

ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

CAP. LII.

An Act to prevent the Importation of Slaves, by any of His Majesty's Subjects, into any Islands, Colonies, Plantations, or Territories belonging to any Foreign Sovereign, State, or Power; and also to render more effectual a certain Order, made by His Majesty in Council on the Fifteenth Day of *August* One thousand eight hundred and five, for prohibiting the Importation of Slaves (except in certain Cases), into any of the Settlements, Islands, Colonies, or Plantations on the Continent of *America*, or in the *West Indies*, which have been surrendered to His Majesty's Arms during the present War; and to prevent the fitting out of Foreign Slave Ships from *British* Ports. [23d *May* 1806.]

WHEREAS it is expedient to prevent the supplying the Islands, Colonies, and Territories, belonging to any Foreign Sovereign, State, or Power, with Slaves, by or on account of any of His Majesty's Subjects, or by Means of their Ships, Capital, or Credit; and to prevent the fitting out of Foreign Slave Ships from *British* Ports: And

Recital of Order in Council, dated Aug. 15, 1805.

whereas His Majeſty by His Order in Council, bearing Date the Fifteenth Day of *Auguſt* One thouſand eight hundred and five, was pleaſed to order, "That it ſhould not be lawful, except by ſpecial Licence as therein mentioned, for any Slave or Slaves to be landed upon any of the Coaſts, or imported or brought into any of the Ports, Harbours, Creeks, or Roads, or within the Limits, Juriſdictions, and Territories of any of the Settlements, Iſlands, Colonies, or Plantations on the Continent of *America*, or in the *Weſt Indies*, which have been ſurrendered to His Majeſty's Arms during the preſent War, until further Order, upon Pain that all Slaves ſo landed or brought contrary to the true Intent and Meaning of that Order, together with the Veſſels bringing in the ſame, or from which the ſame ſhould be landed, and their Cargoes, ſhould become forfeited to His Majeſty, His Heirs and Succeſſors; but the ſaid Order recited, that it might be expedient to permit the Annual Introduction of a limited Number of Slaves under due Regulations, for the Purpoſe of ſupplying any Waſte that ſhould take place in the Population on particular Eſtates, from extraordinary or unavoidable Cauſes, and thereby of keeping up the Cultivation of the Lands already cleared and cultivated; and it was therefore further ordered, that any Number of Slaves, not exceeding Three for every Hundred of the whole Number of Slaves in the ſaid Settlements, Iſlands, Colonies, and Plantations reſpectively (Returns whereof were to be made from Time to Time, in purſuance of Inſtructions to be tranſmitted by One of His Majeſty's Principal Secretaries of State), might be imported in each Year (provided Caſualties to that Extent ſhould appear to have taken place in the preceding Year), under Licences to be previouſly granted by the Governor, Lieutenant Governor, or Officer adminiſtering the Government of the ſaid Settlements, Iſlands, Colonies, and Plantations, from any other of His Majeſty's Colonies in the *Weſt Indies*, into the ſaid Settlements, Iſlands, Colonies, and Plantations; ſuch Licence, or a Copy thereof, to be produced by the Maſter of the Ship on which ſuch Slaves are laden, as his Authority for having Slaves on board deſtined to the ſaid Settlements, Iſlands, Colonies, and Plantations: Provided always, that until the Firſt Day of *January* One thouſand eight hundred and ſeven, ſuch limited Importation might be made from other Places than His Majeſty's Colonies in the *Weſt Indies* as aforeſaid, and without its being neceſſary for the Maſter of the Veſſel, if met with at Sea, to produce the ſaid Licence, or a Copy thereof, as his Authority for having the Slaves deſtined as aforeſaid on board, but ſubject nevertheleſs to ſuch Licence being firſt had and obtained as aforeſaid, before any Slaves ſhould be permitted to be landed or ſold from ſuch Veſſel in any of the ſaid Settlements: And, after further reciting that ſpecial Inſtructions would be immediately tranſmitted by One of His Majeſty's Principal Secretaries of State to the Governors, Lieutenant Governors, or Officers adminiſtering the Government of the ſaid Colonies, Settlements, and Plantations reſpectively, containing the Regulations proper for carrying that Order into effectual Execution, directing and empowering them to grant Licences for the Importation of ſuch limited Number of Slaves as aforeſaid, ſubject to ſuch Regulations as in the ſaid Inſtructions would be provided, it was thereby declared to be His Majeſty's further Order, that ſuch Governor, Lieutenant Governor, or other Officer as aforeſaid, ſhould be, and they thereby were reſpectively authorized and empowered to grant ſuch Licences, upon ſuch Terms and Conditions, and ſubject to ſuch Regulations as, in conformity

