

ANNO QUINQUAGESIMO OCTAVO

GEORGII III. REGIS.

CAP. LXXXV.

An Act to carry into Execution a Convention made between His Majesty and the King of *Portugal*, for the preventing Traffic in Slaves.

[5th *June* 1818.]

Convention, dated Jan. 22, 1815, recited.

WHEREAS an additional Convention to a Treaty of the Twenty-second of *January* One thousand eight hundred and fifteen, was made between His Majesty and His most Faithful Majesty the King of *Portugal*, for the Purpose of preventing illicit Traffic in Slaves, and signed at *London* on the Twenty-eighth Day of *July* One thousand eight hundred and seventeen: And whereas it was, in the first Article of the said Convention, declared to be the Object of the said Convention, to prevent the respective Subjects of His Majesty and His most Faithful Majesty, from carrying on an illicit Slave Trade; and it was also thereby declared, that every Traffic in Slaves carried on under the following Circumstances, should be considered as illicit; First, either by *British* Ships and under the *British* Flag, or for the Account of *British* Subjects by any Vessel or under any Flag whatsoever; Second, by *Portuguese* Vessels in any of the Harbours or Roads of the Coast of *Africa*, which are prohibited by the First Article of the Treaty of the Twenty-second of *January* One thousand eight hundred and fifteen; Third, under the *Portuguese* or *British* Flag, for the Account of the Subjects of any other Government; Fourth, by *Portuguese* Vessels bound for any Port not in the Dominions of His most Faithful Majesty: And whereas it was by the Second Article of the said Convention declared and agreed, that the Territories in which the

Traffic in Slaves continues to be permitted under the Treaty of the Twenty-ſecond of *January* One thouſand eight hundred and fifteen, to the Subjects of His moſt Faithful Majeſty, are the following; Firſt, the Territories poſſeſſed by the Crown of *Portugal* upon the Coaſt of *Africa* to the South of the Equator, that is to ſay, upon the Eaſtern Coaſt of *Africa*, the Territory laying between *Cape Delgado* and the Bay of *Lourenco Marques*, and upon the Weſtern Coaſt, all that which is ſituated from the Eighth to the Eighteenth Degree of South Latitude; Second, thoſe Territories on the Coaſt of *Africa* to the South of the Equator, over which His moſt Faithful Majeſty has declared that he has retained his Rights, namely, the Territories of *Molembo* and *Cabinda* upon the Weſtern Coaſt of *Africa*, from the Fifth Degree Twelve Minutes to the Eighth Degree South Latitude: And whereas by the Third Article of the ſaid Convention, His moſt Faithful Majeſty engaged, within the Space of Two Months after the Exchange of the Ratifications of the ſaid Convention, to promulgate in his Capital and in the other Parts of his Dominions, as ſoon as poſſible, a Law which ſhould preſcribe the Puniſhment of any of His Subjects who may in future participate in an illicit Traffic of Slaves, and at the ſame Time to renew the Prohibition which already exiſts, to import Slaves into the *Brazils*, under any Flag other than that of *Portugal*; and His moſt Faithful Majeſty alſo engaged to aſſimilate, as much as poſſible, the Legiſlation of *Portugal*, in this reſpect, to that of *Great Britain*: And whereas it was, by the Fourth Article of the ſaid Convention, declared and agreed, that every *Portugueſe* Veſſel which ſhould be deſtined for the Slave Trade on any Point of the *African* Coaſt where the Traffic in Slaves ſhould ſtill continue to be lawful, muſt be provided with a Royal Paſſport, conformable to the Model annexed to the ſaid Convention, and which Model formed an integral Part of the ſame, and that every ſuch Paſſport muſt be written in the *Portugueſe* Language, with an authentic Tranſlation in *Engliſh* annexed thereto, and muſt be ſigned, for all thoſe Veſſels ſailing from the Port of *Rio Janeiro* by the Miniſter of Marine, and for all other Veſſels which may be intended for the ſaid Traffic, and which may ſail from any other Ports of the *Brazils*, or from any other of the Dominions of His moſt Faithful Majeſty, not in *Europe*, the Paſſports muſt be ſigned by the Governor in Chief of the Captaincy to which the Port belongs, and as to thoſe Veſſels which may proceed from the Ports of *Portugal* muſt be ſigned by the Secretary of the Government for the Marine Department: And whereas it was declared and agreed, by the Fifth Article of the ſaid Convention, that the Ships of War of the reſpective Royal Navies of His Majeſty and His moſt Faithful Majeſty, which ſhall be provided with ſpecial Inſtructions for that Purpoſe, as herein-after provided, may viſit ſuch Merchant Veſſels of the Two Nations as may be ſuſpected, upon reaſonable Grounds, of having Slaves on board acquired by an illicit Traffic; and in the Event only of their actually finding Slaves on board may detain and bring away ſuch Veſſels, in order that they may be brought to Trial before the Tribunals eſtabliſhed for that Purpoſe, as ſpecified in the ſaid Convention; provided that the Commanders of the Ships of War of the Two Royal Navies, who ſhall be employed on this Service, ſhall adhere ſtrictly to the exact Tenor of the Inſtructions which they ſhall have received for that Purpoſe; and that as the ſaid Article is entirely reciprocal, the Two High contracting Parties engaged in the ſaid Article mutually to make good any Loſſes which their reſpective Subjects may incur unjuſtly, by the arbitrary and illegal Detention of their Veſſels, and that this Indem-

