

ANNO TERTIO & QUARTO

GULIELMI IV. REGIS.

***

Third, To the same Distance from the Coasts of the Island of *Cuba*:

Fourth, To the same Distance from the Coasts of the Island of *Porto Rico*:

Fifth, To the same Distance from the Coasts of *Brazil*:

It was however understood, that a suspected Vessel, descried and begun to be chased by the Cruizers, while within the said Space of Twenty Leagues, might be searched by them beyond those Limits, if, without ever having lost sight of her, they should only succeed in coming up with her at a greater Distance from the Coast:

And whereas by the Second Article it was agreed, that the Right of searching Merchant Vessels of either of the Two Nations in the Waters herein-before mentioned should be exercised only by Ships of War whose Commanders should have the Rank of Captain, or at least that of Lieutenant in the Navy: And whereas by the Third Article it was agreed, that the Number of Ships to be invested with the said Right should be fixed each Year by a special Agreement, that the Number for each Nation need not be the same, but that in no Case should the Number of the Cruizers of the one Nation be more than Double the Number of the Cruizers of the other: And whereas by the Fourth Article it was agreed, that the Names of the Ships and of their Commanders should be communicated by each of the contracting Governments to the other, and Information should be reciprocally given of all Changes which might take place in the Cruizers: And whereas by the Fifth Article it was agreed, that Instructions should be drawn up and agreed upon in common by the Two Governments for the Cruizers of both Nations, which Cruizers should afford to each other mutual Assistance in all Circumstances in which it might be useful that they should act in concert; and that the Ships of War authorized to exercise the reciprocal Right of Search should be furnished with a special Authority from each of the Two Governments: And whereas by the Sixth Article it was agreed, that whenever a Cruiser should have chased and overtaken a Merchant Vessel, as liable to Suspicion, the Commanding Officer, before he should proceed to the Search, should exhibit to the Captain of the Merchant Vessel the special Orders which confer upon him, by Exception, the Right to visit her; and in case he should ascertain the Ship's Papers to be regular, and her Proceedings lawful, he should certify upon the Log Book of the Vessel that the Search took place only in virtue of the said Orders; and that, these Formalities having been completed, the Vessel should be at liberty to continue her Course: And whereas by the Seventh Article it was agreed, that the Vessels captured for being engaged in the Slave Trade, or as being suspected of being fitted out for that infamous Traffic, should, together with their Crews, be delivered over, without Delay, to the Jurisdiction of the Nation to which they should belong; and it was furthermore distinctly understood, that they should only be judged according to the Laws in force in their respective Countries: And whereas by the Eighth Article it was agreed, that in no Case should the Right of mutual Search be exercised upon the Ships of War of either

Nation; that the Two Governments should agree on a particular Signal with which those Cruizers only should be furnished which were invested with that Right, and which Signal should not be made known to any other Ship not employed upon that Service; and by the Ninth Article the High Contracting Parties to the said Treaty agreed to invite the other Maritime Powers to accede to it within as short a Period as possible; and by the Tenth Article it was agreed, that the then present Convention should be ratified, and the Ratifications of it should be exchanged within One Month, or sooner, if it were possible: And whereas the said Convention was ratified by and between His Majesty and His Majesty the King of the *French* respectively, and such Ratifications were exchanged on the Sixteenth Day of *December* One thousand eight hundred and thirty-one: And whereas a Supplementary Convention was concluded between His Majesty and His Majesty the King of the *French* for the more effectual Suppression of the Traffic in Slaves, and signed at *Paris* on the Twenty-second Day of *March* in the Year of our Lord One thousand eight hundred and thirty-three: And whereas by the First Article of the said Supplementary Convention it was agreed, that whenever a Merchant Vessel navigating under the Flag of one of the said Two Nations should have been detained by the Cruizers of the other, duly authorized to that effect, conformably to the Provisions of the said Convention of the Thirtieth Day of *November* in the Year One thousand eight hundred and thirty-one, such Merchant Vessel, and also her Master, her Crew, her Cargo, and the Slaves who might be on board, should be carried to such Places as should have been appointed by the Contracting Parties respectively, in order that Proceedings might be there instituted respecting them, agreeably to the Laws of each Country, and that they should be delivered over to the Authorities appointed for that Purpose by the respective Governments; and that when the Commander of the Cruizer should not think proper to take upon himself the carrying in and delivering up the detained Vessel, he should not entrust that Duty to an Officer below the Rank of Lieutenant in the Navy: And whereas by the Second Article of the said Supplementary Convention it was agreed, that the Cruizers of the Two Nations authorized to exercise the Right of Visit and Detention, in execution of the Convention of the Thirtieth Day of *November* One thousand eight hundred and thirty-one, should, in all that relates to the Formalities of the Visit and of the Detention, as well as to the Measures to be taken for delivering up Vessels suspected of being engaged in the Slave Trade to the respective Jurisdictions, conform strictly to the Instructions annexed to the said Supplementary Convention, and which should be considered as an integral Part thereof; and the said Two High Contracting Parties reserved to themselves the Power of making in those Instructions, by common Consent, any Modifications which Circumstances might render necessary: And whereas, in conformity with the Second Article of the said Supplementary Convention, it was agreed, that the Instructions next following should be annexed to the said Supplementary Convention, and considered as an integral Portion thereof; (that is to say,)

