ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. CIV.

An Act for regulating the ſhipping and carrying of Slaves in *Britiſh* Veſſels from the Coaſt of *Africa*.

[19th *July* 1797.]

WHEREAS it is expedient to regulate the ſhipping and carrying Slaves in *Britiſh* Veſſels from the Coaſt of *Africa*, for a limited Time; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall not be lawful for any Maſter or other Perſon taking or having the Charge or Command of any *Britiſh* Ship or Veſſel whatever, which ſhall clear out from any Port of this Kingdom from and after the Firſt Day of *Auguſt* One thouſand ſeven hundred and ninety-ſeven, to have on Board at any one Time, or to convey, carry, bring, or tranſport, Slaves from the Coaſt of *Africa* to any Part beyond Sea, in any ſuch Ship or Veſſel, in any greater Number than in the Proportion of Five ſuch Slaves for every Three Tons of the Burthen of ſuch Ship or Veſſel, ſo far as the ſaid Ship or Veſſel ſhall not exceed Two hundred and one Tons, and moreover of One ſuch Slave for every additional Ton of ſuch Ship or Veſſel over and above the ſaid

Preamble.

From *Aug.* 1, 1797, no Veſſel clearing out from *Great Britain*, to carry Slaves from *Africa* in greater Numbers than herein ſpecified.

ſaid Burthen of Two hundred and one Tons, or Male Slaves who ſhall exceed Four Feet Four Inches in Height, in any greater Number than in the Proportion of One ſuch Male Slave to every One Ton of the Burthen of ſuch Ship or Veſſel, ſo far as the ſaid Ship or Veſſel ſhall not exceed Two hundred and one Tons, and moreover of Three ſuch Male Slaves, who ſhall exceed the ſaid Height of Four Feet Four Inches, for every additional Five Tons of ſuch Ship or Veſſel, over and above the ſaid Burthen of Two hundred and one Tons; and every ſuch Ship or Veſſel ſhall be deemed and taken to be of ſuch Tonnage or Burthen as is deſcribed and ſet forth in the reſpective Certificate of the Regiſtry of each and every ſuch Ship or Veſſel, granted in purſuance of an Act, made in the Twenty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for the further Increaſe and Encouragement of Shipping and Navigation*; and if any ſuch Maſter, or other Perſon taking or having the Charge or Command of any ſuch Ship or Veſſel, ſhall act contrary hereto, ſuch Maſter or other Perſon as aforeſaid ſhall forfeit and pay the Sum of Thirty Pounds of lawful Money of *Great Britain* for each and every ſuch Slave, exceeding in Number the Proportions herein-before limited, One Moiety whereof ſhall go to His Majeſty, His Heirs or Succeſſors, and the other Moiety thereof ſhall go to any Perſon or Perſons who ſhall firſt ſue for the ſame: Provided always, that if there ſhall be in any ſuch Ship or Veſſel any more than Two Fifth Parts of the Slaves who ſhall be Children, and who ſhall not exceed Four Feet Four Inches in Height, then every Five ſuch Children, over and above the aforeſaid Proportion of Two Fifths, ſhall be deemed and taken to be equal to Four of the ſaid Slaves, within the true Intent and Meaning of this Act: Provided always, that nothing herein contained ſhall extend, or be conſtrued to extend, to the Caſe of a Ship taking on Board any Number of Slaves that ſhall be found ſhipwrecked, or from on Board any other Ship or Veſſel where, by reaſon of Mutiny or Inſurrection among the Slaves, or the Crew, or by Failure of Hands, or by any actual Diſtreſs of the Veſſel, the Maſter or Commander ſhall be diſabled from governing the Ship, or continuing the Voyage, the Proof of which ſhall lie upon the Maſter or other Perſon having Charge of ſuch Ship or Veſſel ſo taking on Board ſuch Slaves.

Veſſels to be deemed of the Tonnage ſet forth in their Certificates of Regiſtry.

Maſters of Veſſels to forfeit 30*l.* for every Slave exceeding the limited Number.

If more than Two Fifths of the Slaves be Children, Five of the Surplus to be deemed equal to Four Slaves, *&c.*

II. And be it further enacted by the Authority aforeſaid, That on the Arrival of any ſuch Ship or Veſſel in any Iſland in the *Weſt Indies*, belonging to or under the Dominion of His Majeſty, His Heirs or Succeſſors, from the Coaſt of *Africa*, carrying or conveying any ſuch Slaves as aforeſaid, the Maſter or other Perſon having or taking the Charge or Command of ſuch Ship or Veſſel ſhall, before any of the ſaid Slaves ſhall be unſhipped or landed from ſuch Ship or Veſſel, repair to the neareſt Cuſtom Houſe, and there give in a written Declaration to the Collector, or other Chief Officer of the Cuſtoms, who is hereby required to accept and preſerve the ſame, of the Burthen of ſuch Ship or Veſſel, and ſhall at the ſame Time ſhew to ſuch Officer the Certificate of the Regiſtry thereof; and ſhall alſo give in a written Declaration to the ſaid Officer, (who is hereby required to accept and preſerve the ſame), containing an exact and true Account of the greateſt Number of ſuch Slaves, (diſtinguiſhing the Number of Males and Females, and ſpecifying the Number of ſuch Slaves as ſhall exceed the aforeſaid Height of Four Feet Four Inches), who are or ſhall have been at any One Time in or on

Maſters of Veſſels, before they land any Slaves in the *Weſt Indies*, to give in a written Declaration to the Officer of the Cuſtoms of the Burthen of the Veſſel, *&c.*

Board ſuch Ship or Veſſel, before, when, or after, ſuch Ship or Veſſel quitted or departed from the Coaſt of *Africa* for that Voyage; and if ſuch Maſter, or other Perſon taking or having the Charge or Command of any ſuch Ship or Veſſel, ſhall unſhip or land, or ſhall cauſe to be unſhipped or landed, or ſhall wilfully permit or ſuffer to be unſhipped or landed, any ſuch Slaves, contrary to the true Intent and Meaning of this Act, ſuch Maſter or other Perſon as aforeſaid ſhall forfeit and pay the Sum of Five hundred Pounds of lawful Money of *Great Britain*, for every ſuch Offence, and One Moiety of the ſaid Forfeiture ſhall go to His Majeſty, His Heirs or Succeſſors, and the other Moiety ſhall go to the Perſon or Perſons who ſhall firſt ſue for the ſame; and it ſhall and may be lawful for ſuch Collector or other Chief Officer of the Cuſtoms, and he is hereby required to ſearch, or to cauſe Search to be made, in every Part of ſuch Ship or Veſſel, to ſee and to take an Account of the Number of ſuch Slaves on Board ſuch Ship or Veſſel, and to ſpecify in ſuch Account the Number of Males and Females, and alſo the Number of Slaves not exceeding Four Feet Four Inches in Height, and without Delay to tranſmit ſuch Account, atteſted under his Hand and Seal, to the Commiſſioners of His Majeſty's Cuſtoms in *London*, under the Penalty of Five hundred Pounds: Provided always, that in caſe the ſaid Collector or other Chief Officer of the Cuſtoms ſhall be abſent, or that there ſhall be no ſuch Officer in any ſuch Iſland where the ſaid Ship ſhall arrive as aforeſaid, or in caſe there ſhall be no other Officer of the Revenue, then any Civil Officer in the ſaid Iſland ſhall be, and he is hereby authorized and required, upon Application as aforeſaid, to receive and preſerve the ſaid Declaration of the Burthen of ſuch Ship as aforeſaid, and to perform all the other Duties aforeſaid, which the ſaid Collector or other Chief Officer of the Cuſtoms is hereby required to perform.