nity ſhall invariably be borne by the Government whoſe Cruizer ſhall have been guilty of the arbitrary Detention; provided that the Viſit and Detention of Slave Ships ſpecified in the ſaid Article, ſhall only be effected by thoſe *Britiſh* or *Portugueſe* Veſſels which may form Part of the Two Royal Navies, and by thoſe only of ſuch Veſſels which are provided with the ſpecial Inſtructions annexed to the ſaid Convention: And whereas it was declared and decreed by the Sixth Article of the ſaid Convention, that no *Britiſh* or *Portugueſe* Cruizer ſhall detain any Slave Ship not having Slaves actually on board; and in order to render lawful the Detention of any Ship, whether *Britiſh* or *Portugueſe*, the Slaves found on board ſuch Veſſel muſt have been brought there for the expreſs Purpoſe of the Traffic, and thoſe on board *Portugueſe* Ships muſt have been taken from that Part of the Coaſt of *Africa* where the Slave Trade was prohibited by the Treaty of the Twenty-ſecond of *January* One thouſand eight hundred and fifteen: And whereas it was declared and agreed, by the Seventh Article of the ſaid Convention, that all Ships of War of the Two Nations which ſhall hereafter be deſtined to prevent the illicit Traffic in Slaves, ſhall be furniſhed by their own Government with a Copy of the Inſtructions annexed to the ſaid Convention, and which ſhall be conſidered as an integral Part thereof, and that ſuch Inſtructions ſhall be written in *Portugueſe* and *Engliſh*, and ſigned for the Veſſels of each of the Two Powers, by the Miniſter of their reſpective Marine, with a Reſervation of the Faculty of altering the ſaid Inſtructions, in Whole or in Part, according to Circumſtances; it being however well underſtood, that the ſaid Alterations cannot take place but by common Agreement, and by the Conſent of the Two High contracting Parties: And whereas it was, by the Eighth Article of the ſaid Convention agreed, that in order to bring to Adjudication with the leaſt Delay and Inconvenience, the Veſſels which may be detained for having been engaged in an illicit Traffic in Slaves, there ſhall be eſtabliſhed, within the Space of a Year at furtheſt from the Exchange of the Ratifications of the ſaid Convention, Two mixed Commiſſions, formed of an equal Number of Individuals of the Two Nations, named for the Purpoſe by their reſpective Sovereigns; and that thoſe Commiſſions ſhall reſide, one in a Poſſeſſion belonging to His Majeſty, the other within the Territories of His moſt Faithful Majeſty; and that the Two Governments, at the Period of the Exchange of the Ratifications of the ſaid Convention, ſhould declare, each for its own Dominions, in what Places the Commiſſions ſhall reſpectively reſide, each of the Two High contracting Parties reſerving to itſelf the Right of changing at its Pleaſure the Place of Reſidence of the Commiſſion held within its own Dominions; provided however, that one of the Two Commiſſions ſhall always be held upon the Coaſt of *Africa*, and the other in the *Brazils*; and that theſe Commiſſions ſhall judge the Cauſes ſubmitted to them, without Appeal, and according to the Regulations and Inſtructions annexed to the ſaid Convention, of which they ſhall be conſidered as an integral Part: And whereas by the Ninth Article of the ſaid Convention, His *Britannic* Majeſty, in conformity with the Stipulations of the Treaty of the Twenty-ſecond of *January* One thouſand eight hundred and fifteen, engaged to grant in the Manner herein-after explained, ſufficient Indemnification to all the Proprietors of *Portugueſe* Veſſels and Cargoes captured by *Britiſh* Cruizers, between the Firſt Day of *June* One thouſand eight hundred and fourteen, and the Period at which the Two Commiſſioners pointed out in the Eighth Article of the ſaid Convention ſhall aſſemble at their

their reſpective Poſts; and His Majeſty and His moſt Faithful Majeſty did agree, that all Claims of the Nature before mentioned, ſhall be received and liquidated by a mixed Commiſſion to be held at *London*, and which ſhall conſiſt of an equal Number of the Individuals of the Two Nations, named by their reſpective Sovereigns, and upon the ſame Principles ſtipulated by the Eighth Article of the ſaid Convention, and by the other Acts which form an integral Part of the ſame; and that the aforeſaid Commiſſioners ſhall commence their Functions Six Months after the Ratification of the ſaid Convention, or ſooner if poſſible: And whereas it was alſo by the ſaid Convention agreed, that the Proprietors of Veſſels captured by the *Britiſh* Cruizers, cannot claim Compenſation for a larger Number of Slaves than that which according to the exiſting Laws of *Portugal* they were permitted to tranſport according to the Rate of Tonnage of the captured Veſſel; and that every *Portugueſe* Veſſel captured with Slaves on board for the Traffic, which ſhall be proved to have been embarked within the Territories of the Coaſt of *Africa* ſituated to the North of Cape *Palmas*, and not belonging to the Crown of *Portugal*, as well as all *Portugueſe* Veſſels captured with Slaves on board for the Traffic, Six Months after the Exchange of the Ratifications of the Treaty of the Twenty-ſecond of *January* One thouſand eight hundred and fifteen, and on which it can be proved that the aforeſaid Slaves were embarked in the Roadſteads of the Coaſt of *Africa*, ſituated to the North of the Equator, ſhall not be entitled to claim any Indemnification: And whereas by the Tenth Article of the ſaid Convention, His Majeſty engaged to pay, within the Space of a Year at furtheſt from the Deciſion of each Caſe, to the Individual having a juſt Claim to the ſame, the Sums which ſhall be granted to them by the Commiſſioners deſcribed in the preceding Articles of the ſaid Convention: And whereas by the Eleventh Article of the ſaid Convention, His Majeſty engaged to pay the Three hundred thouſand Pounds Sterling of Indemnification, ſtipulated by the Convention of the Twenty-firſt of *January* One thouſand eight hundred and fifteen, in favour of the Proprietors of *Portugueſe* Veſſels captured by *Britiſh* Cruizers up to the Period of the Firſt of *June* One thouſand eight hundred and fourteen, in the Manner following; *videlicet*, the Firſt Payment of One hundred and fifty thouſand Pounds Sterling, Six Months after the Exchange of the Ratifications of the Convention recited by this Act, and that the remaining One hundred and fifty thouſand Pounds Sterling, as well as the Intereſt at Five *per Centum* due upon the total Sum, from the Day of the Exchange of the Ratifications of the Convention of the Twenty-firſt of *January* One thouſand eight hundred and fifteen, ſhould be paid Nine Months after the Exchange of the Ratifications of the Convention recited by this Act; and that the Intereſt due ſhall be payable up to the Day of the laſt Payment; and that all the aforeſaid Payments ſhall be made in *London*, to the Miniſter of His moſt Faithful Majeſty at the Court of His Majeſty, or to the Perſons whom His moſt Faithful Majeſty ſhall think proper to authorize for that Purpoſe: And whereas it was by the Twelfth Article of the ſaid Convention declared, that certain Acts or Inſtruments annexed to the ſaid Convention ſhould form an integral Part thereof, and which were as follows; that is to ſay, Firſt, a Form of Paſſport for the *Portugueſe* Merchant Ships deſtined for the lawful Traffic in Slaves; Secondly, Inſtructions for the Ships of War of both Nations deſtined to prevent the illicit Traffic in Slaves; Thirdly, Regulation for the mixed Commiſſions which are to hold their Sittings on the Coaſt of