formity to and in furtherance of the Object of such Instructions, might from Time to Time be required; And it was thereby further ordered, that the Prohibition therein-before contained should not extend to prevent the importing or landing of any Slaves which should be imported into the said Colonies, Islands, and Plantations, by Licence first had for importing the same, under the Hand and Seal of His Majesty's Governor, or Lieutenant Governor, or Officer administering the Government of the Colony, Settlements, or Plantations into which said Slaves are to be imported, specifying the Ship or Vessel permitted to import the same, in Conformity with the Instructions to be received from One of His Majesty's Principal Secretaries of State as aforesaid, but that all Slaves, except such Slaves as may form Part of the Crew of any Vessels, or may be Household Servants to the Passengers therein, which should be landed without such Licence as aforesaid, and without conforming to such Regulations as should be contained therein, should, together with the Vessels bringing the same, or from which the same should be landed, and their Cargoes, become forfeited to His Majesty, His Heirs and Successors; and in case any Vessel should contain more Slaves than the Number permitted to be imported in such Vessel by any such Licence or Licences, such Number of the most valuable of the Slaves on board such Vessel (other than such Slaves as might form Part of the Crew of such Vessel, or might be Household Servants to the Passengers) as should be equal to the Excess beyond the Number mentioned in such Licence or Licences, should be forfeited to His Majesty, His Heirs and Successors, and should be selected and disposed of in such Manner as might be in that Behalf directed by any Instructions from One of His Majesty's Principal Secretaries of State, to be given to the respective Governors, Lieutenant Governors, or other Officers administering the Government of such Colonies, Settlements, and Plantations as aforesaid; And it was thereby further ordered and provided, that nothing therein contained should be extended or construed to extend to the landing, importing, or bringing in of any Slave or Slaves from or by any Vessel which by Stress of Weather or by any other Peril should be driven on the Coast of any such Colonies, Settlements, or Plantations, or compelled to take refuge on such Coast, or within the Creeks and Harbours of such Colonies, Settlements, or Plantations, provided the Slave or Slaves which should be so imported, landed, or brought in as last aforesaid, should be exported to some Place or Places, other than any of the Colonies, Settlements, or Plantations to which the said Order applied, within Ten Days from the Importation, landing, or bringing in of the same, unless further detained by Stress of Weather, or provided the same should within such Ten Days be sold under the special Licence of the Governor, Lieutenant Governor, or Officer administering the Government of the Colony, Settlement, or Plantation where such Slaves might be, to such Person or Persons as under the Circumstances of his, her, or their Cases (which Circumstance should be inserted in such special Licence) might at the Date thereof be entitled to obtain a Licence or Licences to import such Number of Slaves as he, she, or they should in and by such special Licence or Licences be permitted to purchase: And it was thereby further ordered and declared, that One-third of every Forfeiture which should accrue in consequence of that Order to His Majesty, His Heirs and Successors, should be granted to the Governor, Lieutenant Governor, or Officer administering the Government

vernment of the Colony, and One-third to the Party who ſhould inform and proſecute the ſame:" And whereas it is expedient that the Prohibition contained in the ſaid Order of Council ſhould be enforced and rendered more effectual by ſuch auxiliary Regulations and Remedies as the Authority of His Majeſty in Council was inſufficient to provide; May it therefore pleaſe your Majeſty that it may be enacted; and be it 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, from and after the Firſt Day of *January* One thouſand eight hundred and ſeven, it ſhall not be lawful to export, tranſport, carry, convey, or ſend any Slave or Slaves (except in ſuch ſpecial Caſes as are herein-after excepted) from any Part of His Majeſty's Dominions to any Iſland, Settlement, Colony, Plantation, Territory, or Place whatever, belonging to and under the Dominion of any Foreign Sovereign, State, or Power, the Proviſions of certain Acts of Parliament made for eſtabliſhing certain Free Ports in the *Weſt Indies*, or any other Statute, Law, or Uſage to the contrary notwithſtanding; and if any Slave or Slaves ſhall, from and after the Day aforeſaid, be ſo unlawfully exported, tranſported, carried, conveyed, or ſent, or ſhall be embarked, put on board, or tranſhipped at or from any Part of His Majeſty's Dominions with Intent to be ſo unlawfully exported, tranſported, carried, conveyed, or ſent, all and every ſuch Slave or Slaves, together with every Ship or Veſſel in which the ſame ſhall be ſo exported, tranſported, carried, conveyed, ſent, embarked, put on board, or tranſhipped, together with all her Boats, Guns, Tackle, Apparel, and Furniture, ſhall be forfeited, and ſhall and may be ſeized and proſecuted as herein-after is mentioned and provided.

From Jan. 1, 1807, Slaves not to be exported from His Majeſty's Dominions to Foreign Colonies or Territories.

II. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid Firſt Day of *January* One thouſand eight hundred and ſeven, it ſhall not be lawful to or for any of His Majeſty's Subjects, or any Perſon or Perſons reſident within this United Kingdom, or any of the Iſlands, Colonies, Dominions, or Territories thereto belonging, to export, tranſport, carry, convey, or ſend, or cauſe or procure to be exported, tranſported, carried, conveyed, or ſent, or in any Manner to aid, abet, or aſſiſt in the exporting, tranſporting, carrying, conveying, or ſending any Slave or Slaves from *Africa* or elſewhere (except from His Majeſty's *Weſt India* Iſlands, in ſuch ſpecial Caſes as are herein-after expreſsly excepted and provided for) to any Iſland, Settlement, Colony, Plantation, Territory, or Place whatever, belonging to and under the Dominion of any Foreign Sovereign, State, or Power, or to ſhip, embark, tranſhip, or put on board, or cauſe or procure to be embarked, ſhipped, tranſhipped, or put on board, or to aid, abet, or aſſiſt in the embarking, ſhipping, tranſhipping, or putting on board any Ship or Veſſel whatever, at *Africa* or elſewhere, any Slave or Slaves (except as aforeſaid) with the Intent to the exporting, tranſporting, carrying, conveying, or ſending the ſame to any ſuch Foreign Iſland, Settlement, Colony, Plantation, or Territory or Place; and if any Slave or Slaves ſhall be ſo unlawfully exported, tranſported, carried, conveyed, or ſent or embarked, ſhipped, tranſhipped, or put on board with ſuch unlawful Intent as aforeſaid, all and every ſuch Slave or Slaves, and every Ship or Veſſel in which the ſame ſhall be ſo unlawfully exported, tranſported, carried, conveyed, or ſent, or embarked,

Prohibition of Trade in Slaves by Britiſh Subjects reſident in His Majeſty's Dominions from Africa or elſewhere to Foreign Colonies or Territories.

barked, ſhipped, tranſhipped, or put on board, together with all her Boats, Guns, Tackle, Apparel, and Furniture, ſo far as any of His Majeſty's Subjects, or any Perſon or Perſons reſident as aforeſaid, have or hath any Property, Share, or Intereſt therein, ſhall become forfeited, and ſhall and may be ſeized and proſecuted as herein-after is mentioned and provided.

