

ANNO QUINTO & SEXTO

VICTORIÆ REGINÆ.

****

CAP. XL.

An Act for carrying into effect the Treaty between Her Majesty and the *Argentine* Confederation for the Abolition of the Slave Trade.

[30th *June* 1842.]

WHEREAS on the Twenty-fourth Day of *May* in the Year of our Lord One thousand eight hundred and thirty-nine a Treaty was concluded and signed at *Buenos Ayres*, between Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the *Argentine* Confederation, for the Abolition of the Slave Trade, whereby it was agreed as follows:

ARTICLE I.—The Slave Trade, having been legally abolished throughout the Territories of the *Argentine* Confederation, is hereby declared to be henceforward and for ever totally prohibited to all the Citizens of the said Republic in all Parts of the World.

ARTICLE II.—The *Argentine* Confederation hereby engage, that immediately after the Exchange of the Ratifications of the present Treaty, and from Time to Time afterwards as may become needful, they will take the most effectual Measures for preventing the Citizens of the said Republic from being concerned, and the Flag of that Republic from being used, in carrying on in any way the Trade in Slaves; and the said Republic especially engages that, within Two Months after the above-mentioned Exchange of Ratifications, they will renew the Promulgation throughout the Territory of the Republic of the

penal Law by which the Slave Trade has been declared Piracy, and that the Punishment attached to Piracy shall be inflicted on all those Citizens who shall, under any Pretext whatever, take any Part whatever in the Traffic of Slaves.

ARTICLE III.—In order more completely to accomplish the Object of the present Treaty, the Two High Contracting Parties mutually consent that those Ships of their Navies respectively which shall be provided with special Instructions for that Purpose, as herein-after mentioned, may visit such Merchant Vessels of the Two Nations as may upon reasonable Grounds be suspected of being engaged in the Traffic of Slaves, or having been fitted out for the Purposes thereof, or of having, during the Voyage in which they are met with by the said Cruisers, been engaged in the Traffic in Slaves, contrary to the Provisions of this Treaty; and that such Cruisers may detain and send or carry away such Vessels, in order that they may be brought to Trial in the Manner herein-after agreed upon.

ARTICLE IV.—In order to regulate the Mode of carrying the Provisions of the preceding Article into execution, it is agreed,—

First,—That all Ships of the Navies of the Two Nations which shall hereafter be employed to prevent the Traffic in Slaves shall be furnished by their respective Governments with a Copy, in the *English* and *Spanish* Languages, of the present Treaty, of the Instructions for Cruisers annexed thereto, Letter (A.), and of the Regulations for the Mixed Courts of Justice annexed thereto, Letter (B.); which Annexes shall be considered as integral Parts of the Treaty.

Secondly,—That each of the High Contracting Parties shall from Time to Time communicate to the other the Names of the several Ships which have been furnished with such Instructions, the Force of each Ship, and the Names of their several Commanders.

Thirdly,—That if at any Time there shall be just Cause to suspect that any Merchant Vessel, sailing under the Flag of either Nation, and proceeding under the Convoy of any Ship or Ships of War of either of the Contracting Parties, is engaged or is intended to be engaged in the Traffic in Slaves, or is fitted out for the Purposes thereof, or has, during the Voyage on which she may be met with, been engaged in the Traffic in Slaves, it shall be lawful for the Commander of any Ship of the Royal Navy of *Great Britain*, or of the Navy of the *Argentine* Confederation, furnished with such Instructions as aforesaid, to communicate his Suspicions to the Commander of the Convoy, who, accompanied by the Commander of the Cruiser, shall proceed to the Search of the suspected Vessel; and in case the Suspicions appear well founded, according to the Tenor of this Treaty, then the said Vessel shall be conducted or sent to One of the Points where the Mixed Courts of Justice are stationed, in order to undergo the Sentence applicable to the Case.

Fourthly,—It is further mutually agreed, that the Commanders of the Ships of the Two Navies respectively who shall be employed on this Service shall adhere strictly to the exact Tenor of the aforesaid Instructions.

ARTICLE V.—As the Two preceding Articles are entirely reciprocal, the Two High Contracting Parties engage mutually to make good any Losses which their respective Subjects or Citizens may incur by the arbitrary and illegal Detention of their Vessels; it being understood that this Indemnity shall invariably be borne by the Government whose Cruiser shall have been guilty of such arbitrary and illegal Detention: It is further agreed, that the Visit and Detention of Vessels specified in the Third Article of this Treaty shall be effected only by those *British* or *Argentine* Ships which may form Part of the Navies (Royal and National) respectively of the Two High Contracting Parties to this Treaty, and by such Ships only of those Navies as shall be provided with the special Instructions annexed to the present Treaty.

The Compensation for Damages mentioned in this Article shall be made within the Term of One Year, reckoned from the Day on which the Mixed Court of Justice pronounces Sentence on the Vessel for the Detention of which such Compensation is claimed.

ARTICLE VI.—In order to bring to Adjudication with as little Delay and Inconvenience as possible Vessels which may be detained according to the Tenor of the Third Article of this Treaty, there shall be established, within the Space of a Year at furthest from the Exchange of the Ratifications of the present Treaty, Two Mixed Courts of Justice, formed of an equal Number of Individuals of the Two Nations, named for this Purpose by the Two High Contracting Parties respectively.

These Courts shall reside, one in a Possession belonging to Her *Britannic* Majesty, the other within the Territories of the *Argentine* Confederation; and the Two Governments, at the Period of the Exchange of the Ratifications of the present Treaty, shall declare each for its own Territories in what Places the said Courts shall respectively reside, each of the Two High Contracting Parties reserving to itself the Right of changing at its Pleasure the Place of Residence of the Court held within its own Territories: Provided, however, that one of the Two Courts shall always be held upon the Coast of *Africa*, and the other in the Territory of the *Argentine* Confederation.

These Courts shall judge the Causes submitted to them according to the Provisions of the present Treaty, without Appeal, and in conformity with the Regulations and Instructions which are annexed to the present Treaty, and which are considered as forming an integral Part thereof.

