

C A P. LXXX.

An act for better regulating the manner of carrying slaves, in British vessels, from the coast of Africa.—[July 12, 1799.]

Preamble.

From Aug. 1, 1799, no British vessel shall carry slaves from the coast of Africa, unless entered for that purpose at the port of clearance.

The whole space between decks of such vessels shall be allotted for the slaves; and after two thirds of the complement of slaves are

The space allotted for slaves to be five feet high.

Vessels of one deck shall have a false deck fixed in the hold.

No vessel to clear out till the proper officer of the customs shall have admeasured it as herein described, and certified the same to the collector.

WHEREAS it is expedient, to regulate the shipping and carrying slaves, in British vessels, from the coast of Africa: 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, from and after the first day of August next after the passing of this act, it shall not be lawful for any master or other person taking or having the charge or command of any *British* ship or vessel whatever, which shall clear out from any port of this kingdom, to take or have on board, or to convey, carry, bring, or transport slaves from the coast of Africa to any part beyond sea, in any such ship or vessel, unless such ship or vessel shall, at the time of her so clearing out, have been entered for such purpose at the custom house of the port from whence such ship or vessel cleared out.

II. And be it further enacted, That in every such ship or vessel the whole space between decks shall be allotted and properly prepared for the reception of such slaves; and that after any such ship or vessel shall have taken two third parts of her complement of slaves on board, in the proportion herein-after to be limited no goods, wares, merchandize, or stores, shall ever be stowed or put in any such place in which any such slaves shall be. taken on board, no stowage to be put in the place allotted for them.

III. And be it further enacted, That in every such ship or vessel, the said space between decks so allotted for the reception of slaves shall be, in every part throughout the whole length and breadth thereof, of the full and complete perpendicular height of five feet, measuring from the upper surface of the lower deck to the under surface of the upper deck.

IV. And whereas ships or vessels having only one deck, are sometimes used for shipping and carrying slaves from the coast of Africa, be it further enacted, That in all such vessels a false deck shall be fixed in the hold for the reception of the slaves; which shall be taken and considered as her lower deck for the purposes of this act.

V. And be it further enacted, That no ship or vessel shall be permitted to clear out from any port in *Great Britain*, for the purpose of shipping and carrying slaves from *Africa*, until the proper officer of the customs at such port shall have examined and admeasured such ship or vessel, and shall have certified in writing to the collector of his Majesty's customs at such port, the height between decks, and also the extreme length and breadth, in feet and inches, of the lower deck of the said vessel; which length and breadth, being multiplied together, the product shall

shall be deemed and considered to be the true superficial contents of the said deck; and the said contents so obtained, being divided by eight, the quotient in whole numbers shall express the greatest number of slaves which the said vessels shall be permitted to have on board at any one time (for which certificate he shall be entitled to demand and receive the sum of ten shillings from the master or owner of the said vessel); and the said certificate, verified as to the calculation of the number to be taken on board by the examination and signature of the collector, shall be annexed to the clearance of the said vessel, and shall be produced therewith to the collector or comptroller, or other proper officer of the customs, at every port in the *West Indies* or *America*, belonging to his Majesty, at which the said vessel shall arrive, before any slave or slaves shall be permitted to be landed out of the said vessel at any such port.

Certificate to be annexed to the clearance, and produced before any slave shall be landed.

VI. And be it further enacted, That every such ship or vessel, previous to her being cleared out, shall have painted in white or yellow letters, of a length not less than four inches, upon a black ground, on some conspicuous part of her stern (provided there shall be sufficient space for that purpose, but if not, in letters as large as the space will admit) the words 'Allowed to carry Slaves,' the number of slaves expressed in the licence annexed to the clearance of the said vessel being added thereto, in figures of the same length and colour.

Vessels to have painted on their stern the words 'Allowed to carry Slaves,' and the number they are permitted to carry.

VII. And be it further enacted, That it shall not be lawful for any master or other person taking or having the charge or command of any such ship or vessel, to take or have on board at any one time, or to convey, carry, bring, or transport slaves from the coast of *Africa* to any part beyond the sea, in any such ship or vessel, in any greater number than in proportion of one such slave for every eight square feet of the superficial contents of the lower deck of such ship or vessel, ascertained as herein-before directed; and if any such master or other person taking or having the charge or command of any such ship or vessel, shall act contrary hereto, such master or other person as aforesaid shall forfeit and pay the sum of thirty pounds of lawful money of *Great Britain*, for each and every such slave exceeding in number the proportions herein-before limited, one moiety whereof shall go to his Majesty, his heirs or successors, and the other moiety thereof shall go to any person or persons who shall first sue for the same.

Masters of vessels to forfeit 30l. for every slave exceeding the proportion of one slave for every eight square feet of the lower deck.

