'for the Civil Government of the said Settlements:' 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 Her Majesty, by any Order or Orders to be by Her made, with the Advice of Her Privy Council, to establish all such Laws, Institutions, and Ordinances, and to constitute such Courts and Officers, and to make such Provisions and Regulations for the Proceedings in such Courts, and for the Administration of Justice, as may be necessary for the Peace, Order, and good Government of Her Majesty's Subjects and others within the said present or future Settlements respectively, or any of them; any Law, Statute, or Usage to the contrary in anywise notwithstanding.

The Queen in Council may make Laws, constitute Courts, &c.

II. And be it enacted, That it shall be lawful for Her Majesty, by any Commission or Commissions under the Great Seal of the United Kingdom, or by any Instructions under Her Majesty's Signet and Sign Manual, accompanying and referred to in any such Commission or Commissions, to delegate to any Three or more Persons within any of the Settlements aforesaid respectively the Powers and Authorities so vested in Her Majesty in Council as aforesaid, either in whole or in part, and upon, under, and subject to all such Conditions, Provisoes, and Limitations as by any such Commission or Commissions or Instructions as aforesaid Her Majesty shall see fit to prescribe: Provided always, that notwithstanding any such Delegation of Authority as aforesaid, it shall still be competent to Her Majesty in Council, in manner aforesaid, to exercise all the Powers and Authorities so vested as aforesaid in Her Majesty in Council: Provided also, that all such Orders in Council, Commissions, and Instructions as aforesaid, and all Laws and Ordinances so to be made as aforesaid, shall be laid before both Houses of Parliament as soon as conveniently may be after the making and enactment thereof respectively.

The Queen may delegate Her Powers and Authorities to resident Officers.

Orders in Council, &c. to be laid before Parliament.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

CAP. XIV.

An Act for carrying into effect a Treaty between Her Majesty and the Republic of *Bolivia*, for the Abolition of the Slave Trade. [11th *April* 1843.]

'WHEREAS on the Twenty-fifth Day of *September* in the 'Year of our Lord One thousand eight hundred and 'forty a Treaty was concluded and signed at *Sucre*, between 'Her Majesty the Queen of the United Kingdom of *Great* '*Britain* and *Ireland* and the Republic of *Bolivia*, for the 'Abolition of the Slave Trade, whereby it was agreed as 'follows:—

'ARTICLE I.—The Slave Trade having been constitutionally abolished throughout the Territories of the Republic of *Bolivia*, is hereby declared to be henceforward totally prohibited to all the Citizens of the said Republic in all Parts of the World.

'ARTICLE II.—The Republic of *Bolivia* hereby specially engages that, Two Months after the Exchange of the Ratifications of the present Treaty, if the ordinary Congress shall be assembled at that Time, or Two Months after the subsequent Meeting of Congress, it will promulgate throughout its Territories a Penal Law inflicting the Punishment attached to Piracy on all those Citizens of *Bolivia* who shall, under any Pretext whatsoever, take any Part whatever in the Traffic in Slaves; and from Time to Time afterwards, as it may become needful, it will take the most effectual Measures for preventing the Citizens of the Republic from being concerned, and the Flag of the Republic from being used, in carrying on in any Way the Trade in Slaves.

'ARTICLE III.—Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the Republic of *Bolivia* hereby mutually engage, that, by an additional Convention to the present Treaty, hereafter to be concluded between the said High Contracting Parties to the present Treaty, they will concert and settle the Details of the Measures by which the Law of Piracy, which will become applicable to that Traffic by the Legislation of each of the Two Countries, shall be immediately and reciprocally carried into execution with respect to the Vessels and Subjects or Citizens of each.

'ARTICLE IV.—In order more completely to carry into effect the Spirit 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 Vessel of the Two Nations as may be suspected, upon reasonable Grounds, of being engaged in the Traffic in Slaves, or of having been fitted out for the Purposes thereof, or of having, during the Voyage in which they are met by the said Cruisers, been engaged in the Traffic in Slaves, contrary to the Provisions of this Treaty; and the Two High Contracting Parties likewise consent 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

'ARTICLE V.—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 be hereafter employed to prevent 'the Traffic in Slaves shall be furnished by their re- 'spective Governments with a Copy, in the *English* and '*Spanish* Languages, of the present Treaty; of the 'Instructions for Cruisers annexed thereto, *sub literâ* '(A.), and of the Regulations for the Mixed Courts of 'Justice annexed thereto, *sub literâ* (B.), which An- 'nexes shall be considered as an integral Part of the 'Treaty:

'Secondly,—That each of the High Contracting Par- 'ties shall from Time to Time communicate to the other 'the Names of the several Ships 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 'in 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 Navy of either of the Two High 'Contracting Parties, furnished with such Instructions 'as aforesaid, to visit such Merchant Vessel; and such 'Commander shall proceed to visit the same, in com- 'munication with the Commanding Officer of the 'Convoy, who it is hereby agreed shall give every 'Facility to the Visit, and to the eventual Detention, 'if necessary of such Merchant Vessel, and in all 'Things shall assist to the utmost of his Power in 'the due Execution of the present Treaty, according to 'the true Intent and Meaning thereof:

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

'ARTICLE VI.—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 under- 'stood that this Indemnity shall invariably be borne by 'the Government whose Cruiser shall have been guilty of 'such arbitrary and illegal Detention, and that the Visit

'and Detention of such Vessels, specified in Article IV. 'of this Treaty, shall only be effected by those *British* 'and *Bolivian* Ships which may form Part of the Navies '(Royal and National) respectively of the Two High Con- 'tracting Parties to the Treaty, and by such Ships only 'of those Navies as shall be provided with the special 'Instructions annexed to the present Treaty in pursuance 'of the Provisions thereof.

'The Compensation for Damages, of which this Article 'treats, shall be made within the Term of One Year, 'reckoned from the Day on which the Mixed Courts of 'Justice pronounce Sentence on the Vessel, for the 'Detention of which such Compensation is claimed.

'Article VII.—In order to bring to Adjudication 'with as little Delay and Inconvenience as possible the 'Vessels which may be detained according to the Tenor 'of Article IV. of this Treaty, there shall be established, 'within the Space of One Year at farthest 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 Governments of the Two High 'Contracting Parties respectively.

'These Courts shall reside, one in a Possession belong- 'ing to Her *Britannic* Majesty, the other within the 'Territories of the Republic of *Bolivia;* 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 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 one of the Possessions of the 'Republic of *Bolivia*.

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

'Article VIII.—If the Commanding Officer of any 'of the Ships of the Navies of *Great Britain* and of the 'Republic of *Bolivia* respectively, duly commissioned 'according to the Provisions of Article IV. of this Treaty, 'shall deviate in any respect from the Stipulations in 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

'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 proportioned to any wilful Transgression which he may have committed.

'ARTICLE IX.—It is hereby further mutually agreed, that every Merchant Vessel, *British* or *Bolivian*, 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 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 Merchant Vessel that such extra Quantity of Casks or of other Vessels 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 of an unusual Size, and larger, or fitted for being made larger, than requisite for the Use of the Crew of the Vessel as a Merchant Vessel, or more than One Boiler of the ordinary Size.

'Ninthly,—An extraordinary Quantity either of Rice, of the Flour of Brazil, Manioc or Cassada, commonly called Farinha, 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, 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

'Any One or more of these several Things, if proved, '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 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 had been put on board 'on the Voyage on which the Vessel when captured was 'proceeding, were needed for legal Purposes on that 'particular Voyage.

'Article X.—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 Equip-'ment or Lading, even though the Mixed Court of 'Justice should not pronounce any Sentence of Condem-'nation in consequence of her Detention.

'Article XI.—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 con-'demned by the Mixed Courts of Justice to be established 'as aforesaid, the said Vessel shall, immediately after its 'Condemnation, be broken up entirely, and shall be 'sold in separate Parts after having been so broken up.

'Article XII.—The Negroes who are found on board 'of a Vessel detained by a Cruiser, and condemned by 'the Mixed Courts of Justice in conformity with the 'Stipulations of this Treaty, shall be placed at the Dis-'position of the Government whose Cruiser has made the 'Capture, on the distinct Understanding that they shall 'be immediately set at liberty and kept free, the Govern-'ment to which they have been delivered guaranteeing 'the same, and likewise engaging to afford from Time to 'Time, and whenever demanded by the other High Con-'tracting Party, the fullest Information as to the State 'and Condition of such Negroes, with a view of in-'suring the due Execution of the Treaty in this respect.

'For this Purpose the Regulations annexed to this 'Treaty, *sub literâ* (C.), as to the Treatment of Negroes

'liberated

'liberated by Sentence of the Mixed Courts of Justice, 'have been drawn up, and 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 and mutual Agreement, 'but not otherwise, the Terms and Tenor of such Regulations.