Africa, at the *Brazils*, and in *London*: And whereas the ſaid Inſtructions before ſecondly referred to, and made an integral Part of the ſaid Convention, did, in the Firſt Article thereof, provide that every *Britiſh* or *Portugueſe* Ship of War ſhall have a Right to viſit the Merchant Ships of either of the Two Powers actually engaged or ſuſpected to be engaged in the Slave Trade; and ſhould any Slaves be found on board, according to the Tenor of the Sixth Article of the aforeſaid additional Convention, and as to what regards the *Portugueſe* Veſſels, ſhould there be Ground to ſuſpect that the ſaid Slaves have been embarked on a Part of the Coaſt of *Africa* where the Traffic in Slaves can no longer be legally carried on, in conſequence of the Stipulations in force between the Two High Contracting Powers, in theſe Caſes alone the Commander of the ſaid Ship of War may detain them, and having detained them, he is to bring them as ſoon as poſſible for Judgment before that of the Two mixed Commiſſions appointed by the Eighth Article of the Convention which ſhall be neareſt, or which the Commander of the capturing Ship ſhall, upon his own Reſponſibility, think he can ſooneſt reach from the Spot where the Slave Ship ſhall have been detained; and that Ships on board of which no Slaves ſhall be found, intended for the Purpoſes of Traffic, ſhall not be detained on any Account or Pretence whatever; and that Negro Servants or Sailors that may be found on board the ſaid Veſſels cannot in any Caſe be deemed a ſufficient Cauſe for Detention: And whereas it was by the Second Article of the ſaid Inſtructions provided, that no Merchantman or Slave Ship can on any Account or Pretence whatever be viſited or detained, whilſt in the Port or Roadſtead belonging to either of the Two High contracting Powers, or within Cannon Shot of the Batteries on Shore; but in caſe ſuſpicious Veſſels ſhould be found ſo circumſtanced, proper Repreſentations may be addreſſed to the Authorities of the Country, requeſting them to take effectual Meaſures for preventing ſuch Abuſes: And whereas it was alſo provided, in the Third Article of the ſaid Inſtruction, in conſequence of the immenſe Extent of the Shores of *Africa* to the North of the Equator, along which this Commerce continues prohibited, and the Facility thereby afforded for illicit Traffic, on Points where either the total Abſence or at leaſt the Diſtance of lawful Authorities bar ready Acceſs to thoſe Authorities; in order to prevent it, and for the more readily attaining the ſalutary End that His Majeſty and His moſt Faithful Majeſty did actually grant to each other the Power, without prejudice to the Rights of Sovereignty, to viſit and detain, as if on the High Seas, any Veſſel having Slaves on board, even within Cannon Shot of the Shore of their reſpective Territories on the Continent of *Africa* to the North of the Equator, in caſe of there being no local Authorities to whom Recourſe might be had, as has been ſtated in the preceding Article; and that in ſuch caſe, Veſſels ſo viſited may be brought before the mixed Commiſſioners in the Form preſcribed in the Firſt Article of the ſaid Inſtructions; and it was alſo by the Fourth Article of the Inſtructions provided, that no *Portugueſe* Merchantman or Slave Ship ſhall, on any Pretence whatever, be detained, which ſhall be found any where near the Land or on the High Seas South of the Equator, unleſs after a Chace that ſhall have commenced North of the Equator; and by the Fifth Article of the ſaid Inſtructions, that *Portugueſe* Veſſels furniſhed with a regular Paſſport, having Slaves on board, ſhipped at thoſe Parts of the Coaſt of *Africa* where the Trade is permitted to *Portugueſe* Subjects, and which ſhall afterwards be found North of the Equator, ſhall not be detained by the

Ships of War of the Two Nations, though furniſhed with the preſent Inſtructions, provided the ſame can account for their Courſe, either in conformity with the Practice of the *Portugueſe* Navigation, by ſteering ſome Degrees to the Northward in ſearch of fair Winds, or for other legitimate Cauſes, ſuch as the Dangers of the Sea, duly proved; or laſtly, in the Caſe of their Paſſports proving that they were bound for a *Portugueſe* Port not within the Continent of *Africa*; provided always, that with regard to all Slave Ships detained to the North of the Equator, the Proof of the Legality of the Voyage is to be furniſhed by the Veſſel ſo detained; on the other Hand, with reſpect to Slave Ships detained to the South of the Equator, in conformity with the Stipulations of the preceding Article, the Proof of the Illegality of the Voyage is to be exhibited by the Captor; it is in like Manner ſtipulated, that the Number of Slaves found on board a Slave Ship by the Cruizers, even ſhould the Number not agree with that contained in their Paſſport, ſhall not be a ſufficient Reaſon to juſtify the Detention of the Ship, but the Captain and the Proprietors ſhall be denounced in the *Portugueſe* Tribunals in the *Brazils*, in order to their being puniſhed according to the Laws of the Country: And whereas it was by the Sixth Article of the ſaid Inſtructions provided, that every *Portugueſe* Veſſel intended to be employed in the legal Traffic in Slaves, in conformity with the Principles laid down in the ſaid Convention, ſhall be commanded by a Native *Portugueſe*, and Two-thirds at leaſt of the Crew ſhall likewiſe be *Portugueſe*; provided always, that its *Portugueſe* or Foreign Conſtruction ſhall in no wiſe affect its Nationalty, and that the Negro Sailors ſhall always be reckoned as *Portugueſe*, provided they belong as Slaves to Subjects of the Crown of *Portugal*, or that they have been enfranchiſed in the Dominions of His moſt Faithful Majeſty: And whereas it was alſo, by the Seventh Article of the ſaid Inſtructions, provided, that whenever a Ship of War ſhall meet a Merchant Veſſel liable to be ſearched, it ſhall be done in the moſt mild Manner, and with every Attention which is due between Allied and Friendly Nations; and in no Caſe ſhall the Search be made by an Officer holding a Rank inferior to that of Lieutenant in the Navy; and by the Eighth Article of the ſaid Inſtructions, that the Ships of War which may detain Slave Ships, in purſuance of the Principles laid down in the ſaid Inſtructions, ſhall leave on board all the Cargo of Negroes untouched, as well as the Captain, and a Part at leaſt of the Crew of the Slave Ship; and that the Captain ſhall draw up in Writing an authentic Declaration, which ſhall exhibit the State in which he found the detained Ship, and the Changes which may have taken place in it; and that he ſhall deliver to the Captain of the Slave Ship, a ſigned Certificate of the Papers ſeized on board the ſaid Veſſel, as well as of the Number of Slaves found on board at the Moment of Detention; and that the Negroes ſhall not be diſembarked till after the Veſſels which contain them ſhall be arrived at the Place where the Legality of the Capture is to be tried by one of the Two mixed Commiſſions, in order that in the Event of their not being adjudged legal Prize, the Loſs of the Proprietors may be more eaſily repaired, but that if urgent Motives, deduced from the Length of the Voyage, the State of Health of the Negroes, or other Cauſes, require that they ſhall be diſembarked entirely or in Part, before the Veſſel can arrive at the Place of the Reſidence of One of the ſaid Commiſſions, the Commander of the capturing Ship may take on himſelf the Reſponſibility of ſuch Diſembarkation, provided that the Neceſſity be ſtated in a Certificate in proper Form; and it was by the

