ANNO DUODECIMO & DECIMO TERTIO

# VICTORIÆ REGINÆ.

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

## C A P LXXXIV.

**An Act for carrying into effect Engagements between Her Majesty and certain *Arabian* Chiefs in the *Persian Gulf* for the more effectual Suppression of the Slave Trade. [1st *August* 1849.]**

WHEREAS on the Thirtieth Day of *April* in the Year of our Lord One thousand eight hundred and forty-seven an Engagement was concluded between Major *S. Hennell*, the Resident in the *Persian Gulf*, on behalf of Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, and *Sultan Bin Sugger*, Shaik of *Ras-el-Khyma* and *Shargah* in the *Persian Gulf*, the Chief of the *Joasmee Arabs*, whereby it was agreed as follows:

" I, Shaik *Sultan Bin Sugger*, Chief of the *Joasmee* Tribe, with " a view to strengthen the Bonds of Friendship existing between me " and the *British* Government, do hereby engage to prohibit the " Exportation of Slaves from the Coasts of *Africa* and elsewhere " on board of my Vessels, and those belonging to my Subjects or " Dependents, such Prohibition to take effect from the 1st Day of " *Mohurrum* 1264 A.H. (or 10th *Dec.* 1847 A.D.)

" And I do further consent, that whenever the Cruizers of the " *British* Government fall in with any of my Vessels, or those belonging " to my Subjects or Dependents, suspected of being engaged in the

" Slave Trade, they may detain and search them; and in case of their " finding that any of the Vessels aforesaid have violated this Engage- " ment, by the Exportation of Slaves from the Coasts of *Africa* or " elsewhere, upon any Pretext whatsoever, they (the Government " Cruizers) shall seize and confiscate the same:"

And whereas on the said Thirtieth Day of *April* One thousand eight hundred and forty-seven an Engagement was also concluded between Major *S. Hennell*, the Resident in the *Persian Gulf*, on behalf of Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, and *Muktoom Bin Buttye*, Shaik of *Debaye*, whereby it was agreed as follows:

" I, *Muktoom Bin Buttye*, Shaik of *Debaye*, with the view to " strengthen the Bonds of Friendship existing between me and the " *British* Government, do hereby engage to prohibit the Exportation " of Slaves from the Coasts of *Africa* and elsewhere on board of " my Vessels, and those belonging to my Subjects or Dependents, such " Prohibition to take effect from the 1st Day of *Mohurrum* 1264 A.H. " (or 10th *Dec.* 1847 A.D.)

" And I do further consent, that whenever the Cruizers of the " *British* Government fall in with any of my Vessels, or those " belonging to my Subjects or Dependents, suspected of being " engaged in the Slave Trade, they may detain and search them; " and in case of their finding that any of the Vessels aforesaid have " violated this Engagement, by the Exportation of Slaves from the " Coasts of *Africa* or elsewhere, upon any Pretext whatsoever, they " (the Government Cruizers) shall seize and confiscate the same."

And whereas on the First Day of *May* in the said Year One thousand eight hundred and forty-seven an Engagement was also concluded between the said Major *S. Hennell*, on behalf of Her Majesty, and *Abdool Azeez Bin Rashid*, Shaik of *Eginan*, whereby it was agreed as follows:

" I, *Abdool Azeez Bin Rashid*, Shaik of *Eginan*, with the view " to strengthen the Bonds of Friendship existing between me and the " *British* Government, do hereby engage to prohibit the Exportation " of Slaves from the Coasts of *Africa* and elsewhere on board of my " Vessels, and those belonging to my Subjects or Dependents, such " Prohibition to take effect from the 1st Day of *Mohurrum* 1264 " A. H. (or 10th *Dec.* 1847 A. D.)

" And I do further consent, that whenever the Cruizers of the " *British* Government fall in with any of my Vessels, or those be- " longing to my Subjects or Dependents, suspected of being engaged " in the Slave Trade, they may detain and search them; and in case " of their finding that any of the Vessels aforesaid have violated this " Engagement, by the Exportation of Slaves from the Coasts of

" *Africa*

"*Africa* or elsewhere, upon any Pretext whatsoever, they (the "Government Cruizers) shall seize and confiscate the same."

