

ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

CAP. CLXXII.

An Act to provide for the Support of captured Slaves during the Period of Adjudication.

[11th *July* 1815.]

WHEREAS the Acts now in force for the Abolition of the Slave Trade have not ſufficiently provided for the Support and Maintenance of Slaves during the Time when they may be waiting Adjudication as Prize of War, or as forfeited or liable to Forfeiture to His Majeſty, or otherwiſe proceeded againſt under and by virtue of any Law: And whereas it is expedient that further Proviſions be made, in order to inſure the neceſſary Support and Maintenance for ſuch Slaves during the Time they may be ſo waiting Adjudication; 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 from and after the paſſing of this Act, when any Native or Natives of *Africa*, held and treated as Slaves, or other Perſon or Perſons held or treated as Slaves, within the Proviſions of any Act of Parliament paſſed for the Abolition of the Slave Trade, ſhall be captured or ſeized as Prize of War, or as forfeited or liable to Forfeiture to His Majeſty, or otherwiſe proceeded againſt in and by virtue of any Law, and brought to Adjudication in the High Court of Admiralty, or in any Court of Vice Admiralty, or in any Court in His Majeſty's Colonies or Plantations, or elſewhere within His Majeſty's Dominions, which is or may be authorized to hold Juriſdiction in ſuch Caſes, it ſhall be lawful for the Perſon or Perſons claiming any

Proviſions for Subſiſtence of Slaves during Adjudication to be furniſhed.

any Right or Property in, or the Poſſeſſion of ſuch Slaves, and he is hereby required to put ſuch Slaves on Shore; and it ſhall be lawful for the Collector or other Chief Officer of the Cuſtoms in ſuch Port or Place in which ſuch Slaves ſhall be brought to Adjudication, and he is hereby required, to direct Enquiry to be made, whether the Perſons or Perſon claiming any Right or Property in or the Poſſeſſion of ſuch Slaves, ſhall have furniſhed, or ſhall be willing and able to furniſh, ſufficient Food and Neceſſaries for the Support and wholeſome Maintenance of the ſaid Slaves during the Proceedings which may have been or may be inſtituted reſpecting ſuch Slaves; and ſuch Collector or other Chief Officer of the Cuſtoms ſhall, as ſoon as may be, report to the Governor or Lieutenant Governor, or other Perſon exerciſing the Authority of Governor in ſuch Colony or Plantation or Place, the Reſult of ſuch Enquiry; and if it ſhall appear to the ſaid Governor or Lieutenant Governor, or other Perſon exerciſing the Authority of Governor, that ſufficient Food and Neceſſaries for the wholeſome Maintenance of ſuch Slaves during the Proceedings ſo inſtituted, or to be inſtituted as aforeſaid, have not been furniſhed; and if the Perſons or Perſon claiming any Right or Property in or to ſuch Slaves ſhall refuſe or afterwards neglect or omit to ſupply proper Food and Neceſſaries for the Support and wholeſome Maintenance of the ſaid Slaves during ſuch Proceedings, the ſaid Governor or Lieutenant Governor, or other Perſon exerciſing the Authority of Governor, in ſuch Colony or Plantation or Place, being ſatisfied of the Truth of the Report ſo made to him, ſhall authorize the ſaid Collector or Chief Officer of the Cuſtoms to take on himſelf the immediate Care and Cuſtody of ſuch Slaves, and to provide proper Food and Neceſſaries for ſuch Slaves during the Proceedings ſo inſtituted or to be inſtituted in any ſuch Court as aforeſaid, until the ſaid Court ſhall have made its Decree, have the Force and Effect of a definitive Sentence, condemning or reſtoring the ſaid Slaves; and in caſe the ſaid Court ſhall by ſuch Decree abſolutely reſtore or condemn ſuch Slaves, the ſaid Court ſhall, on Application made to him by the ſaid Collector or Chief Officer of the Cuſtoms ſo providing or having provided for the Support and Maintenance of ſuch Slaves as aforeſaid, direct the Accounts for the Proviſions and Neceſſaries ſo ſupplied for the ſaid Slaves, to be brought into the Regiſtry of the Court and examined, and direct the ſame, when confirmed, to be a Charge on the ſaid Slaves, to be defrayed by the Perſon receiving Poſſeſſion thereof under the Decree of ſuch Court.

If Subſiſtence not furniſhed, the Slaves to be delivered up.

II. Provided nevertheleſs, That in caſe the Court ſhall not immediately reſtore or condemn the ſaid Slaves, by Decree having the Force and Effect of a definitive Sentence, but ſhall direct further Proof to be made in the Cauſe, whereby the Reſtitution or Condemnation ſhall be deferred, and the Perſon claiming any Right or Property in or the Poſſeſſion of the ſaid Slaves, ſhall not have ſupplied, or at any Time pending Proceedings in that Court ſhall refuſe or neglect to ſupply proper Food and Neceſſaries for the ſaid Slaves, it ſhall be lawful for the Court to direct a Valuation to be made of ſuch Slaves, and to decree ſuch Slaves, after ſuch Valuation had and approved by the Court, to be delivered over to ſuch Officer or Perſon as may be appointed by His Majeſty to receive Slaves condemned to His Majeſty's Uſe, according to the Proviſions of an Act paſſed in the Forty-ſeventh Year of His Majeſty's Reign, intituled *An Act for the Abolition of the Slave Trade*; and the ſame ſhall be dealt with

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and treated in all Reſpects according to the Proviſions of the ſaid Act; ſave and except that the Bounty ſhall not be due or payable for ſuch Slaves but in the Event of final Condemnation, according to the Proviſions of the ſaid Act.