and if they land Slaves contrary hereto, to forfeit 500 *l.*

Officers of the Cuſtoms to take an Account of the Slaves on Board ſuch Veſſels, *&c.* on Penalty of 500 *l.*

Where there is no Officer of the Cuſtoms, any Civil Officer to receive the Declaration of the Maſter, *&c.*

III. And be it further enacted, That if any Perſon making any Declaration, by this Act authorized or required to be made, ſhall therein be guilty of wilful Falſehood, or if any Perſon ſhall procure or ſuborn any Perſon to become guilty of ſuch wilful Falſehood, every ſuch Perſon ſhall be deemed guilty of a Miſdemeanour, and ſhall be puniſhed by ſuch Fine as the Court, before whom ſuch Offender ſhall have been tried and convicted, ſhall think fit to order or adjudge, and alſo by Impriſonment for any Time not exceeding Twelve nor leſs than Three Calendar Months from the Time of ſuch Sentence.

Penalty on making falſe Declaration.

IV. And be it further enacted by the Authority aforeſaid, That it ſhall not be lawful for the Maſter or other Perſon taking or having the Charge or Command of any ſuch Ship or Veſſel as aforeſaid, which ſhall be cleared out from any Port in *Great Britain* after the Firſt Day of *Auguſt* One thouſand ſeven hundred and ninety-ſeven, to take or have on Board ſuch Ship or Veſſel, or convey, carry, bring, or tranſport, any Slaves from the Coaſt of *Africa* to any Parts beyond the Seas, in any ſuch Ship or Veſſel as aforeſaid, unleſs ſuch Ship or Veſſel ſhall, at the Time of her ſo clearing out, have been entered for ſuch Purpoſe at the Cuſtom Houſe of the Port from whence ſuch Ship or Veſſel cleared out, and unleſs the Surgeon of or belonging to ſuch Ship or Veſſel, ſhall have given Bond to His Majeſty, His Heirs and Succeſſors, and ſhall have left the ſame in the Hands of the Collector or Comptroller of the Cuſtoms in the Port

No Veſſel to carry any Slaves, unleſs entered for that Purpoſe at clearing out, nor unleſs the Surgeon give Bond to keep a Journal of the Slaves during the Voyage;

from whence such Ship or Vessel shall depart for such Voyage to the Coast of *Africa*, in the penal Sum of One hundred Pounds, with Condition that such Surgeon shall keep a regular and true Journal, containing an Account of the greatest Number of Slaves which shall have been, at any Time during such Voyage, on Board such Ship or Vessel, from the Time of the Arrival of such Ship or Vessel on the Coast of *Africa* as aforesaid, until her Arrival at the Port of her Delivery, distinguishing the Number of Males and Females, and of the Deaths of any such Slaves or Crew of the said Ship or Vessel, and of the Cause thereof, during the Voyage from the First Departure of the said Ship or Vessel, to her Arrival on the Coast of *Africa*, during her Stay on the said Coast, and after her Departure from thence to the said Port of Delivery, or during such Time as such Surgeon shall have been on Board such Ship or Vessel; and that the said Surgeon shall deliver such Journal to the Collector or other Officer as aforesaid, at the First *British* Port where such Ship or Vessel shall arrive after leaving the Coast of *Africa*, and shall deliver in a written Declaration of the Truth of such Journal, to the best of his Knowledge and Belief, to such Collector or other Officer as aforesaid, who is hereby required to accept and preserve the same; and such Collector or other Officer as aforesaid shall deliver to such Master, or other Person as aforesaid, and to such Surgeon respectively, Copies of the Declaration of such Master or other Person, and of such Surgeon as aforesaid, and also of the said Journal, which Copies shall severally be attested (as true Copies) by such Collector or other Officer as aforesaid under his Hand and Seal; and Duplicates of the said Copies, attested, in like Manner, shall be transmitted by the said Collector or other Chief Officer, to the Commissioners of His Majesty's Customs in *London*; and if such Master, or Person taking or having the Charge or Command of any such Ship or Vessel, shall carry his Cargo of Slaves to, and land the Whole or any Part in, any Port or Ports not subject to the Crown of *Great Britain*, and shall afterwards arrive at any *British* Island or Port, having delivered the Whole or any Part of his said Cargo, such Master or other Person, and also the Surgeon of such Ship or Vessel, shall make the same Declaration, deliver in the same Journal to, and take the same Oaths before the Collectors, or other Chief Officers of the Customs, or Civil Officer of the Island or Port, and receive the same attested Certificate, in like Manner as if he had first arrived at such Island or Port; and if the said Ship or Vessel shall not arrive at any *British* Island or Port before her Return to *Great Britain*, then the said Master or other Person, and Surgeon, shall make the said Declaration, deliver in the said Journal to, and take the said Oaths before, the Collector or other Chief Officer of the Customs of the Port where they shall first land, which the Collector or Chief Officer is hereby empowered and required to receive and administer, and the said Collector or other Chief Officer shall forthwith transmit the same to the Commissioners of His Majesty's Customs in *London*; and if such Master or Surgeon shall act contrary hereto, such Master or Surgeon shall, for every such Offence, forfeit the Sum of One hundred Pounds, One Moiety whereof shall go to His Majesty, His Heirs or Successors, and the other Moiety thereof shall go to any Person or Persons who shall sue for the same.

Journal is to be delivered to the Officer of the Customs, at the First *British* Port of Arrival, *&c.*

Officer to deliver to the Master a Copy of his Declaration and to the Surgeon a Copy of his Journal, and transmit Duplicates to the Commissioners of the Customs.