And whereas on the said First Day of *May* an Engagement was concluded by the said Major *S. Hennell*, on behalf of Her Majesty, and Shaik *Abdullah Bin Rashid*, Shaik of *Amulgavine*, whereby it was agreed as follows:

"I, *Abdullah Bin Rashid*, Shaik of *Amulgavine*, with a view to "strengthen the Bonds of Friendship existing between me and the "*British* Government, do hereby engage to prohibit the Exportation "of Slaves from the Coast of *Africa* and elsewhere on board of my "Vessels, and those belonging to my Subjects or Dependents, such "Prohibition to take effect from the First Day of *Mohurrum* "1264 A.H. (or 10th *December* 1847 A.D.)

"And I do further consent, that whenever the Cruizers of the "*British* Government fall in with any of my Vessels, or those belonging to my Subjects or Dependents, suspected of being engaged in "the Slave Trade, they may detain and search them; and in case of "their finding that any of the Vessels aforesaid have violated this "Engagement, by the Exportation of Slaves from the Coasts of *Africa* "or elsewhere, upon any Pretext whatsoever, they (the Government "Cruizers) shall seize and confiscate the same."

And whereas on the Third Day of *May* in the said Year One thousand eight hundred and forty-seven an Engagement was concluded by the said Major *S. Hennell*, on behalf of Her Majesty, and Shaik *Saeed Bin Tahnoon*, Chief of *Aboothabee*, whereby it was agreed as follows:

"I, *Saeed Bin Tahnoon*, Shaik of the *Beni Yas*, Chief of *Aboothabee*, "with a view to strengthen the Bonds of Friendship existing between "me and the *British* Government, do hereby engage to prohibit the "Exportation of Slaves from the Coasts of *Africa* and elsewhere on "board of my Vessels, and those belonging to my Subjects or Dependents, such Prohibition to take effect from the 1st Day of "*Mohurrum* 1264 A.H. (or 10th *December* 1847.)

"And I do further consent, that whenever the Cruizers of the "*British* Government fall in with any of my Vessels, or those belonging to my Subjects or Dependents, suspected of being engaged in "the Slave Trade, they may detain and search them; and in case of "their finding that any of the Vessels aforesaid have violated this "Engagement, by the Exportation of Slaves from the Coasts of "*Africa* or elsewhere, upon any Pretext whatsoever, they (the "Government Cruizers) shall seize and confiscate the same."

And whereas on the Eighth Day of *May* in the said Year One thousand eight hundred and forty-seven an Engagement was concluded by the said Major *S. Hennell*, on behalf of Her Majesty, and Shaik *Mahomed*

*homed Bin Khuleefa Bin Subman*, Chief of *Bahrein*, whereby it was agreed as follows:

"I, *Mahomed Bin Khuleefa Bin Subman*, Chief of *Bahrein*, with "the view to strengthen the Bonds of Friendship existing between "me and the *British* Government, do hereby engage to prohibit the "Exportation of Slaves from the Coasts of *Africa* and elsewhere on "board of my Vessels, and those belonging to my Subjects or "Dependents, such Prohibition to take effect from the 1st Day of "*Mohurrum* 1264 A.H. (or 10th *December* 1847 A.D.)

"And I do further consent, that whenever the Cruizers of the "*British* Government fall in with any of my Vessels, or those "belonging to my Subjects or Dependents, suspected of being "engaged in the Slave Trade, they may detain and search them; "and in case of their finding that any of the Vessels aforesaid have "violated this Engagement, by the Exportation of Slaves from the "Coasts of *Africa* or elsewhere, upon any Pretext whatsoever, they "(the Government Cruizers) shall seize and confiscate the same."