Penalties for importing Slaves contrary to Order in Council, into any Settlement in America or the Weſt Indies which have ſurrendered to His Majeſty's Arms during the preſent War.

III. And be it further enacted, That if any Slave or Slaves ſhall be landed upon any of the Coaſts, or imported or brought into any of the Ports, Harbours, Creeks, or Roads, or within the Limits, Juriſdictions, and Territories of any of the Settlements, Iſlands, Colonies, or Plantations on the Continent of *America*, or in the *Weſt Indies*, which have been ſurrendered to His Majeſty's Arms during the preſent War, without ſuch Special Licence for landing, importing, and bringing the ſame, as in and by the ſaid Order in Council is mentioned, having been previouſly obtained, contrary to the Prohibitions contained in the ſaid Order, all and every ſuch Slave or Slaves, together with the Ship or Veſſel by or from which the ſame ſhall be ſo landed, imported, or brought, and all her Boats, Guns, Tackle, Apparel, and Furniture, ſhall become forfeited, and ſhall and may be ſeized, forfeited, and proſecuted as herein-after is mentioned and provided.

Penalties for exporting from or taking on board at Britiſh Ports, or in Britiſh Ships or Veſſels, or on Britiſh Account, in Africa or elſewhere, Slaves, with Intent to import into any ſuch Settlement, &c. contrary to Order in Council.

IV. And be it further enacted by the Authority aforeſaid, That if any Slave or Slaves ſhall be exported from or embarked, ſhipped, tranſhipped, or taken on board any Ship or Veſſel whatever, at any Iſland, Settlement, Colony, Plantation, or Territory under the Dominion of His Majeſty, His Heirs or Succeſſors, or ſhall be exported from or embarked, ſhipped, tranſhipped, or taken on board at *Africa*, or on the Coaſt thereof, or elſewhere, in any *Britiſh* Ship or Veſſel, or any Ship or Veſſel owned or employed in Whole or in Part by any of His Majeſty's Subjects, or for or on Account of any of His Majeſty's Subjects, in order and with Intent to be tranſported, carried, or conveyed to any or either of the ſaid Settlements, Iſlands, Colonies, or Plantations on the Continent of *America*, or in the *Weſt Indies*, which have been ſurrendered to His Majeſty's Arms during the preſent War, and to be there imported or landed, without ſuch Special Licence as aforeſaid, contrary to the ſaid Order in Council, all and every ſuch Slave and Slaves, together with every Ship or Veſſel in or by which the ſame ſhall be ſo exported, embarked, ſhipped, tranſhipped, or taken on board, and all her Boats, Guns, Tackle, Apparel, and Furniture ſhall become forfeited, and ſhall and may be ſeized and proſecuted as herein-after is mentioned and provided: Provided always, that nothing in this Act contained ſhall extend or be conſtrued to extend to prevent His Majeſty, His Heirs and Succeſſors, from revoking, annulling, varying, or altering the ſaid Order in Council, or any of the Regulations or Inſtructions in regard to Special Licences therein contained, mentioned, or referred to, as to His Royal Wiſdom ſhall from Time to Time, during the Continuance of the preſent War, ſeem meet.

His Majeſty may vary or alter Order in Council.

Penalty for exporting or importing Slaves contrary to the Prohibitions of this Act or of the Order in Council.

V. And be it further enacted, That if any of His Majeſty's Subjects, or any Perſon or Perſons reſident within this United Kingdom, or any of the Iſlands, Colonies, Dominions, or Territories belonging to, or in the Poſſeſſion of His Majeſty, His Heirs or Succeſſors, ſhall unlawfully land, import, ſend, tranſport, carry, convey, embark, ſhip, tranſhip, or put

put or take on board, or cauſe or procure to be landed, imported, exported, ſent, tranſported, carried, conveyed, embarked, ſhipped, tranſhipped, or put or taken on board, or ſhall be aiding, abetting, or aſſiſting in the landing, importing, exporting, ſending, tranſporting, carrying, conveying, embarking, ſhipping, tranſhipping, or putting or taking on board any Slave or Slaves, contrary to any of the Prohibitions in the ſaid Order in Council, or in this Act contained, every ſuch Perſon or Perſons ſo offending, ſhall reſpectively forfeit and pay for each and every Slave ſo unlawfully landed, imported, exported, ſent, tranſported, carried, conveyed, embarked, ſhipped, tranſhipped, or put or taken on board, the Sum of Fifty Pounds lawful Money of *Great Britain*: Provided always, that no Penalty or Forfeiture ſhall be incurred by any landing or importing, or tranſhipping or carrying of any Slave or Slaves, contrary to the ſaid Order in Council, or to this Act, when it ſhall be clearly proved to the Satisfaction of the Court, before which any ſuch Forfeiture, or any Suit for any ſuch Penalty ſhall be proſecuted, that the prohibited Act entirely aroſe from Streſs of Weather, Peril of the Sea, or other inevitable Accident, the Burden of which Proof ſhall in all Caſes lie on the Claimant or Defendant: Provided alſo, that nothing in this Act ſhall extend to prevent the Tranſportation to any Foreign Colony or Place of any Slave or Slaves that ſhall have been convicted by due Courſe of Law, in any *Britiſh* Iſland or Colony, of any Crime to which the Puniſhment of Tranſportation is or ſhall be annexed by the Law of ſuch Iſland or Colony; but in every ſuch Caſe a Copy of the Judgement or Sentence, certified by the Court before which the Offender was convicted, ſhall be put on board in the Ship or Veſſel in which any ſuch Convict ſhall be tranſported.