VIII. And whereas great mortality has been found to occur among the slaves from their having been subjected to a confinement more than usually close and severe in consequence of the weakness of the crews of some of the vessels employed in transporting them: be it further enacted, under the penalty aforesaid, That it shall not be lawful to carry away from the coast of *Africa*, on board any such ship or vessel, any greater number of slaves than in the proportion of ten to each of the mariners or other free persons composing the crew, who shall, at the time of clearing outwards for the voyage, belong to the said vessel, and be actually serving on board thereof; and that all such seamen shall so remain until the arrival of the

No greater number of slaves than in the proportion of 10 to each person composing the crew shall be taken on board.

said vessel at her first port of delivery in the *West Indies*, (death and unavoidable accidents only excepted).

If more than two fifths of the slaves be children, five of the surplus shall be deemed equal to four slaves.

No cargo of slaves, of what ver dimensions the vessel shall exceed 400.

Act not to extend to the taking of slaves on board in cases of shipwreck, mutiny, or any distress of the vessel.

Masters of vessels not to remove false decks for the reception of slaves, till such slaves are landed, on penalty of 200l.

Masters of vessels, before they land any slaves in the *West Indies*, to give in a written declaration to the officer of the customs of the greatest number of slaves permitted to be carried in such vessels,

IX. Provided always, That if there shall be in any such ship or vessel any more than two fifth parts of the slaves who shall be children, and who shall not exceed four feet four inches in height, then every five such children over and above the aforesaid proportion of two fifths, shall be deemed and taken to be equal to four of the said slaves, within the true intent and meaning of this act.

X. Provided always, That the number of slaves taken or to be taken on board any vessel, of any measurement whatsoever, in consequence of the regulations and allowances of this act, shall in no case exceed four hundred.

XI. Provided also, That nothing herein contained shall extend, or be construed to extend, to the case of a ship taking on board any number of slaves that shall be found shipwrecked, or from on board any other ship or vessel where, by reason of mutiny or insurrection among the slaves or the crew, or by failure of hands, or by any actual distress of the vessel, the master or commander shall be disabled from governing the ship or continuing the voyage, the proof of which shall lie upon the master or other person having charge of such ship or vessel so taking on board such slaves.

XII. And be it further enacted, That after the surveying officer shall have examined and measured any ship or vessel hereinbefore directed, it shall not be lawful for the master or owner thereof to remove, or cause to be removed, any floor or false deck which shall have been fixed in the hold for the reception of slaves, as hereinbefore directed, except for the purpose of loading or unloading his said vessel on the outward-bound voyage, or other unavoidable necessity, or to do, or cause or suffer to be done, any other matter or thing whereby the height of the places or apartments allotted for the reception of slaves shall be diminished, until all the slaves which shall have been taken on board such ship or vessel shall have been discharged or landed therefrom, under the penalty of two hundred pounds for every such offence.

XIII. And be it further enacted, That on the arrival of any such ship or vessel in any island in the *West Indies* belonging to or under the dominion of his Majesty, his heirs or successors, from the coast of *Africa*, carrying or conveying any such slaves as aforesaid, the master or other person having or taking the charge or command of such ship or vessel shall, before any of the said slaves shall be unshipped or landed from such ship or vessel, repair to the nearest custom house, and there give in a written declaration to the collector or other chief officer of the customs, (who is hereby required to accept and preserve the same), of the greatest number of slaves permitted to be carried in such ship or vessel, and shall at the same time shew to such officer the certificate annexed to the clearance thereof, and shall also give in a written declaration to the said officer (who is hereby required to accept and preserve the same), containing an exact and true account

count of the greatest number of such slaves, (distinguishing the number of males and females, and specifying the number of such slaves as shall exceed the aforesaid height of four feet four inches), who are or shall have been at any one time in or on board such ship or vessel, before, when, or after such ship or vessel quitted or departed from the coast of *Africa* for that voyage; and if such master or other person taking or having the charge or command of any such ship or vessel, shall unship or land, or shall cause to be unshipped or landed, or shall wilfully permit or suffer to be unshipped or landed, any such slaves, contrary to the true intent and meaning of this act, such master or other person as aforesaid shall forfeit and pay the sum of five hundred pounds of lawful money of *Great Britain*, for every such offence, and one moiety of the said forfeiture shall go to his Majesty, his heirs and successors, and the other moiety shall go to the person or persons who shall first sue for the same; and it shall and may be lawful for such collector or other chief officer of the customs, and he is hereby required, to search or to cause search to be made in every part of such ship or vessel; to see and to take an account of the number of such slaves on board such ship or vessel, and to specify in such account the number of males and females, and also the number of slaves not exceeding four feet four inches in height, and without delay to transmit such account, attested under his hand and seal, to the commissioners of his Majesty's customs in *London*, under the penalty of five hundred pounds.

and if they
lan^d slaves
contrary
hereto, to
forfeit 500l.

Officers of the
customs to
take an ac-
count of the
slaves on
board such
vessels, &c.
on penalty of
500l.

XIV. Provided always, That in case the said collector or other chief officer of the customs shall be absent, or that there shall be no such officer in any such island where the said ship shall arrive as aforesaid, or in case there shall be no other officer of the revenue, then any civil officer in the said island shall be, and he is hereby authorised and required, upon application as aforesaid, to receive and preserve the said declaration of the burthen of such ship as aforesaid, and to perform all the other duties aforesaid, which the said collector or other chief officer of the customs is hereby required to perform.