ARTICLE VII.—If the Commanding Officer of any of those Ships of the Navies of *Great Britain* and of the *Argentine* Confederation respectively, which shall be duly provided with Instructions according to the Provisions of the Third Article 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

the Complaint, and to inflict upon the said Officer a Punishment proportioned to any wilful Transgression which he may have committed.

ARTICLE VIII.—It is hereby further mutually agreed, that every Merchant Vessel, *British* or *Argentine*, which shall be visited by virtue of the present Treaty, may lawfully be detained, and be sent or brought before the Mixed Courts of Justice established in pursuance of the Provisions thereof, 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 usual in Merchant Vessels.

Secondly,—Divisions or Bulkheads in the Hold or on Deck in a greater Number than are necessary for Vessels engaged in lawful Trade.

Thirdly,—Spare Plank fitted for being laid down as a Second or Slave Deck.

Fourthly,—Shackles, Bolts, or Handcuffs.

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

Sixthly,—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 Merchant Vessels that such extra Quantity of Casks or of other Receptacles should only be used for the Reception of Palm Oil, or for other Purposes of lawful Commerce.

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

Eighthly,—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 Vessel as a Merchant Vessel, or more than One Boiler or other cooking Apparatus of the ordinary Size.

Ninthly,—An extraordinary Quantity of Rice, of the Flour of *Brazil*, Manioc, or Casada, commonly called Farina, of Maize, of Indian Corn, or of any other Article of Food whatever beyond what might probably be requisite for the Use of the Crew of the Vessel, such Rice, Flour, Maize, Indian Corn, or other Article of Food not being entered on the Manifest as Part of the Cargo for Trade.

Tenthly,—A Quantity of Mats or Matting greater than is necessary for the Use of the Crew of the Vessel as a Merchant Vessel.

Any One or more of these several Things, 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 incontestable Evidence on the Part of the Master or Owners shall establish, to the Satisfaction of

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, or which had been put on board her on the Voyage on which she was proceeding when captured, were needed for legal Purposes on that particular Voyage.

ARTICLE IX.—If any of the Things specified in the preceding Article shall be found in any Merchant Vessel, no Compensation for Losses, Damages, or Expences 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 Lading, even though the Mixed Court of Justice 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 Cruisers, as having been engaged in the Slave Trade, or as having been fitted out for the Purposes thereof, and shall consequently be adjudged and condemned by the Mixed Courts of Justice to be established as aforesaid, the said Vessel shall, immediately after Condemnation, be broken up entirely, and shall be sold in separate Parts after having been so broken up.

ARTICLE XI.—The Negroes who are found on board a Vessel which has been detained by a Cruiser, and has been condemned by the Mixed Courts of Justice, in conformity with the Stipulations of this Treaty, shall be placed at the Disposal of the Government whose Cruiser made the Capture, on the distinct Understanding that they shall be immediately set at liberty, and shall be thenceforward kept free. The Two High Contracting Parties respectively guarantee the full and permanent Liberty of such Negroes; and, with a view of ensuring the due Execution of the Treaty in this respect, they each engage to afford from Time to Time, and whenever required to do so by the other High Contracting Party, the fullest Information as to the State and Condition of such Negroes.

The Regulations, Letter (C.), annexed to this Treaty, as to the Treatment of Negroes liberated by Sentence of the Mixed Courts of Justice, are declared to form an integral Part of this Treaty.

The Two High Contracting Parties reserve to themselves the Right to alter or suspend, by common Consent, but not otherwise, the Terms of such Regulations.

ARTICLE XII.—The Annexes to this Treaty, which it is mutually agreed shall form an integral Part thereof, are as follows:

(A.) Instructions for the Ships of the Navies of both Nations employed to prevent the Traffic in Slaves.

(B.) Regulations for the Mixed Courts of Justice, which are to hold their Sittings on the Coast of *Africa*, and in one of the Possessions of the *Argentine* Republic.

(C.) Regulations for the Treatment of liberated Negroes.

ANNEX (A.)

To the TREATY between GREAT BRITAIN and the ARGENTINE CONFEDERATION for the ABOLITION of the SLAVE TRADE of the ARGENTINE CONFEDERATION.

Instructions for the Ships of the British and Argentine Navies employed to prevent the Traffic in Slaves.

ARTICLE I.—The Commander of any Ship belonging to the Navy of Her *Britannic* Majesty or of the *Argentine* Confederation, which shall be furnished with these Instructions, shall have a Right to visit, search, and detain any *British* or *Argentine* Merchant Vessel which shall be actually engaged or which shall be suspected to be engaged in the Slave Trade, or to be fitted out for the Purposes 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 *Argentine* Navy; and such Commander shall thereupon bring or send such Merchant Vessel as soon as possible for Judgment before that Mixed Court of Justice, established in virtue of the Seventh Article of the said Treaty, which shall be the nearest to the Place of Detention, or which such Commander shall upon his own Responsibility think can be soonest reached from such Place.

ARTICLE II.—Whenever a Ship of either of the said Navies, duly authorized as aforesaid, shall meet a Merchant Vessel 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 Search shall in all Cases be made by an Officer holding a Rank not lower than that of a Lieutenant in the Navy of *Great Britain* or in that of the *Argentine* Republic respectively (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 by which the Search is made.

ARTICLE III.—The Commander of any Ship of the Two Navies, 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 Declaration, 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 together with the captured Vessel to the Mixed Court of Justice before which such Vessels 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 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, 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 Detention.

The Officer in charge of the Vessel detained shall, at the Time when he brings the Vessel's Papers into the Mixed Court of Justice, 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 Mixed Court of Justice.

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 Negroes should be disembarked or be transhipped before the Vessel can arrive at the Place at which one of the said Courts is established, or after her Arrival there, and before Adjudication, the Commander of the capturing Ship may take upon himself the Responsibility of so disembarking or transhipping the Negroes; 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 on the Log Book of the detained Vessel.