'ARTICLE XIII.—The Acts or Instruments annexed to 'this Treaty, and 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 destined 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 Republic of '*Bolivia*.

'(C.) Regulations as to the Treatment of liberated 'Negroes.

'ARTICLE XIV.—The present Treaty, consisting of 'Fourteen Articles, shall be ratified, and the Ratifications thereof exchanged at *London*, as soon as possible 'within the Space of Twenty Months from this Date.

'In witness whereof, the respective Plenipotentiaries 'have signed, in triplicate Originals, *English* and *Spanish*, 'the present Treaty, and have thereunto affixed the Seal 'of their Arms.

'Done at *Sucre*, the Twenty-fifth Day of *September* 'in the Year of our Lord One thousand eight 'hundred and forty.

(L.S.) *Belford Hinton Wilson.*
(L.S.) *Jose M^a Linares.*

'ANNEX (A.)

'To the TREATY between GREAT BRITAIN and the REPUBLIC 'of BOLIVIA, for the ABOLITION of the SLAVE TRADE of 'the REPUBLIC of BOLIVIA.

'*Instructions for the Ships of the British and Bolivian '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 Republic 'of *Bolivia*, which shall be furnished with these Instructions, shall have a Right to visit, search, and detain 'any *British* or *Bolivian* Merchant Vessel which shall be 'actually engaged or which shall be suspected to be engaged

'gaged 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 *Bolivian* Navy; and 'such Commander shall thereupon bring or send such 'Merchant Vessel as soon as possible for Judgment before 'that one of the Two Mixed Courts of Justice, established 'in virtue of Article VII. 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 Mer-'chantman 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 Lieutenant in the 'Navy of *Great Britain* or of the Republic of *Bolivia* re-'spectively (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 Com-'mand of the Ship by which such Search is made.

'Article III.—The Commander of any Ship of the 'Two Navies, duly authorized as aforesaid, who may de-'tain 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 '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, such 'Declaration to be signed by himself, and to be given 'in or sent together with the captured Vessel to the 'Mixed Court of Justice before which such Vessel shall 'be carried or sent for Adjudication.

'He shall deliver to the Master of the detained Vessel 'a certified List 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 certified 'List of the Papers seized, he shall insert his own Name, 'the Name of the capturing Ship, the Latitude and Lon-'gitude 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

'The Officer in charge of the Vessel detained shall, at 'the Time of his bringing 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, in order that in the event 'of the Vessel not being adjudged legal Prize the Loss of 'the Proprietors may be more easily repaired; and even 'after the Slaves have arrived at such Place they are not 'to 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 'before the Vessel can arrive at the Place at which one 'of the said Courts is established, the Commander of the 'capturing Ship may take upon himself the Responsibility 'of so disembarking the Negroes; provided that such 'Necessity and the Causes thereof be stated in a Certifi- 'cate 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 Article XIII. of the Treaty signed 'by them on this Day, the Twenty-fifth of *September* of 'One thousand eight hundred and forty, that the preceding 'Instructions, consisting of Four Articles, shall be an- 'nexed to the said Treaty, and be considered as an 'integral Part thereof.

'The Twenty-fifth Day of *September* of One thousand 'eight hundred and forty.

(L.S.) *Belford Hinton Wilson.*
(L.S.) *Jose M^a Linares.*

'ANNEX

'ANNEX (B.)

'To the TREATY between GREAT BRITAIN and the REPUBLIC of 'BOLIVIA for the ABOLITION of the SLAVE TRADE of the 'REPUBLIC of BOLIVIA.

'*Regulations for the Mixed Courts of Justice which are to 'reside on the Coast of Africa, and in the Possessions of the 'Republic of Bolivia.*

'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 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 'they will act in all their Decisions 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 the Territories of 'which 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 of the 'Court 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 Republic of *Bolivia* shall be paid by 'the Government of the Republic of *Bolivia*.

'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 occa-

'sioned

'sioned by bringing a Vessel to Adjudication, shall, in 'Case of Condemnation, be defrayed from 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 the Sale should not prove suffi-'cient to defray such Expences, 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 Cases specified and 'otherwise provided for under Article X. of the Treaty 'to which these Regulations form an Annex, and under 'Article VII. of these Regulations.

'ARTICLE III.—The Mixed Courts of Justice are to 'decide upon the Legality of the Detention of such Ves-'sels as the Cruisers of either Nation shall, in pursuance 'of the said Treaty, detain.