Ninth Article of the ſaid Inſtructions provided, that in Conveyance of Slaves from one Port of the *Brazils* to another, or from the Continent or Iſlands of *Africa* to the Poſſeſſions of *Portugal* out of *America*, ſhall take place as Objects of Commerce, except in Ships provided with Paſſports from the *Portugueſe* Government *ad hoc*: And whereas alſo it was by the ſaid Regulations for the mixed Commiſſions, which were to be eſtabliſhed according to the Stipulations in the ſaid Convention, and which Regulations were declared to be an integral Part of the ſaid Convention, provided, in the Firſt Article of the ſaid Regulations, that the mixed Commiſſions to be eſtabliſhed by the ſaid Convention upon the Coaſt of *Africa* and in the *Brazils*, are appointed to decide upon the Legality of the Detention of ſuch Slave Veſſels as the Cruizers of both Nations ſhall detain, in purſuance of the ſaid Convention, for carrying on an illicit Commerce in Slaves; and that the above-mentioned Commiſſions ſhall judge, without Appeal, according to the Letter and Spirit of the Treaty of the Twenty-ſecond of *January* One thouſand eight hundred and fifteen, and of the ſaid additional Convention to the ſaid Treaty, ſigned at *London* on the Twenty-eighth Day of *July* One thouſand eight hundred and ſeventeen, and recited in this Act, that the Commiſſions ſhall give Sentence as ſummarily as poſſible, and they are required to decide (as far as they ſhall find it practicable) within the Space of Twenty Days, to be dated from that on which every detained Veſſel ſhall have been brought into the Port where they ſhall reſide; firſt, upon the Legality of the Capture; ſecondly, in the Caſe in which the captured Veſſel ſhall have been liberated, as to the Indemnification which ſhe is to receive; and it is thereby provided, that in all Caſes the final Sentence ſhall not be delayed on account of the Abſence of Witneſſes, or for Want of other Proofs, beyond the Period of Two Months, except upon the Application of any of the Parties intereſted, when, upon their giving ſatisfactory Security to charge themſelves with the Expence and Riſks of the Delay, the Commiſſioners may, at their Diſcretion, grant an additional Delay, not exceeding Four Months; and it was by the Second Article of the ſaid Regulations provided, that each of the above-mentioned mixed Commiſſions, which are to reſide on the Coaſt of *Africa* and in the *Brazils*, ſhall be compoſed in the following Manner; the Two High contracting Parties ſhall each of them name a Commiſſary Judge and a Commiſſioner of Arbitration, who ſhall be authorized to hear and to decide, without Appeal, all Caſes of Capture of Slave Veſſels which, in purſuance of the Stipulation of the additional Convention of this Date, may be laid before them; and that all the eſſential Parts of the Proceedings carried on before theſe mixed Commiſſions, ſhall be written down in the Language of the Country in which the Commiſſion may reſide; and the Commiſſary Judges, and the Commiſſioners of Arbitration, ſhall make Oath, in Preſence of the Principal Magiſtrate of the Place in which the Commiſſion may reſide, to judge fairly and faithfully, to have no Preference either for the Claimants or the Captors, and to act in all their Deciſions in purſuance of the Stipulations of the Treaty of the Twenty-ſecond of *January* One thouſand eight hundred and fifteen, and of the Additional Convention to the ſaid Treaty recited in this Act; and that there ſhall be attached to each Commiſſion a Secretary or Regiſtrar appointed by the Sovereign of the Country in which the Commiſſions may reſide, who ſhall regiſter all its Acts, and who, previous to taking Charge of his Poſt, ſhall make Oath, in Preſence of at leaſt One of the Commiſſary Judges, to conduct himſelf with Reſpect for their Authority, and to act with Fidelity