The undersigned Plenipotentiaries have agreed, in conformity with the Twelfth Article of the Treaty signed by them on this Day, the Twenty-fourth Day of *May* One thousand eight hundred and thirty-nine, that the preceding Instructions, consisting of Four Articles, shall be annexed to the said Treaty, and shall be considered as an integral Part thereof.

The Twenty-fourth Day of *May* One thousand eight hundred and thirty-nine.

(L. S.) *J. H. Mandeville.*

ANNEX (B.)

To the TREATY between GREAT BRITAIN and the ARGENTINE CONFEDERATION, for the ABOLITION of the SLAVE TRADE of the ARGENTINE CONFEDERATION.

Regulations for the Mixed Courts of Justice which are to reside on the Coast of Africa, and in the Possessions of the Argentine Confederation.

ARTICLE I.—The Mixed Courts of Justice to be established under the Provisions of the Treaty of which these Regulations are declared to be an integral Part shall be composed in the following Manner:—Each of the Two High Contracting Parties shall

shall name a Judge and an Arbitrator, who shall be authorized to hear and to decide, without Appeal, all Cases of the Capture or Detention of Vessels which, in pursuance of the Stipulations of the aforesaid Treaty, shall be brought before them. The Judges and the Arbitrators shall, before entering upon the Duties of their Office, respectively make Oath before the principal Magistrate of the Places in which such Courts respectively shall reside, that they will judge fairly and faithfully, that they will have no Preference either for the Claimants or the Captors, and that in all their Decisions they will act in pursuance of the Stipulations of the aforesaid Treaty.

There shall be attached to each of such Courts a Secretary or Registrar, who shall be appointed by the Government of the Country within whose Territories such Court shall reside. Such Secretary or Registrar shall register all the Acts of such Court, and shall, before he enters upon his Office, make Oath before the Court to which he is appointed, that he will conduct himself with due Respect for its Authority, and will act with Fidelity and Impartiality in all Matters relating to his said Office.

The Salary of the Secretary or Registrar to be established on the Coast of *Africa* shall be paid by Her *Britannic* Majesty, and that of the Secretary or Registrar of the Court to be established in the Possessions of the *Argentine* Confederation shall be paid by the Government of that Republic.

Each of the Governments shall defray Half of the aggregate Amount of the incidental Expences of such Courts.

Article II.—The Expences incurred by the Officer charged with the Reception, Maintenance, and Care of the detained Vessel, Slaves, and Cargo, and with the Execution of the Sentence, and all Disbursements occasioned by bringing the Vessel to Adjudication, shall, in case of Condemnation, be defrayed out of the Funds arising from the Sale of the Materials of the broken-up Vessel, of the Ship's Stores, and of such Parts of the Cargo as shall consist of Merchandize; and in case the Proceeds arising from this Sale should not prove sufficient to defray such Expences, then the Deficiency shall be made good by the Government of the Country within whose Territories the Adjudication shall have taken place.

If the detained Vessel shall be released, the Expences occasioned by bringing her to Adjudication shall be defrayed by the Captor, excepting in the Cases specified and otherwise provided for by Article IX. of the Treaty to which these Regulations form an Annex, and by Article VII. of these Regulations.

Article III.—The Mixed Courts of Justice are to decide upon the Legality of the Detention of such Vessels as the Cruisers of either Nation shall, in pursuance of the said Treaty, detain.

These Courts shall judge definitively, and without Appeal, all Questions which shall arise out of the Capture and Detention of such Vessels.

The Proceedings of these Courts shall take place with as little Delay as possible, and for this Purpose the Courts are required to decide each Case, as far as may be practicable, within the Space of Twenty Days, to be dated from the Day on which the

the detained Vessel shall have been brought into the Port where the deciding Courts shall reside.

If, in consequence of such Proceedings, the Vessel whose Case is brought before the Court shall be found to be employed in the Slave Trade, or to have been fitted out for the Purposes thereof, such Vessel, her Cargo of Merchandize and her Equipments, shall be condemned by the Court, and shall be declared lawful Prize; and any Slaves who may have been put on board such Vessel for the Purposes of Traffic shall be emancipated.

The final Sentence shall not in any Case be delayed beyond the Period of Two Months, either on account of the Absence of Witnesses or for any other Reason, except upon the Application of any of the Parties interested, in which Case, if such Party or Parties shall give satisfactory Security that they will take upon themselves the Expence and Risks of the Delay, the Courts may, at their Discretion, grant an additional Delay, not exceeding Four Months.

Either Party shall be allowed to employ such Counsel as he may think fit, to assist him in conducting his Cause. All the essential Parts of the Proceedings of the said Courts shall be written down in One Act, in the Language of the Country in which the Courts shall respectively reside.

ARTICLE IV.—The Form of the Process shall be as follows:—

The Judges appointed by the Two Governments respectively shall, in the first place, proceed to examine the Papers of the detained Vessel, and to take the Depositions of the Master or Commander, and of Two or Three at least of the principal Individuals on board such Vessel, as well as the Declaration on Oath of the Captor, should such Declaration appear to be necessary, in order to enable them to judge and to pronounce whether the said Vessel has been justly detained or not, according to the Stipulations of the aforesaid Treaty.

In the event of the Two Judges not agreeing as to the Sentence which they ought to pronounce with respect to the Legality of the Detention of any Vessel, as to the Liability of the Vessel to Condemnation, as to the Compensation to be allowed to the Owners, or as to any other Question which may arise out of any Capture, or if any Difference of Opinion should arise between them as to the Mode of Proceeding in the said Court, they shall in any such Case draw by Lot the Name of one of the Two Arbitrators appointed as is stated in Article I. of this Annex; and the Arbitrator whose Name shall be so drawn shall, after he has considered the Proceedings which have taken place, consult with the Two above-mentioned Judges; and the final Sentence or Decision shall be pronounced in conformity with the Opinion of the Majority of the Three.