'These Courts shall judge definitively, and without Ap-'peal, 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 detained Vessel shall 'have been brought into the Port where the deciding 'Court shall reside.

'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 Cause, ex-'cept upon the Application of any of the Parties inte-'rested, in which Case, upon such Party or Parties giving 'satisfactory Security that they will take upon them-'selves 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 the Conduct of his Cause.

'All the essential Parts of the Proceedings of the said 'Courts shall be written down 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 Nations 'respectively shall, in the first place, proceed to examine 'the Papers of the detained Vessel, and to take the Depo-'sitions of the Master or Commander, and of Two or 'Three at least of the principal Individuals on board

'such

'such Vessel, as well as the Declaration on Oath of the 'Captor, should such Declaration appear necessary 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, so that accord-'ing to the Judgment pronounced the Vessel may be con-'demned or released.

'In the event of the Two Judges not agreeing as to 'the Sentence which they ought to pronounce, in any 'Case brought before them, either with respect to the 'Legality of the Detention, the Liability of the Vessel to 'Condemnation, or the Compensation to be allowed, or 'as to any other Question which may arise out of the said 'Capture, or if any Difference of Opinion should arise be-'tween them as to the Mode of Proceeding in the said 'Court, they shall draw by Lot the Name of One of the 'Two Arbitrators appointed as aforesaid, which Arbitra-'tor, after having considered the Proceedings which have 'taken place, shall consult with the Two above-mentioned 'Judges, and the final Sentence or Decision shall be pro-'nounced conformably to 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 her 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 above-named 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 the detained Vessel shall be con-'demned, she shall be declared lawful Prize, together 'with her Cargo, of whatever Description it may be, with 'the Exception of the Slaves who shall have been 'brought on board for the Purposes of Commerce; and 'the said Vessel, in conformity with the Regulations in 'Article XI. of the Treaty of this Date, shall, as well as 'her Cargo, be sold by public Sale, for the Profit of the

'Two

'Two Governments, subject to the Payment of the Expences herein-before mentioned.

'The Slaves 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, *sub literâ.* (C.)

'The Charges incurred for the Support and for the Return Voyage of the Commanders and Crews of condemned Vessels shall be defrayed by the Government of which such Commanders and Crews are the Subjects or Citizens.

'ARTICLE VII.—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 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 Article X. of the Treaty to which these Regulations form an Annex, and in a subsequent Part of these Regulations), the Court shall award to the Claimant or Claimants, or to his or their lawful Attorney or Attorneys, 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 the 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 Indemnifications 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 in that Case shall not have the Right of receiving 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 VIII.—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 Pretext whatsoever, for the Performance of the Duties which such Judges, Arbitrators, and Secretaries have to perform.

'Article IX.—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 respectively, 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 within 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 in all 'Cases brought before them for Adjudication shall pro- 'ceed to adjudge the same, and to pass Sentence 'accordingly.

'Secondly,—On the Part of *Great Britain*, and in 'that Court which shall sit within the Possessions of 'the Republic of *Bolivia*, 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 Possession; and if the Vacancy 'be both of the *British* Judge and of the *British* Ar- 'bitrator, 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 Possession; and if there shall 'be no *British* Consul or *British* Vice Consul to fill the 'Place of *British* Arbitrator, then the *Bolivian* Arbi- 'trator 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 *Bolivian* Judge and *Bolivian* 'Arbitrator shall sit, and in all Cases brought before 'them for Adjudication shall proceed to adjudge the 'same, and pass Sentence accordingly.

'Thirdly,—On the Part of the Republic of *Bolivia*, 'and in that Court which shall sit within the Territories 'of the said Republic, if the Vacancy be that of the '*Bolivian* Judge, his Place shall be filled by the *Bolivian* 'Arbitrator; and either in that Case, or if the Vacancy 'be originally that of the *Bolivian* 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 'Secretary of the highest Civil Authority; and the said 'Court so constituted as above shall sit, and in all 'Cases brought before them for Adjudication shall pro- 'ceed to adjudge the same, and pass Sentence accord- 'ingly.