INSTRUC-

INSTRUCTIONS TO CRUIZERS.

First. Whenever a Merchant Vessel of either of the Two Nations shall be visited by a Cruizer of the other, the Officer commanding the Cruizer shall exhibit to the Master of such Vessel the special Orders which confer upon him the exceptional Right of Visit, and shall deliver to him a Certificate signed by him, specifying his Rank in the Navy of his Country, with the Name of the Ship which he commands, and declaring that the only Object of such Visit is to ascertain whether the Vessel is engaged in the Slave Trade, or is fitted out for the Purposes of such Traffic. When the Visit is made by another Officer of the Cruizer than her Commander, this Officer shall not be under the Rank of Lieutenant in the Navy, and in this Case such Officer shall exhibit to the Master of the Merchant Vessel a Copy of the special Orders above mentioned, signed by the Commander of the Cruizer, and shall likewise deliver to him a Certificate signed by him, specifying the Rank which he holds in the Navy, the Name of the Commander under whose Orders he is acting, and of the Cruizer to which he belongs, and the Object of his Visit, as herein-before recited. If it shall be ascertained by the Visit that the Ship's Papers are regular, and her Proceedings lawful, the Officer shall certify upon the Log Book of the Vessel that the Visit took place only in virtue of the special Orders above mentioned; and the Vessel shall be permitted to continue her Course.

Secondly. If, in consequence of the Visit, the Officer commanding the Cruizer shall be of opinion that there are sufficient Grounds for believing that the Vessel is engaged in the Slave Trade, or has been fitted out for that Traffic, and if he shall in consequence determine to detain her, and to have her delivered up to the respective Jurisdiction, he shall forthwith cause a List to be made out in Duplicate of all the Papers found on board, and he shall sign this List and the Duplicate, adding to his Name his Rank in the Navy, and the Name of the Vessel under his Command. He shall in like Manner make out and sign in Duplicate a Declaration, stating the Place and Time of the Detention, the Name of the Vessel, that of her Master, and those of the Persons composing her Crew, and also the Number and Condition of the Slaves found on board. This Declaration shall further contain an exact Description of the State of the Vessel and her Cargo.

Thirdly. The Commander of the Cruizer shall without Delay carry or send the detained Vessel, with her Crew, Cargo, and the Slaves found on board, to one of the Ports herein-after specified, in order that Proceedings may be instituted in regard to them conformably to the respective Laws of each Country; and he shall deliver the same to the competent Authorities, or to the Persons who shall have been specially

specially appointed for that Purpose by the respective Governments.