ARTICLE V.—If the detained Vessel shall be restored by the Sentence of the Court, the Vessel and the Cargo, in the State in which they shall then be found, shall forthwith be given up to the Master, or to the Person who represents him; and such Master or other Person may before the same Court claim to have a Valuation made, in order to ascertain the Amount of the Damages to which he shall be entitled. The Captor himself, and

in his Default his Government, shall remain responsible for the Damages which may definitively be pronounced to be due to the Master of such Vessel, or to the Owners of the Vessel or of her Cargo.

The Two High Contracting Parties bind themselves to pay, within the Term of a Year from the Date of the Sentence, the Costs and Damages which may be awarded by the aforesaid Court, it being mutually understood and agreed that such Costs and Damages shall be made good by the Government of the Country of which the Captor shall be a Subject or Citizen.

ARTICLE VI.—If a detained Vessel shall be condemned, she shall be declared lawful Prize, together with her Cargo, whatever it may be, with the Exception of the Slaves who shall have been found on board; and the said Vessel, in conformity with the Regulations in Article X. of the Treaty of this Date, shall, as well as her Cargo, be sold by public Sale for the Profit of the Two Governments, subject to the Payment of the Expences hereinbefore mentioned.

Each Slave shall receive from the Court a Certificate of Emancipation, and shall be delivered over to the Government to whom belongs the Cruiser which made the Capture, to be dealt with according to the Regulations and Conditions contained in the Annex to this Treaty, Letter (C.)

ARTICLE VII.—The Commander and the Crew of a Vessel condemned under this Treaty, and all Persons found on board who shall have been Accomplices in her Slave Trade Undertaking, shall, on Condemnation of the Vessel, be sent as Prisoners to the nearest Settlement of the Country of which they are Subjects or Citizens, and shall be there delivered over to the Authorities of the Place, to be tried according to the Laws of their Country for the Offences which they have committed against those Laws. The Commander of the Cruiser which made the Capture of the Vessel shall, on the Requisition of the Members of the Mixed Courts of Justice, take charge of the Commander, the Crew, and Accomplices on board of the captured Vessel, and shall convey them and deliver them over as before mentioned.

The Charges incurred for the Support and Return Voyage of the Commander, the Crew, and the Accomplices thus sent as Prisoners, shall be defrayed by the Government of which they are the Subjects or Citizens.

ARTICLE VIII.—The Mixed Courts of Justice shall also take cognizance of, and shall decide definitively, and without Appeal, all Claims for Compensation on account of Losses occasioned to Vessels and Cargoes which shall have been detained under the Provisions of this Treaty, but which shall not have been condemned as legal Prize by the said Courts; and in all Cases wherein Restitution of such Vessels and Cargoes shall be decreed (save as mentioned in a subsequent Part of these Regulations, and in Article IX. of the Treaty to which these Regulations form an Annex), the Court shall award to the Claimant or Claimants, or to his or their lawful Attorney or Attornies, for his or their Use, a just and complete Indemnification for all

Costs of Suit, and for all Losses and Damages which the Owner or Owners may have actually sustained by such Capture and Detention; (that is to say,)

First,—In case of total Loss, the Claimant or Claimants shall be indemnified,—

(a) For the Ship, her Tackle, Equipment, and Stores.

(b) For all Freights due and payable.

(c) For the Value of the Cargo of Merchandize, if any, deducting all Charges and Expences payable upon the Sale of such Cargo, including Commission of Sale.

(d) For all other regular Charges in such Case of total Loss.

Secondly,—In all other Cases, not of total Loss, save as herein-after mentioned, the Claimant or Claimants shall be indemnified,—

(a) For all special Damages and Expences occasioned to the Ship by her Detention, and for Loss of Freight when due or payable.

(b) For Demurrage, according to the Schedule annexed to the present Article.

(c) For any Deterioration of the Cargo.

(d) For all Premium of Insurance on additional Risks.

Further, the Claimant or Claimants shall be entitled to Interest at the Rate of Five *per Centum per Annum* on the Sum awarded, until such Sum is paid by the Government to which the capturing Ship belongs. The whole Amount of such Indemnification shall be calculated in the Money of the Country to which the detained Vessel belongs, and shall be paid at the Rate of Exchange current at the Time of the Award.

The Two High Contracting Parties, however, have agreed, that if it shall be proved to the Satisfaction of the Judges of the Two Nations, and without recourse to the Decision of an Arbitrator, that the Captor has been led into Error by the Fault of the Master or Commander of the detained Vessel, the detained Vessel shall in such Case not receive for the Time of her Detention the Demurrage stipulated by the present Article, nor any other Compensation for Losses, Damages, or Expences consequent upon such Detention.

SCHEDULE of Demurrage or daily Allowance for a Vessel of

100	Tons	to	120	inclusive	-	-	£ 5	*per Diem.*
121	„		150	„	-	-	6	„
151	„		170	„	-	-	8	„
171	„		200	„	-	-	10	„
201	„		220	„	-	-	11	„
221	„		250	„	-	-	12	„
251	„		270	„	-	-	14	„
271	„		300	„	-	-	15	„

And so in proportion.

ARTICLE IX.—Neither the Judges, nor the Arbitrators, nor the Secretaries of the Mixed Courts of Justice, shall demand or receive from any of the Parties concerned in the Cases which shall be brought before such Courts any Emolument or Gift, under any

any Pretext whatsoever, for the Performance of the Duties which such Judges, Arbitrators, and Secretaries have to perform.

ARTICLE X.—The Two High Contracting Parties have agreed, that in the event of the Death, Sickness, Absence on Leave, or other legal Impediment of One or more of the Judges or Arbitrators composing the above-mentioned Courts, the Post of such Judge or of such Arbitrator shall be supplied *ad interim* in the following Manner:

First,—On the Part of Her *Britannic* Majesty, and in that Court which shall sit in one of the Possessions of Her said Majesty, if the Vacancy be that of the *British* Judge, his Place shall be filled by the *British* Arbitrator, and either in that Case, or if the Vacancy be originally that of the *British* Arbitrator, the Place of such Arbitrator shall be filled successively by the Governor or Lieutenant Governor resident in such Possession, by the principal Magistrate of the same, and by the Secretary of the Government; and the said Court so constituted as above shall sit, and shall proceed to adjudge all Cases brought before them for Adjudication, and shall pass Sentence accordingly.