'Fourthly,—On the Part of the Republic of *Bolivia*, 'and in that Court which shall sit within the Possessions 'of Her *Britannic* Majesty, if the Vacancy be that of 'the *Bolivian* Judge, his Place shall be filled by the

'*Bolivian* Arbitrator; and either in that Case, or if the 'Vacancy be originally that of the *Bolivian* Arbitrator, 'the Place of Arbitrator shall be filled successively by 'the *Bolivian* Consul and *Bolivian* Vice Consul, if there 'be a *Bolivian* Consul or Vice Consul appointed to and 'resident in such Possession; and if the Vacancy be 'both of the *Bolivian* Judge and of the *Bolivian* Arbi-'trator, then the Vacancy of the *Bolivian* Judge shall 'be filled by the *Bolivian* Consul, and that of the *Boli-'vian* Arbitrator by the *Bolivian* Vice Consul, if there 'be a *Bolivian* Consul and a *Bolivian* Vice Consul 'appointed to and resident in such Possession; and in 'the Case in which there be no *Bolivian* Consul or 'Vice Consul to fill the Place of *Bolivian* Arbitrator, 'then the *British* Arbitrator shall be called in in those 'Cases in which a *Bolivian* Arbitrator would be called 'in; and in case the Vacancy be both of the *Bolivian* 'Judge and *Bolivian* Arbitrator, and there be neither '*Bolivian* Consul nor *Bolivian* Vice Consul to fill *ad* '*interim* the Vacancies, then the *British* Judge and '*British* Arbitrator shall sit, and in all Cases brought 'before them for Adjudication shall proceed to adjudge 'the same, and to 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 a Vacancy arising either of the 'Judge or 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 supply 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 XIII. of the Treaty signed by 'them on this Day, the Twenty-fifth of *September* of One 'thousand eight hundred and forty, that the preceding 'Regulations, consisting of Nine Articles, shall be annexed 'to the said Treaty, and considered as an integral Part 'thereof.

'The Twenty-fifth Day of *September* of One thousand 'eight hundred and forty.

'(L.S.) *Belford Hinton Wilson.*
'(L.S.) *Jose Mª Linares.*

'ANNEX

ANNEX (C.)

Regulations for the good Treatment of liberated Negroes.

ARTICLE I.—The Object and Spirit 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 illegal 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 for the Regulation of free or of emancipated Negroes.

ARTICLE IV.—If the Cruiser which made the Capture is *Bolivian*, then the Negroes shall be delivered over to the *Bolivian* Authorities of that Place in the Dominions of the Republic of *Bolivia* in which the Mixed Court of Justice is established; and the *Bolivian* Government solemnly engages that such Negroes shall there be treated strictly according to the Regulations actually in force in the Republic of *Bolivia* with respect to free Negroes, or according to such Regulations as may in future be established in the Republic of *Bolivia* in this respect; and which Regulations shall always have in view the humane Object of securing honestly and faithfully to emancipated Negroes the unmolested Enjoyment of their Liberty, good Treatment, a Knowledge of the Tenets of the Christian Religion, Advancement in Morality and Civilization, and sufficient Instruction in the mechanical Arts in order that the said emancipated Negroes may be enabled to earn their own Subsistence, whether as Artizans, Mechanics, or Servants.

ARTICLE V.—For the Purpose which is explained in Article VI. there shall be kept in the Office of the principal Civil Authority of the Part of the Possessions of

'the Republic of *Bolivia* where the Mixed Court of Justice 'resides, a Register of all emancipated Negroes, in which '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 'Circumstances likely to contribute to the End in view.

'ARTICLE VI.—The Register to which the preceding 'Article refers will serve to form a general Return, which 'the highest Civil Authority of that Part of the Posses- 'sions of the Republic of *Bolivia* 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 Existence of the Negroes emancipated under 'this Treaty, the Improvement made in their Condition, 'and the Progress made in their religious and moral 'Instruction and in the Arts of Life. The aforesaid 'Return shall also specify the Names and Descriptions of 'such of the emancipated Negroes as shall have died 'during the Period for which the Return is made up.

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

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

'The Twenty-fifth Day of *September* of One thousand 'eight hundred and forty.

'(L.S.) *Belford Hinton Wilson.*
'(L.S.) *Jose M^a Linares.*

'ARTICLES additional to the Treaty concluded this 'Twenty-fifth Day of *September* of One thousand 'eight hundred and forty, between Her *Britannic* 'Majesty and the Republic of *Bolivia*, for the Sup- 'pression 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

'Arbitrator to be nominated on the Part of the Republic 'of *Bolivia* 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 Arbi- 'trator appointed on the Part of Her *Britannic* Majesty, 'and present in the said Courts, shall, in the Absence of 'the *Bolivian* 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 Sen- 'tence 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 *Bolivia* 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 *Bolivian* Judge and Arbitrator are nomi- 'nated it will be unnecessary for the Republic of *Bolivia* 'to nominate the Secretary or Actuary mentioned in the 'said Article; that in the meanwhile the Secretary or 'Actuary of the Court which may exist within the Ter- 'ritory of the Republic of *Bolivia* shall be named and 'paid by the Government of Her *Britannic* Majesty, and 'that the entire Expence of both the Courts to be estab- 'lished under this Treaty shall be borne by the Govern- 'ment 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, and the Ratifications 'shall be exchanged at the same Time.

