

ANNO QUINQUAGESIMO PRIMO

GEORGII III. REGIS.

CAP. XXIII.

An Act for rendering more effectual an Act made in the Forty-seventh Year of His Majesty's Reign, intituled, *An Act for the Abolition of the Slave Trade.*

[14th *May* 1811.]

WHEREAS the Two Houses of Parliament did, by their Resolutions of the Tenth and Twenty-fourth Days of *June* One thousand eight hundred and six, severally resolve, That the *African* Slave Trade being contrary to the Principles of Justice, Humanity, and sound Policy, they would, with all practicable Expedition, take effectual Measures for the Abolition of the same: And whereas, in conformity with the said Resolutions, and for all and each of the Reasons therein stated, the said Trade was by an Act passed in the Forty-seventh Year of His present Majesty, declared to be unlawful: And whereas it hath been found that divers Persons, not deterred by the Provisions and Penalties of the said Act, do still continue to deal and trade in Slaves upon the Coast of *Africa* and elsewhere, and to carry them for Sale by Sea: And whereas the Commons House of Parliament, by its Resolution of the Fifteenth of *June* One thousand eight hundred and ten, did express its Indignation at such Practices, and did resolve speedily to take into Consideration such Measures as might tend effectually to prevent such daring Violations of the Law: And whereas it is fit that such Measures should be extended also to the effectual Abolition of the Slave Trade wheresoever it may be attempted to practise

practiſe it; 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 if any Subject or Subjects of His Majeſty, or if any Perſon or Perſons reſiding or being within this United Kingdom, or in any of the Iſlands, Colonies, Dominions, Forts, Settlements, Factories, or Territories now or hereafter belonging thereto, or being in His Majeſty's Occupation or Poſſeſſion, or under the Government of the United Company of Merchants trading to the *Eaſt Indies*, ſhall, from and after the Firſt Day of *June* next, by him or themſelves, or by his or their Factors or Agents, or otherwiſe howſoever, carry away or remove, or aid or aſſiſt in the carrying away or removing, as a Slave or Slaves, or for the Purpoſe of being ſold, tranſferred, uſed, or dealt with as a Slave or Slaves, any Perſon or Perſons whatſoever, from any Part of *Africa*, or from any other Country, Territory or Place whatſoever, either immediately, or by Tranſhipment at Sea or otherwiſe, directly or indirectly; or ſhall import or bring, or aid or aſſiſt in the importing or bringing into any Iſland, Colony, Country, Territory, or Place whatſoever, any ſuch Perſon or Perſons as aforeſaid, for the Purpoſe aforeſaid; or ſhall knowingly and wilfully ſhip, embark, receive, detain, or confine on board any Ship, Veſſel, or Boat, any ſuch Perſon or Perſons as aforeſaid, for the Purpoſe of his, her, or their being ſo carried away or removed, imported or brought as aforeſaid, or of being ſold, transferred, uſed, or dealt with as a Slave or Slaves; or ſhall knowingly and wilfully uſe or employ, or permit to be uſed or employed, or let or take to Freight or on Hire any Ship or Veſſel to be uſed or employed in carrying away or removing, importing or bringing, or for the Purpoſe of carrying away or removing, importing or bringing as aforeſaid, any ſuch Perſon or Perſons, as a Slave or Slaves, or for the Purpoſe of his, her, or their being ſold, tranſferred, uſed, or dealt with as a Slave or Slaves; or ſhall fit out or cauſe to be fitted out, or ſhall take the Charge or Command of, or navigate, or enter and embark on board any ſuch Ship or Veſſel, as Maſter or Captain, Mate, Supercargo, or Surgeon, knowing that ſuch Ship or Veſſel is actually employed, or is, in the ſame Voyage for which he or they ſhall ſo enter and embark on board, intended to be employed in carrying or removing, importing or bringing as aforeſaid any ſuch Perſon or Perſons, as or for the Purpoſe of his, her, or their being ſold, transferred, uſed, or dealt with as a Slave or Slaves; then and in every ſuch Caſe, the Perſon or Perſons ſo offending, and their Counſellors, Aiders, and Abettors, ſhall be and are hereby declared to be Felons, and ſhall be tranſported beyond Seas for a Term not exceeding Fourteen Years, or ſhall be confined and kept to hard Labour for a Term not exceeding Five Years, nor leſs than Three Years, at the Diſcretion of the Court before whom ſuch Offender or Offenders ſhall be tried and convicted.