Streſs of Weather; Peril of the Sea.

Not to extend to Convicts tranſported to Foreign Countries.

VI. And be it further enacted, That, from and after the ſaid First Day of *January* One thouſand eight hundred and ſeven, it ſhall not be lawful to or for any of His Majeſty's Subjects, or to or for any Perſon or Perſons reſident in this United Kingdom, or in any of the Colonies, Territories, or Dominions thereto belonging, to inveſt or employ any Sum or Sums of Money, or any Ship or Veſſel, Goods or Effects to him or them belonging, in trading in or carrying Slaves from *Africa* or elſewhere, to any Settlement, Iſland, Colony, Plantation, Territory, or Place belonging to and under the Dominion of any Foreign Sovereign, State, or Power, or to any of the ſaid Settlements, Iſlands, Colonies, or Plantations which have been ſurrendered to His Majeſty's Arms during the preſent War (except ſuch limited and licenſed Trade to the latter as is by the ſaid Order in Council, and by this preſent Act allowed) or knowingly or wilfully to lend or advance any Sum or Sums of Money, or to become Security in any Manner for the Loan or Advance of any Sum or Sums of Money, Goods or Effects, for the Purpoſe of being employed or uſed in any ſuch Trade or Carriage of Slaves, except as aforeſaid, or to become Guarantee or Security for any Factor or Agent to be employed in the Sale of Slaves in or for the Uſe or Supply of any ſuch Foreign Settlement, Iſland, Colony, Plantation, Territory, or Place, or (except ſuch limited and licenſed Trade as aforeſaid) in or for the Uſe or Supply of any of the ſaid Settlements, Iſlands, Colonies, or Plantations which have been ſurrendered to His Majeſty's Arms during the preſent War, or otherwiſe to engage as a Partner, Factor, Agent, or otherwiſe, directly or indirectly, in the ſupplying with Slaves any ſuch Foreign Iſland, Colony, Territory, or Place, or any of the ſaid Settlements, Iſlands, Colonies, or Plantations which

Preventing Britiſh Subjects employing their Ships, Capital, or Credit, in Foreign Slave Trade.

which have been surrendered to His Majesty's Arms during the present War, except as before excepted, upon Pain that every Person or Persons who shall knowingly or wilfully so employ any Ship or Vessel, Goods or Effects, or so invest, employ, lend, advance, or secure any Sum or Sums of Money for any of the Purposes aforesaid, or become Guarantee or Security for any such Factor or Agent as aforesaid, or otherwise to engage as Partner, Factor, Agent, or otherwise, in supplying Slaves as aforesaid knowingly and wilfully, contrary to the true Intetn and Meaning of this Prohibition, shall forfeit or pay for every such Offence Double the Value of all the Money, Ships, Vessels, Goods, and Effects so by him or them employed, lent, advanced, or secured, to be recovered and applied as is herein-after mentioned and provided; and every Mortgage, Bond, Bill, Note, or other Security made or given for securing the Payment of any such unlawful Loan or Advance, or for any other the unlawful Purposes aforesaid, shall be absolutely null and void except in the Case of a *bonâ fide* Purchaser or Holder of any such of the said Securities as are in their Nature negociable, who may have purchased or obtained the same, without Notice that the same were made or given for or in Consideration of any of the unlawful Purposes aforesaid).

Prohibition of Insurance on Foreign or unlicensed Slave Trade.

VII. And be it further enacted, That, from and after the said First Day of *January* One thousand eight hundred and seven, if any of His Majesty's Subjects, or any Person or Persons resident within this United Kingdom, or within any of the Islands, Colonies, Dominions, or Territories thereunto belonging, shall knowingly and wilfully insure, or cause or procure to be insured, any Ship, Vessel, Slaves, Goods, or Commodities whatsoever, employed or to be employed in the trading in or carrying of Slaves from *Africa* or elsewhere, to any Island, Colony, Territory, or Place belonging to or under the Dominion of any Foreign Sovereign or State, or to any of the said Settlements, Islands, Colonies, or Plantations, which have been surrendered to His Majesty's Arms during the present War, (except such limited and licensed Trade to the latter as is by the said Order in Council, and this present Act allowed), any Person or Persons so insuring or causing or procuring any such Insurance to be made, shall forfeit and pay for every such Offence the Sum of Five hundred Pounds; and every such Insurance shall be absolutely null and void.

Prohibition from supplying Slaves to Foreign Ships or Factories on the Coast of Africa.

VIII. And be it further enacted, That, from and after the said First Day of *January* One thousand eight hundred and seven, it shall not be lawful for any *British* Ship or Vessel, or for her Boats, Officers, or Mariners, to be employed, used, or engaged, in or at *Africa*, or on any Part of the Coast thereof, directly or indirectly, in supplying with Slaves any Foreign Ship or Vessel, or Factory, whatsoever or wheresoever, or any Person concerned for or on account of any Foreign Ship or Vessel or Factory, or for or on account of any Island, Colony, Plantation, or Territory belonging to or under the Dominion of any Foreign Sovereign, State or Power; and every such Ship or Vessel which shall be so employed, engaged, or used, or the Boats, Officers, or Mariners whereof, by and with the Consent and Approbation or Direction of the Owners thereof, shall be so employed, engaged, or used contrary to the true Intent and Meaning of this Act, shall, with all her Boats, Guns, Furniture, Ammunition, Tackle, and Apparel, be forfeited, and shall and may be seized and prosecuted as is hereinafter mentioned and provided; and the Master or other Person having or taking the

Charge

Charge and Command of such Ship or Vessel shall forfeit and pay the Sum of One hundred Pounds of lawful Money of *Great Britain*.

Foreign Ships intended to be employed in the Slave Trade shall not be equipped in any Port of the United Kingdom.

