

ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

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Venezuela to preserve in force the Provisions of the Law of the Eighteenth of *February* One thousand eight hundred and twenty-five, the Object of which was to declare as Pirates, and punish with the Pain of Death, all such *Venezuelans*, who, on the High Seas or in any other Place under the Jurisdiction of the Republic, may be found embarking, transporting, or disembarking One or more Persons brought from *Africa* as Slaves: And whereas by the Third Article it was agreed, that although the Law just cited had produced the desired Effect, in not having been infringed by any *Venezuelan* up to the Time of the said Treaty, *Venezuela* notwithstanding will promulgate every other Legislative Provision that may be deemed requisite for the Prevention of her Citizens engaging in any way in the said Traffic in Slaves, and for the complete Extinction thereof, seeing that the same are in harmony with those which may be promulgated by *Great Britain* for the like Object: And whereas by the Fourth Article Her Majesty the Queen of *Great Britain* and *Ireland* and the Republic of *Venezuela* mutually engaged to specify, by an additional Convention hereafter to be concluded between the Contracting Parties, the Acts which constitute Piracy, in which will be comprehended the Traffic in Slaves; and that after the Conclusion of such Convention the Legislative Power of each Country shall promulgate, with as little Delay as possible, Laws for the Punishment of the said Acts committed by the respective Subjects or Citizens of either Nation: And whereas by the Fifth Article it was agreed that the mutual Right of Search might be exercised by the Ships of War of the respective Powers on board the Vessels of each Nation, but only within the Waters herein-after described; namely,

First. Along the Western Coast of *Africa*, from *Cape Verd* to the Distance of Ten Degrees to the South of the Equator; that is to say, from the Tenth Degree of South Latitude to the Fifteenth Degree of North Latitude, and as far as the Fortieth Degree of East Longitude, reckoning from the Meridian of *Caracas*.

Second. All round the Island of *Madagascar* to the Extent of Twenty Leagues from that Island.

Third. The same Distance from the Coast of the Island of *Cuba*.

Fourth. The same Distance from the Coasts of the Island of *Puerto Rico*; and

Fifth. The same Distance from the Coasts of *Brazil*.

It was however understood that a suspected Vessel descried and begun to be chased by the Cruizers whilst within the said Space of Twenty Leagues might be searched by them beyond those Limits, if, without ever having lost Sight of her, they should only succeed in coming up with her at a greater Distance from the Coast: And whereas by the Sixth Article it was agreed that the Cruizers might detain Vessels trafficking in Slaves, be it that they have been fitted out with this Object, or that during the Voyage on which they are met with they may have been employed in the before-mentioned Traffic, in contravention of what is stipulated in the present Treaty, and might send or conduct them to those Places where they might be brought before the public Tribunals that take cognizance of Piracy,

according to the Laws of the respective Countries; it was, however, not by this to be understood, that *Venezuela* was obliged to fit out Cruizers expressly to aid in the Pursuit of Vessels engaged in the Traffic in Slaves: And whereas, in order to regulate the Mode of carrying into effect the Provisions of the Two preceding Articles, the contracting Parties by the Seventh Article agreed,—

First. That all Ships of the Navies of the Two Nations which should be hereafter employed to prevent the Traffic in Slaves should be furnished by their respective Governments with a Copy of the present Treaty in the *English* and *Spanish* Languages, and also of the Instructions for Cruizers annexed thereto, which Annex was to be considered as an integral Part of this Treaty.

Second. That *Great Britain* should communicate from Time to Time to *Venezuela* the Names of the several Ships furnished with such Instructions, the Force of each, and the Names of their respective Commanders, and the same to be done by *Venezuela* towards *Great Britain* whenever Cruizers on her Part should be established with the like Object.

Third. That if at any Time there shall be just Cause to suspect that any Merchant Vessel under the Flag and proceeding under Convoy of any Ship or Ships of War of either of the Contracting Parties was engaged or intended to be engaged in the Traffic in Slaves, or was fitted out for that Purpose, or was, during the Voyage in which she might be met with, engaged in the Traffic in Slaves, it shall be lawful for the Commander of any Ship of the Navy of either of the Two Contracting Parties to visit the said Merchant Vessel, provided such be done within the Limits specified in the said Fifth Article of this Treaty; and such Commander should proceed to effect the same in Communication with the Commanding Officer of the Convoy, who it was thereby agreed should give every Facility to such Visit, and to the eventual Detention of such Vessel, and in all Things should assist to the utmost of his Power in the due Execution of the present Treaty.