Fidelity in all the Affairs which may belong to his Charge; and it was alſo provided in the Third Article of the Regulations, that the Form of the Proceſs ſhall be as follows; The Commiſſary Judges of the Two Nations ſhall in the Firſt Place proceed to the Examination of the Papers of the Veſſel, and to receive the Depoſitions on Oath of the Captain and Two or Three at leaſt of the principal Individuals on board of the detained Veſſel, as well as the Declaration on Oath of the Captor, ſhould it appear neceſſary, in order to be able to judge and to pronounce if the ſaid Veſſel has been juſtly detained or not, according to the Stipulations of the ſaid Additional Convention recited in this Act, and in order that according to this Judgment it may be condemned or liberated; and in the Event of the Two Commiſſary Judges not agreeing on the Sentence they ought to pronounce, whether as to the Legality of the Detention, or the Indemnification to be allowed, or on any other Queſtion which might reſult from the Stipulations of the ſaid Convention, they ſhall draw by Lot the Name of One of the Two Commiſſioners of Arbitration, who, after having conſidered the Documents of the Proceſs, ſhall conſult with the above-mentioned Commiſſary Judges on the Caſe in queſtion, and the final Sentence ſhall be pronounced conformably in the Opinion of the Majority of the above-mentioned Commiſſary Judges, and of the above-mentioned Commiſſioner of Arbitration: And it was alſo provided by the Fourth Article of the ſaid Regulations, that as often as the Cargo of Slaves found on board of a *Portugueſe* Slave Ship ſhall have been embarked on any Point whatever of the Coaſt of *Africa* where the Slave Trade continues lawful to the Subjects of the Crown of *Portugal*, ſuch Slave Ship ſhall not be detained on Pretext that the above-mentioned Slaves ſhall have been brought originally by Land from any other Part whatever of the Continent; and it was alſo in the Fifth Article of the ſaid Regulations provided, that in the authenticated Declaration which the Captors ſhall make before the Commiſſion, as well as in the Certificate of the Papers ſeized, which ſhall be delivered to the Captain of the captured Veſſel at the Time of the Detention, the above-mentioned Captor ſhall be bound to declare his Name, the Name of his Veſſel, as well as the Latitude and Longitude of the Place where the Detention ſhall have taken place, and the Number of Slaves found living on board of the Slave Ship at the Time of the Detention; and it was alſo provided, in the Sixth Article of the ſaid Regulations, that as ſoon as Sentence ſhall have been paſſed, the detained Veſſel, if liberated, and what remains of the Cargo, ſhall be reſtored to the Proprietors, who may before the ſame Commiſſion claim a Valuation of the Damages which they may have a Right to demand, the Captor himſelf, and in his Default his Government, ſhall remain reſponſible for the above-mentioned Damages; and that the Two High Contracting Powers did bind themſelves to defray, within the Term of a Year from the Date of the Sentence, the Indemnifications which may be granted by the above-named Commiſſion, it being underſtood that theſe Indemnifications ſhall be at the Expence of the Power of which the Captor ſhall be a Subject; and by the Seventh Article of the ſaid Regulations, that in caſe of the Condemnation of a Veſſel for an unlawful Voyage, ſhe ſhall be declared lawful Prize, as well as her Cargo, of whatever Deſcription it may be, with the Exception of the Slaves who may be on board as Objects of Commerce; and the ſaid Veſſel, as well as her Cargo, ſhall be ſold by Public Sale, for the Profit of the Two Governments; and as to the Slaves, they ſhall receive from the mixed Commiſſion a Certificate

tificate of Emancipation, and ſhall be delivered over to the Government on whoſe Territory the Commiſſion which ſhall have ſo judged them ſhall be eſtabliſhed, to be employed as Servants or Free Labourers, with Guarantee by each of the Two Governments reſpectively, the Liberty of ſuch Portion of theſe Individuals as ſhall be reſpectively conſigned to it; and it was alſo provided by the Eighth Article of the ſaid Regulations, that every Claim for Compenſation of Loſſes occaſioned to Ships ſuſpected of carrying on an illicit Trade in Slaves, not condemned as lawful Prize by the mixed Commiſſions, ſhall be alſo heard and judged by the above-named Commiſſions, in the Form provided by the Third Article of the ſaid Regulations herein-before recited; and in all Caſes wherein Reſtitution ſhall be ſo decreed, the Commiſſion ſhall award to the Claimant or Claimants, or his or their lawful Attorney or Attornies, for his or their Uſe, a juſt and complete Indemnification, firſt, for all Coſts of Suit, and for all Loſſes and Damages which the Claimant or Claimants may have actually ſuſtained by ſuch Capture and Detention, that is to ſay, in the Caſe of total Loſs, the Claimant or Claimants ſhall be indemnified, firſt, for the Ship, her Tackle, Apparel, and Stores; ſecondly, for all Freight due and payable; thirdly, for the Value of the Cargo of Merchandize, if any; fourthly, for the Slaves on board at the Time of Detention, according to the computed Value of ſuch Slaves at the Place of Deſtination, deducting therefrom the uſual fair average Mortality for the unexpired Period of the regular Voyage, deducting alſo for all Charges and Expences payable upon the Sale of ſuch Cargoes, including Commiſſion of Sale when payable at ſuch Port; and fifthly, for all other regular Charges in ſuch Caſes of total Loſs; and in all other Caſes not of total Loſs, the Claimant or Claimants ſhall be indemnified, firſt, for all ſpecial Damages and Expences occaſioned to the Ship by the Detention, and for Loſs of Freight when due or payable; ſecondly, a Demurrage, when due, according to the Schedule annexed; thirdly, a daily Allowance for the Subſiſtence of Slaves of One Shilling or One hundred and eighty Reis for each Perſon, without Diſtinction of Age or Sex, for ſo many Days as it ſhall appear to the Commiſſion that the Voyage has been or may be delayed by reaſon of ſuch Detention, as likewiſe, fourthly, for any Deterioration of Cargo or Slaves; fifthly, for any Diminution in the Value of the Cargo of Slaves proceeding from an increaſed Mortality beyond the average Amount of the Voyage, or from Sickneſs occaſioned by Detention, this Value to be aſcertained by their computed Price at the Place of Deſtination, as in the above Caſe of total Loſs; ſixthly, an Allowance of Five *per Centum* on the Amount of Capital employed in the Purchaſe and Maintenance of Cargo for the Period of Delay occaſioned by the Detention; and ſeventhly, for all Premium of Inſurance on additional Riſks; the Claimant or Claimants ſhall likewiſe be entitled to Intereſt at the Rate of Five *per Centum per Annum* on the Sum awarded, until paid by the Government to which the capturing Ship belongs; the whole Amount of ſuch Indemnifications being calculated in the Money of the Country to which the captured Ship belongs, and to be liquidated at Exchange Current at the Time of Award, excepting the Sum for the Subſiſtence of Slaves, which ſhall be paid at par, as above ſtipulated; the Two High Contracting Parties wiſhing to avoid, as much as poſſible, every Species of Fraud in the Execution of the Additional Convention of this Date, have agreed, that if it ſhould be proved, in a Manner evident to the Conviction of the Judges of the Two Nations, and without having Recourſe to the Deciſion of a Commiſſioner of Arbi-

tration, that the Captor has been led into Error by a voluntary and reprehenſible Fault on the Part of the Captain of the detained Ship, in that Caſe only the detained Ship ſhall not have the Right of receiving, during the Days of her Detention, the Demurrage ſtipulated by the preſent Article :—

Schedule of Demurrage or Daily Allowance for a Veſſel of

100 Tons	to 120	inclusive	-	£5
121 ditto	to 150	- ditto	-	6
151 ditto	to 170	- ditto	-	8
171 ditto	to 200	- ditto	-	10
200 ditto	to 220	- ditto	-	11
221 ditto	to 250	- ditto	-	12
251 ditto	to 270	- ditto	-	14
271 ditto	to 300	- ditto	-	15

