ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

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C A P. XCIX.

An Act for the Appropriation of certain Proceeds arising from the Capture of Vessels and Cargoes, the Property of the Subjects of the Kings of *Spain, Portugal,* and the *Netherlands,* taken and seized in Violation of the Conventions made with those States, and for granting Bounties upon Slaves captured in such Vessels, and also for granting Indemnity to the Captors of certain Vessels taken in the Prosecution of the Slave Trade.

[10th *July* 1821.]

WHEREAS several Acts passed in the Fifty-eighth and Fifty-ninth Years of the Reign of His late Majesty King *George* the Third, for carrying into execution certain Treaties or Conventions made between His said Majesty and the Kings of *Spain, Portugal,* and the *Netherlands* respectively, for preventing Traffic in Slaves: And whereas Vessels belonging to the Subjects of the said States have been captured between the Seventeenth Day of *February* One thousand eight hundred and fifteen, and the Period at which the Commissioners appointed in virtue of such Treaties or Conventions have assembled: And whereas the Vessels belonging to the Subjects of *Portugal* so captured as aforesaid are by the Additional Convention with that State, bearing Date the Twenty-eighth Day of *July* One thousand eight hundred and seventeen, made the Subject

58 G. 3. c. 85.
59 G. 3. c. 16.
59 G. 3. c. 17.

of special Adjudication under the Mixt Commission established in *London*: And whereas during the Period aforesaid certain Proceedings have been had and Decrees have been made, without due Authority or Jurisdiction, in the Vice Admiralty Court at *Sierra Leone*, in respect of Seizures of the Vessels and Cargoes belonging to the Subjects of *Spain*, *Portugal*, and the *Netherlands*, some or all of them, for alleged Contravention of the said Treaties or Conventions: And whereas it is expedient and necessary to make further Provisions and Regulations respecting all the aforesaid Ships and Cargoes, and also for the Payment of Bounties in certain Cases for Slaves seized and taken on board the said Ships: 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 it shall be lawful for the Commissioners of His Majesty's Treasury to direct the original Papers and Proceedings respecting all Ships, Vessels, and Cargoes belonging to any of the Subjects of *Spain*, *Portugal*, or the *Netherlands*, condemned in the Vice Admiralty Court at *Sierra Leone* since the Seventeenth Day of *February* One thousand eight hundred and fifteen, to be transmitted to the Registry of the High Court of Admiralty of *England*; and further, to direct the Proceeds of such Ships and Cargoes, in whosesoever Possession the same may be, to be remitted and paid for the Use of His Majesty, in such Manner as the said Commissioners of the Treasury may direct and appoint; and further, that it shall be lawful for the said Commissioners of the Treasury to institute Proceedings in the said High Court of Admiralty against any Person or Persons in Possession of the said Proceeds, for the Purpose of obtaining Payment of the same, and to enforce the Payment thereof by Process of the said Court, and to reward the Captors in all the Cases aforesaid, by granting to them One Moiety of the Proceeds of every Ship and Cargo captured as aforesaid.

Treasury may direct the Papers and Proceedings respecting Vessels and Cargoes belonging to the Subjects of Spain, Portugal, or the Netherlands, condemned in the Vice Admiralty Court at Sierra Leone, to be transmitted to the Registry of the Admiralty Court of England.

Proceeds of Captures to be remitted.

II. Provided always, and be it further enacted, That the Captors shall not be entitled to any such Reward where it shall have been adjudged, by the Mixt Commission established in *London* for the Adjudication of the Claims of *Portuguese* Subjects, that such Seizure was wrongfully made, and the remaining Moiety of the said Proceeds shall be paid to such Person or Persons as the said Commissioners shall direct or appoint to receive the same, for the Use of His Majesty.

Captors not entitled to Rewards where the Commissioners for Portuguese Claims adjudge that the Seizure was wrongfully made.

III. And be it further enacted, That in every Seizure of any Ship or Vessel for being engaged or employed in the illicit Traffic in Slaves, made before the passing of this Act by any of His Majesty's Ships or Vessels of War, or any Ship or Vessel duly commissioned by any Governor or Lieutenant Governor of any of His Majesty's Colonies or Settlements, in which it shall appear to the Satisfaction of the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the Time being, that such Seizure has not been wantonly or improperly made, it shall be lawful for the said Lord High Treasurer or

Treasury may order the Charges of Proceedings incurred by Captors to be paid out of the Proceeds, &c.