Fourth. It was further mutually agreed, that the Commanders of the Ships of the Two Navies who should be employed on this Service should adhere strictly to the exact Tenor of the aforesaid Instructions annexed to the said Treaty:

And whereas by the Eighth Article the Contracting Parties engaged mutually to make good any Losses which their respective Subjects or Citizens might incur by the arbitrary or illegal Detention of their Vessels, it being understood that this Indemnity shall invariably be borne by the Government whose Cruizer shall have been guilty of such arbitrary and illegal Detention; agreeing likewise that the Visit and Detention of Vessels specified in the Fifth and Sixth Articles of the said Treaty can only be executed by *British* and *Venezuelan* Ships of War, and by those only which are furnished with the Special Instructions annexed to the said Treaty for its complete Execution: And whereas by the Ninth Article it was agreed that in case the Commanding Officer of any of the Ships of the Navies of *Great Britain* and *Venezuela* respectively, duly commissioned according to the Provisions of the Fifth and Sixth Articles of the said Treaty, should deviate in any respect from the Stipulations of the said Treaty,

or

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 of the Complaint, and to inflict upon the said Officer a Punishment proportionate to the Transgression committed: And whereas by the Tenth Article it was further agreed, that every Merchant Vessel, *British* or *Venezuelan*, which should be visited by virtue of what is expressed in the Fifth and Sixth Articles of the said Treaty, might lawfully be detained, and sent or brought before the corresponding Tribunal of the Nation to which she belongs, if in her Equipment there shall be found any of the Things herein-after mentioned; (namely,)

First. Hatches with open Gratings, instead of the close Hatches which are used in Merchant Vessels.

Second. Divisions or Bulk Heads in the Hold or on Deck, in greater Number than are necessary for Vessels engaged in lawful Trade.

Third. Spare Planks fitted for laying down as a Second or Slave Deck.

Fourth. Shackles, Bolts, and Handcuffs.

Fifth. A larger Quantity of Water in Cask or in Tanks than is requisite for the Consumption of a Crew of the Vessel as a Merchant Vessel.

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

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

Eighth. A Boiler of an unusual Size, and larger than requisite for the Use of the Crew of the Vessel as a Merchant Vessel; or more than One Boiler of the ordinary Size.

Ninth. An extraordinary Quantity either of Rice, of the Flour of *Brazil*, of Manioc or Casava, commonly called Farinha, of Maize, or of Indian Corn, beyond what might probably be requisite for the Use of the Crew; such Rice, Flour, Maize, or Indian Corn not being entered on the Manifest as Part of the Cargo for Trade.

Any One or more of these several Circumstances, if proved, shall be considered as Indications *primâ facie* of the actual Employment of the Vessel in the Slave Trade, and will serve therefore to condemn and declare her a lawful Prize, unless it be established by satisfactory Evidence on the Part of the Master or Owners, that the Vessel at the Time of her Detention was employed in some legal Pursuit: And whereas by the Eleventh Article it was agreed, that if in any Merchant Vessel should be found any of the Things specified in the preceding Article, the Master or Owner, or whatever other Person interested in her Equipment or Cargo, shall not have any Right to claim

claim a Compensation for Losses, Damages, or Expences in consequence of the Detention, although the Tribunal which passes Judgment may not have pronounced Sentence of Condemnation, unless it be clearly proved that the Objects which occasioned the said Detention were not on board for the Slave Trade; in which Case the Captor, and in his Default the Government to which he belongs, shall be responsible to the Master or Owner of the Vessel for the Losses and Damages in question: And whereas by the Twelfth Article it was agreed between the Two Contracting Parties, that in all Cases in which a Vessel shall be detained under the said 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 be adjudged and condemned accordingly, the Vessel shall immediately after its Condemnation be broken up entirely, and shall be sold in separate Parts after having been broken up: And whereas by the Thirteenth Article it was mutually agreed that the Instructions next following for the Ships of War, *British* and *Venezuelan*, which the respective Governments may have destined for the Prevention of the Traffic in Slaves, should be considered as an integral Portion thereof; that is to say,

INSTRUCTIONS for the Ships of War, *British* and *Venezuelan*, which the respective Governments may please to destine for the Prevention of the Traffic in Slaves.