Masters or Surgeons acting contrary hereto to forfeit 100*l.*

If Penalty on Masters be not paid within 14

V. And be it further enacted by the Authority aforesaid, That in case the Master or other Person having or taking the Charge or Command of any

any ſuch Ship or Veſſel, ſhall be convicted of any One of the ſaid Offences before mentioned, and ſhall not, within the Space of Fourteen Days, pay, or cauſe to be paid, into the Hands of the proper Officer of the Court wherein the Offence ſhall be proſecuted, in order that the ſame may be applied in Manner herein directed, the Amount of the Penalty on ſuch Conviction, it ſhall and may be lawful for any Admiral, or other Commander at Sea, of any of the Ships of War, or other Ships having Commiſſion from His Majeſty, or from His Heirs or Succeſſors, or for any Governor of any Iſland or Plantation to His Majeſty belonging in *America* or the *Weſt Indies*, or for any Officer or Officers of His Majeſty's Cuſtoms, to ſeize and detain the ſaid Ship or Veſſel wherever found, and to convey the ſame to the Cuſtom Houſe neareſt to the Place where ſhe ſhall be found; and the Collector, or other principal Officer of the Cuſtoms of ſuch Cuſtom Houſe, ſhall, and he is hereby required to cauſe every ſuch Ship or Veſſel to be ſold publickly by Auction, and the Produce ariſing by ſuch Sale thereof to apply towards ſatisfying the ſaid Penalty; and if there ſhall remain any Overplus, to pay the ſame over to ſuch Perſon or Perſons as ſhall prove his, her, or their Property therein, or to his, her, or their lawful Aſſigns.

Days, their Veſſels may be ſeized and ſold.

VI. And whereas it may happen that the Maſter or other Perſon having the Command of ſuch Ship or Veſſel ſo proſecuted and convicted may be unable to pay ſuch Penalty or Penalties incurred; be it enacted, That as ſoon as ſuch Ship or Veſſel ſhall arrive in any of the ſaid Iſlands, and due Notice of ſuch Arrival ſhall have been given at the Cuſtom Houſe thereof, the Owner or Owners of the ſaid Ship or Veſſel, or his, her, or their Factor or Agent to whom ſuch Ship and Cargo are conſigned, ſhall give Bond in the Penal Sum of Five thouſand Pounds to the Collector or other Officer of the Cuſtoms, for the full and juſt Payment of ſuch Penalty or Penalties as may be awarded againſt ſuch Captain or other Officer, by the Verdict of a Jury: And it is hereby enacted, That no ſuch Ship or Veſſel ſhall be permitted or ſuffered to enter or clear Inwards until ſuch Bond ſhall be firſt given, and it ſhall be lawful for any Officer of the Cuſtoms to detain ſuch Ship or Veſſel with all her Cargo on board, until ſuch Bond ſhall be entered into as before required: Provided always, that no Suit againſt ſuch Captain or other Officer ſhall be proſecuted in any Iſland, unleſs the ſame ſhall be commenced within One Month after due Notice given of the Ship's Arrival, to the Collector or other Officer of the Cuſtoms in the ſaid Iſlands.

On Arrival of Veſſels in *America* or the *Weſt Indies*, the Owners to give Bond for Payment of Penalties, &c.

Veſſels not to be admitted to Entry till Bond is given, &c.

Suits to be commenced within One Month.

VII. And be it further enacted by the Authority aforeſaid, That the ſeveral Penalties and Forfeitures inflicted by this Act ſhall and may be ſued for, proſecuted, and recovered, in any Court of Vice Admiralty in any Part of *America*, or in any Iſland in the *Weſt Indies*, wherein any ſuch Offence ſhall have been committed, or wherein any ſuch Ship or Veſſel ſhall have diſpoſed of the Whole or any Part of her Cargo, or in any of His Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer at *Edinburgh*.

Where Penalties may be ſued for.

VIII. And be it further enacted by the Authority aforeſaid, That in every ſuch Ship or Veſſel, the upper as well as the lower Cabin and the Space between Decks, ſhall be allotted and properly prepared for the Reception of ſuch Slaves; and that after any ſuch Ship or Veſſel ſhall have

The upper and lower Cabin, and the Space between Decks, to be allotted to the Slaves, &c.

have taken Two Third Parts of her Complement of Slaves on Board, in the Proportions herein-before limited, no Goods, Wares, or Merchandize, ſhall ever be ſtowed or put in any ſuch Cabin or Place, in which any ſuch Slaves ſhall be.

If any Perſon take the Command of a Veſſel, who is not qualified as herein directed, he, and alſo the Owner, ſhall forfeit 500 *l.*

IX. And be it further enacted by the Authority aforeſaid, That, from and after the Firſt Day of *Auguſt* One thouſand ſeven hundred and ninety-ſeven, it ſhall not be lawful for any Perſon to become a Maſter, or take or have the Command or Charge of any ſuch Ship or Veſſel, at the Time he ſhall clear out from any Port of *Great Britain*, for purchaſing and carrying Slaves from the Coaſt of *Africa*, unleſs ſuch Maſter, or Perſon taking or having the Charge or Command of any ſuch Ship or Veſſel, ſhall have made Oath and delivered in to the Collector or other Chief Officer of the Cuſtoms, at the Port where ſuch Ship or Veſſel ſhall clear out, a Certificate, atteſted by the reſpective Owner or Owners of the Ships or Veſſels in which he has formerly ſerved, that he has already ſerved in ſuch Capacity during One Voyage, or ſhall have ſerved as Chief Mate or Surgeon during the Whole of Two Voyages, or either as Chief or other Mate during Three Voyages, in purchaſing and carrying Slaves from the Coaſt of *Africa*, under Pain that ſuch Maſter or other Perſon taking or having the Charge or Command of any ſuch Ship or Veſſel, and alſo the Owner or Owners who ſhall hire or employ ſuch Perſon, ſhall for every ſuch Offence reſpectively forfeit and pay the Sum of Five hundred Pounds.

Former Acts recited,

X. And whereas by an Act made in the Thirty-third Year of His preſent Majeſty's Reign, and ſeveral preceding Acts, it is enacted, That, from and after the Firſt Day of *Auguſt* One thouſand ſeven hundred and ninety-three, it ſhould not be lawful for any Owner or Owners of any Ship or Veſſel to inſure any Cargo of Slaves, or any Part thereof on board the ſame, againſt any Loſs or Damage, ſave and except the Perils of the Sea, Piracy, Inſurrection, or Capture by the King's Enemies, Barratry of the Maſter and Crew, and Deſtruction by Fire; and that all and every Policy of Inſurance thereafter made contrary to the ſaid Act ſhould be, and the ſame are thereby declared to be null and void to all Intents and Purpoſes whatſoever: And whereas the Owners of Ships and others concerned in the Trade to *Africa*, underſtanding that it was merely intended by the above-mentioned Proviſion of the ſaid Act, to preſcribe and ſpecify the particular Kinds of Loſs and Damage for which alone an Indemnity ſhould thereafter be recoverable in reſpect to Cargoes of Slaves, and not to interfere with or vary the particular Forms of the Policies of Inſurance, whereby ſuch Inſurances had been theretofore effected, have continued to make Inſurances on the Perils and Dangers allowed to be inſured by the ſaid Act, in the ſame general Terms as are contained in the common Policies theretofore uſed in other Inſurances on Ships and Goods: And whereas Doubts have ariſen reſpecting the Validity of ſuch Inſurances ſo made on Cargoes of Slaves, on Account of the Policies whereby the ſame are effected, not being expreſsly reſtrained to the particular Peril and Dangers which are by the ſaid Proviſion of the ſaid Act alone ſaved and excepted as the Subjects of lawful Inſurance: For Remedy whereof, and for the more effectual Security of ſuch Perſons, be it therefore enacted by the Authority aforeſaid, That nothing in the ſaid Act, or any former Act contained,