Fourthly. No Person whatever shall be taken out of the detained Vessel, nor shall any Part of her Cargo, nor of the Slaves found on board, be removed from her until after such Vessel shall have been delivered over to the Authorities of her own Nation, excepting only when the Removal of the Whole or of Part of the Crew, or of the Slaves found on board, shall be deemed necessary either for the Preservation of their Lives, or from any other Consideration of Humanity, or for the Safety of the Person who shall be charged with the Navigation of the Vessel after her Detention. In this Case the Commander of the Cruizer, or the Officer appointed to bring in the detained Vessel, shall make a Declaration of such Removal, in which he shall specify the Reasons for the same; and the Masters, Sailors, Passengers, or Slaves so removed shall be carried to the same Port as the Vessel and her Cargo, and they shall be received in the same Manner as the Vessel, agreeably to the Regulations herein-after set forth.

Fifthly. All such *French* Vessels as shall be detained by the Cruizers of His *Britannic* Majesty on the *African* Station shall be carried and delivered up to the *French* Jurisdiction at *Goree*:

All such *French* Vessels as shall be detained by the *British* Squadron on the *West India* Station shall be carried and delivered up to the *French* Jurisdiction at *Martinique*:

All such *French* Vessels as shall be detained by the *British* Squadron on the *Madagascar* Station shall be carried and delivered up to the *French* Jurisdiction at the *Isle of Bourbon*:

All such *French* Vessels as shall be detained by the *British* Squadron on the *Brazilian* Station shall be carried and delivered up to the *French* Jurisdiction at *Cayenne*:

All such *British* Vessels as shall be detained by the Cruizers of His Majesty the King of the *French* on the *African* Station shall be carried and delivered up to the Jurisdiction of His *Britannic* Majesty at *Bathurst* on the River *Gambia*:

All such *British* Vessels as shall be detained by the *French* Squadron on the *West India* Station shall be carried and delivered up to the *British* Jurisdiction at *Port Royal* in *Jamaica*:

All such *British* Vessels as shall be detained by the *French* Squadron on the *Madagascar* Station, shall be carried and delivered up to the *British* Jurisdiction at the *Cape of Good Hope*:

All such *British* Vessels as shall be detained by the *French* Squadron on the *Brazilian* Station shall be carried and delivered up to the *British* Jurisdiction at the Colony of *Demerara*.

Sixthly. As soon as a Merchant Vessel which shall have been detained as aforesaid shall arrive at one of the Ports or Places above mentioned, the Commander of the Cruizer, or the Officer appointed to bring in the detained Vessel, shall forthwith deliver to the Authorities, duly appointed for that Purpose by the respective Governments, the Vessel and her Cargo, together with the Master, Crew, Passengers, and Slaves found on board, as also the Papers which shall have been seized on board the Vessel, and one of the Lists made out in Duplicate of the said Papers, the other remaining in his Possession: such Officers shall at the same Time deliver to the said Authorities one of the Declarations made out in Duplicate as hereinbefore specified, adding thereto a Statement of any Changes which may have taken place from the Time of the Detention to that of the Delivery, as well as a Copy of the Declaration of any Removals which may have taken place as above provided for. In delivering over these several Documents the Officer will make Attestation of their Truth on Oath and in Writing.

Seventhly. If the Commander of a Cruizer of either of the High Contracting Parties, who shall be duly furnished with the aforesaid special Instructions, shall have reason to suspect that a Merchant Vessel sailing under Convoy or in Company with a Ship of War of the other Party is engaged in the Slave Trade, or has been fitted out for the Purpose of that Traffic, he shall confine himself to the communicating his Suspicions to the Commander of the Convoy or of the Ship of War, and he shall leave it to the latter to proceed alone to a Visit of the suspected Vessel, and to deliver her up, if the Case require it, to the Jurisdiction of her own Country.

Eighthly. The Cruizers of the Two Nations shall conform strictly to the Tenor of these Instructions, which are to be considered as a Development of the Clauses of the Principal Convention of the Thirtieth of *November* One thousand eight hundred and thirty-one, as well as of the said Supplementary Convention to which they are annexed.