Where there
is no officer
of the cus-
toms, any
civil officer
to receive the
declaration of
the master,
&c.

XV. And be it further enacted, That if any person making any declaration by this act authorised or required to be made, shall therein be guilty of wilful falsehood, or if any person shall procure or suborn any person to become guilty of such wilful falsehood, every such person shall be deemed guilty of a misdemeanor, and shall be punished by such fine as the court, before whom such offender shall have been tried and convicted, shall think fit to order or adjudge, and also by imprisonment for any time not exceeding twelve nor less than three calendar months, from the time of such sentence.

Penalty on
make false
declaration.

XVI. And be it further enacted, That it shall not be lawful for the master or other person taking or having the charge or command of any such ship or vessel, to take or have on board such ship or vessel, or convey, carry, bring, or transport any slaves from the coast of *Africa* to any parts beyond the seas, in any such ship or vessel as aforesaid, unless the surgeon of or belonging to such ship or vessel shall have given bond to his Majesty

No vessel to
carry any
slaves, unless
entered for
that purpose
at clearing
out, nor un-
less the sur-
geon give
bond to keep

a journal of
the slaves
during the
voyage;

Anno regni tricesimo nono GEORGII III. c. 80. [1798.

journal is to
be delivered.
the officer of
the customs,
at the first
British port of
arrival, &c.

Officer to de-
liver to the
master a copy
of his decla-
ration, and to
the surgeon a
copy of his
journal, and
transmit du-
plicates to the
commissioners
of the cus-
toms.

Masters or
surgeons act-
ing contrary
hereto, to
forfeit 100l.

Majesty, his heirs and successors, and shall have left the same in the hands of the collector or comptroller of the customs in the port from whence such ship or vessel shall depart for such voyage to the coast of *Africa*, in the penal sum of one hundred pounds, with condition that such surgeon shall keep a regular and true journal, containing an account of the greatest number of slaves which shall have been at any time during such voyage on board such ship or vessel, from the time of the arrival of such ship or vessel on the coast of *Africa* as aforesaid, until her arrival at the port of her delivery, distinguishing the number of males and females, and of the deaths of any such slaves or crew of the said ship or vessel, and of the cause thereof, during the voyage, from the first departure of the said ship or vessel to her arrival on the coast of *Africa*, during her stay on the said coast, and after her departure from thence to the said port of delivery, or during such time as such surgeon shall have been on board such ship or vessel; and that the said surgeon shall deliver such journal to the collector or other officer as aforesaid, at the first *British* port where such ship or vessel shall arrive after leaving the coast of *Africa*, and shall deliver in a written declaration of the truth of such journal, to the best of his knowledge and belief, to such collector or other officer as aforesaid, who is hereby required to accept and preserve the same; and such collector or other officer as aforesaid, shall deliver to such master or other person as aforesaid, and to such surgeon respectively, copies of the declaration of such master or other person, and of such surgeon as aforesaid, and also of the said journal; which copies shall severally be attested (as true copies) by such collector or other officer as aforesaid, under his hand and seal, and duplicates of the said copies (attested in like manner) shall be transmitted by the said collector or other chief officer to the commissioners of his Majesty's customs in *London*; and if such master or person taking or having the charge or command of any such ship or vessel shall carry his cargo of slaves to, and land the whole or any part in any port or ports not subject to the crown of *Great Britain*, and shall afterwards arrive at any *British* island or port, having delivered the whole or any part of his said cargo, such master or other person, and also the surgeon of such ship or vessel, shall make the same declaration, deliver in the same journal to, and take the same oaths before the collectors or other chief officers of the customs, or civil officer of the island or port, and receive the same attested certificate, in like manner as if he had first arrived at such island or port; and if the said ship or vessel shall not arrive at any *British* island or port before her return to *Great Britain*, then the said master or other person, and surgeon, shall make the said declaration, deliver in the said journal to, and take the said oaths before the collector or other chief officer of the customs of the port where they shall first land, which the collector or chief officer is hereby empowered and required to receive and administer; and the said collector or other chief officer shall forthwith transmit the same to the commissioners of his Majesty's customs in *London*; and if such master or surgeon shall act contrary hereto, such master or surgeon shall,

for every such offence, forfeit the sum of one hundred pounds, one moiety whereof shall go to his Majesty, his heirs or successors, and the other moiety thereof shall go to any person or persons who shall sue for the same.

XVII. And be it further enacted, That in case the master or other person having or taking the charge or command of any such ship or vessel, shall be convicted of any one of the said offences before mentioned, and shall not, within the space of fourteen days, pay or cause the same to be paid into the hands of the proper officer of the court wherein the offence shall be prosecuted, in order that the same may be applied in manner herein directed, the amount of the penalty on such conviction, it shall and may be lawful for any admiral or other commander at sea of any of the ships of war or other ships having commission from his Majesty, or from his heirs or successors, or for any governor of any island or plantation to his Majesty belonging, in *America* or the *West Indies*, or for any officer or officers of his Majesty's customs, to seize and detain the said ship or vessel wherever found, and to convey the same to the custom house nearest to the place where she shall be found, and the collector or other principal officer of the customs of such custom house shall, and he is hereby required to cause every such ship or vessel to be sold publicly by auction, and the produce arising by such sale thereof, to apply towards satisfying the said penalty, and if there shall remain any overplus, to pay the same over to such person or persons as shall prove his, her, or their property therein, or to his, her, or their lawful assigns.

