CAP. XVII.

An Act for carrying into effect the Treaty between Her Majesty and the Republic of *New Granada* for the Suppression of the Slave Trade.

[9th *May* 1853.]

'WHEREAS on the Second Day of *April* in the Year of our Lord One thousand eight hundred and fifty-one a Treaty was concluded and signed at *Bogotá*, between Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the Republic of *New Granada* for the Suppression of the Slave Trade, whereby it was agreed as follows:

'ARTICLE I.—The Introduction of Slaves into the Territory of *New Granada* having been prohibited by Law, all Traffic in Slaves in any and every Part of the World is hereby declared to be henceforward and for ever prohibited to *Granadian* Citizens, as it has long been by the Law of *Great Britain* for all *British* Subjects; and all *Granadian* Citizens who shall engage in the Slave Trade by Sea or by Land, or who shall make use of the *Granadian* Flag for the Transport of Slaves from any Place to any other Place, shall be treated and punished as Pirates, conformably to the Laws of *New Granada*.

'ARTICLE II.—In order more completely to accomplish the Object of the present Treaty, the Two High Contracting Parties agree to authorize some of the Ships of War of their Navies respectively to visit and search Merchant Vessels of the Two Nations which may be met with at Sea, within the Limits to be herein-after specified; and which by the Direction of their Course, or upon other reasonable Grounds, shall afford Motives for suspecting that they are engaged in the Slave Trade; and likewise, under the Circumstances mentioned in this Treaty, to detain, carry away, or send away such Vessels, in order that they may be brought to Trial in the Manner herein-after agreed upon.

'ARTICLE III.—The Limits within which the Merchant Vessels of the Two Nations shall be subject to the Visit and Search mentioned in the preceding Article shall be the following:

'1st.—From the Thirty-fifth Degree of West Longitude, reckoned from the Meridian of *London*, to the Coast of *Africa*, and from the Fifteenth Degree of North Latitude to the Twentieth Degree of South Latitude.

'2d.—All round the Island of *Madagascar*, to the Extent of Thirty Leagues from that Island.

'3d.—All along the East Coast of *Africa*, from Latitude Ten Degrees North of the Equator to the Twenty-sixth Degree of South Latitude, and to the Extent of Thirty Leagues from that Coast.

'4th.—The same Distance all round from the Coasts of the Island of *Cuba*.

'5th.—The same Distance from the Coasts of the Island of *Puerto Rico*, and

'6th.—The same Distance from the Coasts of *Brazil*.

'It is, however, understood that a suspected Vessel descried and begun to be chased by the Cruizers, whilst within the said Space of Thirty Leagues, may be searched by them beyond those Limits if, without ever having lost Sight of her, they should succeed in coming up with her at a greater Distance from any of the above-mentioned Coasts.

'ARTICLE IV. All Merchant Vessels of the Two Nations which shall be visited in virtue of this Treaty, and which shall be found either with Slaves on board or equipped for Slave Trade, shall be detained, and shall be sent or carried to One of the Ports under *British* Jurisdiction, if the Vessel detained should be *British*, or to One of the Ports of *New Granada*, if the Vessel detained should be *Granadian*, to be tried by the Courts which take cognizance of the Crime of Piracy, according to the Laws of the respective Countries.

'And such Vessels, with the whole of their Cargoes, shall be subject to the Penalty of Confiscation for having been found engaged in the Slave Trade.

'ARTICLE V.—Every Merchant Vessel, *British* or *Granadian*, which shall be visited in virtue of the Provisions contained in the Articles II. and III. of the present Treaty may lawfully be detained, and be sent or brought before the proper Tribunals,

'according

'according to the Nation to which it may belong, if any One or more of the Things 'herein-after specified shall be found in her Outfit or Equipment:

'1st.—Hatches with open Gratings, instead of the close Hatches which are usual 'in Merchant Vessels.

'2d.—Divisions or Bulkheads in the Hold or on Deck in greater Number than 'are necessary for Vessels engaged in lawful Trade.