Subjects or Perſons reſiding in the United Kingdom, or any of the Dominions belonging to His Majeſty, carrying on the Slave Trade, or any way engaged therein, ſhall be declared Felons.

II. Provided always, and be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, from and after the Firſt Day of *May* next, enter or navigate, or embark on board any ſuch Ship or Veſſel uſed and employed, or meant and intended to be uſed and employed as aforeſaid, as a Petty Officer, Servant, or Seaman, or Petty Officers, Servants, or Seamen, knowing that ſuch is or ſhall be the Purpoſe or one of the Purpoſes of the Voyage, or if any Perſon or Perſons ſhall underwrite, or procure to be underwritten, any Policy of Aſſurance upon any Ship or Veſſel,

Puniſhment of Perſons ſerving on board any Ship, or underwriting any Policy thereon.

or

or Goods, or the Freight of any Ship or Veſſel employed or intended to be employed in any ſuch Voyage, knowing that ſuch is or ſhall be the Purpoſe, or one of the Purpoſes of the ſaid Voyage, he or they nevertheleſs ſhall not be deemed guilty of a Felony within the Meaning of this Act, but ſhall be and they are hereby declared to be guilty of a Miſdemeanor only, and ſhall be puniſhed by Impriſonment for a Term not exceeding Two Years.

Perſons not to be deemed Acceſſaries.

III. And it is hereby further enacted and declared, That ſuch Perſons ſhall not be deemed to be, nor ſhall be puniſhed as Acceſſories to Felony; any Thing in this preſent Act to the contrary thereof notwithſtanding.

Act not to prevent the removing of Slaves from one Britiſh Settlement to another, &c.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to ſubject any Perſon or Perſons to the Pains and Penalties hereby impoſed for exporting, removing or carrying from any preſent or future *Britiſh* Iſland, Colony or Settlement in the *Weſt Indies*, to any other preſent or future *Britiſh* Iſland, Colony or Settlement in the *Weſt Indies*, or from one Part of ſuch *Britiſh* Iſland, Colony or Settlement in the *Weſt Indies*, to any other Part of the ſame Iſland, Colony or Settlement, or for importing or tranſporting into or landing in any ſuch Iſland, Colony or Settlement, any Slave or Slaves, which have been or ſhall be born within ſuch Iſlands, Colonies or Settlements, or any Slave or Slaves which ſhall have been or may be lawfully imported or brought into the ſaid Iſlands, Colonies or Settlements, or for removing or carrying, any Slave or Slaves from one Part of any Foreign Iſland, Colony or Settlement, to another Part of the ſame Foreign Iſland, Colony or Settlement, or for tranſhipping and aſſiſting at Sea any Slave or Slaves, which ſhall be in any Ship or Veſſel in Diſtreſs; Provided alſo, that nothing in this Act contained 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 preſent or future *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 Judgment 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.

Nor prevent the Tranſportation to Foreign Places of Slaves that have been convicted of Crimes.

Act not to extend to Things done before certain Periods.

V. Provided alſo, and be it further enacted, That nothing herein-before contained ſhall extend, or be conſtrued to extend, to ſubject any Perſon or Perſons to the Pains and Penalties hereby impoſed for any Thing done or to be done in *Africa*, Weſt of the *Cape of Good Hope*, or in the *Weſt Indies*, or *America* to the Eaſt of *Cape Horn*, on or before the Firſt Day of *September* next; nor for any Thing done or to be done in the *Eaſt Indies*, the Iſland of *Madagaſcar*, the Ports and Places of *Africa* to the Eaſt of the *Cape of Good Hope*, the Iſlands of *Mauritius* and *Bourbon*, and the Iſlands in the *Eaſt Indian* Seas, on or before the Firſt Day of *January* next; nor for any Thing done or to be done in *New Holland*, the Iſlands in the *South Seas*, or the Coaſt of *America* to the Weſt of *Cape Horn*, on or before the Firſt Day of *May*, in the Year One thouſand eight hundred and twelve; nor for any Thing done or to be done in the High Seas, on board