If penalty on masters be not paid within 14 days, their vessels may be seized and sold.

XVIII. And whereas it may happen that the master or other person having the command of such ship or vessel so prosecuted and convicted, may be unable to pay such penalty or penalties incurred, be it enacted, That as soon as such ship or vessel shall arrive in any of the said islands, and due notice of such arrival shall have been given at the custom house thereof, the owner or owners of the said ship or vessel, or his, her, or their factor or agent to whom such ship and cargo are consigned, shall give bond, in the penal sum of five thousand pounds, to the collector or other officer of the customs, for the full and just payment of such penalty or penalties as may be awarded against such captain or other officer by the verdict of a jury.

On arrival of vessels in America or the West Indies, the owners to give bond for payment of penalties, &c.

XIX. And it is hereby enacted, That no such ship or vessel shall be permitted or suffered to enter or clear inwards until such bond shall be first given; and it shall be lawful for any officer of the customs to detain such ship or vessel with all her cargo on board, until such bond shall be entered into as before required.

Vessels not to be admitted to entry till bond is given, &c.

XX. Provided always, That no suit against such captain or other officer shall be prosecuted in any island, unless the same shall be commenced within one month after due notice given of the ship's arrival, to the collector or other officer of the customs in the said island.

Suits to be commenced within one month.

XXI. And be it further enacted, That no ship or vessel which shall be cleared out from any port in *Great Britain*, for the purpose till an at-

No vessel to be cleared out a second time,

tested copy
of the decla-
ration of the
master, and
journal of the
surgeon, &c.
of the preced-
ing voyage,
shall be depo-
sited with the
collector at
the port of clearance.

pose of shipping and carrying slaves from the coast of *Africa*, after the first day of *August* next after the passing of this act, shall be permitted to be cleared out again for the same purpose, until an attested copy of the declaration of the master, and also of the journal of the surgeon, and also the muster roll of the said vessel for or during her last preceding voyage to the said coast of *Africa*, shall have been deposited with the collector or other chief officer of the customs at the port from which she sailed on such last preceding voyage.

Where penal-
ties may be
sued for.

XXII. And be it further enacted, That the several penalties and forfeitures inflicted by this act shall and may be sued for, prosecuted, and recovered in any court of vice admiralty in any part of *America*, or in any island in the *West Indies*, wherein any such offence shall have been committed, or wherein any such ship or vessel shall have disposed of the whole or any part of her cargo, or in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer at *Edinburgh*.

If any person
take the com-
mand of a
vessel, who is
not qualified
as herein di-
rected, he,
and also the
owner, shall
forfeit 500l.

XXIII. And be it further enacted, That, from and after the first day of *August* next after the passing of this act, it shall not be lawful for any person to become a master, or take or have the command or charge of any such ship or vessel, at the time he shall clear out from any port of *Great Britain*, for purchasing and carrying slaves from the coast of *Africa*, unless such master or person taking or having the charge or command of any such ship or vessel, shall have made oath, and delivered in to the collector or other chief officer of the customs, at the port where such ship or vessel shall clear out, a certificate, attested by the respective owner or owners of the ships or vessels in which he has formerly served, that he has already served in such capacity during one voyage, or shall have served as chief mate or surgeon during the whole of two voyages, or either as chief or other mate during three voyages, in purchasing and carrying slaves from the coast of *Africa*, under pain that such master or other person taking or having the charge or command of any such ship or vessel, and also the owner or owners who shall hire or employ such person, shall, for every such offence, forfeit and pay the sum of five hundred pounds.

Former acts
recited,

XXIV. And whereas by an act, made in the thirty-third year of his present Majesty's reign, and several preceding acts, it is enacted, That, from and after the first day of *August* one thousand seven hundred and ninety-three, it should not be lawful for any owner or owners of any ship or vessel to insure any cargo of slaves, or any part thereof, on board the same, against any loss or damage, save and except the perils of the sea, piracy, insurrection, or capture by the King's enemies, barratry of the master and crew, and destruction by fire, and that all and every policy of insurance thereafter made contrary to the said act should be, and the same are thereby declared to be null and void, to all intents and purposes whatsoever: and whereas the owners of ships, and others concerned in the trade to *Africa*, understanding that it was merely intended by the above mentioned provision of the