'3d.—Spare Plank fitted for being laid down as a Second or Slave Deck.

'4th.—Shackles, Bolts, or Handcuffs.

'5th.—A larger Quantity of Water in Casks or Tanks than is requisite for the 'Consumption of the Crew of the Vessel as a Merchant Vessel.

'6th.—An extraordinary Number of Water Casks, or of other Receptacles for 'holding Liquid; unless the Master shall produce a Certificate from the Custom 'House at the Place from which he cleared Outwards, stating that sufficient Security 'had been given by the Owners of such Vessel that such extra Quantity of Casks 'or of other Receptacles for holding Liquid should only be used to hold Palm Oil, 'or for other Purposes of lawful Commerce.

'7th.—A greater Quantity of Mess Tubs or Kids than are requisite for the Use 'of the Crew of the Vessel as a Merchant Vessel.

'8th.—A Boiler or other Cooking Apparatus of an unusual Size, and larger or 'fitted for being made larger than requisite for the Use of the Crew of the Vessel 'as a Merchant Vessel, or more than One Boiler or other Cooking Apparatus of the 'ordinary Size.

'9th.—An extraordinary Quantity of Rice, of the Flour of *Brazil*, Manioc or 'Cassada commonly called Farinha, of Maize, or of *Indian* Corn, or of any other 'Article of Food whatever, beyond what might probably be requisite for the Use 'of the Crew.

'10th.—A Quantity of Mats or Matting greater than is necessary for the Use of 'the Vessel as a Merchant Vessel.

'The Articles enumerated in the 8th, 9th, and 10th Paragraphs, when found on 'board, shall not expose the Vessel to Detention or Trial, whenever such Articles shall 'appear as entered in the Manifest as Part of the Cargo for Trade.

'Any One or more of the several Things above enumerated, if proved to have been 'found on board, shall be considered as *primâ facie* Evidence of the actual Employment 'of the Vessel in the Slave Trade; and the Vessel shall thereupon be condemned, and 'be declared lawful Prize, unless clear and indisputable Evidence on the Part of the 'Master or Owners shall establish to the Satisfaction of the Court that such Vessel 'was at the Time of her Detention or Capture employed in some legal Pursuit; and 'that such of the several Things above enumerated as were found on board her at the 'Time of her Detention were needed for legal Purposes on that particular Voyage.

'ARTICLE VI.—In order to regulate the Mode of carrying into execution the Visit 'of Merchant Vessels of the Two Nations by the Cruizers charged with the Duty of 'preventing the Slave Trade, it is agreed that the Commanders of such Cruizers shall 'be furnished with Copies of this Treaty in *English* and in *Spanish*, and with Copies 'of the Instructions contained in the Appendix annexed thereto, which Instructions 'shall be considered as an integral Part of the present Treaty.

'ARTICLE VII.—If the Commanding Officer of any of those Ships of the Navies 'of *Great Britain* and of the *Granadian* Republic respectively, which shall be duly 'commissioned according to the Provisions of this Treaty, shall deviate in any respect 'from the Stipulations of the said Treaty, or from the Instructions annexed to it, the 'Government which shall conceive itself to be wronged thereby shall be entitled to 'demand Reparation; and in such Case the Government to which such Commanding 'Officer may belong binds itself to cause Inquiry to be made into the Subject Matter 'of the Complaint, and to inflict upon the said Officer a Punishment proportioned to 'the Transgression committed.

'ARTICLE VIII.—The Two High Contracting Parties mutually engage to make 'good the Damages and Losses which may be incurred by the illegal Detention of the 'Vessels of their respective Subjects or Citizens, it being understood that the Govern-'ment to which the capturing Ship belong shall pay the Damages and Losses occasioned

'to

'to the captured Vessel; and that this Payment shall be made within the Term of One 'Year, reckoning from the Day on which the proper Tribunal shall have pronounced 'a definitive Sentence on the Vessel for the Detention of which such Compensation is 'claimed.