and nothing therein to make void Inſurances

contained, ſhall extend, or be conſtrued to extend, to make void any Inſurance already made, or which hereafter ſhall be made, upon Ships, Slaves, Goods, and Merchandize, in the ſame general Terms with the Policies now commonly made uſe of in all other Inſurances on Ships and Goods; (that is to ſay), on Account of their expreſſing to be made, "againſt the Riſks and Perils of the Seas, Men of War, Fire, Enemies, Pirates, Rovers, Thieves, Jettizons, Letters of Mart and Countermart, Surprizals, Takings at Sea, Arreſts, Reſtraints, and Detainments of Kings, Princes, and People, of what Nation, Condition, or Quality ſoever, Barratry of the Maſter and Mariners, and of all other Perils, Loſſes, and Misfortunes, that have or ſhall come to the Detriment or Damage thereof:" Provided nevertheleſs, that under ſuch Policies of Aſſurance ſo made, or to be made, no Loſs or Damage ſhall be hereafter recoverable on Account of the Mortality of Slaves by natural Death or ill Treatment, or againſt Loſs, by throwing overboard of Slaves, on any Account whatſoever, or againſt Loſs or Damage by Reſtraints and Detainments by Kings, Princes, People, or Inhabitants of *Africa*, where it ſhall be made appear that ſuch Loſs or Damage has been occaſioned through any Aggreſſion for the Purpoſe of procuring Slaves, and committed by the Maſter of any ſuch Ship, or by any Perſon or Perſons commanding any Boat or Boats, or Party or Parties of Men belonging to any ſuch Ship, or by any Perſon or Perſons acting by the Direction of any ſuch Maſter or Commander reſpectively.

made in the ſame general Terms as other Inſurances; but under them no Damages ſhall be recoverable in certain Caſes.

XI. And be it further enacted by the Authority aforeſaid, That no ſuch Ship or Veſſel ſhall be allowed to clear out, unleſs it ſhall appear to the Collector, or other principal Officer of the Cuſtoms at the Port, that there is One Surgeon at leaſt engaged to proceed on Board ſuch Ship or Veſſel, and unleſs ſuch Surgeon ſhall have produced and delivered to ſuch Collector or other principal Officer of the Cuſtoms, a Certificate or Warrant of his having paſſed his Examination at Surgeon's Hall, or at ſome Publick or County Hoſpital, or at the Royal College of Phyſicians or Royal College of Surgeons at *Edinburgh*, or ſhall have ſerved as a Surgeon or Surgeon's Mate in His Majeſty's Fleet or Armies, of which Certificate or Warrant the ſaid Collector or other principal Officer ſhall give to the ſaid Surgeon an atteſted Copy, *gratis*.

No Veſſel to be cleared out that has not a Surgeon who has paſſed his Examination, &c.

XII. And be it further enacted by the Authority aforeſaid, That if it ſhall be made appear, to the Satisfaction of the Collector or other principal Officer of the Port where ſuch Ship or Veſſel ſhall be diſcharged, that there ſhall not have died more than in the Proportion of Two Slaves in the Hundred, from the Time of the Arrival of ſuch Ship or Veſſel on the Coaſt of *Africa* to the Time of her Arrival at her Port of Diſcharge in any of the Iſlands of the *Weſt Indies*, belonging to or under the Dominion of His Majeſty, His Heirs or Succeſſors, in ſuch Caſe the Collector or other principal Officer ſhall, and he is hereby authorized and required to make out Certificates, ſpecifying the Number of Slaves that appear to have been taken on Board the ſaid Ship or Veſſel, and the Number that have died within the Period above-mentioned, One of which Certificates ſhall be delivered to the Maſter, and the other to the Surgeon of ſuch Ship or Veſſel, and on Production of ſuch Certificates, the Commiſſioners of His Majeſty's Cuſtoms in *England* and *Scotland* reſpectively ſhall, and they are hereby authorized and required

If the Officer at the Port of Diſcharge ſhall be ſatisfied that there have not died on the Voyage more than 2 Slaves in the 100, he is to give Certificates to the Maſter and Surgeon, and on Production thereof to the Commiſſioners of the Cuſtoms, they are to order the Maſter 100 *l.* and the Surgeon 50 *l.*

to direct the Sum of One hundred Pounds to be paid to the Master, and the Sum of Fifty Pounds to be paid to the Surgeon of such Ship or Vessel, out of any Money that shall be in the Hands of the Receiver General of the Customs of *England* and *Scotland* respectively; or if it shall be made appear to the Collector or other principal Officer as aforesaid, that there shall not have died more than in the Proportion of Three Slaves in the Hundred, from the Time of the Arrival of such Ship or Vessel on the Coast of *Africa*, to the Time of her Arrival at her Port of Discharge in any of the said *West India* Islands, in such Case the Collector or principal Officer as aforesaid shall, and he is hereby required and authorized to make out like Certificates, and to deliver One to the Master and the other to the Surgeon of such Ship or Vessel, and the Commissioners of the Customs in *England* and *Scotland* respectively shall, and they are hereby authorized and required, on Production of such Certificates, to direct the Sum of Fifty Pounds to be paid to the Master, and the Sum of Twenty-five Pounds to be paid to the Surgeon of such Ship or Vessel.