IX. And be it further enacted, That, from and after the Expiration of One Calendar Month to be computed from the Time of the passing of this Act, it shall not be lawful for any Foreign Ship or Vessel employed or intended to be employed in the *African* Slave Trade, to be fitted out, equipped, manned, or dispatched at or from any Port of this United Kingdom, or any other Part of His Majesty's Dominions, for a Voyage to *Africa*, whether that be the Place of immediate Destination, or such Ship or Vessel before proceeding thither is destined to touch at some other Port or Place, nor shall it be lawful for any of His Majesty's Subjects, or any other Person or Persons whatsoever, to ship, lade, or put on board in any Foreign Ship or Vessel when destined directly or indirectly to *Africa*, at any Port in this United Kingdom, or any other Part of His Majesty's Dominions, any Goods, Wares, Merchandize, or Commodities whatsoever, with Intent that the same shall be carried to *Africa*, to be there bartered for Slaves, or otherways employed in the *African* Slave Trade; and if any such Foreign Ship or Vessel shall be so unlawfully fitted out, equipped, manned, or dispatched, or if any Goods, Wares, Merchandize, or Commodities shall be so unlawfully shipped, laden, or put on board in any such Ship or Vessel with such Intent as aforesaid, at any Port of His Majesty's Dominions, such Ship or Vessel, with all her Boats, Guns, Tackle, Apparel, and Furniture, and all the Goods, Wares, Merchandize, and Commodities so shipped, laden, or put on board, shall be forfeited, and shall and may be seized and prosecuted as hereinafter is mentioned and provided; and if any of His Majesty's Subjects, or any Person or Persons resident within His Majesty's Dominions, shall knowingly and wilfully fit out, equip, man, or dispatch any such Foreign Ship or Vessel for the Purposes aforesaid, or knowingly and wilfully furnish the same with any Goods, Wares, Merchandize, or Commodities as aforesaid, with the Intent and for the Purpose aforesaid, or be knowingly and wilfully aiding, abetting, or assisting in any such Offence, every Person or Persons so offending, aiding, abetting, or assisting, shall forfeit and pay for every such Offence the Sum of One hundred Pounds; and every Ship or Vessel shall be deemed and taken to be a Foreign Ship or Vessel for the Purposes aforesaid, although owned in whole or in part by British Subjects, which shall not be registered, navigated, and cleared out in such Manner as to entitle her to import Slaves into a British Colony, according to the Laws of Navigation, and to an Act made in the Thirty-ninth Year of the Reign of His present Majesty, intituled, *An Act for better regulating the Manner of carrying Slaves in* British *Vessels from the Coast of Africa*.

Penalties.

Slave Ships on clearing out, to give Bond not to trade in Slaves to Foreign Ports.

X. And be it further enacted, That it shall not be lawful for any Ship or Vessel clearing out from any British Port after the said First Day of *January* One thousand eight hundred and seven, to export, transport, carry, or convey any Slave or Slaves from *Africa*, or the Coast thereof, to the Islands, Colonies, Plantations, or Territories belonging to or under the Dominion of His Majesty, unless the Owner, Master, or other Person having the Charge of such Ship or Vessel shall, on her clearing out from *Great Britain*, or some one of the said Islands, Colonies, Plantations, or Territories, for *Africa* or the Coast thereof, have certified to the Collector

Collector or principal Officer of the Cuſtoms at the Port of Clearance, that the Intent of the Voyage is to take in, and to tranſport, carry and convey Slaves from *Africa* and the Coaſt thereof to the Iſlands, Colonies, Plantations, and Territories only belonging to or under the Dominion of His Majeſty, and ſhall have entered into a Bond, in the penal Sum of One thouſand Pounds, with One or more good and ſufficient Sureties, to the Commiſſioners of the Cuſtoms in *London*, or to the chief Officer of the Cuſtoms in other Ports reſpectively, with Condition that ſuch Ship or Veſſel ſhall proceed from the Coaſt of *Africa* to ſome Port or Place in ſome Iſland, Colony, Plantation, or Territory belonging to and under the Dominion of His Majeſty, and that no Slave or Slaves which ſhall be taken on board the ſaid Ship or Veſſel in *Africa*, or on the Coaſt thereof, ſhall be landed or diſpoſed of in any Port or Place in any Iſland, Colony, Plantation, or Territory belonging to or under the Dominion of any Foreign Sovereign, State, or Power, or (except with ſuch Licence as aforeſaid) in any of the aforeſaid Settlements, Iſlands, Colonies, or Plantations which have been ſurrendered to His Majeſty's Arms during the preſent War, nor ſhall on any Pretence whatſoever be ſold or diſpoſed of to the Ships or Veſſels of any Foreign Sovereign, State, or Power, or to any Perſon whatever concerned for or on account of the ſame, or directly or indirectly in ſupplying the ſame with Slaves, either on the Coaſt of *Africa*, or the High Seas, or any Port, Harbour, or Place whereſoever ſituated; and the ſaid Bond ſhall not be void and diſcharged until the due and faithful Performance of all and every the ſeveral Conditions therein contained ſhall have been proved or aſcertained by the Production of the Ship's Log Book and the Surgeon's Journal duly verified, and alſo by a Certificate or Certificates from the chief Officer of the Cuſtoms of each and every Port or Place in the Iſlands, Colonies, Plantations, or Territories belonging to or under the Dominion of His Majeſty where the ſaid Ship or Veſſel ſhall have touched, ſetting forth that the ſeveral Injunctions hereinafter contained have been duly complied with: Provided always, that the ſaid Bond ſhall be void if not proſecuted within Three Years after the Return of the ſaid Ship or Veſſel.

On Arrival from Africa at Britiſh Colonies, Ships to report and declare.