And whereas by the Third Article of the aforesaid Supplementary Convention it was agreed that it was clearly understood, that if the Commander of a Cruizer of one of the Two Nations should have reason to suspect that a Merchant Vessel navigating under Convoy of or in Company with a Vessel of War of the other Nation had engaged in the Slave Trade, or had been fitted out for the said Trade, he should make known his Suspicions to the Commander of the Convoy or Vessel of War, who should proceed alone to visit the suspected Vessel, and in case the latter Commander should find that the Suspicion was well founded, he should cause the Vessel to be taken, together with her Master, her Crew, and the Cargo and the Slaves who might be on board, into a Port of his own Nation, in order that Proceedings might be instituted with regard to them agreeably to the respective Law: And whereas by the Fourth Article of the aforesaid Supplementary Convention it was agreed, that as soon as any Merchant Vessel

Vessel detained and sent before the Tribunals aforesaid should arrive at one of the Ports respectively pointed out, the Commander of the Cruizer which should have detained her, or the Officer appointed to bring her in, should deliver to the Authorities appointed for that Purpose One Copy signed by him of all the Lists, Declarations, and other Documents specified in the before-mentioned Instructions annexed to the said Supplementary Convention; and the said Authorities should in consequence proceed to a Survey of the detained Vessel and her Cargo, and to an Inspection of her Crew and of the Slaves who might be on board, after having previously given Notice of the Time of such Survey and Inspection to the Commander of the Cruizer, or to the Officer who should have brought in the Vessel, in order that he or some Person in his Behalf might be present thereat; and that a Declaration of such Proceedings should be drawn up in Duplicate, signed by the Persons who should have acted therein or been present at the same, and One of the said Declarations should be delivered to the Commander of the Cruizer, or to the Officer who should have been appointed to bring in the detained Vessel: And whereas by the Fifth Article to the aforesaid Supplementary Convention it was agreed, that the Vessels detained as before mentioned, their Masters, Crews, and Cargoes, should be forthwith proceeded against before the proper Tribunals in the respective Countries, according to the established Forms, and if, in consequence of such Proceedings, the said Vessels should be found to have been employed in the Slave Trade, or to have been fitted out for the Purposes thereof, the Master, the Crew, and the Accomplices, as well as the Ship and Cargo, should be dealt with conformably to the respective Laws of the Two Countries; and that in case the said Vessel should be confiscated a Portion of the Proceeds arising from their Sale should be paid into the Hands of the Government to which the Captor should belong, to be distributed among the Officers and Crew of the capturing Ship; that this Portion should be Sixty-five *per Centum* of the Net Produce of the Sale, as long as such a Distribution of the Proceeds should be consistent with the respective Laws of the Two Countries: And whereas by the Sixth Article of the said Supplementary Convention it was agreed, that any Merchant Vessel of either of the Two Nations visited and detained in pursuance of the Convention of the Thirtieth of *November* One thousand eight hundred and thirty-one, and of the Provisions herein-before recited, should, unless Proof were given to the contrary, be held and taken of right to have engaged in the Slave Trade, or to have been fitted out for the Purposes of such Traffic, if any of the Particulars therein-after specified should be found in her Outfit or Equipment, or on board of her; *videlicet*,

First, Having her Hatches fitted with open Gratings, instead of being close Hatches, as usual in Merchant Vessels:

Second, Having more Divisions or Bulk Heads in the Hold or on Deck than necessary for trading Vessels:

Third, Having on board spare Planks, either actually fitted in that Shape, or fit for readily laying a second or moveable Deck, or Slave Deck:

Fourth,

Fourth, Having on board Shackles, Bolts, or Handcuffs:

Fifth, Having on board a Supply of Water more than sufficient for the Consumption of her Crew as a Merchant Vessel;

Sixth, Having on board an unreasonable Number of Water Casks or other Vessels for holding Water, unless the Master should produce a Certificate from the Custom House of the Place at which he cleared outwards, stating that a sufficient Security had been given by the Owners of such Vessel that such Casks or other Vessels should only be used for the Reception of Palm Oil, or be employed in any other lawful Trade;

Seventh, Having on board a greater Quantity of Mess Tubs or Kids than requisite for the Use of her Crew as a Merchant Vessel:

Eighth, Having on board Two or more Copper Boilers, or even One evidently larger than requisite for the Use of her Crew as a Merchant Vessel:

Ninth, Having on board a Quantity of Rice or Farinha Flour of the Manioc of *Brazil*, or Cassada or Maize, or *Indian* Corn, beyond any probable requisite Provision for the Use of her Crew, and such Rice, Flour, Maize, or *Indian* Corn not being entered in the Manifest as Part of the Cargo for Trade:

And whereas by the Seventh Article of the said Supplementary Convention it was agreed, that no Compensation should in any Case be granted either to the Master or to the Owner or to any other Person interested in the Equipment or Lading of a Merchant Vessel in which any of the Particulars specified in the preceding Article should be found, even if the Tribunals should not pronounce any Condemnation, in consequence of her Detention; And whereas by the Eighth Article of the said Supplementary Convention it was agreed, that when a Merchant Vessel of either of the Two Nations should have been visited and detained illegally, or without sufficient Cause of Suspicion, or when the Visit and Detention should have been attended with any Abuse or vexatious Act, the Commander of the Cruizer, or the Officer who should have boarded the said Vessel, or the Officer who should have been appointed to bring her in, as the Case might be, should be liable to Costs and Damages to the Master and to the Owners of the Vessel and Cargo; that those Costs and Damages might be awarded by the Tribunal before which the Proceedings against the detained Vessel, her Master, Crew, and Cargo, should have been instituted; and the Government of the Country to which the Officer who gave Occasion for such Award should belong should pay the Amount of the said Costs and Damages within the Period of One Year from the Date of the Award: And whereas by the Ninth Article of the said Supplementary Convention it was agreed, that if in the Visit or Detention of a Merchant Vessel made in virtue of the Provisions of the said Convention of the Thirtieth of *November* One thousand eight hundred and thirty-one, or of the said present Convention, any Abuse or Vexation should have been committed, but the Vessel should not have been delivered over to the Jurisdiction of her own Nation, the Master

of the Vessel should make a Declaration on Oath of the Abuses or Vexations of which he had to complain, and of the Costs and Damages to which he laid claim, before the competent Authorities in the first Port of his own Country at which he might arrive, or before the Consular Agent of his Nation, if the Vessel should proceed to a Foreign Port where there was such an Agent; that this Declaration should be confirmed by an Examination under Oath of the principal Persons of the Crew or Passengers who had witnessed the Visit or Detention, and One formal Declaration of the whole should be drawn up, and Two Copies thereof delivered to the Master, who should forward One of them to his own Government in support of his Claim for Costs and Damages; and that it was understood, that if any compulsory Circumstances should prevent the Master from making his Declaration, it might be made by the Owner or by any other Person interested in the Vessel or in her Cargo; that on the official Transmission of One Copy of the formal Declaration above mentioned through the Channel of the respective Embassies, the Government of the Country to which the Officer charged with Abuses or Vexations should belong should forthwith institute an Inquiry into the Matter, and if the Validity of the Complaint should be admitted, the said Government should cause to be paid to the Master or Owner, or to any other Person interested in the Vessel which should have been molested, or in her Cargo, the Amount of Costs and Damages which might be due to them: And whereas by the Tenth Article of the said Supplementary Convention it was agreed, and the Two Governments did engage reciprocally to communicate each to the other, free of Expence, and upon Application being made, Copies of all the Proceedings instituted and Judgments given relative to Vessels visited or detained in execution of the Provisions of the said Convention of the Thirtieth Day of *November* in the Year of our Lord One thousand eight hundred and thirty-one, and of the said present Convention: And whereas by the Eleventh Article of the said Supplementary Convention the Two Governments did agree to insure the immediate Freedom of all Slaves who should be found on board Vessels visited and detained in virtue of the Stipulations of the Principal Convention therein-before referred to, or of the said present Convention, whenever the Offence of trafficking in Slaves should have been established by the Sentence of the respective Tribunals; the Two Governments did however, by the said last-mentioned Article, reserve to themselves, for the Welfare of the Slaves themselves, the Right to employ them as Servants or Free Labourers, conformably to their respective Laws: And whereas by the Twelfth Article of the said Supplementary Convention it was agreed between the Two High Contracting Parties, that in all Cases in which a Vessel under the said Convention of the Thirtieth Day of *November* in the Year of our Lord One thousand eight hundred and thirty-one, or under the said Supplementary Convention, should be detained by their respective Cruizers as having been engaged in the Slave Trade or fitted out for the Purposes thereof, and should be placed at the Disposal of either Government for the Purpose of being sold in consequence of a Sentence of Confiscation pronounced by a competent Tribunal, the

