



# Merchant Shipping Act 1894

## 1894 CHAPTER 60

### PART IX

#### WRECK AND SALVAGE.

##### *Dealing with Wreck.*

#### **518 Provision as to wreck found in the United Kingdom.**

Where any person finds or takes possession of any wreck within the limits of the United Kingdom he shall,—

- (a) if he is the owner thereof, give notice to the receiver of the district stating that he has found or taken possession of the same, and describing the marks by which the same may be recognised ;
- (b) if he is not the owner thereof, as soon as possible deliver the same to the receiver of the district :

and if any person fails, without reasonable cause, to comply with this section, he shall, for each offence, be liable to a fine not exceeding one hundred pounds, and shall in addition, if he is not the owner, forfeit any claim to salvage, and shall be liable to pay to the owner of the wreck if it is claimed, or, if it is unclaimed to the person entitled to the same, double the value thereof, to be recovered in the same way as a fine of a like amount under this Act.

#### **519 Penalty for taking wreck at time of casualty.**

- (1) Where a vessel is wrecked, stranded, or in distress at any place on or near the coasts of the United Kingdom or any tidal water within the limits of the United Kingdom, any cargo or other articles belonging to or separated from the vessel, which may be washed on shore or otherwise lost or taken from the vessel shall be delivered to the receiver.
- (2) If any person, whether the owner or not, secretes or keeps possession of any such cargo or article, or refuses to deliver the same to the receiver or any person authorised

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*Status: This is the original version (as it was originally enacted).*

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by him to demand the same, that person shall for each offence be liable to a fine not exceeding one hundred pounds.

- (3) The receiver or any person authorised as aforesaid may take any such cargo or article by force from the person so refusing to deliver the same.

**520 Notice of wreck to be given by receiver.**

Where a receiver takes possession of any wreck he shall within forty-eight hours—

- (a) cause to be posted in the custom house nearest to the place where the wreck was found or was seized by him a description thereof and of any marks by which it is distinguished ; and
- (b) if in his opinion the value of the wreck exceeds twenty pounds, also transmit a similar description to the secretary of Lloyd's in London, and the secretary shall post it in some conspicuous position for inspection.

**521 Claim of owners to wreck.**

- (1) The owner of any wreck in the possession of the receiver, upon establishing his claim to the same to the satisfaction of the receiver within one year from the time at which the wreck came into the possession of the receiver, shall, upon paying the salvage, fees, and expenses due, be entitled to have the wreck or the proceeds thereof delivered up to him.
- (2) Where any articles belonging to or forming part of a foreign ship, which has been wrecked on or near the coasts of the United Kingdom, or belonging to and forming part of the cargo, are found on or near those coasts, or are brought into any port in the United Kingdom, the consul-general of the country to which the ship or in the case of cargo to which the owners of the cargo may have belonged, or any consular officer of that country authorised in that behalf by any treaty or arrangement with that country, shall, in the absence of the owner and of the master or other agent of the owner, be deemed to be the agent of the owner, so far as relates to the custody and disposal of the articles.

**522 Immediate sale of wreck by receiver in certain cases.**

A receiver may at any time sell any wreck in his custody if in his opinion—

- (a) it is under the value of five pounds, or
- (b) it is so much damaged or of so perishable a nature that it cannot with advantage be kept, or
- (c) it is not of sufficient value to pay for warehousing,

and the proceeds of the sale shall, after defraying the expenses thereof, be held by the receiver for the same purposes and subject to the same claims, rights, and liabilities as if the wreck had remained unsold.