XI. And be it further enacted, That when and as often as any *Britiſh* Ship or Veſſel which ſhall have cleared out from any *Britiſh* Port after the Day laſt aforeſaid, and which ſhall, during the Voyage in which ſhe was engaged, have tranſported, carried, or conveyed any Slaves from *Africa*, or the Coaſt thereof, ſhall arrive at any Port or Place, in any Iſland, Colony, Plantation, or Territory belonging to or under the Dominion of His Majeſty, the Maſter, or other Perſon having the Charge or Command of ſuch Ship or Veſſel, ſhall immediately repair to the Cuſtom Houſe at or neareſt to the Port or Place where he ſhall arrive, and there give in a written Account, to the Collector or chief Officer of the Cuſtoms, of the total Number of Slaves which he brought in the ſaid Ship or Veſſel from *Africa*, or the Coaſt thereof, and ſhall declare that ſince his Departure from thence, he hath not cauſed to be unſhipped or landed, or ſold or diſpoſed of any Slave or Slaves in any Iſland, Colony, Plantation, or Territory belonging to or under the Dominion of any Foreign Sovereign or State, or into any Ship or Veſſel at Sea, or otherwiſe, and ſhall confirm ſuch Declaration by the Production of the Ship's Log Book and Surgeon's Journal, and alſo by producing the Surgeon and Chief Mate of ſuch Ship or Veſſel, if living, and on board the ſame, or if otherwiſe, then the two next Officers in point of Station on board, to be

examined by the said Collector or chief Officer, on Oath (which Oath the said Collector or Chief Officer is hereby authorized and required to administer), touching the Truth and Fairness of the said Account.

On proceeding with Cargo of Slaves, or Part thereof, to any other Port or Ports, Accounts of Slaves to be taken and Certificates to be given.

XII. And whereas it may frequently happen that the Slaves brought in any Ship or Vessel from *Africa*, or the Coast thereof, or some of them, may not be sold at the first Port or Place at which the Ship or Vessel shall arrive in any Island, Colony, Plantation, or Territory belonging to or under the Dominion of His Majesty; be it therefore further enacted, That any such Ship or Vessel, the whole Cargo of which shall not have been disposed of at the Port at which she shall first arrive in the said Islands, Colonies, Plantations, or Territories belonging to or under the Dominion of His Majesty, from *Africa* or the Coast thereof, shall be permitted to proceed with her Slaves, or the Remainder thereof, to such other Port or Place, Ports or Places, within any of the Islands, Colonies, Plantations, or Territories belonging to or under the Dominion of His Majesty, into which Slaves from *Africa* may be lawfully imported, as the Master or other Person having or taking the Charge or Command of such Ship or Vessel, shall think fit: Provided always, that at every such Port or Ports where any Slave or Slaves shall be unshipped or landed, the Master or other Person having or taking the Command of such Ship shall take from the Collector or other Chief Officer of the Customs, a Certificate of the Number of Slaves which shall have been so unshipped and landed out of his Ship or Vessel, at the said Port or Place; which Certificate, with the Account of the original Number brought from *Africa*, or the Coast thereof, and also an Account of the Number remaining on board, and the Journal of the Surgeon of the said Ship or Vessel, expressing the Number of Slaves who shall have died during the said Voyage, shall be by the said Master, or other Person having or taking the Charge or Command of such Ship or Vessel, exhibited to the Collector or Chief Officer of the Customs of every other Port or Place in the said Islands, Colonies, Plantations, or Territories belonging to or under the Dominion of His Majesty, at which such Ship or Vessel shall afterwards touch; and the Collector or Chief Officer of the Customs of such other Port or Place, Ports or Places, shall and he is hereby required, to compare the said Accounts; and if there shall appear to be any Deficiency in the Number of Slaves which such Master, or Person having or taking the Charge or Command of such Ship or Vessel, shall not be able lawfully to account for, every such Master or other Person shall forfeit the Sum of Fifty Pounds for every Slave which shall be so found deficient and unaccounted for: Provided always, that no such Ship or Vessel shall transport or carry away from any such Port or Place, on Pain of Forfeiture of Ship and Cargo as aforesaid, any other Slave or Slaves than such as shall have been entered, as Part of her Cargo from *Africa*, or the Coast thereof, in the same Voyage.

Slaves not to be exported from one British Colony to another, till Licence obtained and Bond given, nor to carry them to Foreign Ports

XIII. And be it further enacted, That, from and after the said First Day of *January* One thousand eight hundred and seven, no Person shall embark, ship, export, or carry upon the Seas, any Slave or Slaves from any Island, Colony, Plantation or Territory belonging to or under the Dominion of His Majesty, to any other Island, Colony, Plantation, or Territory belonging to or under the Dominion of His Majesty, in any Ship or Vessel whatever (except as before mentioned, in *British* Ships,