Like Certificates to be given where the Mortality has not been more than 3 in the 100, which is to entitle the Master to 50 *l.* and the Surgeon to 25 *l.*

XIII. And, for the better Regulation, Encouragement, and Preservation of the Health of the Officers and Seamen, employed in Ships or Vessels trading to the Coast of *Africa* for Slaves, and from thence to the *West Indies* and *America*; be it enacted by the Authority aforesaid, That, from and after the First Day of *August* One thousand seven hundred and ninety-seven, before any Ship or Vessel shall proceed to Sea, the Master, Officers, and Mariners, shall sign and execute Articles of Agreement, and a Muster-roll, in the Presence of, and witnessed by, the Clearing Officer and One of the Tidesmen of the Port from whence the Ship departs; and a Duplicate of the Articles of Agreement and Muster-roll, duly signed and executed, shall be delivered to the aforesaid Clearing Officer, in order to its being lodged with the proper Officer in the Custom House, according to the Forms hereunto annexed; which Agreement shall be conclusive to all Parties for the Time contracted for; and no other Form whatsoever of Articles of Agreement, or Muster-roll, shall be used, under the Penalty of Fifty Pounds, One Half to be paid to the Use of *Greenwich* Hospital, and the other Half to the Informer, or other Person who shall sue for the same, in any of His Majesty's Courts of Record.

Before any Vessel is cleared Outwards, the Master, Officers, and Mariners, to execute Articles of Agreement in the Forms hereunto annexed; and no other Form to be used on Penalty of 50 *l.*

XIV. And be it further enacted by the Authority aforesaid, That a Continuation of the Muster-roll shall be regularly and duly kept during the Voyage; also a Log Book, wherein all Penalties, Forfeitures, and Charges, against any Officer or Seaman, shall be regularly entered and signed by the Master, Chief Mate, and Surgeon, which said Log Book and the said Muster-roll shall, on the Arrival of the Ship or Vessel at her discharging Port in *Great Britain*, be delivered in to the Collector or other Chief Officer of the Customs, together with the written Declaration of the Truth thereof, which Declaration the Collector or other Chief Officer as aforesaid, is hereby required to accept and preserve; and if any Master, Chief Mate, or Surgeon, shall be convicted of signing false Muster-rolls, Articles of Agreement, or Log Book, he or they shall forfeit and pay the Sum of One hundred Pounds, and shall also suffer Six Months Imprisonment.

Muster Roll to be regularly kept, &c.

Penalty for signing false Muster Rolls, &c.

XV. And

XV. And be it further enacted, That no Officer, Mariner, or Seaman, ſhall be turned over or diſcharged, upon any Pretence whatſoever, unleſs into His Majeſty's Ships of War, or to aſſiſt a Ship in actual Diſtreſs, which is to be certified by the principal Officers of both Ships concerned, and an Agreement made in Writing with the ſaid Officers or Men ſo lent, or, upon Preferment, or under ill State of Health, with the Conſent of the Party, for which a Certificate ſhall be given from the Captain of any of His Majeſty's Ships or Veſſels, if any are preſent, or, in their Abſence, Two Juſtices of the Peace, or the Collector and Comptroller of the Cuſtoms at the Place or Port where ſuch Ship or Veſſel ſhall be, or ſhall firſt arrive, which Certificate ſhall be returned with the Muſter-roll and Log Book, on the Arrival of the Ship at her delivering Port in *Great Britain*.

No Officer, &c. to be turned over or diſcharged, but under the Circumſtances herein mentioned.

XVI. And be it further enacted, That no Maſter, Commander, or other Perſon, ſhall ſupply the Officers or Mariners, Seamen, or Seafaring Men, with more Slops, Tobacco, Spirits, or any other Article whatſoever, than to the Amount of One Fourth Part of the Monthly Wages of ſuch Officer, Mariner, Seaman, or Seafaring Man.

No Slops, &c. to be ſupplied beyond One Fourth of the Monthly Wages.

XVII. And be it further enacted, That if any Officer, Mariner, or Seaman, ſhall behave in a riotous, ſeditious, or mutinous Manner, it ſhall be lawful for the Commander or Commanding Officer to put ſuch Officer, Mariner, or Seaman, into Confinement, for a Time not exceeding Twenty-four Hours, before the ſame is reported to the Captain or Commander of any of His Majeſty's Ships or Veſſels (being preſent, or within a convenient Diſtance), who is hereby authorized to enquire into the Cauſe of ſuch Complaint, and to examine upon Oath, if found neceſſary, and to grant ſuch Relief or Remedy therein as the Circumſtances of the Caſe may require; and in caſe none of His Majeſty's Ships are preſent, the Cauſe of Complaint ſhall be fully examined into by the Maſter and Two Officers, in the Preſence of the Ship's Company; and if it ſhall be judged neceſſary, for the Safety of the Ship and Cargo, to continue the Offender or Offenders in Confinement, ſuch Determination ſhall be drawn up in Writing, with the Reaſons for coming to ſuch Reſolution ſtated at large, and ſigned by the Maſter and Two Officers, which they are hereby enjoined, under the Penalty of Fifty Pounds, to report, without Delay, to the Captain or Commander of the Firſt Ship or Veſſel belonging to His Majeſty they may fall in with, and in Default thereof to report the ſame to the Governor or Chief Officer of any *Britiſh* Fort on the Coaſt of *Africa*, or to the Governor of any of the *Weſt India* Iſlands, on their Arrival at any Port or Road therein, that ſuch Meaſures may be taken to bring the Offender or Offenders to Juſtice as the Nature of the Caſe will admit.

Regulations with regard to Officers, &c. behaving in a riotous, ſeditious, or mutinous Manner.

XVIII. And be it further enacted, That the Maſter or other Perſon having or taking the Charge or Command of every ſuch Ship or Veſſel ſhall cauſe a printed Abſtract of this Act, and alſo a Copy of the Schedule (A) and of the Muſter-roll, reſpectively annexed to this Act, to be hung up and affixed to the moſt publick Place of ſuch Ship or Veſſel, and ſhall cauſe the ſame to be conſtantly kept and renewed, ſo that at all Times they may be acceſſible to the Officers and Seamen on board of ſuch Ship or Veſſel, upon Pain that every ſuch Maſter, or other Perſon,

Maſter to cauſe a printed Abſtract of this Act, &c. to be hung up in the moſt publick Place in his Veſſel, on Penalty of 20 *l.*

ſon, having or taking the Charge or Command of every ſuch Ship or Veſſel, who ſhall neglect to affix and renew the ſame, ſhall for every ſuch Offence forfeit the Sum of Twenty Pounds.

If mutinous Officers, &c. be taken into Cuſtody, in *Africa* or the *Weſt Indies*, a Statement, upon Oath, to be lodged with the Governor, &c. and if the Witneſſes do not appear at the Trial, they ſhall incur a Penalty.

XIX. And be it further enacted, That if any Officer, Mariner, or Seaman, charged with Mutiny or Sedition, ſhall be delivered over or taken into Cuſtody by the Order of the Governor or Chief Officer of any Fort on the Coaſt of *Africa*, or the Governor of any of the Iſlands in the *Britiſh Weſt Indies*, a full Statement, upon Oath, which they are hereby empowered to adminiſter, ſhall be made out and lodged with the ſaid Governor, together with the Names of the Witneſſes who are to ſupport the Charge alledged againſt the Priſoner or Priſoners, in order to their being ſent Home for Trial at the next Admiralty Seſſions, for the Offence or Offences alledged againſt him or them; and in caſe the ſaid Witneſs or Witneſſes ſhall neglect to appear at the Trial, upon being duly ſummoned, he or they ſhall incur ſuch Penalty as the Court ſhall adjudge.