ARTICLE FIRST.—The Commander of any Ship of War belonging to Her *Britannic* Majesty or to the Republic of *Venezuela*, which shall be furnished with these Instructions, shall have a Right to visit, search, and detain any *British* or *Venezuelan* Merchant Vessel which shall be engaged or suspected to be engaged in the Slave Trade, or to be fitted out for the Purpose thereof, or to have been engaged in the Traffic in Slaves during the Voyage in which she may be met with by such Ship of the *British* or *Venezuelan* Navies, provided that the Visit, Search, and Detention be made in accordance with the Places and within the Limits marked out in Article Five of the Treaty signed this Day, and which forms a Part of the present Instructions; and the said Commander shall thereupon without Delay bring or send such Merchant Vessel, with her Master, Crew, Cargo, and Slaves found on board, to one of the Ports hereafter mentioned, in order that Proceedings may be instituted in regard to them conformably to the Laws of the Nation under whose Flag the Vessel is sailing; such Commander shall deliver the same, together with her Papers, to the proper Authorities or to the Persons that may have been specially appointed for that Purpose by the respective Governments.

ARTICLE SECOND.—Whenever a Ship of War of either of the Two Contracting Nations, duly authorized as aforesaid, shall meet a Merchantman liable to be visited under the Provisions of the said Treaty, the Search shall be conducted in the mildest Manner, and with every Attention which ought to be observed between allied and friendly Nations, and the Visit shall be made by an Officer holding a Rank not lower than that of Lieutenant in the Navies of *Great Britain* and *Venezuela* respectively, or

by the Officer who at the Time shall be Second in Command of the Ship by which such Search is made.

ARTICLE THIRD.—The Commander of any Ship of the Two Navies, duly authorized as aforesaid, who may detain any Merchant Vessel in pursuance of the Tenor of the present Instructions, shall leave on board the Vessel so detained the Master, the Mate or Boatswain, and the Crew thereof, all the Cargo, and the Whole of the Slaves, if any, except in the Case herein-after specified in respect to Slaves on board of *Venezuelan* Vessels.

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

He shall deliver to the Master of the detained Vessel a signed Certificate of the Papers seized on board the same, as well as of the Number of Slaves 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 Certificate of the Papers seized, he shall insert his own Name, the Name of the capturing Ship, the Latitude and Longitude of the Place where the Detention shall have taken place, and the Number of Slaves found on board the Vessel at the Time of the Detention.

The Officer in charge of the Vessel detained shall, at the Time of delivering up the Vessel to the competent Authorities, transmit to the said Authorities a Paper, signed by himself and verified on Oath, stating the Changes which have taken place in respect of the Vessel, her Crew, the Slaves, if any, and her Cargo, from the Period of her Detention until the Time of delivering up such Vessel.

ARTICLE FOURTH.—The Slaves shall not be disembarked till after the Vessel which contains them shall have arrived at the Place of Trial, except in the Cases herein-after specified in respect to Slaves on board *Venezuelan* Vessels; and when urgent Motives, deduced from the Length of the Voyage, the State of Health of the Slaves, or from other Causes, shall require that either the Whole or a Portion of the Negroes be disembarked before the Vessel can arrive at the Place of Trial, in this latter Case the Commander of the capturing Ship may take upon himself the Responsibility of disembarking the Negroes, provided that such Necessity and Causes thereof be stated in a Certificate in proper Form, and that this Certificate shall be drawn up and entered at the Time on the Log Book of the detained Vessel.

ARTICLE FIFTH.—All such *British* Vessels as shall be detained on the *Brazilian* Station by *Venezuelan* 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 Indian* Station by *Venezuelan* Cruizers shall be carried and

delivered

delivered up to the *British* Jurisdiction at *Port Royal* in *Jamaica*.