} per Diem ;

and ſo in proportion ; and it was alſo provided by the Ninth Article of the ſaid Regulations, that when the Proprietors of a Ship ſuſpected of carrying on an illicit Trade in Slaves, releaſed in conſequence of a Sentence of One of the mixed Commiſſions (or in the Caſe as above mentioned of total Loſs,) ſhall claim Indemnification for the Loſs of Slaves which he may have ſuffered, he ſhall in no Caſe be entitled to claim for more than the Number of Slaves which his Veſſel was by the *Portugueſe* Laws authorized to carry, which Number ſhall always be declared in his Paſſport ; and it was alſo provided by the Tenth Article of the ſaid Regulations, that the mixed Commiſſion eſtabliſhed in *London* by the Article Ninth of the ſaid Convention herein-before recited, ſhall hear and determine all Claims for *Portugueſe* Ships and Cargoes captured by *Britiſh* Cruizers, on account of the unlawful Trading in Slaves, ſince the Firſt of *June* One thouſand eight hundred and fourteen, till the Period when the Convention is to be in complete Execution, awarding to them, conformably to the Ninth Article of the ſaid Convention, a juſt and complete Compenſation, upon the Baſis laid down in the preceding Article, either for total Loſs, or for Loſſes and Damages ſuſtained by the Owners and Proprietors of the ſaid Ships and Cargoes ; and it was alſo provided, that the ſaid Commiſſion eſtabliſhed in *London* ſhall be compoſed and proceed exactly upon the ſame Baſis determined in the Articles of One, Two, and Three of the Regulations herein-before recited, for the Commiſſions eſtabliſhed on the Coaſt of *Africa* and the *Brazils* ; and it was alſo provided by the Eleventh Article of the ſaid Regulation, that it ſhall not be permitted to any of the Commiſſary Judges, nor to the Arbitrators, nor to the Secretary of any of the mixed Commiſſions, to demand or receive from any one of the Parties concerned in the Sentences which they ſhall pronounce, any Emolument, under any Pretext whatſoever, for the Performance of the Duties which are impoſed upon them by the Regulations annexed to the Convention as aforeſaid ; and by the Ninth Article of the ſaid Regulations, that when the Parties intereſted ſhall imagine they have Cauſe to complain of any evident Injuſtice on the Part of the mixed Commiſſions, they may repreſent it to their reſpective Governments, who reſerve to themſelves the Right of mutual Correſpondence, for removing, when they think fit, the Individuals who may compoſe theſe Commiſſions : And it was alſo provided by the Thirteenth Article of the ſaid Regulations, that in the Caſe of a Veſſel detained unjuſtly under the Pretence of the Stipulations of the Additional Convention of this Date, and in which the Captor ſhould neither

be authorized by the Tenor of the above-mentioned Convention, nor of the Inſtructions annexed to it, the Government to which the detained Veſſel may belong, ſhall be entitled to demand Reparation, and in ſuch Caſe the Government to which the Captor may belong, binds itſelf to cauſe the Subject of Complaint to be fully examined, and to inflict upon the Captor, if he be found to have deſerved it, a Puniſhment proportioned to the Tranſgreſſion which may have been committed: And it was alſo agreed in the Fourteenth Article of the ſaid Regulations, that in the Event of the Death of One or more of the Commiſſioners, Judges, and Arbitrators compoſing the above-mentioned mixed Commiſſions, their Poſts ſhall be ſupplied *ad interim* in the following Manner; on the Part of the *Britiſh* Government, the Vacancies ſhall be filled ſucceſſively in the Commiſſion which ſhall ſit within the Poſſeſſions of His *Britannic* Majeſty, by the Governor or Lieutenant Governor reſident in that Colony, by the principal Magiſtrate of the Place, and by the Secretary, and in the *Brazils*, by the *Britiſh* Conſul and Vice Conſul reſident in the City in which the mixed Commiſſion may be eſtabliſhed; on the Part of *Portugal*, the Vacancies ſhall be ſupplied in the *Brazils* by ſuch Perſons as the Captain General of the Province ſhall name for that Purpoſe; and conſidering the Difficulty which the *Portugueſe* Government would feel in naming fit Perſons to fill the Poſts which might become vacant in the Commiſſion eſtabliſhed in the *Britiſh* Poſſeſſions, it is agreed, that in caſe of the Death of the *Portugueſe* Commiſſioners, Judge, or Arbitrators, in thoſe Poſſeſſions, the remaining Individuals of the above-mentioned Commiſſion ſhall be equally authorized to proceed to the Judgment of ſuch Slave Ships as may be brought before them, and to the Execution of their Sentence; in this Caſe alone, however, the Parties intereſted ſhall have the Right of appealing from the Sentence, if they think fit, to the Commiſſion reſident in the *Brazils*; and the Government to which the Captor ſhall belong ſhall be bound fully to defray the Indemnification which ſhall be due to them, if the Appeal be judged in favour of the Claimants, it being well underſtood that the Ship and Cargo ſhall remain during this Appeal in the Place of Reſidence of the Firſt Commiſſion before whom ſhe may have been conducted; and it was in the ſaid Regulation agreed to ſupply, as ſoon as poſſible, every Vacancy that may ariſe in the above-mentioned Commiſſions from Death or any other Contingency; and in caſe that the Vacancy of each of the *Portugueſe* Commiſſioners reſiding in the *Britiſh* Poſſeſſions be not ſupplied at the End of Six Months, the Veſſels which are taken there to be judged, after the Expiration of that Time, ſhall no longer have the Right of Appeal herein-before ſtipulated: And it was alſo further provided and declared and agreed, in a ſeparate Article, that as ſoon as the total Abolition of the Slave Trade for the Subjects of the Crown of *Portugal* ſhall have taken place, the Two High Contracting Parties, by common Conſent, will adapt to that State of Circumſtances the Stipulations of the ſaid Additional Convention of the Twenty-eighth *July* herein-before recited; but in Default of ſuch Alterations, that the ſaid Additional Convention ſhall remain in force until the Expiration of Fifteen Years from the Day on which the general Abolition of the Slave Trade ſhall ſo take place on the Part of the *Portugueſe* Government; and that the ſaid ſeparate Article ſhall have the ſame Force and Validity as if it were inſerted Word for Word in the ſaid Additional Convention herein-before mentioned as aforeſaid: And whereas it is expedient and neceſſary that effectual Proviſion ſhould

be

be made for carrying into Execution the Provisions of the said Treaty; 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 be lawful for any Officers commanding any Ship of War of His Majesty, duly authorized in that Behalf, and provided with Instructions according to the Provisions of the said Convention, to visit and detain all Ships and Vessels which shall be suspected, upon reasonable Grounds, of having Slaves on board acquired by an illicit Traffic, according to the Articles of the said Convention, and to detain and bring to Adjudication all Ships, Vessels, and Cargoes thereby made subject to Detention and Condemnation, according to the Provisions of the said Convention, and the Instructions and Regulations aforesaid.