said act, to prescribe and specify the particular kinds of loss and damage for which alone an indemnity should thereafter be recoverable in respect to cargoes of slaves, and not to interfere with, or vary the particular forms of the policies of insurance whereby such insurances had been theretofore effected, have continued to make insurances on the perils and dangers allowed to be insured by the said act, in the same general terms as are contained in the common policies theretofore used in other insurances on ships and goods: and whereas doubts have arisen respecting the validity of such insurances so made on cargoes of slaves, on account of the policies whereby the same are effected not being expressly restrained to the particular perils and dangers which are by the said provision of the said act alone saved and excepted as the subjects of lawful insurance: for remedy whereof, and for the more effectual security of such persons, be it therefore enacted, That nothing in the said act, or any former act contained, shall extend, or be construed to extend, to make void any insurance already made, or which hereafter shall be made, upon ships, slaves, goods, and merchandize, in the same general terms with the policies now commonly made use of in all other insurances on ships and goods; (that is to say), On account of their expressing to be made “against the risks and perils of the seas, men of war, fire, enemies, pirates, rovers, thieves, jettisons, letters of mart and countermart, surprisals, takings at sea, arrests, restraints and detainerments of kings, princes, and people, of what nation, condition, or quality soever, barratry of the master and mariners, and of all other perils, losses, and misfortunes, that have or shall come to the detriment or damage thereof.”

and nothing therein to make void insurances made in the same general terms as other insurances;

XXV. Provided nevertheless, That under such policies of assurance so made or to be made, no loss or damage shall hereafter be recoverable on account of the mortality of slaves by natural death or ill treatment, or against loss by throwing overboard of slaves on any account whatsoever, or against loss or damage by restraints and detainerments by kings, princes, people, or inhabitants of *Africa*, where it shall be made appear that such loss or damage has been occasioned through any aggression for the purpose of procuring slaves, and committed by the master of any such ship, or by any person or persons commanding any boat or boats, or party or parties of men belonging to any such ship, or by any person or persons acting by the direction of any such master or commander respectively.

but under them no damages shall be recoverable in certain cases.

XXVI. And be further enacted, That no such ship or vessel shall be allowed to clear out, unless it shall appear to the collector, or other principal officer of the customs at the port, that there is one surgeon at least engaged to proceed on board such ship or vessel, and unless such surgeon shall have produced and delivered to such collector, or other principal officer of the customs, a certificate or warrant of his having passed his examination at surgeons hall, or at some publick or county hospital, or at the royal college of physicians, or royal college of surgeons at *Edinburgh*, or shall have served as a surgeon or surgeon's mate in his Majesty's fleet or armies, of which certificate

No vessel to be cleared out that has not a surgeon who has passed his examination, &c.

or warrant the said collector, or other principal officer, shall give to the said surgeon an attested copy *gratis*.

Before any vessel is cleared outwards, the master, officers, and mariners, to execute articles of agreement in the forms hereunto annexed; and no other form to be used on penalty of 50*l*.

XXVII. *And, for the better regulation, encouragement, and preservation, of the health of the officers and seamen employed in ships or vessels trading to the coast of Africa for slaves, and from thence to the West Indies and America; be it further enacted, That,* from and after the first day of *August* next after the passing of this act, before any ship or vessel shall proceed to sea, the master, officers, and mariners, shall sign and execute articles of agreement and a muster roll, in the presence of, and witnessed by the clearing officer, and one of the tidesmen of the port from whence the ship departs, and a duplicate of the articles of agreement and muster roll, duly signed and executed, shall be delivered to the afore said clearing officer, in order to its being lodged with the proper officer in the custom house, according to the forms hereunto annexed; which agreement shall be conclusive to all parties for the time contracted for, and no other form whatsoever of articles of agreement, or muster roll, shall be used under the penalty of fifty pounds, one half to be paid to the use of *Greenwich hospital*, and the other half to the informer, or other person who shall sue for the same in any of his Majesty's courts of record.

Muster roll to be regularly kept, &c.

XXVIII. And be it further enacted, That a continuation of the muster rolls shall be regularly and duly kept during the voyage, also a log book, wherein all penalties, forfeitures, and charges against any officer or seamen, shall be regularly entered, and signed by the master, chief mate, and surgeon; which said log book, and the said muster roll, shall, on the arrival of the ship or vessel at her discharging port in *Great Britain*, be delivered in to the collector or other chief officer of the customs, together with the written declaration of the truth thereof, which declaration the collector or other chief officer, as aforesaid, is hereby required to accept and preserve; and if any master, chief mate, or surgeon, shall be convicted of signing false muster rolls, articles of agreement, or log book, he or they shall forfeit and pay the sum of one hundred pounds, and shall also suffer six months imprisonment.

Penalty for signing false muster rolls, &c.

No officer, &c. to be turned over or discharged, but under the circumstances herein mentioned.

XXIX. And be it further enacted, That no officer, mariner, or seaman, shall be turned over or discharged, upon any pretence whatsoever, unless into his Majesty's ships of war, or to assist a ship in actual distress, which is to be certified by the principal officers of both ships concerned, and an agreement made in writing with the said officers or men so lent, or upon preferment, or under ill state of health, with the consent of the party, for which a certificate shall be given from the captain of any of his Majesty's ships or vessels, if any are present, or in their absence two justices of the peace, or the collector or comptroller of the customs at the place or port where such ship or vessel shall be, or shall first arrive, where certificate shall be returned with the muster roll and log book, on the arrival of the ship at her delivering port in *Great Britain*.