'ARTICLE IX.—If any of the Things specified in Article V. of this Treaty shall 'be found in any Merchant Vessel detained under this Treaty, no Compensation for 'Losses, Damages, or Expenses consequent upon the Detention of such Vessel shall in 'any Case be granted either to her Master or to her Owner, or to any other Person 'interested in her Equipment or Cargo, even though the proper Tribunal should not 'pronounce any Sentence of Condemnation in consequence of her Detention.

'ARTICLE X.—It is hereby agreed between the Two High Contracting Parties, 'that in all Cases in which a Vessel shall be detained under this Treaty by their 'respective Cruizers as having been engaged in the Slave Trade, or as having been 'fitted out for the Purposes thereof, and shall in consequence thereof be adjudged and 'condemned by the proper Tribunal, the said Vessel shall, immediately after Con-'demnation, be broken up entirely into several Parts, so as to be useless as a Vessel, 'and shall be sold in separate Parts after having been so broken up.

'ARTICLE XI.—The Visit and Detention of Vessels in pursuance of Article II. of 'this Treaty shall be effected only by such of the Ships of the *British* and *Granadian* 'Navies respectively as shall be provided with the special Instructions contained in the 'Appendix annexed to this Treaty; and each of the Two High Contracting Parties 'shall from Time to Time communicate to each other the Names of the Ships of War 'which are furnished with such Instructions, the Force of each Ship, and the Names 'of their several Commanders.

'ARTICLE XII.—It is by no means to be understood that by the Provisions of the 'present Treaty *New Granada* shall be under any Obligation to fit out Cruizers 'expressly to aid in the Pursuit of Vessels engaged in the Slave Trade.

'ARTICLE XIII.—All the Slaves who are found on board a Merchant Vessel 'detained either by *British* or *Granadian* Cruizers in conformity with the Stipulations 'of this Treaty shall be placed at the Disposal of Her *Britannic* Majesty's Government 'at the Time and at the several Ports which shall be stipulated in the Appendix 'annexed to this Treaty, and shall immediately be set at liberty, and shall be secured 'in the permanent Enjoyment of their Freedom.

'ARTICLE XIV.—The High Contracting Parties to the present Treaty mutually 'agree, that if at the Expiration of Twenty-four Years, reckoned from the Date of the 'Exchange of the Ratifications thereof, it shall appear desirable to either of the 'Contracting Parties, either on account of the Trade in Slaves having ceased, or for 'other Reasons, that the present Treaty should cease and determine, it shall be lawful 'for that One of the Contracting Parties to give Notice thereof to the other Con-'tracting Party; and the Treaty shall cease and determine accordingly at the End of 'One Year from the Date of the Receipt of such Notice.

'And it is clearly understood, that if, in pursuance of the Right which the High 'Contracting Parties reserve to themselves by this Article, the present Treaty should 'be annulled at any Time anterior to the total and final Cessation of the Traffic in 'Slaves, the Obligations contracted towards *Great Britain* by the Republic of *New* '*Granada* by Article XIII. of the Treaty of One thousand eight hundred and twenty-'five, "to co-operate with *Great Britain* for the total Abolition of the Slave Trade," 'will nevertheless remain in full Force until such total and final Abolition is effected.

'ARTICLE XV.—The present Treaty, consisting of Fifteen Articles, shall come 'into operation on the Seventh of *March* One thousand eight hundred and fifty-two. 'The Treaty shall be ratified, and the Ratifications thereof exchanged in *Bogotá*, within 'the Space of Nine Months from this Date, or sooner if possible.

'In witness whereof the respective Plenipotentiaries have signed the same, and have 'thereunto affixed their respective Seals.

'Done at *Bogotá* this Second Day of *April* in the Year of our Lord One thousand 'eight hundred and fifty-one,

'*Daniel F. O'Leary.* (L.S.)
'*Vict. de D. Paredes.* (L.S.)