Officers, &c. to continue in Pay till the Veſſel is cleared Inwards.

Wages of Run Men to go to *Greenwich Hoſpital*, &c.

XX. And be it further enacted by the Authority aforeſaid, That upon the Arrival of every Ship or Veſſel at her diſcharging Port in *Great Britain*, the Officers and Seamen therein ſhall be continued in full Pay and Proviſions until the Ship is cleared Inwards, or their Accounts are ſettled and paid; and that all Wages due to Run Men ſhall be forfeited and paid, One Half to the Uſe of *Greenwich Hoſpital*, and the other Half to the Merchants Hoſpital of the Port to which ſuch Ship belongs; and all other Forfeitures ſhall be applied as is ſpecified in the Articles of Agreement; any Cuſtom, Law, or Uſage, to the contrary notwithſtanding.

Where Offences may be tried, and Penalties ſued for.

XXI. And be it further enacted by the Authority aforeſaid, That any Offence committed in Breach or Violation of this Act, may be tried in any Court of Oyer and Terminer, in any County in *England* wherein any ſuch Offence ſhall have been committed, or, in caſe any ſuch Offence ſhall have been committed on the Seas, or in Parts beyond the Seas, then in ſuch County within which the Ship on Board which ſuch Offence ſhall have been committed ſhall have cleared out, or in the County of *Middleſex*; and any Penalty or Forfeiture inflicted by this Act may be proſecuted, ſued for, and recovered, in any Court of Record in *Great Britain*, and in every ſuch Action or Suit the Party againſt whom Judgement ſhall be given (whether Plaintiff or Defendant) ſhall pay Double Coſts of Suit; and every ſuch Action ſhall and may be brought at any Time within Three Years after the Offence committed, and not afterwards, and every ſuch Action ſhall be carried on without wilful Delay.

Limitation of Actions.

Delivery of Writs on Board Veſſels, to be deemed legal Service.

XXII. And be it further enacted, That if any Maſter or other Perſon, having or taking the Charge or Command of any Ship or Veſſel, ſhall be proſecuted on Account of any Offence committed againſt this Act, and the Officer, whoſe Buſineſs it ſhall be to ſerve the Writ or Proceſs iſſuing out of the Court in which ſuch Maſter or other Perſon ſhall be proſecuted, ſhall not be able to find the ſaid Maſter or other Perſon ſo proſecuted either on board the ſaid Veſſel, or on Shore or elſewhere, of which ſuch Officer ſhall give publick Notice in ſuch Court, then, and in all ſuch Caſes, the Delivery of the ſaid Writ or Proceſs on board

board the ſaid Ship or Veſſel of which the ſaid Perſon ſhall have had the Charge or Command, ſhall be deemed due and legal Service of the ſaid Writ or Proceſs.

Perſons taking falſe Oaths, to incur the Pains of Perjury, &c.

XXIII. And be it further enacted by the Authority aforeſaid, That if any Perſon, taking any Oath by this Act authorized or required to be taken, ſhall thereby commit wilful Perjury, or if any Perſon ſhall unlawfully procure or ſuborn any Perſon to take any Oath, by this Act authorized or required to be taken, whereby ſuch Perſon ſhall commit wilful Perjury, every ſuch Perſon ſhall incur and ſuffer the like Pains and Penalties as are by Law inflicted upon Perſons committing wilful and corrupt Perjury, or Subornation of Perjury.

Continuance of this Act.

XXIV. And be it further enacted, That this Act ſhall continue in Force till the Firſt Day of *Auguſt* One thouſand ſeven hundred and ninety-eight, and no longer, except for the Purpoſe of trying or ſuing any Perſon in conſequence of any Offence or Offences committed in Breach or Violation of this Act.

Clauſe in former Acts reſpecting the Certificates of Qualification required to be given by Maſters, recited.

XXV. And whereas by an Act, paſſed in the Thirty-ſecond Year of the Reign of His preſent Majeſty, and which was afterwards continued by ſeveral ſubſequent Acts paſſed in the Thirty-third, Thirty-fourth, and Thirty-fifth Years of His ſaid preſent Majeſty's Reign, it was enacted, That, from and after the Firſt Day of *Auguſt* One thouſand ſeven hundred and ninety-two, it ſhall not be lawful for any Perſon to become a Maſter, or take or have the Command or Charge of any ſuch Ship or Veſſel, at the Time he ſhall clear out from any Port of *Great Britain* for purchaſing and carrying Slaves from the Coaſt of *Africa*, unleſs ſuch Maſter or Perſon taking or having the Charge or Command of any ſuch Ship or Veſſel ſhall have made Oath, and delivered in to the Collector or other Chief Officer of the Cuſtoms at the Port where ſuch Ship or Veſſel ſhall clear out, a Certificate, atteſted by the reſpective Owner or Owners, that he has already ſerved in ſuch Capacity during One Voyage, or ſhall have ſerved as Chief Mate or Surgeon during the Whole of Two Voyages, or either as Chief or other Mate during Three Voyages, in purchaſing and carrying Slaves from the Coaſt of *Africa*, under Pain that ſuch Maſter or other Perſon taking or having the Charge or Command of any ſuch Ship or Veſſel, and alſo the Owner or Owners who ſhall hire or employ ſuch Perſon, ſhall, for every ſuch Offence, reſpectively forfeit and pay the Sum of Five hundred Pounds: And whereas Doubts have ariſen reſpecting the Conſtruction of the above mentioned Clauſe, whether the Certificate thereby required to be delivered in to the Collector or other Chief Officer of the Cuſtoms, ſhould be atteſted by the reſpective Owner or Owners of any Ship or Veſſel wherein the Perſon or Perſons then about to take the Command of the Ship or Veſſel required to be cleared out, had formerly ſailed in ſome or One of the Capacities by the ſaid Act ſpecified and required, or by the reſpective Owner or Owners of the Ship or Veſſel in which ſuch Perſon or Perſons was or were then about to ſail as the Maſter or Commander thereof, as believing the Facts ſtated in the Affidavit of ſuch Perſon or Perſons then about to have or take the Charge or Command of any ſuch Ship or Veſſel, to be true: And whereas, in conſequence of ſuch Doubts, the Collectors or other Chief Officer of the Cuſtoms at the Ports of *London*

Doubts ariſing by whom Certificates to be atteſted.