from

from *Africa* or the Coaſt thereof), until the Owner or Exporter thereof ſhall make Application in Writing to the Governor of the ſaid Iſland, Colony, Plantation, or Territory, or to the Collector or Chief Officer of the Cuſtoms of the Port from whence it ſhall be intended to export or embark the ſaid Slave or Slaves, which ſaid Application ſhall expreſs the Number and Quality of the Slaves he ſhall be deſirous to export, tranſport, carry, or convey, and the Place to which he means to carry them (ſuch Place being always ſome Iſland, Colony, Plantation, or Territory belonging to or under the Dominion of His Majeſty, into which ſuch Slaves may be lawfully imported without any Special Licence, or elſe ſome or one of the ſaid Settlements, Iſlands, Colonies, or Plantations which have ſurrendered to His Majeſty's Arms during the preſent War, for importing the ſaid Slaves into which ſome ſuch Special Licence as aforeſaid ſhall have been obtained), and until ſuch Owner or Exporter ſhall obtain a Licence in Writing for the Exportation of ſuch Slaves from ſuch Iſland, Colony, Territory, or Plantation wherein ſuch Application is made, ſpecifying the Place of Deſtination; which Licence under his Hand and Seal the ſaid Governor, Collector, or Chief Officer is hereby authorized and required to grant, but previous thereto every ſuch Owner or Exporter ſhall alſo give Bond to His Majeſty, His Heirs and Succeſſors, in a penal Sum equal to the Sum of Fifty Pounds lawful Money of *Great Britain* for every Slave ſo to be carried, and deliver the ſame to the ſaid Governor, or the Collector or Chief Officer of the Cuſtoms of the Port or Place from which ſuch Slave or Slaves ſhall be carried, the Condition of which Bond ſhall be, that the ſaid Owner or Proprietor ſhall faithfully and truly land or deliver the ſaid Slaves at the Place to which he ſhall be ſo authorized to export or convey the ſame, and ſhall, within a Time to be in the ſaid Condition limited, having reſpect therein to the ordinary Length of the ſaid intended Voyage, produce a Certificate from the Collector or Chief Officer of the Cuſtoms of the Port or Place to which the ſaid Slave or Slaves ſhall be ſo permitted to be exported or conveyed, or in caſe there be in that Place no Collector or Chief Officer of the Cuſtoms, from Two of the moſt eminent *Britiſh* Merchants or Inhabitants, certifying that the ſaid Slave or Slaves ſhall have been landed and left in the ſaid Port or Place, Death or other inevitable Impediment, to be proved by Oath of Two credible Witneſſes, excepted; and if any ſuch Slave or Slaves ſo exported, ſhall not be ſo landed and left according to the Condition of any ſuch Bond, or ſuch Certificate as aforeſaid ſhall not be duly returned, the ſaid Bond ſhall become forfeited, and the ſaid Governor or Collector, or Chief Officer, may cauſe the ſame to be put in Suit, and the ſaid Owner or Exporter ſhall not be relieved from the Penalty thereof but on Payment of the Sum of Fifty Pounds lawful Money aforeſaid, for every Slave not ſo landed or left, or not ſo certified to have been landed and left as aforeſaid, nor ſhall the Party be thereby diſcharged from any Penalty or Forfeiture incurred by the ſending or conveying ſuch Slaves to any Foreign Territory or Place contrary to the Prohibition in this Act, or the ſaid Order in Council contained: Provided always, that the ſaid Bonds ſhall be void, unleſs proſecuted within Three Years from the Date thereof: Provided alſo, that nothing herein contained ſhall prevent, or be conſtrued to prevent any Slave from being employed either in Navigation, Fiſhing, or any other his ordinary Buſineſs or Occupation upon the Seas: Provided alſo, that nothing in this Act contained ſhall extend, or be conſtrued to extend, to prevent any Slave who ſhall

Not to extend to Negro Sailors and Fiſhermen; nor to domeſtic Slaves attending their

Masters to Sea on Voyages to Foreign Parts;

shall be really and truly the domestick Servant of any Person residing in any Island, Colony, Plantation, or Territory belonging to or under the Dominion of His Majesty, from attending such his Owner or Master, or any Part of his Family, by Sea to any Place whatever, whether under the Dominion of His Majesty or of any Foreign Sovereign, State, or Power; but if any Slave or Slaves employed in Navigation, or any Fishermen or domestic Slave or Slaves shall be so employed, embarked, or carried in any Ship or Vessel on a Voyage from any *British* Island or Colony to any Foreign Colony, Plantation, or Territory, or to any other *British* Island or Colony, or to any of the said Settlements, Islands, Colonies, or Plantations, which have been surrendered to His Majesty's Arms during the present War, the Names and Occupations of every such Slave or Slaves (except domestic Slaves attending on the Person of any Passenger or Passengers on board, not exceeding in Number Two such Slaves for every Passenger on board) shall be inserted in or indorsed upon the Clearance or Permit to depart of such Ship or Vessel, by or in the Presence of the Collector, Comptroller, or other chief Officer of the Customs of the Port or Place from which such Ship or Vessel shall clear outwards on any such Voyage, who shall without Fee or Reward certify under his Hand that the Slave or Slaves so embarked or carried were reported and described to him as Seamen, Fishermen, or domestic Servants, as the Case may be; and if any Slave or Slaves shall be found on board any Ship or Vessel bound on any such Voyage as aforesaid, whose Name and Description, Names and Descriptions, shall not be inserted in or indorsed upon the Clearance or Permit, and certified as aforesaid (except as aforesaid) or who shall be untruly or fraudulently therein or thereupon described with Intent to violate or elude any of the Prohibitions or Regulations in this Act contained, all and every such Slave or Slaves shall be forfeited, and shall and may be seized and prosecuted as hereinafter is mentioned and provided; and the Master or other Person having the Charge of such Ship or Vessel in which the same shall be so embarked and carried without such Certificate as aforesaid, and the Owner, Master, or other Person by whom or by whose Procurement such Slave or Slaves shall be so untruly and fraudulently described with such Intent as aforesaid, shall respectively forfeit and pay the Sum of Fifty Pounds lawful Money aforesaid for every such Slave or Slaves, to be recovered and applied as hereinafter is mentioned and provided: Provided also, that nothing in this Act contained shall be construed or taken to prevent any Slave or Slaves from being put on board any Ship or Vessel by the Order of His Majesty's Commander in Chief, either by Sea or Land, in any Island, Colony, Plantation, or Territory belonging to, or under the Dominion of His Majesty, in order to be employed in His Majesty's Military or Naval Service, and from being by such Order so employed howsoever or wheresoever the said Service may require; any Thing herein-before contained to the contrary notwithstanding.

ner to Slaves employed in any Naval or Military Service.

Functions of Governors may be exercised by Governors pro tempore.