'APPENDIX,

'APPENDIX,

'Which contains the INSTRUCTIONS for the SHIPS of the BRITISH and GRANADIAN 'NAVIES employed in preventing the SLAVE TRADE.

'ARTICLE I.—The Commander of any Ship belonging to the Navy of Her 'Britannic Majesty or of the Republic of *New Granada*, which shall be furnished with 'these Instructions, shall have a Right to visit and search, within the Limits mentioned 'in Article III. of the Treaty signed this Day, any *British* or *Granadian* Merchant 'Vessel suspected of being engaged in Slave Trade, or of being fitted out for the 'Purposes thereof; and if from the Search it shall appear that the Suspicions enter- 'tained are well founded, such Commander shall have the Right of detaining such 'Vessel, and shall thereupon, as soon as possible, carry or send the Vessel so captured 'to any One of the Ports herein-after mentioned which shall be nearest to the Place 'where the Vessel was detained, or which such Commander shall, upon his own 'Responsibility, think can be soonest reached from such Place, in order to be tried 'according to the Provisions of Article IV. of this Treaty.

'ARTICLE II.—Whenever a Ship of War of either of the Two High Contracting 'Parties, duly authorized as aforesaid, shall meet a Merchant Vessel liable to be visited 'under the Provisions of the said Treaty, the Search of such Vessel shall be conducted 'in the mildest Manner, and with every Attention which ought to be observed between 'allied and friendly Nations; and the Search shall in all Cases be made by an Officer 'holding a Rank not lower than that of Lieutenant in the *British* or *Granadian* Navies 'respectively (unless the Command shall by reason of Death or otherwise have devolved 'upon an Officer of inferior Rank), or by the Officer who at the Time shall be Second 'in command of the Ship by which the Search is made.

'ARTICLE III.—The Commander of any Ship of War of the Two Nations, duly 'authorized as aforesaid, who may detain any Merchant Vessel in pursuance of the 'present Instructions, shall leave on board the Vessel so detained the Master, the Mate, 'or Boatswain, and Two or Three at least of the Crew thereof, the whole of the Slaves, 'if any, and all the Cargo.

'The Captor shall at the Time of Detention draw up in Writing an authentic Decla- 'ration, which shall exhibit the State in which he found the detained Vessel; and such 'Declaration shall be signed by himself, and shall be given in or sent in, together with 'the captured Vessel, to the Court before which such Vessel shall be carried or sent 'for Adjudication.

'The Captor shall deliver to the Master of the detained Vessel a certified List of the 'Papers seized on board the same, as well as a Statement of the Number of Slaves, if 'any, found on board at the Moment of Detention.

'In the authenticated Declaration which the Captor is hereby required to make, as 'well as in the certified List of the Papers seized, the Captor shall insert his own Name, 'the Name of the capturing Ship, the Latitude and Longitude of the Place where the 'Detention shall have been made, and the Number of Slaves, if any, found on board the 'Vessel at the Time of her Detention.

'The Officer in charge of the Vessel detained shall, at the Time when he brings the 'Vessel's Papers to the proper Tribunal, deliver into the Court a Paper, signed by 'himself, and verified on Oath, stating any Changes which may have taken place in 'respect to the Vessel, her Crew, the Slaves, if any, and her Cargo, between the Period 'of her Detention and the Time of delivering in such Paper.

'ARTICLE IV.—The Slaves shall not be disembarked till after the Vessel which 'contains them shall have arrived at the Place of Adjudication, and even after the 'Vessel has arrived at such Place they shall not be landed without the Permission of 'the proper Tribunal, except in the Cases herein-after specified in respect to Slaves 'found on board *Granadian* Vessels.