XXX. And

XXX. And be it further enacted, That no master, commander, or other person, shall supply the officers or mariners, seamen or seafaring men, with more slops, tobacco, spirits, or any other article whatsoever, than to the amount of one fourth part of the monthly wages of such officer, mariner, seaman, or seafaring man.

No slops, &c. to be supplied beyond one fourth of the monthly wages.

XXXI. And be it further enacted, That if any officer, mariner, or seaman, shall behave in a riotous, seditious, or mutinous manner, it shall be lawful for the commander or commanding officer to put such officer, mariner, or seaman into confinement, for a time not exceeding twenty-four hours before the same is reported to the captain or commander of any of his Majesty's ships or vessels, (being present or within a convenient distance), who is hereby authorised to enquire into the cause of such complaint, and to examine upon oath, if found necessary, and to grant such relief or remedy therein as the circumstances of the case may require; and in case none of his Majesty's ships are present, the cause of complaint shall be fully examined into by the master and two officers, in the presence of the ship's company, and if it shall be judged necessary for the safety of the ship and cargo to continue the offender or offenders in confinement, such determination shall be drawn up in writing, with the reasons of coming to such resolution stated at large, and signed by the master and two officers, which they are hereby enjoined, under the penalty of fifty pounds, to report without delay to the captain or commander of the first ship or vessel belonging to his Majesty they may fall in with, and in default thereof to report the same to the governor or chief officer of any *British* fort on the coast of *Africa*, or to the governor of any of the *West India* islands, on their arrival at any port or road therein, that such measures may be taken to bring the offender or offenders to justice, as the nature of the case will admit.

Regulations with regard to officers, &c. behaving in a riotous, seditious, or mutinous manner.

XXXII. And be it further enacted, That the master or other person having or taking the charge or command of every such ship or vessel, shall cause a printed abstract of this act, and also a copy of the schedule (A.) and of the muster roll respectively annexed to this act, to be delivered to each of the officers of the said ship or vessel, and also a copy of each, *videlicet*, of the said abstract, schedule, and muster roll, to be hung up and affixed to the most publick place of such ship or vessel, and shall cause the same to be constantly kept and renewed, so that at all times they may be accessible to the officers and seamen on board of such ship or vessel, upon pain that every such master or other person having or taking the charge or command of every such ship or vessel, who shall neglect to affix and renew the same, shall, for every such offence, forfeit the sum of twenty pounds.

Master to cause a printed abstract of this act, &c. to be delivered to each of the officers, and to be hung up in the most publick place in his vessel, on penalty of 20l.

XXXIII. And be it further enacted, That if any officer, mariner, or seaman, charged with mutiny or sedition, shall be delivered over or taken in custody by the order of the governor or chief officer of any fort on the coast of *Africa*, or the governor of any of the islands in the *British West Indies*, a full

If mutinous officers, &c. be taken into custody, in *Africa* or the *West Indies*, a statement

upon oath, to be lodged with the governor, &c. and if the witnesses do not appear at the trial, they shall incur a penalty.

statement upon oath, which they are hereby empowered to administer, shall be made out and lodged with the said governor together with the names of the witnesses who are to support the charge alledged against the prisoner or prisoners, in order to their being sent home for trial, at the next admiralty sessions, for the offence or offences alledged against him or them; and in case the said witness or witnesses shall neglect to appear at the trial upon being duly summoned, he or they shall incur such penalty as the court shall adjudge.

Officers, &c. to continue in pay till the vessel is cleared inwards.

XXXIV. And be it further enacted, That upon the arrival of every ship or vessel at her discharging port in *Great Britain*, the officers and seamen therein shall be continued in full pay and provisions until the ship is cleared inwards, or their accounts are settled and paid; and that all wages due to run men shall be forfeited, and paid one half to the use of *Greenwich* hospital, and the other half to the merchants hospital of the port to which such ship belongs, and all other forfeitures shall be applied as is specified in the articles of agreement; any custom, law, or usage to the contrary notwithstanding.

Wages of run men to go to *Greenwich* hospital, &c.

Where offences may be tried, and penalties sued for.

XXXV. And be it further enacted, That any offence committed in breach or violation of this act, may be tried in any court of oyer and terminer in any county in *England* wherein any such offence shall have been committed, or in case any such offence shall have been committed on the seas, or in parts beyond the seas, then in such county within which the ship on board which such offence shall have been committed shall have cleared out, or in the county of *Middlesex*; and any penalty or forfeiture inflicted by this act may be prosecuted, sued for, and recovered, in any court of record in *Great Britain*; and in every such action or suit, the party against whom judgement shall be given (whether plaintiff or defendant) shall pay double costs of suit; and every such action shall and may be brought at any time within three years after the offence committed, and not afterwards; and every such action shall be carried on without wilful delay.

Limitation of actions.

Delivery of writs on board vessels, to be deemed legal service.