And whereas it is expedient that effectual Provision should be made for carrying into execution the Provisions of the said several Agreements: Be it therefore enacted by the Queen'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 Commanders and other Officers of Her Majesty's Ships of War, or of the *East India* Company, to visit and detain in any Seas any Vessel belonging to either of the said respective Chiefs Shaik *Sultan Bin Sugger*, Chief of the *Joasmee* Tribe, *Muktoom Bin Buttye*, Shaik of *Debaye*, *Abdool Azeez Bin Rashid*, Shaik of *Eginan*, *Abdullah Bin Rashid*, Shaik of *Amulgavine*, *Saeed Bin Tahnoon*, Shaik of the *Beni Yas*, Chief of *Aboothabee*, *Mahomed Bin Khuleefa Bin Subman*, Chief of *Bahrein*, or to any of their Subjects or Dependents, which shall upon reasonable Grounds be suspected of being engaged in the Traffic in Slaves or having been fitted out for that Purpose, and to send or carry away such Vessel, together with its Masters, Sailors, Passengers, Slaves, and Cargo, for the Purpose of such Vessel being brought to Adjudication as herein-after mentioned.

Officers commanding Ships of Her Majesty, as well as those of the East India Company, authorized to visit Vessels belonging to the before-mentioned Chiefs, or to any of their Subjects or Dependents.

II. And be it enacted, That it shall be lawful for the High Court of Admiralty of *England*, and for all Courts of Vice Admiralty in any Dominions of Her Majesty beyond the Seas, including those Courts of Vice Admiralty within the Territories under the Government of the *East India* Company, to take cognizance of and try any such Vessel which shall be detained or captured for the Violation of the said Agreements, and to condemn any such Vessel to Her Majesty, and

The Trial of Vessels engaged in the Slave Trade.

and adjudge as to the Slaves found therein, in like Manner and under such and the like Rules and Regulations as are contained in any Act or Acts of Parliament in force in relation to the Suppression of the Slave Trade by *British*-owned Ships, as fully as if all the Powers and Provisions contained in such Acts were re-enacted in this Act as to such High Court of Admiralty or Courts of Vice Admiralty.

Persons giving false Evidence deemed guilty of Perjury.

III. And be it enacted, That every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken in any Proceeding under the said Engagements 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 Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England*, and that in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench the Venue may be laid in the County of *Middlesex*.

Pendency of Suits to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained.

IV. And be it enacted, That the Pendency of any Suit or Proceeding instituted for the Condemnation or Restitution of any Ship or Cargo, or Slaves, taken, seized, or detained by virtue of the said Agreements, 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 deemed in any Court whatever to be a complete Bar in any Action, Suit, or Proceeding, whether 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 anything done under or in pursuance of the Provisions of the said Agreements.

Vessels condemned to be sold for Her Majesty's Service or broken up.

V. And be it enacted, That any Ship or Vessel which shall be condemned as aforesaid may be taken into Her Majesty's Service, upon Payment of such Sum as the Lord High Admiral, or the Lords Commissioners of the Admiralty, shall deem a proper Price for the same, or, if not so taken, shall be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts, and the Proceeds thereof shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

Captors of Vessels shall, after the same are condemned,

VI. And be it enacted, That where any Ship or Vessel employed or engaged in such illicit Traffic in Slaves, in violation of the said Agreements, shall be seized by any Ship or Vessel belonging to Her

be entitled to the Proceeds belonging to Her Majesty.

Majesty or the *East India* Company, and afterwards condemned, there shall be paid to the Captors the net Proceeds to which Her Majesty is entitled, the same to be distributed in the Manner hereinafter directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

Bounty for Slaves captured.

VII. And be it enacted, That there shall be paid to the Commander, Officers, and Crews of Her Majesty's Ships, or the Commander, Officers, and Crews of the Ships of the *East India* Company, a Bounty of Five Pounds for every Man, Woman, and Child Slave seized and found on board any Ship or Vessel taken and condemned in pursuance of the Provisions of the said Agreements and of this Act, such Bounty to be issued and paid by Order from the Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid in such Manner and Proportions as Her Majesty shall think fit to order by any Order in Council made or to be made or by any Proclamation for that Purpose.

Bounty on Tonnage of Slave Ships captured and demolished.

VIII. And be it enacted, That where any Ship or Vessel which shall have been seized and condemned under the Provisions of the said Agreements shall have been or shall be demolished, and the Materials thereof publicly sold in separate Parts as well as her Cargo, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships or of those of the *East India* Company, in addition to the Amount of the Proceeds of such Sale as herein-before mentioned, a further Bounty on the Tonnage of such Ship or Vessel at the Rate of Thirty Shillings for every Ton of such Tonnage.

