C A P. LXXXV.

An Act for carrying into effect the Engagements between Her Majesty and certain Chiefs of the Sherbro Country near Sierra Leone in Africa, for the more effectual Suppression of the Slave Trade. [14th August 1855.]

WHEREAS on the Thirty-first March One thousand eight hundred and fifty-three an Engagement was concluded between Arthur Edward Kennedy Esquire, Governor of the Colony of Sierra Leone, on behalf of Her Majesty, and certain Chiefs of the Sherbro Country, namely, Careybah Caulker, Chief of Bombey, and Thomas Stephen Caulker, Chief of the Plantain Islands, Pierre Charley, King of Sherbro, Harry Tucker, Chief of Shebar, and William Tucker, Chief of Bullo and Boom Rivers: And whereas on the Ninth, Nineteenth, and Twenty-first May One thousand eight hundred and fifty-three certain other Engagements were concluded between the said Arthur Edward Kennedy, Governor of the said Colony, on behalf of Her Majesty, and certain other Chiefs of the Sherbro Country, namely, Ibiboo Salifoo, Chief of “Jong,” Mahamadoo Calipha, Chief of Barmah, Cabouka, Chief of Bagroo, Pah Rakey, Chief of Bali, Somaaker, Chief of Tassamankar, Soloko, Chief of Robannah:
Slave Trade (Sherbro).

Robannah: And whereas on the Seventeenth Day of April One thousand eight hundred and fifty-four another Engagement was concluded between the said Arthur Edward Kennedy, Governor of the said Colony, on behalf of Her Majesty, and a certain other Chief, namely, John Fortune; by which said several Engagements it was amongst other things agreed as follows: “The Cruizers of the British Government, or any Officer deputed by his Excellency the Governor of Sierra Leone, whenever they fall in with any Vessels or Boats belonging to the People of Sherbro, suspected of being engaged in the Slave Trade, may detain and search them, and in case of their finding that any of the Vessels or Boats aforesaid belonging to the People of Sherbro have violated this Engagement, by the Exportation of Slaves from the Coasts of Africa or elsewhere, they (the Government Cruizers, or Officers deputed by his Excellency the Governor of Sierra Leone,) may seize and confiscate the same, and the Vessels and Boats so seized shall be taken to Sierra Leone, to be tried by English Law, and when condemned shall be sold, and the Produce of the Sale shall be divided equally between the Queen of England and the Chief or Chiefs of Sherbro, and the Slaves who were found on board shall be made free.” And whereas it is expedient that effectual Provision should be made for carrying into execution the herein-before recited Provisions of the said several Agreements: 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, as follows:

I. It shall be lawful for the Commanders and other Officers of Her Majesty’s Ships of War, or for any Officer deputed by the Governor of Sierra Leone, to detain and search in any Seas any Vessel or Boat belonging to Careybah Caulker, Chief of Bombay, and Thomas Stephen Caulker, Chief of the Plantain Islands, Pierre Charley, King of Sherbro, Harry Tucker, Chief of Shebar, William Tucker, Chief of Bullom and Boom Rivers, Ibiboo Salifou, Chief of “Jong,” Mahamadoo Calipha, Chief of Barma, Caboutka, Chief of Bagroo, Pah Rakey, Chief of Baly, Somanker, Chief of Tassermanker, Soloko, Chief of Robannah, and John Fortune, or to any of their Subjects, which shall upon reasonable Grounds be suspected of being engaged in the Slave Trade, and to send or carry away such Vessel or Boat, together with its Master, Sailors, Passengers, Slaves, and Cargo, for the Purpose of such Vessel being brought to Adjudication as herein-after mentioned.

II. It shall be lawful for the High Court of Admiralty of England, and for all Courts of Vice-Admiralty in any Dominions of Her Majesty...
Majesty beyond the Seas, to take cognizance of and try any such Vessel or Boat, which shall be detained or captured for the Violation of the said Engagements, and to condemn any such Vessel or Boat to Her Majesty, and adjudge as to the Slaves found therein, in like Manner and under such and the like Rules and Regulations as are contained in any Act or Acts of Parliament in force in relation to the Suppression of the Slave Trade by British-owned Ships, as fully as if all the Powers and Provisions contained in such Acts were re-enacted in this Act as to such High Court of Admiralty or Courts of Vice-Admiralty.

III. Every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken in any Proceeding under the said Engagement or this Act shall be deemed guilty of Perjury, and being thereof convicted shall be subject and liable to all the Punishments, Pains, and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either in the Place where the Offence was committed, or in any Colony or Settlement of Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty’s Court of Queen’s Bench in England; and that in case of any Prosecution for such Offence in Her Majesty’s said Court of Queen’s Bench the Venue may be laid in the County of Middlesex.