of any Ship or Veſſel which hath or ſhall have ſailed laſt from any Port in *Great Britain* or *Ireland* on or before the Firſt Day of *June* next, or from any other Port or Place in *Europe*, on or before the Firſt day of *July* next; or from any Port or Place in *Africa* Weſt of the *Cape of Good Hope*, or the *Weſt Indies*, or *America* to the Eaſt of *Cape Horn*, on or before the Firſt Day of *Auguſt* next; or from any Port or Place in the *Eaſt Indies*, *Madagaſcar*, the Iſlands of *Mauritius* and *Bourbon*, the Coaſt of *Africa* to the Eaſt of the *Cape of Good Hope*, and the Iſlands in the *Eaſt Indian* Seas, on or before the Firſt Day of *January* next; or from any Port or Place in *New Holland*, the Iſlands in the *South Seas*, or the Coaſt of *America* to the Weſt of *Cape Horn*, on or before the Firſt Day of *May* in the Year One thouſand eight hundred and twelve.

Offences to be tried according to the ordinary Courſe of Law.

VI. And be it further enacted and declared, That all Offences hereinbefore declared to be Felonies or Miſdemeanors, which ſhall be committed in *Africa*, or in any Country, Territory or Place, other than this United Kingdom, or on the High Seas, or in any Port, Sea, Creek or Place, where the Admiral has Juriſdiction, ſhall and may be enquired of either according to the ordinary Courſe of Law, and the Proviſions of an Act paſſed in the Twenty-eighth Year of the Reign of King *Henry* the Eighth, intituled, *An Act for Pirates*, or according to the Proviſions of an Act paſſed in the Thirty-third Year of the Reign of King *Henry* the Eighth, intituled, *An Act to proceed, by Commiſſion of Oyer and Terminer, againſt ſuch Perſons as ſhall confeſs Treaſon and Felony, without remanding the ſame to be tried in the Shire where the Offence was committed*, ſo far as the ſame Act is now unrepealed; or according to the Proviſions of an Act paſſed in the Eleventh and Twelfth Years of the Reign of His late Majeſty King *William* the Third, intituled, *An Act paſſed for the more effectual Suppreſſion of Piracy*.

Act not to repeal former Acts in reſpect of Forfeitures.

VII. Provided always, and it is hereby further enacted and declared, That nothing herein contained ſhall be conſtrued to repeal, annul, or alter the ſaid Act of the Forty-ſeventh Year of His preſent Majeſty, or an Act made in the Forty-ſixth Year of His preſent Majeſty, for preventing the Importation of Slaves by any of His Majeſty's Subjects into any Iſlands, Colonies, Plantations, or Territories belonging to any Foreign State or Power, in reſpect of any Forfeitures of Ships or Veſſels, Cargoes, Goods, or Effects, thereby reſpectively impoſed for any Offence againſt the ſaid Acts, or either of them, or the Remedies thereby given for the Recovery thereof, or in reſpect of any pecuniary Penalties thereby impoſed; but that the ſaid Acts ſhall, in all other Reſpects, be deemed and taken to be in full Force, except ſo far as the ſaid Act of the Forty-ſixth Year of His preſent Majeſty is altered, or extended by the ſaid Act of the Forty-ſeventh Year of His ſaid Majeſty.

Governors and Commanders in Chief, and Perſons authorized by them, may ſeize Veſſels and other Forfeitures.