Reſtitution to be made for Slaves.

III. And be it further enacted, That if on further Proof the Slaves ſhall be decreed to be reſtored, and there be no Appeal, and the ſaid Slaves ſhall have been delivered over as above directed, Reſtitution ſhall be made in the Value of the ſaid Slaves, according to the Valuation as above directed, together with Intereſt thereon, ſuch Sums being deducted therefrom as may have been expended for the Support and Maintenance of the ſaid Slaves by the Collector or Chief Officer of the Cuſtoms, as before directed, and ſhall remain unpaid; and the Value ſo adjuſted ſhall be paid by the Treaſurer of the Navy, in the ſame Manner as Bounties are now paid for Slaves condemned to His Majeſty's Uſe under the aforeſaid Act paſſed in the Forty-ſeventh Year of His Majeſty's Reign, on the Production of the official Copy of the Sentence of Reſtitution, with the Valuation endorſed thereon by the Regiſtrar of the ſaid Court or his Deputy.

Reſtitution in Value to be made with Intereſt, and paid as Bounties.

IV. And be it further enacted, That in all Caſes in which there ſhall have been a Decree, having the Force and Effect of a definitive Sentence, reſtoring or condemning the ſaid Slaves, and the ſame ſhall be ſuſpended by Appeal, it ſhall be lawful for the Court, notwithſtanding ſuch Appeal, and it is hereby required, to proceed forthwith to direct the Slaves ſo detained, to be valued as above directed; and after ſuch Valuation had and approved by the Court, to be delivered over to ſuch Officer or Perſon as may be appointed to receive Slaves condemned to His Majeſty's Uſe, according to the Proviſions of the aforeſaid Act, paſſed in the Forty-ſeventh Year of His Majeſty's Reign, as if the ſame had been finally condemned to His Majeſty; and ſuch Slaves ſhall be treated and dealt with, in all Reſpects, in the ſame Manner as if they had been finally condemned to His Majeſty; ſave and except that the Bounties ſhall not be due or payable thereon but in the Event of final Condemnation to His Majeſty, according to the Proviſions of the ſaid Act.

In Caſes of Appeal, Reſtitution ſhall be made when Property is finally reſtored.

V. And be it further enacted, That in all Caſes in which ſuch Slaves ſhall be finally reſtored in the Court of Appeal, Reſtitution in Value ſhall be made, for the Uſe of the Claimant or Proprietor thereof, according to the Valuation made as above directed, ſubject always to Reviſion in the Court of Appeal, together with Intereſt thereon, ſuch Sums being deducted therefrom as may have been expended for the Support and Maintenance of the ſaid Slaves by the Collector or Chief Officer of the Cuſtoms, as above directed; and the Value ſo adjuſted ſhall be paid by the Treaſurer of the Navy, in the ſame Manner as Bounties are directed to be paid for Slaves condemned to His Majeſty under the aforeſaid Act, paſſed in the Forty-ſeventh Year of His Majeſty's Reign, on the Production of an official Copy of the final Sentence of Reſtitution, with the Valuation of the ſaid Slaves endorſed thereon by the Regiſtrar of the ſaid Court or his Deputy.

Captors liable to Coſts and Damages not-

VI. Provided always, and be it enacted, That nothing herein contained ſhall extend to prevent the ſaid Courts, or any of them, having Juriſdiction

withſtanding ſuch Reſtitution.

tion in the principal Cauſe, from adjudging and decreeing the Captors, Seizors, or Proſecutors in any ſuch Cauſe as aforeſaid, to pay out of their own proper Monies, in addition to the Reſtitution in Value directed to be made as aforeſaid, ſuch further Sums in the Nature of Coſts or Damages, as the ſaid Court ſhall decree, where it ſhall appear to ſuch Court that the Capture, Seizure, or Proſecution, or the Appeal thereon on the Behalf of the Captor, Seizor, or Proſecutor, ſhall not be juſtified by the Circumſtances of the Caſe.

Proviſions of former Act extended to this Act.

VII. And be it further enacted, That the Proviſions of the ſaid Act, paſſed in the Forty-ſeventh Year of His preſent Majeſty's Reign, for the Diſpoſal of Slaves condemned to His Majeſty's Uſe, and for the Payment of Bounty thereon, in Caſes of Capture by Ships of War or Privateers, ſhall be applied to all Caſes of Slaves captured or ſeized and condemned as Prize of War, during the laſt War, or that may hereafter be captured, ſeized, or condemned as aforeſaid, or otherwiſe forfeited, or liable to Forfeiture to His Majeſty, or ſubject to Condemnation, by any Law whatſoever.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1815.