and *Liverpool*, doubting the Meaning and Conſtruction of the ſaid Acts, have required and taken Certificates atteſted in both the Ways before mentioned, and cleared out Ships or Veſſels under each Form of Certificate, in conſequence of which great Inconveniences have ariſen, and Doubts have been made touching the Legality of the Policies of Inſurance made upon ſuch Ships or Veſſels; be it therefore further enacted by the Authority aforeſaid, That nothing in the ſaid former Acts of Parliament herein-before mentioned, or in any of them contained, ſhall extend, or be conſtrued to extend, impeach, invalidate, or make void, any Policy or Policies of Inſurance which ſhall have been made before the paſſing of this Act, by reaſon or in conſequence of any Certificate or Certificates which have been required and given in order to the clearing out any Ship or Veſſel, employed in the Slave Trade, to the Coaſt of *Africa*, by the Owner or Owners of the Ship or Veſſel then about to clear out and to ſail, or by the Owner or Owners of ſome other Ship or Veſſel in whoſe Employ the Perſon then about to ſail had been formerly employed and failed, or to inflict any Penalty or Penalties upon the Owner or Owners of ſuch Ship or Veſſel.

Policies of Inſurance made before the paſſing of this Act, not to be void by reaſon of Certificates given under recited Acts, &c.

SCHEDULE

SCHEDULE (A).

ARTICLES of Agreement between the Maſter, Officers, Mariners, Seamen, and Seafaring Men, of the Ship bound from the Port of upon an intended Voyage to the Coaſt of *Africa* for from thence to the *Weſt Indies*, or *America*, and afterwards to in *Great Britain*, or to her delivering Port in *Europe*.

FIRST, The Maſter does hereby covenant, agree, and engage, with the ſaid Officers, Seamen, Seafaring Men, Landſmen, and Boys, That he will pay, or cauſe to be paid, to each and every of them, at the Rate of the Wages *per* Month, Sterling Value, as againſt each Perſon's Name is expreſſed in the Muſter Roll.

Secondly, The ſaid Maſter does further agree and engage with the ſaid Officers, Mariners, Seamen, Seafaring Men, Landſmen, and Boys, that they ſhall be daily and regularly ſupplied with good and wholeſome Victuals, and a Portion of Wine or Spirits, as hereafter ſpecified; the ſaid Proviſions to be iſſued and dreſſed in the uſual Manner in which it is done on board His Majeſty's Ships of War, and ſerved out to the Ship's Company in the Manner following; (*videlicet*),

Sunday, -	One Pound and an Half of Beef, containing Sixteen Ounces to the Pound, and a Pint of Flour.
Monday, -	One Pound of Pork, containing Sixteen Ounces to the Pound, and Half a Pint of Peaſe.
Tueſday, -	One Pint of Oatmeal, and Two Ounces of Butter, and Four Ounces of Cheeſe; or, One Pound of Stock Fiſh, with One-eighth of a Pint of Oil, and a Quarter of a Pint of Vinegar, in lieu of Butter and Cheeſe.
Wedneſday,	The ſame as Monday.
Thurſday, -	The ſame as Sunday.
Friday, -	The ſame as Tueſday.
Saturday, -	The ſame as Monday.

Each Perſon, beſides, to have Six Pounds of Bread *per* Week; and a Quarter of a Pint of Spirits, or Half a Pint of Wine, together with of Water, *per* Day during the Voyage.

In lieu of Peaſe and Oatmeal may be ſerved Rice, Indian Corn, Yams, or Calavances.

In caſe of being put to Short Allowance, the Maſter, Officers, and Seamen are to be at the ſame Allowance of Proviſions and Water, and to be allowed Short Allowance Money, at the Rate of Three-pence *per* Day if at Two-thirds Allowance, and Four-pence Halfpenny *per* Day, *per* Man, if at Half Allowance, and to be paid their Short Allowance Money Ten Days before the Veſſel ſails from the *Weſt Indies* or *America*.

And

And it is hereby further covenanted and agreed by and between the ſaid Parties, That the Maſter of the ſaid Ship, at his or the Owners proper Coſt and Charge, will hire and employ the Natives in their Craft, to wood and water the ſaid Ship, during her Continuance on the Coaſt of *Africa*, if ſuch Natives can be procured, under the Direction of a Patroon belonging to the ſaid Ship.

And it is further agreed on the Part of the ſaid Maſter, That whenever the Officers and Seamen are employed trading in Craft up the Rivers, that the ſaid Maſter will, on the Part of the Owners, furniſh the Parties ſo employed with a ſufficient Quantity of painted Canvas, or Tarpawling, for an Awning, and Proviſions for the Time, in the Proportion *per Diem* as is ſet forth in the foregoing Article, with proper Utenſils and Fire to dreſs the ſame, and upon Failure thereof, for every ſuch Neglect he ſhall forfeit Double the Value of Proviſions.

The ſaid Maſter does further agree and engage, That there ſhall be a Space reſerved for Half the Ship's Company to ſhelter themſelves, while the Slaves are on Board; if a Frigate-built Ship, it ſhall be under the Half Deck; or in the Steerage, or under a ſtanding Awning of Wood, well caulked, in any other Ship or Veſſel.

It is hereby further agreed by the ſaid Maſter, That he will not, upon any Pretence whatſoever, turn over, or diſcharge, any of the Officers or Ship's Company belonging to the ſaid Ship, unleſs on Promotion, or to aſſiſt a Ship actually in Diſtreſs, and not then, unleſs properly certified as before expreſſed in this Act: And the ſaid Maſter does hereby further agree to advance One Month's Pay to the Officers and Ship's Company before the ſaid Ship departs from *Great Britain*, at the Time of ſettling the River or Harbour Pay; and that the Monthly Wages ſhall commence from that Period: And it is further agreed by the ſaid Maſter, that he will pay, or cauſe to be paid, One Month's Pay after the Landing of the Slaves in the *Weſt Indies* or *America*, Ten Days before the Sailing of the ſaid Ship on her Homeward-bound Paſſage: And alſo the ſaid Maſter engages to make the General Signal for ſailing Twenty-four Hours before the Departure of the ſaid Ship; *videlicet*, by looſing the Fore-top Sail and firing a Gun.