'But if urgent Reasons, deduced from the Length of the Voyage, from the State of 'Health of the Slaves, or from other Causes, should require that either the whole or 'a Portion of the Slaves should be disembarked, or should be transhipped before the 'Vessel can arrive at the Port at which the proper Tribunal is established, or after her 'Arrival there, and before Adjudication, the Commander of the capturing Ship may

'take

'take upon himself the Responsibility of so disembarking or transhipping the Slaves: 'Provided that such Necessity, and the Causes thereof, be stated in a Certificate in 'proper Form, and that this Certificate be entered at the Time in the Log Book of the 'detained Vessel.

'ARTICLE V.—All such *British* Vessels as shall be detained on the *Brazilian* Station 'by *Granadian* Cruizers shall be carried and delivered up to the *British* Jurisdiction at 'the Colony of *Demerara*.

'All such *British* Vessels as shall be detained on the *West India* Station by *Grana-* 'dian Cruizers shall be carried and delivered up to the *British* Jurisdiction at *Port* 'Royal in *Jamaica*.

'All such *British* Vessels as shall be detained on the *Madagascar* Station, or on the 'East Coast of *Africa*, by *Granadian* Cruizers, shall be carried and delivered up to the 'British Jurisdiction at the *Cape of Good Hope*, or at the *Mauritius*, as may be most 'convenient.

'All such *British* Vessels as shall be detained on the *African* Station by *Granadian* 'Cruizers shall be carried and delivered up to *British* Jurisdiction at *Bathurst* on the 'River *Gambia*.

'All such *Granadian* Vessels as shall be detained on the *Brazilian* and *West India* 'Stations, as well as on those of *Madagascar* and *Africa*, by *British* Cruizers, shall be 'carried and delivered up to the *Granadian* Jurisdiction at any of the Ports belonging 'to the Republic of *New Granada*, except when Slaves shall be found on board at the 'Time of the Capture, in which Case the Vessel shall, in the first instance, be sent or 'carried to deposit the Slaves at the Port to which the Vessel would have been taken 'for Trial if she had been detained under the *British* Flag. The Vessel, with the rest 'of her Cargo and Crew, shall afterwards be sent on and delivered to the *Granadian* 'Jurisdiction at any of the Ports belonging to the Republic, as above stipulated.

'The undersigned Plenipotentiaries have agreed, in conformity with Article VI. of 'the Treaty signed by them on this Day, the Second Day of *April* in the Year of our 'Lord One thousand eight hundred and fifty-one, that the present Appendix, which 'contains Five Articles, shall be annexed to the said Treaty, and shall be considered 'as an integral Part thereof.

'The Second Day of *April* in the Year of our Lord One thousand eight hundred 'and fifty-one.

'*Daniel F. O'Leary.* (L.S.)
'*Vict. de D. Paredes.* (L.S.)

Ratifications of Treaty exchanged on the 16th December 1851.

'And whereas the said Treaty was ratified between Her Majesty the Queen of the United 'Kingdom of *Great Britain* and *Ireland* and the Republic of *New Granada*, and such Rati- 'fications exchanged at *Bogotá* on the Sixteenth Day of *December* One thousand eight 'hundred and fifty-one: And whereas it is expedient and necessary that effectual Pro- 'vision should be made for carrying into execution the Provisions of the said Treaty and 'Appendix thereto:' 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:

Officers commanding Ships of Her Majesty, or of the Republic of New Granada, being duly authorized, empowered to visit, search, and detain Merchant Ships within certain Limits suspected of being engaged in the Slave Trade.

I. That it shall be lawful for any Officer commanding any Ship of War of Her Majesty, or of the Republic of *New Granada*, not below the Rank of Lieutenant of the Royal Navy (unless the Command shall by reason of Death or otherwise be held by an Officer of inferior Rank), or by the Officer who at the Time shall be Second in command of the Ship, and who shall be duly instructed and authorized, and furnished, according to the several Provisions of the said Treaty and Appendix, to exercise within the Waters described, and according to the several Provisions, Exceptions, and Conditions contained in the said Treaty and the Instructions thereto annexed, the Right of visiting and searching any Merchant Vessel of either of the said Two Nations liable to Suspicion, and suspected of having engaged in or of having been employed in the Slave Trade, or of having been fitted out for the Purposes of such Traffic, and upon sufficient Grounds to detain and send, or carry in and deliver over without Delay, any such Vessel, together with its Master, Crew, Slaves, Cargo, and Papers, to the Authorities appointed for the Purposes of the said Treaty by