VIII. And whereas it is in and by the ſaid Acts reſpectively enacted, that all Ships and Veſſels, Slaves or Natives of *Africa*, carried, conveyed, or dealt with as Slaves, and all other Goods and Effects that ſhall or may become forfeited for any Offence committed againſt the ſaid Acts reſpectively, 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; And whereas Ships and Veſſels, Slaves, Goods, and Effects, liable

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to Seizure and Forfeiture under the ſaid Acts, for Offences committed on the Coaſt of *Africa*, may be ſafely navigated, carried or kept, upon or near to the ſaid Coaſt, or in the Ports, Havens or Rivers thereof, in contempt of the ſaid Acts, by reaſon of the want of Officers of the Cuſtoms or Exciſe, or of His Majeſty's Ships or Veſſels of War ſtationed on the ſaid Coaſt, or on ſuch Parts thereof as may be viſited by ſuch Offenders; be it therefore further enacted by the Authority aforeſaid, That it ſhall and may be lawful for all Governors or Perſons having the Chief Command, Civil or Military, of any of the Colonies, Settlements, Forts or Factories, belonging to His Majeſty, or to the *African* Company in *Africa*, or any *African* Iſland, and for all Perſons deputed and authorized by any ſuch Governor or Commander in Chief, to ſeize and proſecute all Ships and Veſſels, Slaves or Natives of *Africa*, carried, conveyed, or dealt with as Slaves, and all Goods and Effects whatſoever that ſhall or may become forfeited for any Offence committed againſt the ſaid Acts of Parliament, or either of them, and which ſhall be found upon or near to the ſaid Coaſt, or in any Port Haven, or River thereof, or within the Limits of any of the ſaid Colonies, Settlements, Forts or Factories, which Governor or Commander in Chief, and all Perſons by them ſo deputed and authoriſed, ſhall, in making and proſecuting any ſuch Seizures, have the Benefit of all the Proviſions made by the ſaid Acts of Parliament, or by an Act of the Fourth Year of His preſent Majeſty therein recited, or by any other Act of Parliament for the Protection of Officers ſeizing and proſecuting for any Offence againſt the ſaid laſt mentioned Act, or any other Act of Parliament relating to the Trade and Revenues of the *Britiſh* Colonies or Plantations in *America*.

Perſons failing in Veſſels giving Information of Offences committed not to be liable to Puniſhment.

IX. Provided alſo, and be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, failing or being in the Capacity of a Petty Officer, or Petty Officer's Servant or Servants, Seaman or Seamen, on board of any Ship or Veſſel fitted out for or engaged in the unlawfully carrying, removing, trading, or dealing in Slaves, ſhall, within Three Months after the Arrival of the ſaid Veſſel at any Port belonging to His Majeſty, give Information on Oath, before any competent Magiſtrate, againſt any Owner or Part Owner, or any Captain, Mate, Surgeon, or Supercargo of ſuch Ship or Veſſel, who ſhall have committed any Offence againſt this Act, and ſhall give Evidence on Oath againſt ſuch Owner or Part Owner, Captain, Mate, Surgeon and Supercargo, before any Magiſtrate or Court before whom ſuch Offender may be tried; or if ſuch Perſon or Perſons ſo failing as aforeſaid, in the Capacity of a Petty Officer or Petty Officers, Mariner or Mariners, Servant or Servants, ſhall, within Three Months after his or their Arrival at any Port or Place not within His Majeſty's Dominions, give Information to any of His Majeſty's Ambaſſadors, Miniſters Plenipotentiary, Envoys, Charges d'Affairs, Conſuls, Reſidents or other Agents, ſo that any Perſon or Perſons owning ſuch Ship or Veſſel, or navigating or taking charge of the ſame, as Captain, Mate, Surgeon or Supercargo, may be apprehended, ſuch Perſon or Perſons ſo giving ſuch Information and Evidence, ſhall not be liable to any of the Pains or Penalties of this Act, or any Fine or other Puniſhment under the ſaid Acts of the Forty-ſixth and Forty-ſeventh Years of His preſent Majeſty, or either of them; but ſhall be wholly diſcharged therefrom, and His Majeſty's Ambaſſadors, Miniſters Plenipotentiary, Envoys, Charges d'Affairs, Conſuls, Reſidents or other Agents, are hereby required

to receive any such Information as aforesaid, and to transmit the Particulars thereof, without Delay, to One of His Majesty's principal Secretaries of State, and to transmit Copies of the same to the Commanders of His Majesty's Ships or Vessels then being in the said Port or Place.

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