ch. 328, § 4, 62 Stat. 253, related to situation in which sailing vessels were approaching one another.

Section 343, R.S. § 4233; Feb. 19, 1895, ch. 102, § 1, 28 Stat. 672; May 21, 1948, ch. 328, § 4, 62 Stat. 254, related to steam vessels meeting end on.

Section 344, R.S. § 4233; Feb. 19, 1895, ch. 102, § 1, 28 Stat. 672; May 21, 1948, ch. 328, § 4, 62 Stat. 254, related to signals to be given in the situation where steam vessels are crossing.

Section 345, R.S. § 4233; Feb. 19, 1895, ch. 102, § 1, 28 Stat. 672; May 21, 1948, ch. 328, § 4, 62 Stat. 255; Nov. 5, 1966, Pub. L. 89-764, § 5, 80 Stat. 1313, related to steam vessels and sailing vessels meeting.

Section 346, R.S. § 4233; Feb. 19, 1895, ch. 102, § 1, 28 Stat. 672; May 21, 1948, ch. 328, § 4, 62 Stat. 255, related to duty of steam vessels to slacken speed.

Section 347, R.S. § 4233; Feb. 19, 1895, ch. 102, § 1, 28 Stat. 672; May 21, 1948, ch. 328, § 4, 62 Stat. 255, related to duty of an overtaking vessel to keep out of the way.

Section 348, R.S. § 4233; Feb. 19, 1895, ch. 102, 28 Stat. 672; May 21, 1948, ch. 328, § 4, 62 Stat. 255, set out rule that a vessel having the right of way was to keep course.

Section 348a, R.S. § 4233, Rule 23(A), as added Pub. L. 89-764, § 6, Nov. 5, 1966, 80 Stat. 1313, related to rule that a steam vessel could not hamper safe passage of a large vessel or vessel in tow.

Section 349, R.S. § 4233; Feb. 19, 1895, ch. 102, § 1, 28 Stat. 672; May 21, 1948, ch. 328, § 4, 62 Stat. 255, related to danger signals, responding signals, and additional signals.

Section 350, R.S. § 4233; Feb. 19, 1895, ch. 102, § 1, 28 Stat. 672; Mar. 3, 1897, ch. 389, § 13, 29 Stat. 690; May 21, 1948, ch. 328, § 4, 62 Stat. 256, related to departures from the rules to avoid collision.

Section 351, R.S. § 4233; Feb. 19, 1895, ch. 102, § 1, 28 Stat. 672; Mar. 3, 1897, ch. 389, § 13, 29 Stat. 690; May 21, 1948, ch. 328, § 4, 62 Stat. 256, related to usual additional precautions required.

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EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 24, 1981, see section 7 of Pub. L. 96-591, set out as an Effective Date of 1980 Amendment note under section 1604 of this title.

SUBCHAPTER V—ORDERS

§ 352. Repealed. Pub. L. 96-591, § 8(a), Dec. 24, 1980, 94 Stat. 3435

Section, R.S. § 4233; Feb. 19, 1895, ch. 102, § 1, 28 Stat. 672; Aug. 21, 1935, ch. 595, § 4, 49 Stat. 669; May 21, 1948, ch. 328, § 4, 62 Stat. 256, related to orders given to helmsmen.

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EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 24, 1981, see section 7 of Pub. L. 96-591, set out as an Effective Date of 1980 Amendment note under section 1604 of this title.

SUBCHAPTER VI—MISCELLANEOUS PROVISIONS

§§ 353 to 356. Repealed. Pub. L. 96-591, § 8(a), Dec. 24, 1980, 94 Stat. 3435

Section 353, R.S. § 4233A, as added May 21, 1948, ch. 328, § 4, 62 Stat. 256; amended Aug. 14, 1958, Pub. L. 85-656, § 2, 72 Stat. 612, related to establishment of special rules.

Section 354, R.S. § 4233B, as added May 21, 1948, ch. 328, § 4, 62 Stat. 256, related to penalties for violations by pilots, engineers, mates, or masters. See section 2072 of this title.

Section 355, R.S. § 4233C, as added May 21, 1948, ch. 328, § 4, 62 Stat. 257, related to penalties for violation of the rules by a vessel. See section 2072 of this title.

Section 356, acts May 21, 1948, ch. 328, § 5, 62 Stat. 257; Oct. 15, 1966, Pub. L. 89-670, § 6(b)(1), 80 Stat. 938, related to exempted status of Navy and Coast Guard vessels from complying with International Rules of the Road.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 24, 1981, see section 7 of Pub. L. 96-591, set out as an Effective Date of 1980 Amendment note under section 1604 of this title.

CHAPTER 5A—EXEMPTION OF NAVY OR COAST GUARD VESSELS FROM CERTAIN NAVIGATION RULES**§§ 360, 360a. Repealed. Pub. L. 96-591, § 8(a), Dec. 24, 1980, 94 Stat. 3435**

Section 360, acts Dec. 3, 1945, ch. 511, § 1, 59 Stat. 590; Oct. 15, 1966, Pub. L. 89-670, § 6(b)(1), 80 Stat. 938, provided that vessels of special construction be exempted from requirements with regard to number and position of lights.

Section 360a, acts Dec. 3, 1945, ch. 511, § 2, 59 Stat. 591; Oct. 15, 1966, Pub. L. 89-670, § 6(b)(1), 80 Stat. 938, related to publication of notice when the Secretary of the department in which the Coast Guard was operating made findings or certifications described in section 360 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 24, 1981, see section 7 of Pub. L. 96-591, set out as an Effective Date of 1980 Amendment note under section 1604 of this title.

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

Sec.	
381.	Use of public vessels to suppress piracy.
382.	Seizure of piratical vessels generally.
383.	Resistance of pirates by merchant vessels.
384.	Condemnation of piratical vessels.
385.	Seizure and condemnation of vessels fitted out for piracy.
386.	Commissioning private vessels for seizure of piratical vessels.
387.	Duties of officers of customs and marshals as to seizure.

§ 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.)

Editorial Notes

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.)

Editorial Notes

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.)

Editorial Notes

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.

(R.S. § 4296.)

Editorial Notes

CODIFICATION

R.S. § 4296 derived from acts Mar. 3, 1819, ch. 77, §4, 3 Stat. 513; Jan. 30, 1823, ch. 7, 3 Stat. 721; Aug. 5, 1861, ch. 48, §1, 12 Stat. 314.