ANNO SEPTIMO & OCTAVO

# GEORGII IV. REGIS.

********************************************************

## C A P. LXXIV.

**An Act to carry into Execution a Convention between His Majesty and the Emperor of *Brazil*, for the Regulation and final Abolition of the *African* Slave Trade. [2d *July* 1827.]**

WHEREAS a Convention was concluded between His Majesty and His Majesty the Emperor of *Brazil*, for the Regulation and final Abolition of the *African* Slave Trade, so far as relates to the Dominions and Subjects of the *Brazilian* Empire, and signed at *Rio de Janeiro* on the Twenty-third Day of *November* in the Year of our Lord One thousand eight hundred and twenty-six: And whereas by the First Article of the said Convention it was agreed upon and concluded between the High Contracting Parties, that at the Expiration of Three Years, to be reckoned from the Exchange of the Ratifications of the present Treaty, it should not be lawful for the Subjects of the Emperor of *Brazil* to be concerned in the carrying on of the *African* Slave Trade, under any Pretext or in any Manner whatever, and that the carrying on such Trade after that, by any Person Subject of His Imperial Majesty, should be deemed and treated as Piracy: And whereas by the Second Article of the said Convention His Majesty and His Majesty the Emperor of *Brazil*, deeming it necessary to declare the Engagements by which they hold themselves bound to provide for the Regulation of the said Trade till the Time of its final Abolition, did mutually agree to adopt and renew, as effectually as if the same were inserted Word for Word in the said

9 A Convention,

Convention, the several Articles and Provisions of the Treaties concluded between His Majesty and the King of *Portugal* on this Subject, on the Twenty-second of *January* One thousand eight hundred and fifteen, and on the Twenty-eighth of *July* One thousand eight hundred and seventeen, and the several explanatory Articles which have been added thereto; and by the Third Article of the said Convention the High Contracting Parties further agreed, that all the Matters and Things contained in those Treaties, together with the Instructions and Regulations and Forms of Instruments annexed to the Treaty of the Twenty-eighth *July* One thousand eight hundred and seventeen, should be applied *mutatis mutandis* to the said Contracting Parties and their Subjects, as effectually as if they were recited Word for Word therein, confirming and approving thereby all Matters and Things done by their respective Subjects under the said Treaties and in execution thereof; and by the Fourth Article of the said Convention, for the Execution of the Purposes of the said Convention, the said High Contracting Parties further agreed to appoint forthwith Mixed Commissions, after the Form of those already established on the Part of His *Britannic* Majesty and the King of *Portugal* under the Convention of the Twenty-eighth of *July* One thousand eight hundred and seventeen: And whereas by the Fifth Article of the said Convention it is agreed, that the said Convention should be ratified, and the Ratifications should be exchanged at *London* within Four Months from the Date thereof, or sooner if possible; and the same has been done accordingly: And whereas it is expedient and necessary that effectual Provision should be made for carrying into Execution the Provisions of the said Convention: And whereas the several Articles and Provisions of the Treaties, and the several explanatory Articles which have been added thereto, mentioned in the said Second Article, and the Instructions and Regulations and Forms of Instruments annexed to the Treaty mentioned in the said Third Article, are fully set forth in an Act made and passed in the Fifth Year of His present Majesty, intituled 5 G. 4. c. 113. *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade*, reciting and confirming an Act made and passed in the Fifty-eighth Year of His late Majesty King *George* the Third, 58 G. 3. c. 85. intituled *An Act to carry into Execution a Convention made between His Majesty and the King of* Portugal, *for the preventing Traffic in Slaves*, and an Act made and passed in the Fifty-ninth Year of His late Majesty King *George* the Third, intituled 59 G. 3. c. 17. *An Act to amend an Act of last Session of Parliament, for carrying into Execution a Convention made between His Majesty and the King of* Portugal, *for the preventing the Traffic in Slaves*: 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 the several Treaties, Articles, Matters and Things aforesaid, as the same are set forth in the said Acts, and the several Powers, Penalties, Provisions, Enactments, and Clauses in the same Acts relating thereto, shall be applied *mutatis mutandis* to His Majesty and the Emperor of *Brazil*, and their respective Subjects; and that all Matters and Things done or to be done in pursuance thereof, so far as they are applicable to the said Convention between His Majesty and His Majesty the Emperor of *Brazil*, shall be deemed

**Powers, &c. of recited Acts shall apply to the Convention between His Majesty and the Emperor of Brazil.**

lawful, and authorized by this Act, in like Manner, Form, and Effect as if all the said several Treaties, Articles, Matters and Things, and all the said Powers, Penalties, Provisions, Enactments, and Clauses, were repeated and set forth *mutatis mutandis* in this Act; and that from and after the passing of this Act it shall not be lawful for any Person to commence, prosecute, or proceed in any Claim, Action, or Suit whatever, in the High Court of Admiralty or in any other Court, or before any Judges or Persons whomsoever, other than the several Mixed Courts of Justice appointed under and by virtue of the said Convention between His Majesty and His Majesty the Emperor of *Brazil*, and the Instructions and Regulations therein mentioned or referred to, and this Act, for the Condemnation or Restitution of any Ship or Cargo or Slaves, or for any Compensation or Indemnification for any Loss or Damage or for any Injury sustained by such Ship, Cargo, or Slaves, or by any Person on board any such Ship, in consequence of any Capture, Seizure, or Detention under the Authority or in pursuance of the Provisions of the said last-mentioned Convention, or of the Instructions and Regulations therein mentioned or referred to, or of this Act; and that the Pendency of any Claim, Suit, or Proceeding instituted or which may be instituted before any of the said Mixed Courts so to be appointed under the Authority of the said last-mentioned Convention, and the Instructions and Regulations therein mentioned or referred to, and this Act, for the Condemnation or Restitution of any Ship or Cargo or Slaves, taken, seized, or detained by virtue of the said last-mentioned Convention, or of the Instructions and Regulations therein mentioned or referred to, or for any Compensation or Indemnification for any Loss or Damage in consequence of the taking, seizing, or detaining any such Ship, or the final Adjudication, Condemnation, Judgment, or Determination of any such Mixed Court, as the Case shall require, may be pleaded in Bar or given in Evidence under the General Issue; or in case no such Claim, Suit, or Proceeding shall have been instituted before any such Mixed Court, then the said last-mentioned Convention, and the Instructions and Regulations therein mentioned or referred to in this Act, may in like Manner be pleaded in Bar or given in Evidence under the General Issue; and every such Plea in Bar or Evidence so given under the General Issue shall be deemed and adjudged to be a good and complete Bar to any such Claim, Action, Suit, or Proceeding in the said High Court of Admiralty, or in any Court or Place other than such Mixed Courts; any thing in any Act or Acts, or Law or Laws, to the contrary in anywise notwithstanding.

**No Claims or Suits for Ships captured, &c. to be brought, except before Mixed Courts appointed pursuant to Convention.**

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1827.