Ships of War duly authorized may seize all Vessels acting contrary to the said Convention.

II. And be it further enacted, That all Ships and Vessels, belonging wholly or in part to His Majesty's Subjects, which shall be suspected upon reasonable Grounds of having Slaves on board acquired by an illicit Traffic, shall be and are hereby declared and made, according to the said Treaty, Convention, and Regulations aforesaid, subject to the Visitation of *British* or *Portuguese* Vessels of War, duly authorized for that Purpose, according to the Provisions before recited; and that all Ships and Vessels belonging wholly or in part to His Majesty's Subjects, which shall be found having Slaves on board acquired by an illicit Traffic, contrary to the Treaty, Convention, and Regulations so recited as aforesaid, and all Boats, Apparel, Furniture, and Slaves belonging to such Ships or Vessels, and all Cargoes therein, shall be and are hereby declared to be and made subject to the Visit and Detention of *British* or *Portuguese* Vessels of War duly authorized for that Purpose, according to the Stipulations of the said Convention, and to Forfeiture according to the Provisions of the said Convention, and the Regulations and Instructions thereunto annexed, and for that Purpose shall be and are hereby made subject to the Adjudication of, and to Condemnation or other Judgment by the Commissary Judges and Commissioners to be appointed according to the Provisions of the said Convention, and to the Instructions and Regulations annexed thereto, recited as aforesaid.

British Vessels trading in Slaves, or acting contrary to the Convention, subject to Seizure by Portuguese or British Vessels, and to Condemnation by the Commissioners.

III. And be it further enacted, That it shall be lawful for His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of His Majesty's Principal Secretaries of State, to appoint such Commissary Judges and Commissioners of Arbitration as are in and by the said Convention, and Regulations thereto annexed, mentioned to be appointed by His Majesty, and from Time to Time to supply any Vacancies which may arise in such Offices, by appointing other Persons thereto; and to grant Salaries to such Commissary Judges and Commissioners of Arbitration as aforesaid, not exceeding such Annual Sums as the Lords Commissioners of His Majesty's Treasury of *Great Britain* and *Ireland* shall from Time to Time direct; and such Commissary Judges and Commissioners are hereby authorized and empowered to examine and decide all such Cases of Detention, Captures, and Seizures of Vessels and their Cargoes as aforesaid, detained, seized, taken, or captured under the said Treaty or Convention, or Instructions and Regulations, as are by the said Treaty, Convention, Instructions and Regulations, and by this Act, made subject to their Jurisdiction, and to proceed therein, and give such Judgments, and make such Orders therein, and

His Majesty may appoint Commissary Judges and Commissioners of Arbitration.

to do all other Acts, Matters, and Things appertaining thereto, agreeably to the Provisions of the said Treaty and Convention, and the Instructions and Regulations annexed thereto and recited as aforesaid, as fully and effectually to all Intents and Purposes as if special Powers and Authorities were specifically and particularly inserted and given in relation thereto in this Act.

Secretary and Registrar to be appointed, with Salaries, and empowered to execute the Duties of their Office.

IV. And be it further enacted, That it shall be lawful for His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of His Majesty's Principal Secretaries of State for the Time being, to nominate and appoint a Secretary or Registrar to the Commission which shall be established in His Majesty's Dominions, and from Time to Time to supply, by other Appointments, any Vacancy which may thereafter occur in such Office, and to grant Salaries to such Secretary or Registrar, not exceeding such Annual Sum as the said Lords Commissioners shall from Time to Time direct; and such Secretary or Registrar is hereby respectively authorized and empowered to do, perform, and execute all the Duties of such Office, as set forth and described in the said Convention, Instructions, and Regulations respectively herein-before recited as aforesaid, and to do, perform, and execute all such Acts, Matters, and Things as may be necessary for the due Discharge of the Duties of his Office, according to the Provisions of the said Convention and Instructions and Regulations as aforesaid.

Vacancies in the Commission sitting in some Possession of His Majesty, to be filled up according to the Regulations.

V. And be it further enacted, That it shall be lawful for the Governor or Lieutenant Governor or Principal Magistrate of the Colony or Settlement in which the Commission shall sit, within the Possessions of His *Britannic* Majesty, to fill up every Vacancy which shall arise in such Commission, either of Commissary Judge, Commissioner, or any Officer thereof, appointed by His Majesty as aforesaid, according to the Provisions contained in the before recited Regulations annexed to the said Convention as aforesaid, *ad interim*, until such Vacancy or Vacancies shall be thereafter filled by some Person or Persons appointed by His Majesty for that Purpose.

Commissary Judges, Commissioners of Arbitration, Secretary, and Registrar, to take Oaths for due Execution of Office.

VI. And be it further enacted, That every Commissary Judge and Commissioner of Arbitration, appointed by His Majesty, shall, before he shall enter upon the Execution of any of the Duties of such his Office, take an Oath, in the Presence of the Principal Magistrate then residing and acting in the Colony, Settlement, or Place in which the Commission shall be appointed to reside; which Oath every such Magistrate in any Colony, Settlement, or Place belonging to His Majesty, in which such Court or Commission shall be appointed, is hereby authorized to administer, in the Form following, that is to say,

'I *A. B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the Execution of my Office as faithfully, impartially, fairly, and without Preference or Favour, either for Claimants or Captors, or any other Persons; and that I will, to the best of my Judgment and Power, act in pursuance of and according to the Stipulations, Regulations, and Instructions contained in the Convention between His Majesty and His most Faithful Majesty, signed at *London* on the Twenty-eighth Day of *September* One thousand eight hundred and seventeen. So help me GOD.'

And every Secretary or Regiſtrar appointed by His Majeſty under the Proviſions of the Treaty, and Regulations and Inſtructions, and of this Act, ſhall, before he enters on the Duties of his ſaid Office, take the like Oath before the *Britiſh* Commiſſary Judge as aforeſaid, who is hereby empowered to adminiſter the ſame.

Commiſſary Judges and Commiſſioners, and their Secretary and Regiſtrar, may adminiſter Oaths.

