

the countries and states in amity with his Majesty as shall seem to them most conducive to the interest and prosperity of the said *British* possessions in *India*, and of the *British* empire; and no ship or vessel belonging to any of the subjects of states or countries in amity with his Majesty, shall be liable to seizure, confiscation, or forfeiture, or other penalty, for exporting from or importing into the said *British* possessions in *India*, any goods or commodities, the importation or exportation of which respectively shall be permitted by the said regulation; any thing in the said herein-before recited act, of the twelfth year of the reign of King *Charles* the Second, to the contrary notwithstanding: provided always, That it shall not be lawful for the directors of the said united company to frame any regulations for the conduct of the said trade, which shall be inconsistent with any treaty or treaties which shall have been or may be entered into by his Majesty, his heirs and successors, and any country or state at amity with his Majesty, or which may be inconsistent with any act or acts of parliament which have been passed for the regulation of the trade and commerce of the said *British* territories in *India*.

Regulations framed by the directors to be subject to the controul of the board of commissioners.

Court of proprietors not to alter any resolution of the directors relating to intercourse of foreign nations in amity with his Majesty and the *British* territories in *India*.

II. And be it further enacted, That all such regulations as shall be framed by the said court of directors, for carrying on the trade to and from the *British* possessions in *India*, and the countries and states in amity with his Majesty, shall be and they are hereby directed to be subject to the superintendance, direction, and controul of the board of commissioners for the affairs of *India* in the same manner as all acts, operations, and concerns, which anywise relate to or concern the civil and military governments and revenues of the *British* territories and acquisitions in the *East Indies* now are.

III. And be it further enacted, That it shall not be lawful for any general court of proprietors to alter or change, or to direct, or order, or authorise, the altering or changing, any resolution of the court of directors, or to rescind, revoke, suspend, or vary the same, in so far as the same relates to the intercourse of foreign nations in amity with his Majesty and the *British* territories in *India*.

### C A P. CXVIII.

*An act for regulating the height between decks of vessels entered outwards for the purpose of carrying slaves from the coast of Africa.*

—[July 19, 1797.]

Preamble.  
35 Geo. 3.  
c. 90.

WHEREAS by an act of the thirty-fifth year of his present Majesty, intituled, An act for regulating the shipping, and carrying slaves in *British* vessels from the coast of *Africa*, it was enacted, That the whole space between decks in such vessels should be allotted for the reception of slaves, in order to their greater comfort and better accommodation: and whereas it has been found, that sufficient provision was not made by the said act, for the comfort and accommodation of the slaves in their apartments between the decks of ships so employed;

for remedy whereof, be it 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 passing of this act, no *British* ship or vessel shall clear outwards from any port in his Majesty's dominions for the purpose of shipping or carrying slaves from the coast of *Africa*, in which the space between the decks allotted for the reception of slaves, under the provisions of any former act, shall not be, in every part throughout the whole length and breadth thereof, of the full and complete perpendicular height of four feet one inch at least, measuring from the upper surface of the lower deck to the under surface of the upper deck. No vessel to clear outwards for carrying slaves from *Africa* unless the space allotted for the slaves be of a certain height.

II. *And whereas ships and 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 floor or 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 purpose of this act. One decked vessel to have a false deck in the hold.

III. 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 the coast of *Africa*, until the proper officer of the customs at such port shall have examined and admeasured such ship or vessel, and shall have found her to agree in admeasurement, and to be in every other particular conformable to the regulations and restrictions required and directed by this act, and shall have certified the same in writing to the collector of his Majesty's customs at such port, for doing which 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 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. No vessel to be cleared out till admeasured, and certified by the officer of the customs, for which he shall receive 10s. and which certificate must be produced to the officer, at the port of arrival in the *West Indies*, &c.

IV. And be it further enacted, That after the surveying officer shall have examined and measured any ship or vessel as herein-before directed, it shall not be lawful for the master or owner thereof to remove, or cause or suffer to be removed, any floor or false deck which shall have been fixed in the hold for the reception of slaves, as herein-before 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. False deck not to be removed till the slaves are landed on penalty of 200l.

Where penalty may be sued for, which may be within three years after the offence.

V. And be it further enacted, That the penalty 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.

C A P. CXIX.

*An act to repeal so much of an act, made in the fifth year of the reign of his late majesty King George the Second, intituled, An act for the more easy recovery of debts in his Majesty's plantations and colonies in America, as makes negroes chattels for the payment of debts.—[July 19, 1797.]*

Preamble.

5 Geo. 2. c. 7, recited.

**W**HEREAS by an act, which was passed in the fifth year of the reign of his late majesty King George the Second, intituled, An act for the more easy recovery of debts in his Majesty's plantations and colonies in *America*, it was enacted and declared, That, from and after the twenty-ninth day of September one thousand seven hundred and thirty-two, the houses, lands, negroes, and other hereditary and real estates, situate or being within any of the said plantations, belonging to any person indebted, should be liable to, and chargeable with, all just debts, duties, and demands, of what nature or kind soever, owing by any such person to his Majesty, or any of his subjects, and should and might be assessed for the satisfaction thereof, in like manner as real estates are, by the law of England, liable to the satisfaction of debts due by bond, or other specialty, and should be subject to the like remedies, proceedings, and process, in any court of law or equity in any of the said plantations respectively, for seizing, extending, selling, or disposing of every such houses, lands, negroes, and other hereditaments and real estates, towards the satisfaction of such debts, duties, and demands, and in like manner as personal estates, in any of the said plantations respectively, are seized, extended, sold, or disposed of, for the satisfaction of debts: and whereas it is deemed expedient that the said recited act, so far as it relates to negroes, should be repealed: may it therefore please your Majesty that it may be enacted; and be it 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 so much of the said in part recited act, as relates to negroes in his Majesty's plantations, is hereby repealed and made void, and shall be of no effect in future; any thing in the above act, or any other act, to the contrary thereof in anywise notwithstanding.

So much of recited act as relates to negroes in his Majesty's plantations, repealed.

C A P. CXX.

An act further to continue an act, made in this present session of parliament, intituled, An act to suspend, for a limited time, the operation of two acts of the fifteenth and seventeenth years of the reign of his present Majesty,