Commissioners of His Majesty's Treasury, or any Three or more of them, to order and direct that all the Costs, Charges, and Expences which may have been or may be incurred by the Person or Persons making such Seizures in any Proceedings, or for any Matter or Thing relating thereto, or arising out of any such Seizure, shall be paid and defrayed out of the Proceeds of such Capture or Seizure, or out of any of the Proceeds of the said Vessels or Cargoes paid or to be paid to the Order of the Commissioners of His Majesty's Treasury, under the Provisions of this Act.

Captors of Vessels and Cargoes condemned for illicit trading in Slaves, and the Proceeds distributed, shall be confirmed in the Possession of the Proceeds.

IV. And be it further enacted, That wherever Ships and Cargoes captured by any of His Majesty's Ships of War, or by any Ship or Vessel commissioned by any Governor or Lieutenant Governor of any of His Majesty's Colonies or Settlements, have been in fact condemned for illicit Trading in Slaves, contrary to the Treaties or Conventions made with the Governments of *Spain*, *Portugal*, or the *Netherlands*, and where Distribution of the Proceeds thereof has been made prior to the passing of this Act, the said Captors shall be confirmed and are hereby confirmed in the Possession of the said Proceeds; any Law, Statute, or Usage to the contrary notwithstanding.

Captors of Vessels shall, after the same are condemned, be entitled to the Moiety of the Proceeds belonging to His Majesty.

V. And be it further enacted, That where any Ship or Vessel employed or engaged in illicit Traffic in Slaves, in Violation of any of the said Conventions herein-before mentioned, shall be seized by any Ship or Vessel belonging to His Majesty, duly authorized under the Provisions of the said Conventions to make such Seizure, and shall be afterwards condemned by any of the Commissions appointed in virtue of the Treaties or Conventions aforesaid, there shall be paid to the Captors the Moiety to which His Majesty is entitled under the said Conventions of the net Proceeds of the said Ship and Cargo, the said Moiety of the said net Proceeds to be distributed in the Manner hereafter directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

A Bounty of 10l. for every Slave found on board of Vessels seized.

VI. And be it further enacted, That there shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, a Bounty of Ten Pounds of lawful Money of *Great Britain*, for every Man, Woman, and Child Slave seized and found on board any Ship or Vessel taken, and by the Commissioners appointed in virtue of any of the said Conventions condemned for illicit Traffic in Slaves, in Violation of any of the Provisions of the said Conventions; such Bounty to be issued and paid by Order from the said Commissioners of His Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid, in such Manner and Proportions as is directed by His Majesty's Proclamation for the Distribution of Proceeds, bearing Date the Fourteenth Day of *October* One thousand eight hundred and sixteen, or by any other Proclamation which His Majesty may from Time to Time be pleased to issue in this Behalf.

Such Bounty of 10l. shall be paid for every Slave

VII. And whereas certain Treaties were concluded with His Royal Highness the Prince Regent of *Portugal*, on the Nineteenth Day of *February* One thousand eight hundred and ten, and the Twenty-second

found on board of Vessels of Portugal, Spain, and Netherlands captured within the Periods herein mentioned.

second Day of *January* One thousand eight hundred and fifteen; and an additional Convention to the said last-mentioned Treaty, for the Purpose of preventing the illicit Traffic in Slaves, was also concluded on the Twenty-eighth Day of *July* One thousand eight hundred and seventeen: And whereas a Treaty with His Catholic Majesty the King of *Spain*, for the Purpose aforesaid, was concluded on the Twenty-third Day of *September* One thousand eight hundred and seventeen: And whereas a Treaty with His Majesty the King of the *Netherlands*, for the like Purpose, was concluded on the Fourth Day of *May* One thousand eight hundred and eighteen: And whereas prior to the passing of this Act, and since the Conclusion of the said Treaties respectively, divers Seizures have been made of Ships, Cargoes, and Slaves on board the said Ships, the said Ships being engaged in Traffic for Slaves, contrary to the Provisions of the said Treaties, some or one of them: Be it further enacted, That in all Captures as aforesaid of *Portuguese* Vessels made by any of His Majesty's Ships of War, or any Ship or Vessel duly commissioned by any Governor or Lieutenant Governor of any of His Majesty's Colonies or Settlements, between the First Day of *June* One thousand eight hundred and fourteen, and the Twenty-eighth Day of *July* One thousand eight hundred and seventeen, on account of any Treaty or Convention with *Portugal*, there shall be paid a like Bounty of Ten Pounds for every Man, Woman, and Child Slave so seized and taken; and in all Captures of any Vessel belonging to *Spain*, *Portugal*, or the *Netherlands*, captured by any of His Majesty's Ships or Vessels duly authorized under the Provisions of the said Treaties of the said Twenty-eighth Day of *July* One thousand eight hundred and seventeen with *Portugal*, the said Twenty-third Day of *September* One thousand eight hundred and seventeen with *Spain*, and the said Fourth Day of *May* One thousand eight hundred and eighteen with the *Netherlands*, prior to the passing of this Act, and condemned for Contravention of the Provisions thereof, there shall be paid a like Bounty of Ten Pounds for every Man, Woman, and Child Slave found on board any such Vessel; to be distributed to the Captors thereof in the same Manner as is by the Provisions of this Act hereinbefore directed: Provided always, that in all Cases in which the Proceeds of any such Capture shall have been distributed among the Captors, and allowed to be retained by such Captors under the Provisions of this Act, the Amount of the Moiety of the Proceeds shall be deducted from such Bounties.