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

'Done at *Sucre*, the Twenty-fifth Day of *September* in 'the Year of our Lord One thousand eight hundred 'and forty.

'(L.S.) *Belford Hinton Wilson.*
'(L.S.) *Jose M^a Linares.*

'And whereas the said Treaty has been ratified by and 'between Her Majesty and the Republic of *Bolivia* respec- 'tively: 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 be lawful for any Officer commanding any Ship of War of Her Majesty or of the Republic of *Bolivia*, 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 of Slaves, or of having been engaged in such Traffic during the Voyage on which such Vessel is met, or of having been fitted out for the Purposes of such Traffic, and to detain and send or carry away such Vessel, together with its Master, 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 in the Exercise of such Rights of visiting, searching, detaining, sending, carrying in, and delivering as aforesaid, shall comply with the several Provisions and Instructions of the said Treaty and Articles which apply thereto respectively.

Commanders of Ships of War to exercise Right of searching Merchant Vessels liable to Suspicion, and 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 reasonable Grounds of being engaged in the Traffic in Slaves, or of having been fitted out for that Purpose, or of having been engaged in such Traffic during the Voyage in which such Vessel is met, and all Boats, Apparel, and Cargoes therein, shall be subject to Search and Detention by any Ship or Vessel of War of Her Majesty or of the Republic of *Bolivia*, duly authorized for that Purpose, according to the Stipulations of the said Treaty and Articles, and shall be 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.

Ships suspected of having been fitted out for the Purposes 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 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 shall examine and decide all such Cases of Detention, Captures, and Seizures of Vessels

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

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 Things appertaining thereto, agreeably to the Provisions of the said Treaty and Articles, as fully as if special Authorities for that Purpose were given in relation thereto in this Act.

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

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 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 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 shall perform all the Duties of such Office set forth by the said Treaty and Articles, and do all such Things as may be necessary for the due Discharge of the Duties of his said Office.

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 the *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 of 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 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 Republic of *Bolivia*, 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 *British* Vice Consul at such Place, then that it shall be lawful for

for the Arbitrator on behalf of the Republic of *Bolivia* 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 be lawful for the Judge and Arbitrator appointed by the Republic of *Bolivia* of such Court to sit alone in such Court; and in all Cases brought before them for Adjudication to adjudge the same, and to 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.

The 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 Republic of *Bolivia*, in which the Court shall be established; which Oath any such Magistrate shall have Authority 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 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 Republic of *Bolivia*, signed at *Sucre* on the 'Twenty-fifth Day of *September* One thousand eight hundred 'and forty.'

Secretary or Registrar to take 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 shall have Authority to administer the same, in the following Form; (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, to administer Oaths to and take the Depositions of all Parties, Witnesses, and other Persons who may

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 proper to examine in relation to any Proceeding under their Cognizance, and to send for and issue Precepts for the Production of 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 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 Pains and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either in the Place where the Offence was committed or in any Colony or Settlement of Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England;* and that in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench the Venue may be laid in the County of *Middlesex.*

Pendency of Suits 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, and shall be a good and complete Bar in any 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 thing done in pursuance of the Provisions of the said Treaty or Articles.

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.

XI. And

Bounty of Five Pounds 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 Slave, whether Man, Woman, or Child, who shall be seized and found on board a *British* or *Bolivian* 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, 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, on the Seizure of Slaves found on board any Ship or Vessel condemned in pursuance of the Provisions of this Act, 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 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 Slave, or Person treated, dealt with, carried, kept, or detained as a Slave, shall be taken or seized on board any *British* or *Bolivian* Ship or Vessel in pursuance of the Provisions of the said Treaty and Articles, and of this Act, but shall not have been condemned, or shall not have been delivered over, in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to 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 such Slave 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 *Bolivian* Vessel confiscated in pursuance of the Provisions of the aforesaid Treaty or Articles, may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and that it shall be lawful for the

Judge

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 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 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.

XVIII. And be it enacted, That 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 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.

Liability of Seizors not taken away.

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

XIX. Provided always, and be it 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.

CAP.