said Vessel should be broken up, in whole or in part, before the Sale, whenever its peculiar Construction or Outfit should give reason to fear that it might be again employed in the Slave Trade or any other illicit Traffic: And whereas by the Thirteenth and last Article of the said Supplementary Convention it was agreed, that the said present Convention should be ratified, and the Ratifications should be exchanged at *Paris* within the Space of One Month, or sooner if possible: And whereas the said Supplementary Convention was ratified by and between His Majesty and His Majesty the King of the *French* respectively, and such Ratifications were exchanged on the Twelfth Day of *April* in the Year of our Lord One thousand eight hundred and thirty-three: And whereas it is expedient and necessary that effectual Provision should be made for carrying into execution the Provisions of the Convention aforesaid: Be it therefore enacted by the King'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 His Majesty or of the King of the *French*, who shall have such Rank as by the said Second Article of the said first-mentioned Convention is agreed, and shall be duly instructed and authorized and furnished according to the several Provisions of the said Two Conventions, and within the Waters described, and according to the Provisions and Exceptions contained in the First Article of the said first-mentioned Convention, to exercise the Right of visiting and searching any Merchant Vessel of either of the said Two Nations liable to Suspicion, and suspected of having engaged in or of having been employed in the Slave Trade, or of having been fitted out for the Purposes of such Traffic, according to the several Provisions and Instructions of the said Two Conventions, except as in the said Third Article of the said Supplementary Convention is excepted, and, upon sufficient Grounds, of detaining, and of sending or carrying in and delivering over without Delay any such Vessel, together with its Master, Sailors, Passengers, Slaves, and Cargo, to the Authorities appointed for the Purposes of the said Two Conventions, by the respective Governments of the said Two Nations, and to one of the Jurisdictions in the said Instructions mentioned, in order that Proceedings may be instituted conformably to the respective Laws of the said Two Countries; and all such Commanders of His 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 Two Conventions as 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 further enacted, That where any such Officer of His Majesty the King of the *French* shall send, carry, or deliver over as aforesaid any such Merchant Vessel, wholly or in part owned by any Subject or Subjects of His Majesty the King of the United Kingdom of *Great Britain* and *Ireland*, all and every Proceeding instituted in the Tribunals herein-after mentioned in regard to such Merchant Vessel, and its Crew, Cargo, and Slaves, and in respect to the Cause,

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

shall be conducted in the Name of His said Majesty the King of the United Kingdom of *Great Britain* and *Ireland* by some Person duly thereunto authorized; that is to say, all Ships, Cargoes, and Slaves which shall be detained by the Cruizers of His Majesty the King of the *French*, and delivered up to the Jurisdiction of His Majesty at *Bathurst* on the River *Gambia*, shall be proceeded against and adjudicated in the Vice Admiralty Court at *Sierra Leone;* and that all other Ships, Cargoes, and Slaves which may in like Manner be detained by the Cruizers of His Majesty the King of the *French*, and delivered up to the Jurisdiction of His Majesty either at *Jamaica*, *Cape of Good Hope*, or *Demerara*, shall be proceeded against and adjudicated in the Vice Admiralty Court established in the said Colonies respectively; and the Judges and other Officers of the said Vice Admiralty Courts respectively are hereby authorized to take cognizance thereof accordingly.

Vessels detained in pursuance of the Two Conventions to be held as engaged in the Slave Trade. 5 G. 4. c. 113

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

Where a British Vessel is confiscated by a French Officer, Proceeds may be apportioned according to Fifth Article of Convention.