Where Proceeds have been distributed and allowed, Moiety of Proceeds shall be deducted from Bounties.

Proceeds and Bounties to be distributed as the Treasury shall direct.

VIII. Provided always, and be it further enacted, That in all Cases where any Bounty or Bounties, or any Proceeds, are by virtue of this Act given to any capturing Vessel, being a Vessel duly commissioned by any Governor or Lieutenant Governor of any of His Majesty's Colonies or Settlements, the said Proceeds and Bounty or Bounties shall be distributed in such Manner as the Commissioners of His Majesty's Treasury shall be pleased to direct or appoint.

Parties claiming Benefit under this Act may re-

IX. Provided also, and be it further enacted, That any Party or Parties claiming any Benefit under the said Act shall and may resort to the High Court of Admiralty, for the Purpose of obtaining the

Judgment of the said Court in that Behalf; and that it shall and may be lawful for the Judge of the said High Court of Admiralty to determine thereon.

sort to the Court of Admiralty.

X. And be it further enacted, That all the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize, and the Per-centage due thereon, to *Greenwich* Hospital, shall be and are hereby extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of His Majesty's Ships or Vessels of War, whether the said Bounty and Proceeds shall be paid to Prize Agents, or to any other Person or Persons authorized to receive the same, for the Use and Benefit of the Officers and Crews of any of His Majesty's Ships or Vessels of War.

Regulations to which Prize Agents are liable shall be extended to Bounties and Proceeds to be distributed under this Act.

XI. And whereas by an Act passed in the Fifty-fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to allow Ships taken and condemned for being used in carrying on the Slave Trade, to be registered as* British-*built Ships*, it was amongst other Things enacted, that all Ships or Vessels, whether *British* or Foreign, which should at any Time after the passing of the said recited Act become forfeited under any of the Provisions of any Act or Acts of Parliament then in force, or which might thereafter be passed for the Prevention, Abolition, or Regulation of the Slave Trade, and be adjudged to be forfeited in any Court of Record in *Great Britain*, or which should be condemned as forfeited in any Court of Admiralty or Vice Admiralty in any Part of His Majesty's Dominions, for any Offence in relation to the Slave Trade, should from and after such Judgment or Condemnation respectively, be entitled to a Certificate of Registry as a *British* Ship, and thereupon have and enjoy all the Privileges and Advantages of *British*-built Ships and Vessels, in like Manner with Ships and Vessels taken by His Majesty's Ships of War and condemned as lawful Prize of War in Courts of Admiralty: And whereas it is expedient that all Ships or Vessels which shall have been or may be captured, seized, or detained by any Ship or Vessel belonging to His Majesty, for being employed or engaged in any illicit Traffic in Slaves, in Violation of either of the said Conventions, and which shall have been or may be condemned by any Commission Court established under or in pursuance of any of the Provisions of either of the said Conventions, should be registered as *British*-built Ships; be it therefore enacted, That every Ship or Vessel which shall have been or may be captured or seized by any Ship or Vessel belonging to His Majesty, for being engaged or employed in any illicit Traffic in Slaves in Violation of either of the said Conventions, and which shall have been before the passing of this Act, or which may hereafter be condemned as forfeited by any Commission Court established under or in pursuance of any of the Provisions of either of the said Conventions, shall be entitled to and have a Certificate of Registry as a *British* Ship, and shall thereupon be, and be deemed and taken to be, a *British* registered Ship, and thereupon have and

54 G. 3. c. 59.

Captured Vessels condemned as forfeited shall have Certificate of Registry as a British Ship.

enjoy all the Privileges and Advantages of *British*-built Ships and Vessels, and shall in like Manner be subject to the same Provisions, Regulations, Conditions, and Restrictions, Penalties and Forfeitures, as Ships or Vessels condemned in any Court of Admiralty or Vice Admiralty, in any Part of His Majesty's Dominions, for any Offence in relation to the Slave Trade.

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