XXXVI. And be it further enacted, That if any master or other person having or taking the charge or command of any ship or vessel, shall be prosecuted on account of any offence committed against this act, and the officer whose business it shall be to serve the writ or process issuing out of the court in which such master or other person shall be prosecuted, shall not be able to find the said master or other person so prosecuted, either on board the said vessel, or on shore or elsewhere, of which such officer shall give publick notice in such court, then, and in all such cases, the delivery of the said writ or process on board the said ship or vessel or which the said person shall have had the charge or command, shall be deemed due and legal service of the said writ or process.

Persons taking false oaths, to incur the pains of perjury, &c.

XXXVII. And be it further enacted, That if any person taking any oath by this act authorised or required to be taken, shall thereby commit wilful perjury, or if any person shall unlawfully

fully procure or suborn any person to take any oath by this
authorised or required to be taken, whereby such person shall
commit wilful perjury, every such person shall incur and suffer
like pains and penalties as are by law inflicted upon persons
committing wilful and corrupt perjury or subornation of per-
jury.

XXXVIII. *And whereas by an act, passed in the thirty-second* Clause in
year of the reign of his present Majesty, and which was afterwards former acts
continued by several subsequent acts, it was enacted, That, from and respecting the
the first day of August one thousand seven hundred and ninety- certificates of
one, it shall not be lawful for any person to become a master, or take qualification
have the command or charge of any such ship or vessel, at the time required to be
shall clear out from any port of Great Britain for purchasing and given by mas-
trying slaves from the coast of Africa, unless such master or person ters, recited.
being or having the charge or command of any such ship or vessel
shall have made oath, and delivered in to the collector or other chief
officer of the customs at the port where such ship or vessel shall clear
out, a certificate, attested by the respective owner or owners that he
has already served in such capacity during one voyage, or shall have
served as chief mate or surgeon during the whole of two voyages, or
served as chief or other mate during three voyages, in purchasing and
trying slaves from the coast of Africa, under pain that such master
or other person taking or having the charge or command of any such
ship or vessel, and also the owner or owners who shall hire or employ
any person, shall, for every such offence respectively, forfeit and
pay the sum of five hundred pounds: and whereas doubts have arisen Doubts arising
concerning the construction of the above mentioned clause, whether the by whom cer-
certificate thereby required to be delivered in to the collector or other tificates to be
chief officer of the customs, should be attested by the respective owner attested.
or owners of any ship or vessel wherein the person or persons then
about to take the command of the ship or vessel required to be cleared
out had formerly sailed in some or one of the capacities by the said
clause specified and required, or by the respective owner or owners of
any ship or vessel in which such person or persons was or were then
about to sail as the master or commander thereof, as believing the facts
stated in the affidavit of such person or persons then about to have or
take the charge or command of any such ship or vessel to be true:
and whereas, in consequence of such doubts, the collectors or other
chief officers of the customs at the ports of London and Liverpool,
interpreting the meaning and construction of the said acts, have required
that taken certificates attested in both the ways before mentioned, and
that cleared out ships or vessels under each form of certificate, in conse-
quence of which great inconveniences have arisen, and doubts have
been made touching the legality of the policies of insurance made upon
any ships or vessels; be it therefore further enacted, That nothing Policies of in-
in the said former acts of parliament herein-before mentioned, surance made
contained in any of them contained, shall extend, or be construed to before the
the end, to impeach, invalidate, or make void any policy or po- passing of this
licies of insurance which shall have been made before the passing act, not to be
of this act, by reason or in consequence of any certificate or void by reason
certificates which have been required and given, in order to the of certificates
clearing out of ships or vessels. given under
recited acts,
&c.

clearing out any ship or vessel employed in the slave trade to the coast of *Africa*, by the owner or owners of the ship or vessel then about to clear out and to sail, or by the owner or owners of some other ship or vessel in whose employ the person then about to sail had been formerly employed and sailed, or to inflict any penalty or penalties upon the owner or owners of such ship or vessel: provided always, That the matter contained in such affidavits of the owner or owners heretofore made as aforesaid shall have been, and in such affidavits as shall hereafter be made shall be, true in substance and matter of fact.

Ports from which vessels shall be cleared out for carrying slaves.

XXXIX. And be it further enacted, That, from and after the first day of *August* next after the passing of this act, no ship or vessel shall be permitted to be entered or cleared outwards, for the purpose of shipping and carrying slaves from the coast of *Africa*, from any part of his Majesty's dominions, except the ports of *London*, *Liverpool*, and *Bristol*.

SCHEDULE (A.)

ARTICLES of agreement between the master, officers, mariners, seamen, and seafaring men, of the ship bound from the port of _____ upon an intended voyage to the coast of *Africa* for _____ from thence to the *West Indies*, or *America*, and afterwards to _____ in *Great Britain*, or to her delivering port in *Europe*.

FIRST, The master does hereby covenant, agree, and engage, with the said officers, seamen, seafaring men, landsmen, and boys, That he will pay, or cause to be paid, to each and every of them, at the rate of the wages *per month*, sterling value, as against each person's name is expressed in the muster roll.