Secondly,—On the Part of *Great Britain*, and in that Court which shall sit in some Place within the Territories of the *Argentine* Confederation, if the Vacancy be that of the *British* Judge, his Place shall be filled by the *British* Arbitrator; and either in that Case, or if the Vacancy be originally that of the *British* Arbitrator, the Place of *British* Arbitrator shall be filled successively by the *British* Consul and *British* Vice Consul, if there be a *British* Consul or *British* Vice Consul appointed to and resident in such Place; and if the Vacancy be both of the *British* Judge and of the *British* Arbitrator, then the Vacancy of the *British* Judge shall be filled by the *British* Consul, and that of the *British* Arbitrator by the *British* Vice Consul, if there be a *British* Consul and a *British* Vice Consul appointed to and resident in such Place; and if there shall be no *British* Consul or *British* Vice Consul to fill the Place of *British* Arbitrator, then the *Argentine* Arbitrator shall be called in, in those Cases in which a *British* Arbitrator (if there were any) would be called in; and in case the Vacancy be both of the *British* Judge and *British* Arbitrator, and there be neither *British* Consul nor *British* Vice Consul to fill *ad interim* the Vacancies, then the *Argentine* Judge and *Argentine* Arbitrator shall sit, and shall proceed to adjudge all Cases brought before them for Adjudication, and shall pass Sentence accordingly.

Thirdly,—On the Part of the *Argentine* Republic, and in that Court which shall sit within the Territories of that Republic, if the Vacancy be that of the *Argentine* Judge, his Place shall be filled by the *Argentine* Arbitrator; and either in that Case, or if the Vacancy be originally that of the *Argentine* Arbitrator, the Place of such Arbitrator shall be filled successively by the highest Civil Authority resident in such Possession, by the principal Magistrate of the same, and by the

the Secretary of the Government, which, if the Court is held at *Buenos Ayres*, will be executed by the President of the Court of Appeal, by the senior Member of that Court, and by the Attorney General of the Province; and the said Court so constituted as above shall sit, and shall proceed to adjudge all Cases brought before them for Adjudication, and shall pass Sentence accordingly.

Fourthly,—On the Part of the *Argentine* Republic, and in that Court which shall sit within the Possessions of Her *Britannic* Majesty, if the Vacancy be that of the *Argentine* Judge, his Place shall be filled by the *Argentine* Arbitrator; and either in that Case, or if the Vacancy be originally that of the *Argentine* Arbitrator, the Place of the *Argentine* Arbitrator shall be filled successively by the *Argentine* Consul and *Argentine* Vice Consul, if there be an *Argentine* Consul or *Argentine* Vice Consul appointed to and resident in such Possession; and if the Vacancy be both of the *Argentine* Judge and of the *Argentine* Arbitrator, then the Vacancy of the *Argentine* Judge shall be filled by the *Argentine* Consul, and that of the *Argentine* Arbitrator by the *Argentine* Vice Consul, if there be an *Argentine* Consul and an *Argentine* Vice Consul appointed to and resident in such Possession; and if there be no *Argentine* Consul or *Argentine* Vice Consul to fill the Place of *Argentine* Arbitrator, then the *British* Arbitrator shall be called in, in those Cases in which an *Argentine* Arbitrator would be called in; and in case the Vacancy be both of the *Argentine* Judge and *Argentine* Arbitrator, and there be neither *Argentine* Consul nor *Argentine* Vice Consul to fill *ad interim* the Vacancies, then the *British* Judge and *British* Arbitrator shall sit, and shall proceed to adjudge all Cases brought before them for Adjudication, and shall pass Sentence accordingly.

The highest Civil Authority of the Settlement wherein either of the Mixed Courts of Justice shall sit shall, in the event of the Vacancy arising either of the Judge or of the Arbitrator of the other High Contracting Party, forthwith give Notice of the same to the highest Civil Authority of the nearest Settlement of such other High Contracting Party, in order that such Vacancy may be supplied at the earliest possible Period; and each of the High Contracting Parties agrees to fill up definitively as soon as possible the Vacancies which may arise in the above-mentioned Courts from Death, or from any other Cause whatever.

The undersigned Plenipotentiaries have agreed, in conformity with Article XII. of the Treaty signed by them on this Day, the Twenty-fourth of *May* One thousand eight hundred and thirty-nine, that the preceding Regulations, consisting of Ten Articles, shall be annexed to the said Treaty, and considered an integral Part thereof. Signed this Day, the Twenty-fourth Day of *May* One thousand eight hundred and thirty-nine.

(L.S.) *J. H. Mandeville.*

ANNEX (C.)

Regulations for the good Treatment of liberated Negroes.

ARTICLE I.—The Object of these Regulations is, to secure to Negroes liberated by virtue of the Stipulations of the Treaty to which these Regulations form an Annex (marked (C.) permanent good Treatment, and full and complete Freedom, in conformity with the humane Intentions of the High Contracting Parties.

ARTICLE II.—Immediately after Sentence of Condemnation shall have been passed by a Mixed Court of Justice established under the Treaty to which these Regulations form an Annex, on a Vessel charged with being concerned in the Slave Trade, all Negroes who were on board such Vessel, and who were brought on board for the Purpose of Traffic, shall be delivered over to the Government to whom belongs the Cruiser which made the Capture.

ARTICLE III. — If the Cruiser which made the Capture is *British* the *British* Government engages that the Negroes shall be treated in exact conformity with the Laws in force in the *British* Colonies applicable to free-born or to emancipated Negroes.