by the respective Governments of the said Two Nations, and to One of the Jurisdictions in the said Instructions mentioned, in order that Proceedings may be instituted thereupon, conformably to the respective Laws of the said Two Countries; and all such Commanders of Her said Majesty's Ships are hereby authorized and required, in the Exercise of such Rights of visiting, searching, detaining, sending, carrying in, and delivering as aforesaid, to execute, perform, and comply with the said several Provisions and Instructions of the said Treaty as apply thereto respectively.

In case of Granadian Officers detaining British Vessels, Proceedings to be conducted in Name of Her Majesty.

II. Where any such Officer of the Republic of *New Granada* shall send, carry, or deliver over as aforesaid any such Merchant Vessel, wholly or in part owned by any Subject or Subjects of Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, all and every Proceeding instituted in the Tribunals herein-after mentioned in regard to such Merchant Vessel, and its Crew, Cargo, and Slaves, and in respect to the Cause, shall be conducted in the Name of Her said Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* by some Person duly thereunto authorized; (that is to say,) all Ships, Cargoes, and Slaves which shall be detained by the Cruizers of the Republic of *New Granada*, and delivered up to the Jurisdiction of Her Majesty, either at the Colony of *Demerara*, *Port Royal* in *Jamaica*, the *Cape of Good Hope*; or if detained on the *African* Station, shall be carried and delivered up to *British* Jurisdiction at *Bathurst* on the River *Gambia*, and shall be proceeded against and adjudicated in the Vice-Admiralty Court established in the said Colonies respectively; and the Judges and other Officers of the said Vice-Admiralty Courts respectively are hereby authorized to take cognizance thereof accordingly; and all such *Granadian* Vessels as shall be detained on the *Brazilian* and *West India* Stations, as well as on those of *Madagascar* and *Africa*, by *British* Cruizers, shall be carried and delivered up to the *Granadian* Jurisdiction at any of the Ports belonging to the Republic of *New Granada*, except when Slaves shall be found on board at the Time of the Capture; in which Case the Vessel shall, in the first instance, be sent or carried to deposit the Slaves at the Port to which the Vessel would have been taken for Trial if she had been detained under the *British* Flag; and that the Vessel, with the rest of her Cargo and Crew, shall afterwards be sent and delivered to the *Granadian* Jurisdiction at any of the Ports belonging to that Republic, as above stipulated.

In case of Granadian Vessels being detained by British Cruizers.

As to the Trial of Vessels seized.

III. It shall be lawful for the High Court of Admiralty of *England*, as also for the several Courts of Vice-Admiralty herein-before mentioned, to take cognizance of and try any such Vessel which shall be detained or captured for the Violation of the said Treaty, and to condemn any such Vessel to Her Majesty, 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.

IV. Every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition or Affidavit taken in any Proceeding under the said Treaty or this Act shall be deemed guilty of Perjury, and being thereof convicted shall be subject and liable to all the 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 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.

V. 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 Treaty, 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 conse-

quence of any Capture, Seizure, or Detention, or anything done under or in pursuance of the Provisions of the said Treaty.

Vessels equipped for Traffic in Slaves to be deemed engaged in the Slave Trade.

VI. If any of the Particulars specified in the Fifth Article of the said Treaty shall be found in the Outfit and Equipment of or on board any such Merchant Vessel engaged or to be engaged in such Traffic, and visited and detained in pursuance of the said Treaty, such Vessel, unless Proof be given to the contrary, shall be taken to have been engaged in the said Traffic, or to have been fitted out for the Purposes of such Traffic, and to be equipped and employed for the Purposes declared unlawful.

As to Distribution of the Portion of Proceeds belonging to Her Majesty of the Vessels condemned.