IV. And be it further enacted, That in case any such Merchant Vessel, wholly or in part owned as last aforesaid, shall be brought in by any Officer of His Majesty the King of the *French* duly authorized, and shall be confiscated according to the Laws of this Country and the Provisions of the said Two Conventions, and of the said Act of Parliament passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, it shall be lawful for His Majesty the King of the United Kingdom of *Great Britain* and *Ireland* to direct that a Portion of the Proceeds arising from the Sale thereof shall be paid into the Hands of the Government of His Majesty the King of the *French*, according to the Provisions of the Fifth Article of the said Convention of the Twenty-second Day of *March* One thousand eight hundred and thirty-three; and that any Portion of the Proceeds arising from the Sale of any Ship agreed to be paid into the Hands of the Government of His Majesty the King of the United Kingdom of *Great Britain* and *Ireland*, according to the Provisions of the said Fifth Article last aforesaid, or Cargo, shall be paid to such Person or Persons as the Commissioners of His Majesty's Treasury may direct or appoint to receive the same, to and for the Use of the Captors, according to the Provisions of the said Fifth Article; and that the same, after deducting all necessary Expences, shall be distributed to and amongst the Officers and Crew of the capturing Ship in the Manner

Manner hereafter directed for the Distribution of Bounties on Slaves taken on board the said Vessel.

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

V. And be it further 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 His Majesty's Ships authorized to make Seizures under the aforesaid Convention of the Twenty-second *March* One thousand eight hundred and thirty-three, 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 *French* Ship or Vessel taken, delivered over, and condemned in pursuance of the Provisions of the said Conventions and of this Act, such Bounty to be issued and paid by Order from the said Commissioners of His Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid in such Manner and Proportions as His Majesty, His 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.

Mode of obtaining such Bounty.

VI. Provided always, and be it further enacted, That, in order to entitle the Captors to receive the said Bounty Money, the Numbers of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of His 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.

VII. And be it further 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 *French* Ship or Vessel in pursuance of the Provisions of the said Conventions 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 His Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant signed by any Three or more of them, to direct the Payment out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over and condemned.

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

VIII. Provided also, and be it further 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 *French* Vessel confiscated in pursuance of the Provisions of the aforesaid Conventions, 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

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.

IX. And be it further enacted, That all the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize and the Per-centage due thereon to *Greenwich* Hospital, shall be and are hereby extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of His Majesty's Ships or Vessels of War.

Where illegal Detention made, Lords of the Treasury may award Compensation.

X. And be it further enacted, That where any illegal Visit and Detention, or any Visit and Detention without sufficient Cause of Suspicion, or any Abuse or Vexation, shall have taken place and have been made by any Officer of His Majesty the King of the United Kingdom of *Great Britain* and *Ireland*, as is mentioned in the Eighth and Ninth Articles of the said Convention of the Twenty-second Day of *March* One thousand eight hundred and thirty-three, it shall be lawful for the Lords Commissioners of His Majesty's Treasury, by Warrant signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of any Costs and Damages which may be duly awarded according to the Provisions of the said Two last-mentioned Articles: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made when lawfully called upon by Order of the said Lords Commissioners of His Majesty's Treasury.

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

XI. And be it further enacted, That when any Seizure shall be made by any of the Commanders, Officers, and Crews of His Majesty's Ships authorized to make Seizures under the aforesaid Convention of the Twenty-second *March* One thousand eight hundred and thirty-three, and Judgment shall be given against the Seizor, or such Seizure shall be relinquished by him, it shall be lawful for the said Lords Commissioners of His Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of such Costs and Expences as the said Seizor may have incurred in respect of such Seizure, or any proportionate Part thereof.

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

XII. And be it further enacted, That if any Action or Suit shall be commenced, either in *Great Britain* or elsewhere, against any Person or Persons for any thing done in pursuance of the said Conventions, or the Instructions or Regulations thereto annexed, or of this Act in as far as it relates thereto, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of the said Conventions, Instructions, or Regulations, or of this Act;

and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law.

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