All such *British* Vessels as shall be detained on the *Madagascar* Station by *Venezuelan* Cruizers shall be carried and delivered up to the *British* Jurisdiction at the *Cape of Good Hope*.

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

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

And whereas by the Fourteenth and last Articles of the said Treaty it was agreed, that the same should be ratified, and the Ratifications thereof should be exchanged in *Caracas* within the Space of Twelve Months, or sooner if possible: And whereas the said Treaty was ratified by and between Her Majesty and the Republic of *Venezuela* respectively, and such Ratifications were exchanged at *Caracas* on the Twelfth Day of *December* in the Year of our Lord One thousand eight hundred and thirty-nine: And whereas it is expedient and necessary that effectual Provision should be made for carrying into execution the Provisions of the Treaty aforesaid: 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 any Officer commanding any Ship of War of Her Majesty, or of the Republic of *Venezuela*, who shall be duly instructed and authorized and furnished, according to the several Provisions of the said Treaty, 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 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

Commanders of Ships of War to exercise Right of searching Merchant Vessels liable to Suspicion and suspected of being engaged in the Slave Trade.

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 Venezuelan Officers detaining British Vessels, Proceedings to be conducted in Name of Her Majesty.

II. And be it enacted, That where any such Officer of the Republic of *Venezuela* 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 *Venezuela*, and delivered up to the Jurisdiction of Her Majesty at *Bathurst* on the River *Gambia*, shall be proceeded against and adjudicated in the Vice Admiralty Court at *Sierra Leone*; and that all other Ships Cargoes, and Slaves which may be in like Manner detained by the Cruizers of the Republic of *Venezuela*, and delivered up to the Jurisdiction of Her Majesty either at *Jamaica*, *Cape of Good Hope*, or *Demerara*, 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.

Vessels detained in pursuance of the Treaty to be held as engaged in the Slave Trade, unless Proof be given to the contrary. 5 G. 4. c. 113.

III. And be it enacted and declared, That any such Merchant Vessel, wholly or in part owned as last aforesaid, visited and detained in pursuance of the said Treaty, shall, unless Proof be given to the contrary, be held and taken to have engaged in the Slave Trade, or to have been fitted out for the Purposes of such Traffic, and equipped and employed in the Objects declared unlawful by an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade*, if any of the Particulars specified in the said Tenth Article of the said Treaty shall be found in her Outfit or Equipment on board of her.

Queen's Share of Proceeds may be apportioned.

IV. And be it enacted, That in case any such Merchant Vessel, wholly or in part owned as aforesaid, shall be seized by any Officer of Her Majesty duly authorized, and, with the Goods, Wares, and Merchandize, 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 Expences, shall

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

A Bounty of 5*l.* for every Slave found on board of Vessels seized and condemned.

V. And be it enacted, That there 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 authorized to make Seizures under the aforesaid Treaty of the Fifteenth Day of *March* One thousand eight hundred and thirty-nine, 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 *Venezuelan* 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 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 not liable to Payment of Fees.

VI. 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.

Mode of obtaining such Bounty.

VII. Provided always, and be it enacted, That 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.

VIII. And be it enacted, That where any Slaves, or Persons treated, dealt with, carried, kept, or detained as Slaves, shall be taken or seized on board any *British* or *Venezuelan* 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, by Warrant signed by any Three or more of them, to direct the Payment out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* 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.

IX. 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 *Venezuelan* Vessel confiscated in pursuance of the Provisions of the aforesaid Conventions, shall and may resort to the High Court of Admiralty for the

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.

X. 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 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, Lords of the Treasury may award Compensation.

XI. And be it enacted, That 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 and Ninth Articles of the said Treaty of the Fifteenth Day of *March* One thousand eight hundred and thirty-nine, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant signed by any Three 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 and Damages which may be duly awarded according to the Provisions of the said Two last-mentioned Articles: 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.

XII. And be it enacted, That 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 Convention of the Fifteenth Day of *March* One thousand eight hundred and thirty-nine, 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 signed by any Three 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 Expences as the said Seizor may have incurred in respect of such Seizure, or any proportionate Part thereof.

In all Actions under this Act Defendant may plead the General Issue.

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