Secondly, The said master does further agree and engage with the said officers, mariners, seamen, seafaring men, landsmen, and boys, that they shall be daily and regularly supplied with good and wholesome victuals, and a portion of wine or spirits, as hereafter specified; the said provisions to be issued and dressed in the usual manner in which it is done on board his Majesty's ships of war, and served out to the ship's company, in the manner following; (*videlicet*),

- Sunday, - One pound and an half of beef containing sixteen ounces to the pound, and a pint of flour.
- Monday, - One pound of pork, containing sixteen ounces to the pound, and half a pint of pease.
- Tuesday, - One pint of oatmeal, and two ounces of butter, and four ounces of cheese; or, one pound of stock fish, with one-eighth of a pint of oil, and a quarter of a pint of vinegar, in lieu of butter and cheese.
- Wednesday, The same as Monday.
- Thursday, - The same as Sunday.
- Friday, - The same as Tuesday.
- Saturday, - The same as Monday.

Each person besides to have six pounds of bread *per* week; and a quarter of a pint of spirits, or half a pint of wine, together with of water *per* day during the voyage.

In lieu of pease and oatmeal may be served rice, Indian corn, yams, or calavances.

In case of being put to short allowance, the master, officers, and seamen, are to be at the same allowance of provisions and water, and to be allowed short allowance money, at the rate of three-pence *per* day if at two thirds allowance, and four-pence halfpenny *per* day *per* man, if at half allowance, and to be paid their short allowance money ten days before the vessel sails from the *West Indies* or *America*.

And it is hereby further covenanted and agreed by and between the said parties, That the master of the said ship, at his or the owners proper cost and charge, will hire and employ the natives in their craft, to wood and water the said ship, during her continuance on the coast of *Africa*, if such natives can be procured, under the direction of a patroon belonging to the said ship.

And it is further agreed on the part of the said master, That whenever the officers and seamen are employed trading in craft up the rivers, that the said master will, on the part of the owners, furnish the parties so employed with a sufficient quantity of painted canvas, or tarpawling, for an awning, and provisions for the time, in the proportion *per diem* as is set forth in the foregoing article, with proper utensils and fire to dress the same; and upon failure thereof, for every such neglect he shall forfeit double the value of provisions.

The said master does further agree and engage, That there shall be a space reserved for two third parts of the ship's company to shelter themselves while the slaves are on board; if a frigate-built ship, it shall be under the half deck, or in the steerage, or under a standing awning of wood, well caulked, in any other ship or vessel.

It is hereby further agreed by the said master, That he will not, upon any pretence whatsoever, turn over or discharge any of the officers or ship's company belonging to the said ship, unless on promotion, or to assist a ship actually in distress, and not then unless properly certified as before expressed in this act; and the said master does hereby further agree to advance one month's pay to the officers and ship's company, before the said ship departs from *Great Britain*, at the time of settling the river or harbour pay, and that the monthly wages shall commence from that period: and it is further agreed by the said master, That he will pay, or cause to be paid, one month's pay after the landing of the slaves in the *West Indies* or *America*, ten days before the sailing of the said ship on her homeward-bound passage: and also the said master engages to make the general signal for sailing twenty-four hours before the departure of the said ship, *videlicet*, by loosing the foretopail and firing a gun.

And we the officers, mariners, seamen, seafaring men, landsmen, and boys, in consideration of the monthly or other wages, foregoing stipulations and engagements, do severally promise and agree, and bind ourselves by these presents, to behave with due subordination and respect, and to obey the lawful commands of our commander or superior officers on board the said ship, or boats thereunto belonging, as becomes good and faithful seamen and mariners; and at all places where the ship shall touch at, put into, or anchor, during the said voyage, to do our utmost endeavours for the preservation of the said ship and cargo, and not to neglect or refuse doing our duty by night or by day, nor go out of the said ship on board any other vessel, or be on shore under any pretence whatsoever, without leave first obtained of our commander or commanding officer on board; and further, That we will on no account whatsoever leave or desert the said ship without the master's consent, (unless to serve on board any of his Majesty's ships), till the abovesaid voyage be ended, and the said ship discharged, under the forfeiture of our wages: and we do further agree, That when absent upon leave, we will immediately repair on board when required so to do by our commander, or any of our superior officers, on failure thereof to forfeit for such disobedience seven days pay, to be charged against our wages, for every such offence: and we do further agree and acknowledge, That forty-eight hours absence without leave shall be deemed a total desertion from the said ship, and our wages forfeited as above agreed on, unless good and sufficient cause can be assigned for such absence.

And it is further agreed by us the said officers and mariners belonging to the said ship, That we will not demand our wages, or any part thereof, except the value of a fourth part of our wages, to be supplied in stops or other necessaries, and one month's pay, with our short allowance money, then due in the *West Indies* or *America*, until the arrival of the said ship at her delivering port, except we should be impressed or enter on board any of his Majesty's ships, or be discharged by mutual consent, agreeably to the foregoing certificate, as specified in the act.

And it is hereby further agreed by us the said officers, mariners, seamen, seafaring men, landsmen, and boys, That whatever stores, furniture, or apparel, each or any of us receive into our charge belonging to the said ship, shall be accounted for; and in case any thing should be lost or damaged by our negligence or carelessness, it shall be made good to the masters or owners, out of the wages of such officers or seamen by whose negligence it has happened.