ARTICLE IV.—If the Cruiser which made the Capture is *Argentine*, then the Negroes shall be delivered over to the *Argentine* Authorities of that Place in the Dominions of the *Argentine* Confederation in which the Mixed Court of Justice is established; and the *Argentine* Government solemnly engages that such Negroes shall be there treated strictly according to the Regulations in force at the Time being in the *Argentine* Confederation with respect to free Negroes. The *Argentine* Confederation further engages, that those Regulations shall always be framed with the view of securing honestly and faithfully to emancipated Negroes unmolested Liberty, good Treatment, a Knowledge of the Tenets of the Christian Religion, Advancement in Morality and Civilization, and sufficient Instruction in the mechanical Arts to enable the said emancipated Negroes to earn their own Subsistence as Artisans, Mechanics, or Servants.

ARTICLE V.—For the Purpose which is explained in the following Article there shall be kept in the Office of the Governor of that Part of the Possessions of the *Argentine* Confederation where the Mixed Court of Justice resides a Register of all emancipated Negroes, and in such Register shall be entered with scrupulous Exactness the Names given to the Negroes, the Names of the Vessels in which they were captured, the Names of the Persons to whose Care they have been committed, and any other Circumstance likely to contribute to the full and permanent Liberty and Welfare of such emancipated Negroes.

ARTICLE VI.—The Register to which the preceding Article refers will serve to form a general Return, which the Governor of that Part of the Possessions of the *Argentine* Confederation

where the Mixed Court of Justice resides shall be bound to deliver every Six Months to the aforesaid Mixed Commission, in order to show the continued Freedom of the Negroes emancipated under this Treaty, the Improvement effected in their Condition, and the Progress made in their religious and moral Instruction, and in their Acquirement of the Arts of Life. The aforesaid Return shall also specify the Names and Descriptions of such of the emancipated Negroes as shall have died since the Period of the last Return.

ARTICLE VII.—The High Contracting Parties agree, that if in future it should appear necessary to adopt new Measures, in consequence of those which are laid down in this Annex turning out inefficacious, the said High Contracting Parties will consult together, and will agree upon other Means better adapted for the complete Attainment of the Objects they have in view.

ARTICLE VIII.—The undersigned Plenipotentiaries have agreed, in conformity with the Thirteenth Article of the Treaty signed by them on this Day, the Twenty-fourth Day of *May* One thousand eight hundred and thirty-nine, that this Annex, consisting of Eight Articles, shall be united to the said Treaty, and be considered an integral Part thereof. This Twenty-fourth Day of *May* One thousand eight hundred and thirty-nine.

(L.S.) *J. H. Mandeville.*

ARTICLES additional to the Treaty concluded this Twenty-fourth Day of *May* One thousand eight hundred and thirty-nine, between Her *Britannic* Majesty and the *Argentine* Confederation, for the Suppression of the Slave Trade.

ARTICLE I.—It is agreed and understood, that if there should be any Delay in appointing the Judge and the Arbitrator to be nominated on the Part of the *Argentine* Confederation to act in each of the Mixed Courts of Justice to be established under this Treaty, or if those Officers, after being appointed, should at any Time be absent, then and in either of such Cases the Judge and Arbitrator who shall have been appointed on the Part of Her *Britannic* Majesty, and who shall be present in the said Courts, shall, in the Absence of the *Argentine* Judge and Arbitrator, proceed to open the said Courts, and to adjudge such Cases as may be brought before them under the Treaty; and the Sentence pronounced upon such Cases by the said *British* Judge and Arbitrator shall have the same Force and Validity as if the Judge and the Arbitrator on the Part of the *Argentine* Confederation had been appointed, and had been present and acting in the Mixed Courts in the Cases in question.

ARTICLE II.—It is also agreed, notwithstanding the Provisions of the First Article of the Annex (B.), that so long as no *Argentine* Judge and Arbitrator shall have been nominated it will be unnecessary for the *Argentine* Confederation to nominate the Secretary or Actuary mentioned in the said Article; that in the meanwhile the Secretary or Actuary of that Court which may exist within the Territory of the *Argentine* Confederation shall be

be named and paid by the Government of Her *Britannic* Majesty; and that the entire Expence of both the Courts to be established under this Treaty shall be borne by the Government of Her *Britannic* Majesty.

ARTICLE III.—If, in the drawing up of this Treaty in the *Spanish* Language, any involuntary Error has been made in the Translation, the *English* Text is to be adhered to.

The present additional Articles shall form an integral Part of the Treaty for the Suppression of the Slave Trade signed this Day, and shall have the same Force and Validity as if they were inserted Word for Word in that Treaty, and shall be ratified as soon as possible within the Term of Eight Months from the Date of the present Treaty.

Done at *Buenos Ayres*, this Twenty-fourth Day of *May* in the Year of our Lord One thousand eight hundred and thirty-nine. (L.S.) *J. H. Mandeville.*

And whereas by the Thirteenth and last Article of the said Treaty it was agreed that the same should be ratified, and the Ratifications thereof should be exchanged in *Buenos Ayres* within the Space of Eight Months, or sooner if possible: And whereas the said Treaty was ratified by and between Her Majesty and the *Argentine* Confederation respectively, and such Ratifications were exchanged at *Buenos Ayres* on the Sixteenth Day of *May* in the Year of our Lord One thousand eight hundred and forty: And whereas it is expedient and necessary that effectual Provision should be made for carrying into execution the Provisions of the Treaty aforesaid, and the Articles additional 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, That it shall and may be lawful for any Officer commanding any Ship of War of Her Majesty or of the *Argentine* Confederation, who shall be duly instructed and authorized according to the several Provisions of the said Treaty, to visit and search any Merchant Vessel of either of the said Two Nations which shall upon reasonable Grounds be suspected of being engaged in the Traffic in Slaves, or of having during the Voyage in which such Vessel is met been engaged in such Traffic, and to detain and send or carry away such Vessel, together with its Masters, Crew, Passengers, Slaves, and Cargo, for the Purpose of such Vessel being brought to Adjudication before One of the Mixed Courts of Justice to be established in virtue of the said Treaty and the Articles additional thereto; and all such Commanders and other Officers 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 and Articles as apply thereto respectively.