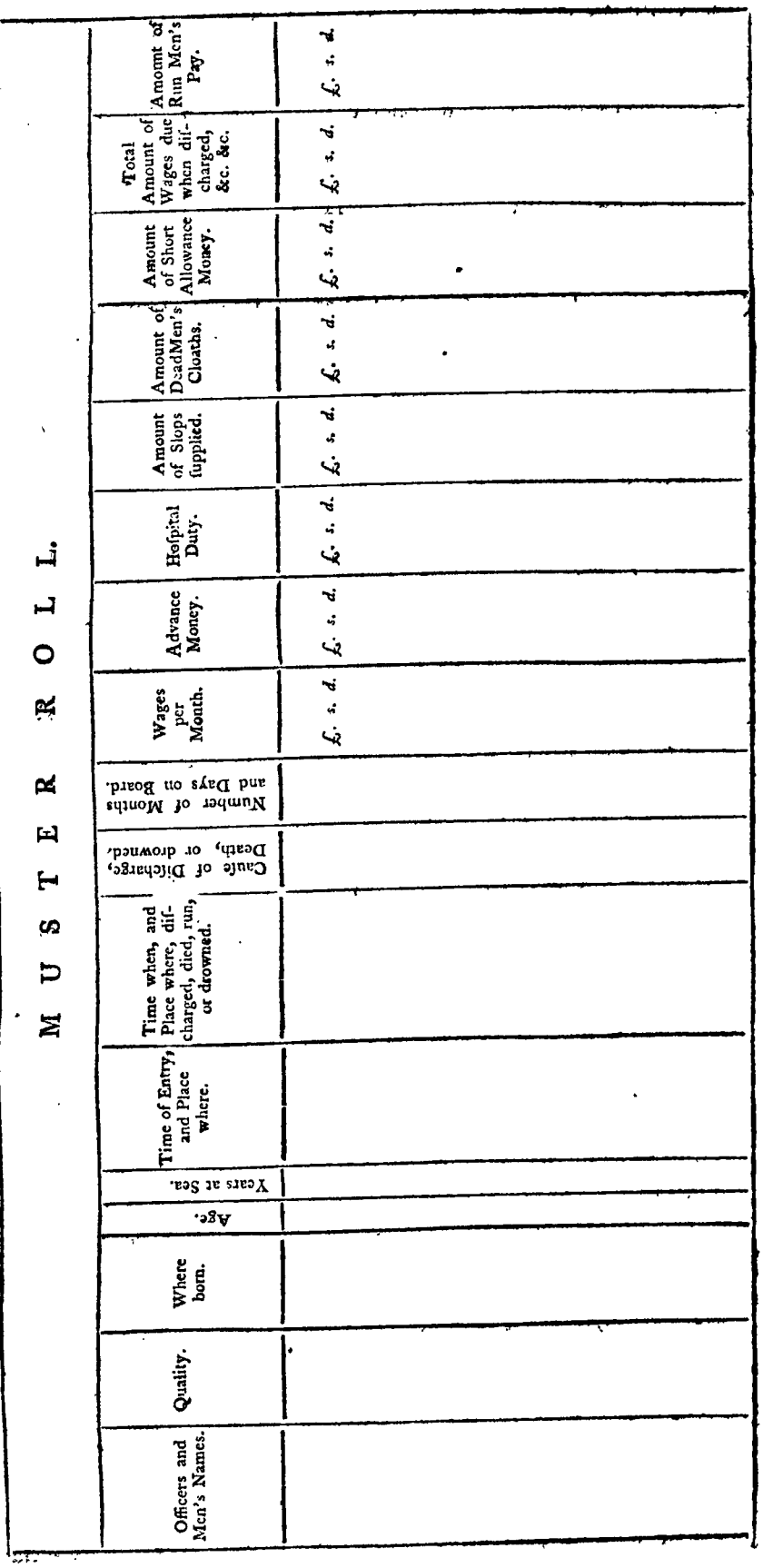
And we the Officers, Mariners, Seamen, Seafaring Men, Landſmen, and Boys, in Conſideration of the Monthly or other Wages, foregoing Stipulations, and Engagements, do ſeverally promiſe and agree, and bind ourſelves by theſe Preſents to behave with due Subordination and Reſpect, and to obey the lawful Commands of our Commander or ſuperior Officers on Board the ſaid Ship, or Boats thereunto belonging, as becomes good and faithful Seamen and Mariners, and at all Places where the ſaid Ship ſhall touch at, put into, or anchor, during the ſaid Voyage, to do our utmoſt Endeavours for the Preſervation of the ſaid Ship and Cargo; and not to neglect or refuſe doing our Duty, by Night or by Day; nor go out of the ſaid Ship on board any other Veſſel, or be on Shore, under any Pretence whatſoever, without Leave firſt obtained of our Commander or Commanding Officer on board: And further, That we will, on no Account whatſoever, leave or deſert the ſaid Ship without the Maſter's Conſent, (unleſs to ſerve on board any of His Majeſty's Ships),

Ships), till the aboveſaid Voyage be ended, and the ſaid Ship diſcharged, under the Forfeiture of our Wages: And we do further agree, That, when abſent upon Leave, we will immediately repair on board, when required ſo to do by our Commander or any of our ſuperior Officers, on Failure thereof to forfeit for ſuch Diſobedience Seven Days Pay, to be charged againſt our Wages, for every ſuch Offence: And we do further agree and acknowledge, That Forty-eight Hours Abſence, without Leave, ſhall be deemed a Total Deſertion from the ſaid Ship, and our Wages forfeited as above agreed on, unleſs good and ſufficient Cauſe can be aſſigned for ſuch Abſence.

And it is further agreed by us, the ſaid Officers and Mariners belonging to the ſaid Ship, That we will not demand our Wages, or any Part thereof, except the Value of a Fourth Part of our Wages to be ſupplied in Slops or other Neceſſaries, and One Month's Pay, with our Short Allowance Money then due, in the *Weſt Indies* or *America*, until the Arrival of the ſaid Ship at her delivering Port, except we ſhould be impreſſed, or enter on board any of His Majeſty's Ships, or be diſcharged by mutual Conſent agreeable to the foregoing Certificate, as ſpecified in the Act.

And it is hereby further agreed by us the ſaid Officers, Mariners, Seamen, Seafaring Men, Landſmen, and Boys, That whatever Stores, Furniture, or Apparel, each or any of us receive into our Charge belonging to the ſaid Ship, ſhall be accounted for; and in caſe any Thing ſhould be loſt or damaged by our Negligence or Careleſſneſs, it ſhall be made good to the Maſters or Owners out of the Wages of ſuch Officers or Seamen by whoſe Negligence it has happened.

SCHEDULE (B).



MUSTER ROLL.

Officers and Men's Names.	Quality.	Where born.	Age.	Years at Sea.	Time of Entry, and Place where.	Time when, and Place where, discharged, died, run, or drowned.	Cause of Discharge, Death, or drowned.	Number of Months and Days on Board.	Wages per Month.	Advance Money.	Hospital Duty.	Amount of Slops supplied.	Amount of DeadMen's Cloaths.	Amount of Short Allowance Money.	Total Amount of Wages due when discharged, &c. &c.	Amount of Run Men's Pay.
									£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.

FINIS,