VII. In case any such Merchant Vessel, wholly or in part owned by *British* Subjects as aforesaid, shall be seized by any Officer of Her Majesty duly authorized, and, with the Goods, Wares, and Merchandise, be confiscated according to the Laws of this Country, and the Provisions of the said Treaty, the Portion of the Proceeds arising from the Sale thereof belonging to Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may direct or appoint to receive the same; and it is hereby directed that One Moiety thereof shall be paid to and for the Use of the Captors thereof; and that the same, after deducting all necessary Expenses, shall be distributed to and amongst the Officers and Crew of the Ship in the Manner hereafter directed for the Distribution of Bounties on Slaves taken on board the said Vessel.

Vessels condemned to be broken up.

VIII. Any Ship or Vessel which shall be condemned as aforesaid shall be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts, together with the Goods, Wares, and Merchandise laden therein.

Payment of Bounty on Tonnage of Slave Ships captured and demolished.

IX. Where any Ship or Vessel which shall have been seized and condemned under the Provisions of the said Treaty 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 authorized to make and making such Seizures, and in addition to the Amount which may be payable in respect of Her Majesty's Portion 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 on the Tonnage to be paid.

X. Where any Ship or Vessel having no Slaves on board shall have been seized and condemned under the Provisions of the said Treaty, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizure 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 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.

Proof of Tonnage.

XI. 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.

Payment of Bounty.

XII. There shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the aforesaid Treaty a Bounty of Five Pounds of lawful Money of *Great Britain* for every Man, Woman, and Child Slave seized and found on board a *British* or *Granadian* Ship or Vessel taken and delivered over and condemned in pursuance of the Provisions of the said Convention and of this Act, such Bounty to be issued and paid by Order from the said Commissioners of Her Majesty's Treasury, and to be distributed

tributed to and amongst the Captors aforesaid in such Manner and Proportions as Her Majesty, Her Heirs and Successors, shall think fit to order and direct by any Order or Orders in Council, or by any Proclamation or Proclamations to be made for that Purpose.

Bounties to be paid out of the Consolidated Fund.

XIII. 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 such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

As to Mode of obtaining such Bounty.

XIV. In order to entitle the Captors to receive the said Bounty Money, the Numbers 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.

Where Slaves taken shall not have been condemned, or shall not have been delivered over, the Treasury may allow One Moiety of the Bounty.

XV. Where any Slaves, or Persons treated, dealt with, carried, kept, or detained as Slaves, shall be taken or seized on board any *British* or *Granadian* Ship or Vessel, in pursuance of the Provisions of the said Treaty and of this Act, but who shall not have been condemned, or shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstance, it shall and may 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 and condemned.

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

XVI. 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 *Granadian* Vessel confiscated in pursuance of the Provisions of the aforesaid Treaty, 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, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and enforce any Decrees or Sentences of the said Vice-Admiralty Courts relating to any such Seizure.

Regulations to which Prize Agents are liable, extended to Bounties, &c. under this Act.

XVII. 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 Her Majesty's Ships or Vessels of War.

Where illegal Detention made, Treasury may award Compensation.

XVIII. Where any illegal Visit and Detention, or any Visit and Detention without sufficient Cause of Suspicion, or any Abuse or Vexation, shall have taken place and have been made by any Officer of Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, as is mentioned in the Eighth Article of the said Treaty, it shall be lawful for the Commissioners of Her Majesty's Treasury to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of any Costs and Damages which may be duly awarded, according to the Provisions of the said Article: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made, when lawfully called upon by Order of the said Commissioners of Her Majesty's Treasury.

Where Judgment shall be given against the Seizor, or the Seizure shall be relinquished, the Treasury may direct Payment of the Seizor's Costs.

XIX. When any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the aforesaid Treaty, and Judgment shall be given against the Seizor, or 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, 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 said Seizor may have incurred in respect of such Seizure, or any proportionate Part thereof.