VII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſary Judges, or either of them, or for any ſuch Secretary or Regiſtrar, and they are hereby reſpectively empowered, to adminiſter Oaths to and take the Depoſitions of all Parties, Witneſſes, and other Perſons who may come or be brought before them to be examined, or for the Purpoſe of depoſing, in the Courſe of any Proceeding before the ſaid Commiſſary Judges, or before the ſaid Commiſſary Judges and the Commiſſioners of Arbitration, in the Caſes in which ſuch Commiſſioner of Arbitration ſhall act with the ſaid Commiſſary Judges, under the ſaid Convention, Inſtructions or Regulations, or this Act; and it ſhall alſo be lawful for the ſaid Commiſſary Judges, or for the ſaid Commiſſary Judges and Commiſſioners of Arbitration, in the Caſes aforeſaid, to ſummon before them all Perſons whom they may deem it neceſſary or proper to examine, in relation to any Suit, Proceeding, or Matter or Thing under their Cognizance, and to ſend for and iſſue Precepts for the producing of all ſuch Papers as may relate to the Matters in queſtion before them, and to enforce all ſuch Summonſes, Orders, and Precepts by ſuch and the like Means, Powers, and Authorities as any Court of Vice Admiralty may do.

Perſons giving falſe Evidence guilty of Perjury.

VIII. And be it further enacted, That every Perſon who ſhall wilfully and corruptly give falſe Evidence, in any Examination or Depoſition or Affidavit had or taken upon or in any Proceeding before the ſaid Commiſſary Judges or Commiſſioners aforeſaid, under the ſaid Treaty, Inſtructions or Regulations, or this Act, ſhall be deemed guilty of Perjury, and being thereof convicted, ſhall be ſubject and liable to all the Puniſhments, Pains, and Penalties to which Perſons convicted of wilful and corrupt Perjury are liable; and every ſuch Perſon may be tried for any ſuch Perjury, either in the Place where the Offence was committed, or in any Colony or Settlement of His Majeſty near thereto, in which there is a Court of competent Juriſdiction to try any ſuch Offence, or in His Majeſty's Court of King's Bench in *England*; and that in caſe of any Proſecution for ſuch Offence in His Majeſty's ſaid Court of King's Bench, the Venue may be laid in the County of *Middleſex*.

Suit pending before, or Judgment by any ſuch Commiſſion, to be a Bar, and pleadable as ſuch to any Action brought for any Thing done under the Treaty.

IX. And be it further enacted, That the Pendency of any Suit or Proceeding inſtituted before the ſaid Commiſſioners for the Condemnation or Reſtitution of any Ship or Cargo or Slaves taken, ſeized, or detained by virtue of the ſaid Convention, or Inſtructions or Regulations thereto annexed, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar, or given in Evidence under the General Iſſue, and ſhall be and be deemed and adjudged in any Court whatever to be a good and complete Bar in any Action, Suit, or Proceeding, whether brought or inſtituted by any Perſon or Perſons for the Recovery of any ſuch Ship, Veſſel, or Cargo, or of any Damage or for any Injury ſuſtained thereby, or by the Perſons on board the ſame, in conſequence of any Capture, Seizure, or Detention, or Act, Matter,

or Thing done under the Authority or in purſuance of the Proviſions of the ſaid Convention, or of the Inſtructions or Regulations thereto annexed; any Thing in any Act or Acts of Parliament, or Law or Laws to the contrary notwithſtanding.

Not to exclude Juriſdiction of Prize Courts of Appeal, or of Admiralty, in Caſes brought before them.

X. Provided always, and be it further enacted, That it ſhall be lawful for the Lords Commiſſioners of Appeal in Prize Cauſes, and for the High Court of Admiralty, in all Caſes and Queſtions ariſing out of the ſaid Captures that may be depending before them, or that may be brought before them on Appeal from any Vice Admiralty Court, according to their reſpective Juriſdictions, to proceed therein, and to hear and determine all Queſtions reſpecting any Right or Intereſt in or to the ſame, to which His Majeſty, or the Captors or Seizors of ſuch Ships, Veſſels, or Cargoes, may claim to be entitled, by reaſon of the Capture or Seizure thereof and the Laws relating thereto, and to enforce their Judgments and Orders therein by the uſual Proceſs of the ſaid Courts; any Thing in this Act to the contrary notwithſtanding.

Proviſion in caſe of Captors not eſtabliſhing their Rights.

XI. Provided alſo, and be it further enacted, That in all ſuch Caſes as aforeſaid in which the Captors or Seizors ſhall not eſtabliſh any Right or Intereſt on their Behalf, by reaſon of the Capture thereof and the Laws relating thereto, it ſhall be lawful for the ſaid Courts reſpectively to order and adjudge the Ships, Veſſels, and Cargoes, or the Proceeds thereof, and all and every Part thereof, into or to or which the Captors ſhall not eſtabliſh any Right or Intereſt as aforeſaid, to be delivered or paid, for the Uſe of His Majeſty, to ſuch Perſon or Perſons as the ſaid Commiſſioners of His Majeſty's Treaſury for the Time being ſhall appoint to receive the ſame, and to enforce the Delivery or the Payment thereof by the uſual Proceſs as is uſed and eſtabliſhed by Law in Caſes of Prize; any Thing in this Act to the contrary notwithſtanding.

Proviſions of this Act not to alter or affect any of the Penalties or Proviſions in any Act for Suppreſſion of the Slave Trade.

XII. And be it further enacted, That nothing in this Act contained ſhall extend or be deemed or conſtrued in anywiſe to alter, ſuſpend, affect, relax, or repeal any of the Clauſes, Penalties, Forfeitures, or Puniſhments contained and enacted in any Act or Acts of Parliament made for the Suppreſſion or Prevention of the Slave Trade; but that all ſuch Acts of Parliament, and all Clauſes, Regulations, Penalties, Forfeitures, and Puniſhments therein reſpectively contained, ſhall remain in full Force and Virtue; any Thing in this Act contained to the contrary notwithſtanding.

General Iſſue may be pleaded.

XIII. And be it further enacted, That if any Action or Suit ſhall be commenced, either in *Great Britain* or elſewhere, or againſt any Perſon or Perſons, for any Thing done in purſuance of the ſaid Treaty, or Inſtructions or Regulations thereto annexed, or of this Act, the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act 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 the ſaid Convention, Inſtructions or Regulations, or of this Act; 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,

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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