Where no Slaves are on board a Ship seized and condemned, an additional Bounty to be paid.

IX. And be it enacted, That where any Ship or Vessel having no Slaves on board shall have been seized and condemned under the Provisions of the said Agreements there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships or those of the *East India* Company an additional Bounty upon the Tonnage of such Ship or Vessel at the Rate of Four Pounds for every Ton; and the Tonnage of all such Vessels shall be ascertained according to the Mode of ascertaining the Admeasurement of *British* Vessels, either by the principal Officer of the Customs at the Port where the Vessel may be at the Time of Condemnation, or in default thereof by the best Evidence which can be obtained: Provided always, that in every Case in which any Ship or Vessel shall be seized with Slaves on board in which the Bounty calculated upon the Number of Slaves shall be less than the Bounty calculated upon the Tonnage, the Commanders of Her Majesty's Ships or of those of the *East India* Company, making the Seizure, may elect to take the Bounty calculated according to Tonnage, instead of the Bounty which would be payable upon the Number of Slaves on board.

X. And

Bounties to be paid out of the Consolidated Fund.

X. And be it enacted, That all Bounties payable under this Act shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to the Commanders, Officers, and Crews of Her Majesty's Ships and of the Ships of the *East India* Company, and such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

Bounties not liable to Payment of Fees.

XI. And be it enacted, That the said Bounty, as also all Bounties payable under any of the Acts for the Abolition or Suppression of the Slave Trade, shall not hereafter be charged with Treasury Fees or Exchequer Fees of any Description.

Proof of Tonnage.

XII. Provided always, and be it enacted, That in order to entitle the Captors to receive the said Bounty Money the Tonnage of the Ship or Vessel so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, or by such documentary or other Evidence as they may deem satisfactory.

Copy of Sentence of Condemnation to be produced to the Commissioners of the Treasury.

XIII. Provided always, and be it enacted, That in order to entitle the Captors to receive the said Bounty Money on Slaves the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

One Moiety of the Bounty only to be paid in certain Cases.

XIV. And be it enacted, That where any Slaves, or Persons treated as Slaves, shall be seized on board any Ship or Vessel taken and condemned in pursuance of the said Agreements and of this Act, but who shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, to direct Payment of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over.

Parties claiming Benefit under this Act may resort to the Court of Admiralty.

XV. Provided also, and be it enacted, That any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any Vessel confiscated in pursuance of the Provisions of the aforesaid Agreements, 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 be lawful for the Judge of the said High Court of Admiralty to determine thereon,

thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and also to enforce any Decrees or Sentences of the said Vice Admiralty Courts relating to any such Seizure.

Regulations and Penalties respecting Prize Agents Accounts extended to Bounties, &c. under this Act.

XVI. And be it 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 extended to all Bounties and Proceeds to be distributed, under the Provisions of this Act, to the Officers and Crews of any of Her Majesty's Ships and Vessels of War.

Commissioners of the Treasury may order Payment of Costs awarded for Vessels detained but not condemned.

XVII. And be it enacted, That where any Ship or Vessel belonging in whole or in part to the before-mentioned Chiefs, or their Subjects or Dependents, shall have been detained and brought to Adjudication by any Officers of Her Majesty the Queen of *Great Britain* and *Ireland* or of those of the *East India* Company, and the said Ship shall be restored by Sentence of the Court, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant signed by any Two or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of any Costs or Damages which may be duly awarded: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made, when lawfully called upon either by the Parties interested therein or by Order of the said Commissioners of Her Majesty's Treasury.

The Commissioners of the Treasury may repay to the Seizor of any Vessel not condemned the Expenses incurred by him.

XVIII. And be it enacted, That when any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships or of those of the *East India* Company, and Judgment shall be given against the Seizor, or when such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant signed by any Two or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of such Costs and Expenses as the Seizor may have incurred in respect of such Seizure, or any proportional Part thereof.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1849.