IV. The Pendency of any Suit or Proceeding instituted for the Condemnation or Restitution of any Vessel, Boat, or Cargo, or Slaves taken, seized, or detained by virtue of the said Agreement, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar or given in Evidence under the General Issue, and shall be deemed in any Court whatever to be a complete Bar in any Action, Suit, or Proceeding, whether instituted by any Person or Persons for the Recovery of any such Vessel, Boat, or Cargo, or of any Damage or for any Injury sustained thereby or by the Persons on board the same, in consequence of any Capture, Seizure, or Detention, or anything done under or in pursuance of the Provisions of the said Agreement.

V. Any Vessel or Boat which shall be condemned as aforesaid may be taken into Her Majesty’s Service, upon Payment of such Sum as the Lord High Admiral or the Lords Commissioners of the Admiralty shall deem a proper Price for the same, or if not so taken shall be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts, and the Proceeds thereof shall be paid to such Person or Persons as the Commissioners of Her Majesty’s Treasury may appoint to receive the same.

VI. Where
VI. Where any Ship or Vessel employed or engaged in such illicit Traffic in Slaves, in violation of the said Engagements, shall be seized by any Ship or Vessel belonging to Her Majesty, and afterwards condemned, there shall be paid to the Captors the net Proceeds to which Her Majesty is entitled, the same to be distributed in the Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

VII. There shall be paid to the Commanders, Officers, and Crews of Her Majesty’s Ships a Bounty of Five Pounds for every Man, Woman, and Child Slave seized and found on board any Vessel or Boat taken and condemned in pursuance of the Provisions of the said Agreement 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 shall think fit to order, by any Order in Council, made or to be made, or by any Proclamation for that Purpose.

VIII. Where any Vessel or Boat which shall have been seized and condemned under the Provisions of the said Engagements shall have been or shall be demolished, and the Materials thereof publicly sold in separate Parts, as well as her Cargo, there shall be paid to the Commanders, Officers, and Crews of Her Majesty’s Ships, in addition to the Amount of the Proceeds of such Sale, as herein-before mentioned, a further Bounty on the Tonnage of such Vessel or Boat at the Rate of Thirty Shillings for every Ton of such Tonnage.

IX. Where any Vessel or Boat, having no Slaves on board, shall have been seized and condemned under the Provisions of the said Engagements, there shall be paid to the Commanders, Officers, and Crews of Her Majesty’s Ships an additional Bounty upon the Tonnage of such Ship or Vessel at the Rate of Four Pounds for every Ton; and the Tonnage of all such Vessels shall be ascertained according to the Mode of ascertaining the Admeasurement of British Vessels, either by the Principal Officer of the Customs at the Port where the Vessel may be at the Time of Condemnation, or in default thereof by the best Evidence which can be obtained: Provided always, that in every Case in which any Vessel or Boat shall be seized with Slaves on board in which the Bounty calculated upon the Number of Slaves shall be less than the Bounty calculated upon the Tonnage, the Commanders of Her Majesty’s Ships making the Seizure may elect to take the Bounty calculated according to Tonnage, instead of the Bounty which would be payable upon the Number of Slaves on board.

X. All
X. All Bounties payable under this Act shall be paid out of such Monies as may be provided by Parliament to the Commanders, Officers, and Crews of Her Majesty's Ships, and such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

XI. In order to entitle the Captors to receive the said Bounty Money, the Tonnage of the Vessel or Boat so seized 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, or by such documentary or other Evidence as they may deem satisfactory.

XII. In order to entitle the Captors to receive the said Bounty Money on Slaves, 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.

XIII. Where any Slaves or Persons treated as Slaves shall be seized on board any Vessel or Boat taken and condemned in pursuance of the said Agreement and of this Act, but who 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 their Discretion it shall seem meet, to direct Payment of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over.

XIV. 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 Vessel confiscated in pursuance of the Provisions of the aforesaid Agreement, 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 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 also to enforce any Decrees or Sentences of the said Vice-Admiralty Courts relating to any such Seizure.

XV. All the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination,
Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize, and the Per-cent age 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 and Vessels of War.

XVI. Where any Vessel or Boat belonging in whole or in part to either of the before-mentioned Chiefs, or his Subjects or Dependents, shall have been detained and brought to Adjudication under the Provisions of this Act, and the said Ship shall be restored by Sentence of the Court, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant, to direct Payment to be made out of such Monies as may be provided by Parliament of any Costs orDamages which may be duly awarded: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payment so made, when lawfully called upon, either by the Parties interested therein or by Order of the said Commissioners of Her Majesty's Treasury.

XVII. When any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships, and Judgment shall be given against the Seizor, or when 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 to direct Payment to be made out of such Monies as may be provided by Parliament of such Costs and Expenses as the Seizor may have incurred in respect of such Seizure, or any proportional Part thereof.