XIV. And it is hereby further enacted, That the granting of Licences, and every other Act which the Governor of any Island, Colony, Plantation, or Territory belonging to or under the Dominion of His Majesty, is by this Act directed or authorized to do or perform, may be lawfully done or performed by the Person or Persons executing *pro tempore* the Office or Function of Governor of any such Island, Colony, Plantation, or Territory, by Authority from His Majesty, whether under the Style and Title

Title of Governor, Lieutenant Governor, President of the Council, or under any other Style or Title whatsoever.

Colonies surrendered during the War, if reconquered or restored to be deemed Foreign Colonies for the Purposes of this Act.

XV. And be it further enacted, That if at any Time hereafter the said Settlements, Islands, Colonies, or Plantations on the Continent of *America*, or in the *West Indies*, which have been surrendered to His Majesty's Arms during the present War, or any or either of them, shall be reconquered by any of His Majesty's Enemies, or shall, pursuant to any future Treaty of Peace or otherwise, cease to be under the Dominion, or in the Possession of His Majesty, His Heirs or Successors, then and from thenceforth the said Settlements, Islands, Colonies, or Plantations, or such of them as shall be so reconquered, or pass from His Majesty's Dominion and Possession, shall for all the Purposes of this Act be deemed and taken to be Settlements, Islands, Colonies, or Plantations belonging to and under the Dominion of a Foreign Sovereign, State, or Power, as fully as if they had been within that Description at the Time of passing this Act.

Persons taking false Oaths to incur the Pains of Perjury.

XVI. 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 respectively.

How Penalties may be recovered and applied.

XVII. And be it further enacted, That the several pecuniary Penalties or Forfeitures imposed and inflicted by this Act, or by the said Order in Council, shall and may be sued for, prosecuted, and recovered in any Court of Record in *Great Britain*, or in any Court of Record or Vice Admiralty in any Part of His Majesty's Dominions wherein the Offence was committed, or in case the Offender shall be resident in any other Place, then in any Part of His Majesty's Dominions wherein such Offender may be found; and that in all Cases of Seizures of any Ships, Vessels, Slaves, Goods, or Effects for any Forfeiture under this Act, or under the said Order in Council, the same shall and may respectively be sued for, prosecuted, and recovered in any Court of Record in *Great Britain*, or in any Court of Record or Vice Admiralty in any Part of His Majesty's Dominions in or nearest to which such Seizures may be made, or to which such Ships or Vessels, Slaves, Goods, or Effects (if seized at Sea, or without the Limits of any *British* Jurisdiction) may most conveniently be carried for Trial; and all the said Penalties and Forfeitures, whether pecuniary or specific, shall go and belong to such Person and Persons, in such Shares and Proportions, and shall and may be sued for and prosecuted, tried, recovered, distributed, and applied in such and the like Manner, and by the same Ways and Means, and subject to the same Rules and Directions as any Penalties or Forfeitures incurred in *Great Britain* and in the *British* Colonies or Plantations in *America* respectively, by force of any Act of Parliament relating to the Trade and Revenues of the said *British* Colonies or Plantations in *America*, now go and belong to, and may now be sued for, prosecuted, tried, recovered, distributed, and applied respectively in *Great Britain*, or in the said Colonies or Plantations respectively, under and by virtue of a certain Act of Parliament made in the Fourth Year of

His preſent Majeſty, intituled, *An Act for granting certain Duties in the* Britiſh *Colonies and Plantations in* America, *for continuing, amending, and making perpetual an Act paſſed in the Sixth Year of the Reign of His late Majeſty King* George *the Second, intituled,* 'An Act for the better ſecuring 'and encouraging the Trade of His Majeſty's Sugar Colonies in America, 'for applying the Produce of ſuch Duties, and of the Duties to ariſe by virtue 'of the ſaid Act, towards defraying the Expences of defending, protecting, 'and ſecuring the ſaid Colonies and Plantations, for explaining an Act made 'in the Twenty-fifth Year of the Reign of King Charles *the Second,* (*intituled,* 'An Act for the Encouragement of the Greenland *and* Eaſtland *Trades,* 'and for the better ſecuring the Plantation Trade), *and for altering and* 'diſallowing ſeveral Drawbacks on Exports from this Kingdom, *and more* 'effectually preventing the clandeſtine Conveyance of Goods to and from the 'ſaid Colonies and Plantations, *and improving and ſecuring the Trade between* 'the ſame *and* Great Britain.'

By whom Ships may be ſeized and proſecuted.

XVIII. And be it further enacted, That all Ships and Veſſels, Slaves, Goods, and Effects that ſhall or may become forfeited for any Offence committed againſt this Act, or againſt the ſaid Order in Council, ſhall and may be ſeized by any Officer of His Majeſty's Cuſtoms or Exciſe, or by the Commanders or Officers of any of His Majeſty's Ships or Veſſels of War, who in making and proſecuting any ſuch Seizures, ſhall have the Benefit of all the Proviſions made by the ſaid Act of the Fourth Year of His preſent Majeſty, or any other Act of Parliament for the Protection of Officers ſeizing and proſecuting for any Offence againſt the ſaid Act, or any other Act of Parliament relating to the Trade and Revenues of the *Britiſh* Colonies or Plantations in *America.*

General Iſſue may be pleaded.

XIX. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced either in *Great Britain,* or elſewhere, againſt any Perſon or Perſons for any Thing done in purſuance of this Act, or of the ſaid Order in Council, the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act or the ſaid Order in Council as herein recited, and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act, or of the ſaid Order in Council; and if it ſhall appear ſo to have been done, the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited or diſcontinue his Action after the Defendant or Defendants ſhall have appeared, or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall recover Treble Coſts, and have the like Remedy for the ſame as Defendants have in other Caſes by Law.

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