Commanders of Ships of War to exercise the Right of searching Merchant Vessels of either Nation reasonably suspected of being engaged in the Slave Trade.

II. And be it enacted, That all Ships and Vessels belonging wholly or in part to Her Majesty's Subjects, which shall be suspected upon

Ships suspected of having been

upon reasonable Grounds of being engaged in the Traffic in Slaves, or of having been fitted out for that Purpose, or of having, during the Voyage in which such Vessel is met, been engaged in such Traffic, and all Boats, Apparel, and Cargoes therein, shall be and are hereby declared to be and made subject to Search and Detention by any Ship or Vessel of War of Her Majesty or of the *Argentine* Confederation, duly authorized for that Purpose, according to the Stipulations of the said Treaty and Articles, and are also hereby made subject to the Adjudication of and to Condemnation or other Judgment by the Judges and Arbitrators of the Mixed Courts to be appointed according to the Provisions of the said Treaty and Articles.

fitted out for the Purpose of Traffic in Slaves liable to Search.

III. And be it enacted, That it shall be lawful for Her Majesty, by any Warrant under Her Royal Sign Manual, countersigned by One of Her Majesty's Principal Secretaries of State for the Time being, to appoint such Judges and Arbitrators as are in and by the said Treaty and Articles mentioned to be appointed by Her Majesty, and from Time to Time to supply any Vacancies which may arise in such Offices by appointing other Persons thereto, and to grant Salaries to such Judges and Arbitrators as aforesaid, not exceeding such annual Sums as the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* shall from Time to Time direct; and such Judges and Arbitrators are hereby authorized and empowered to examine and decide all such Cases of Detention, Captures, and Seizures of Vessels and their Cargoes, as aforesaid, detained, seized, or captured under the said Treaty, as are by the said Treaty and by this Act made subject to their Jurisdiction, and to proceed therein, and give such Judgments, and make such Orders therein, and do all other Acts, Matters, and Things appertaining thereto, agreeably to the Provisions of the said Treaty and Articles, as fully and effectually to all Intents and Purposes as if special Powers and Authorities for that Purpose were specifically and particularly inserted and given in relation thereto in this Act.

Her Majesty may appoint Judges and Arbitrators to decide Cases of Detention.

IV. And be it enacted, That it shall be lawful for Her Majesty, by any Warrant under Her Royal Sign Manual, countersigned by One of Her Majesty's Principal Secretaries of State for the Time being, to nominate and appoint any Secretary or Registrar to the Mixed Court or Courts which shall be established in virtue of the said Treaty and Articles, and from Time to Time to supply by other Appointments any Vacancy which may thereafter occur in such Courts, and to grant a Salary or Salaries to any such Secretary or Registrar, not exceeding such annual Sum as the said Commissioners of Her Majesty's Treasury shall from Time to Time direct; and any such Secretary or Registrar is hereby authorized and empowered to do, perform, and execute all the Duties of such Office set forth and prescribed by the said Treaty and Articles, and to do, perform, and execute all such Acts, Matters, and Things as may be necessary for the due Discharge of the Duties of his said Office.

Her Majesty may appoint a Secretary or Registrar to the Mixed Court.

In case of the Death or Incapacity from Illness of any British Judge of such Courts, or of the British Arbitrator.

V. And be it enacted, That in case of the Death, Sickness, Absence on Leave, or any other legal Impediment of any such *British* Judge of either of the said Courts established by virtue of the said Treaty, the *British* Arbitrator of such Court shall fill the Office of such Judge *ad interim* until the Office shall be thereafter filled by some Person appointed by Her Majesty, or until such Judge shall resume the Duties of his said Office; and that in case of such Vacancy of the Office of *British* Arbitrator of the Court established by virtue of the said Treaty, or in case of the Death, Sickness, Absence on Leave, or other Impediment of the said Arbitrator of the said Court, the Office of such Arbitrator shall be filled *ad interim* successively by the Governor or Lieutenant Governor resident in such Possession, by the principal Magistrate in the same, and by the Secretary of the Government, until the said Office shall be filled by some Person appointed by Her Majesty, or until such Arbitrator shall resume the Duties of his said Office; and that in case of the Death, Sickness, Absence on Leave, or other legal Impediment of the *British* Arbitrator in the Court established by virtue of the said Treaty within the Possessions of the *Argentine* Confederation, or of his assuming *ad interim* the Duties of a Judge of the said Court as aforesaid, the Office of such *British* Arbitrator shall be filled *ad interim* successively by the *British* Consul and *British* Vice Consul resident in such Possession; and in case of such Vacancy of the Offices both of such *British* Judge and *British* Arbitrator, then that such Office of Judge shall be filled *ad interim* by the *British* Consul, and such Office of *British* Arbitrator by the *British* Vice Consul; and in case there shall be no *British* Consul or Vice Consul at such Place, then that it shall be lawful for the Arbitrator, on behalf of the *Argentine* Confederation, to act in all those Cases in which a *British* Arbitrator, if there were any, would be required to act; and in case of such Vacancy in the Offices both of *British* Judge and *British* Arbitrator, and there should be neither a *British* Consul nor *British* Vice Consul resident at such Place, then that it shall and may be lawful for the Judge and Arbitrator appointed by the *Argentine* Confederation of such Court to sit alone in such Court; and in all Cases brought before them for Adjudication to adjudge the same, and pass Sentence accordingly, until the said Offices shall respectively be thereafter filled by some Person or Persons appointed by Her Majesty, or until the said *British* Judge and *British* Arbitrator shall resume the Duties of their said Offices respectively.

Judges and Arbitrators to take an Oath.

VI. And be it enacted, That every such Judge and Arbitrator so appointed by Her Majesty shall, before he shall enter upon the Execution of any of the Duties of such his Office, take an Oath in the Presence of the principal Magistrate then residing and acting in the Colony, Settlement, or Place, whether belonging to Her *Britannic* Majesty or to the *Argentine* Confederation, in which the Court shall be established; which Oath any such Magistrate is hereby authorized to administer in the Form following; (that is to say,)

Form of Oath.

'I *A.B.* do solemnly swear, That I will, according to the best of my 'Skill and Knowledge, act in the Execution of my Office as 'faithfully, impartially, fairly, and without

'Preference

'Preference or Favour, either for Claimants or Captors or any other 'Persons; and that I will, to the best of my Judgment and Power, 'act in pursuance of and according to the Stipulations, Regulations, 'and Instructions contained in the Treaty and Articles additional 'thereto between Her Majesty and the *Argentine* Confederation, 'signed at *Buenos Ayres* on the Twenty-fourth Day of *May* One 'thousand eight hundred and thirty-nine.'

Secretary or Registrar to take an Oath.

And every Secretary or Registrar appointed by Her Majesty under the Provisions of the said Treaty and Articles, and of this Act, shall, before he enters on the Duties of his said Office, take an Oath before One of the Judges of the said Court, who is hereby empowered to administer the same, in the Form following; (that is to say,)

'I *A. B.* do solemnly swear, That I will, according to the best of my 'Skill and Knowledge, act in the Execution of my Office, and that I 'will conduct myself with Respect to the Authority of the Judges 'and Arbitrators of the Court to which I am attached, and will act 'with Fidelity in all the Affairs which may belong to my Charge, 'and without Preference or Favour either for Claimants or Captors 'or any other Persons.'

Judges and Arbitrators may administer Oaths.

VII. And be it enacted, That it shall be lawful for the said Judges or Arbitrators, or either of them, or for any such Secretary or Registrar, and they are hereby respectively empowered, to administer Oaths to and take the Depositions of all Parties, Witnesses, and other Persons who may come or be brought before them to be examined, or for the Purpose of deposing in the Course of any Proceeding before the said Judges or Arbitrators under the said Treaty and Articles, and this Act, and it shall also be lawful for the said Judges and Arbitrators to summon before them all Persons whom they may deem it necessary or proper to examine in relation to any Suit, Proceeding, Matter, or Thing under their Cognizance, and to send for and issue Precepts for the producing all such Papers as may relate to the Matters in question before them, and to enforce all such Summonses, Orders, and Precepts by such and the like Means, Powers, and Authorities as any Court of Vice Admiralty may do.

Punishing Persons giving false Evidence.

VIII. And be it enacted, That every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken upon or in any Proceeding before the Judges or Arbitrators aforesaid under the said Treaty or Articles additional, 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*.

IX. And

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

IX. And be it enacted, That the Pendency of any Suit or Proceeding instituted before the said Judges or Arbitrators for the Condemnation or Restitution of any Ship or Cargo, or Slaves taken, seized, or detained by virtue of the said Treaty or Articles, 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 and be deemed and adjudged in any Court whatever to be a good and complete Bar in any Action, Suit, or Proceeding, whether brought or 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 Act, Matter, or Thing, done under the Authority or in pursuance of the Provisions of the said Treaty or Articles; any thing in any Act or Acts of Parliament, or Law or Laws, to the contrary notwithstanding.

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

X. And be it enacted, That where any Ship or Vessel employed or engaged in illicit Traffic in Slaves, in violation of the Treaty or Articles herein-before mentioned, shall be seized by any Ship or Vessel belonging to Her Majesty, duly authorized under the Provisions of the said Treaty or Articles to make such Seizure, and shall be afterwards condemned by any of the Commissioners appointed in virtue of the Treaty or Articles aforesaid, there shall be paid to the Captors the Portion to which Her Majesty is entitled, such Portion to be distributed in the Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

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

XI. 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 or Articles, 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 *Argentine* Confederation Ship or Vessel taken and delivered over and condemned in pursuance of the Provisions of the said Treaty or Articles, 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, 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.

XII. 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.

XIII. Provided always, and be it enacted, That in order to entitle the Captors to receive the said Bounty Money, the Number of Men, Women, and Children so taken, delivered over, and condemned

demned 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.

XIV. 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 *Argentine* Confederation Ship or Vessel, in pursuance of the Provisions of the said Treaty and Articles, 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 them in 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 a Sum not exceeding 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.

XV. Provided always, 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 *Argentine* Confederation Vessel confiscated in pursuance of the Provisions of the aforesaid Treaty or Articles, 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.

XVI. And be it enacted, That all the Provisions, Rules, Regulations, Forfeitures, and Penalties now in force 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 Judgment shall be given against the Seizor, or the Seizure shall be relinquished, the Treasury may direct Payment of the Costs and Damages.

XVII. And be it enacted, That when any Seizure shall be made, or Prosecution instituted, as or for the Violation of any of the Provisions of this Act, and Judgment shall be given against the Seizor or Prosecutor, 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, Damages, and Expences as the said Seizor or Prosecutor may be liable to pay in respect of such Seizure, or any

any proportionate Part thereof, and also such Costs and Expences as the said Seizor may have incurred in respect of such Seizure.

Treasury may direct Payment of any Sum awarded to be due on account of unlawful Seizures. Liability of Seizors not taken away.

XVIII. And be it enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant, signed by 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 Sums of Money awarded by the Mixed Commission Courts to be due on account of any unlawful Seizure or Detention by any of Her Majesty's authorized Cruisers: Provided always, that nothing herein contained shall exempt the Seizor from his Liability to make good the Payments so made, when lawfully called upon by Order of the said Commissioners.

No Compensation when any Articles specified in the Eighth Article of the Treaty are found on board.

XIX. Provided always, and it is hereby enacted, That if any of the Things specified in the Eighth Article of the said Treaty shall be found on board any Vessel which shall be detained and brought before either of the said Mixed Courts, neither the Master nor the Owner, nor any Person whatsoever interested in the Equipment or Cargo of the Vessel, shall recover any Compensation or Damages for such Detention, although the said Mixed Court should not pronounce any Sentence of Condemnation.

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