CHAPTER 59.

An Act for regulating and extending the Jurisdiction in matters connected with the Slave Trade of the Vice-Admiralty Court at Aden, and of Her Majesty's Consuls under Treaties with the Sovereigns of Zanzibar, Muscat, and Madagascar, and under future Treaties. [5th August 1873.]

WHEREAS treaties for the more effectual suppression of the slave trade have been made by or on behalf of Her Majesty with chiefs or states in Arabia, and on the shores of the Persian Gulf, and on the east coast of Africa, and in the islands of Madagascar and Zanzibar, and the Comoro islands:

And whereas by the Foreign Jurisdiction Act, 1843, it was among other things enacted "that it is and shall be lawful for Her Majesty to hold, exercise, and enjoy any power or "jurisdiction which Her Majesty now hath or may at any time hereafter have within any "country or place out of Her Majesty's dominions in the same and as ample a manner as "if Her Majesty had acquired such power or jurisdiction by the cession or conquest of "territory:" 6 & 7 Vict. c. 94.

And whereas by various treaties Her Majesty is empowered to exercise jurisdiction within the dominions of the Sultan of Zanzibar, the Imaum of Muscat, and the Sovereign of Madagascar, in regard to vessels captured on suspicion of being engaged in the slave trade:

And whereas by an Order in Council relating to the dominions of the Sultan of Zanzibar, and dated the ninth day of August one thousand eight hundred and sixty-six, and another Order in Council relating to the dominions of the Imaum of Muscat, and dated the fourth day of November one thousand eight hundred and sixty-seven, and a third Order in Council relating to the dominions of the Sovereign of Madagascar, and dated the fourth day of February one thousand eight hundred and sixty-nine, it was in each case ordered that Her Majesty's consul within the dominions to which the order relates should, for and within the said dominions, and in regard to vessels captured on suspicion of being engaged in the slave trade within those dominions, have all such jurisdiction as for the time being ordinarily belongs to courts of vice-admiralty in Her Majesty's possessions abroad:

And whereas a vice-admiralty court has been established at Aden, but has only a limited jurisdiction in matters relating to the slave trade:

And whereas by "The Slave Trade Jurisdiction (Zanzibar) Act, 1869," provision was made for the exercise of the said jurisdiction by Her Majesty's consul within the dominions of the Sultan of Zanzibar: 32 & 33 Vict. c. 75.

And whereas it is expedient to make further provision for the exercise of the said jurisdiction by Her Majesty's consuls within the dominions of the Sovereigns of Zanzibar, Muscat, and Madagascar, and for the exercise of jurisdiction in matters relating to the slave trade by the Vice-Admiralty Court at Aden:

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:

1. This Act may be cited as the Slave Trade (East African Courts) Act, 1873. Short title.

2. In this Act— Definition of terms.

The term "vessel" means any vessel used in navigation:

The term "treaty" includes any convention, agreement, engagement, or arrangement:

The term "foreign state" includes any foreign nation, people, tribe, sovereign, prince, chief, or head man:

The term "existing East African slave trade treaty" means a treaty made by or on behalf of Her Majesty with any foreign state in Arabia or on the east coast of Africa, or the shores of the Persian Gulf, or in any island lying off Arabia, or off such coast or shores, including the islands of Zanzibar and Madagascar and the Comoro islands, for the more effectual suppression of the slave trade, and in force at the passing of this Act;

The term "East African courts" means the Vice-Admiralty Court at Aden, and any of Her Majesty's consuls within the dominions of the Sovereigns of Zanzibar, Muscat, and Madagascar, when exercising jurisdiction in pursuance of the recited Orders in Council.

Jurisdiction of courts in regard to slave vessels, slaves, goods, and effects.

3. All jurisdiction which is by any Act conferred on the Vice-Admiralty Courts in Her Majesty's possessions abroad, in regard to British vessels seized by the commander or officer of any of Her Majesty's ships on suspicion of being engaged in or fitted out for the slave trade, and in regard to the persons, slaves, goods, and effects on board thereof, is hereby conferred on the East African courts, in regard to vessels seized by the commander or officer of any of Her Majesty's ships on suspicion of being engaged in or fitted out for the slave trade, and to the persons, slaves, goods, and effects on board thereof, in the following cases; namely,

(1.) Where the vessel seized is a British vessel;

(2.) Where the vessel seized has been seized in pursuance of any existing East African slave trade treaty; and

(3.) Where the vessel seized is not shown to the court to be entitled to claim the protection of the flag of any foreign state.

Each of the East African courts shall have the same jurisdiction in regard to any person who has been seized either at sea or land, on the ground that he has or is suspected to have been detained as a slave, for the purpose of the slave trade, as the court would have under this section if he had been so detained on board a vessel that was seized and brought in for adjudication.

All jurisdiction exercised under this section shall for the purposes of any such Act as above mentioned be deemed to be exercised in pursuance of that Act.

Appeal to Her Majesty in Council.

4. The provisions of the Vice-Admiralty Courts Act, 1863, with respect to appeals to Her Majesty in Council from any decree or order of a Vice-Admiralty Court shall apply, mutatis mutandis, to appeals from any decree or order of the East African courts made or purporting to be made in the exercise of their jurisdiction under this Act.

Making of rules and tables of fees under 26 & 27 Vict. c. 24. ss. 14 to 18.

5. The provisions of the Vice-Admiralty Courts Act, 1863, with respect to rules touching the practice to be observed in the Vice-Admiralty Courts, and tables of fees to be taken by the officers and practitioners thereof, shall apply in like manner as if they were herein enacted, with the substitution of the East African Courts for the Vice-Admiralty Courts, and of the place in which any such court is held for the British possession in which the Vice-Admiralty Court is established.

Application of Act to cases already adjudicated.

6. This Act shall apply to all cases of vessels, slaves, goods, and effects seized by the commander or officer of any of Her Majesty's ships, and adjudicated upon by any of the East African courts, whether before or after the passing of this Act.

Extension of Act to future treaties.

7. Where any treaty in relation to the slave trade is made after the passing of this Act, by or on behalf of Her Majesty, with any foreign state in Arabia, or on the east coast of Africa, or on the shores of the Persian Gulf, or in any island lying off Arabia or off such coast or shores, including the islands of Zanzibar and Madagascar and the Comoro islands, Her Majesty may by Order in Council direct that as from such date, not being earlier than the date of the treaty, as may be specified in the order, such treaty shall be deemed, and thereupon (as from the said date, or if no date is specified, as from the date of such order) such treaty shall be deemed to be an existing East African slave trade treaty within the meaning of this Act, and the provisions of this Act shall apply and be construed accordingly.

Her Majesty may by such order, or any subsequent order referring to the same treaty, render the application of this Act subject to such conditions, exceptions, and qualifications as may be deemed expedient, and limit or exclude the jurisdiction of any of the East African courts.

Her Majesty may by such order, or any subsequent order referring to the same treaty, direct that any court, consul, or person authorised by or in pursuance of an Order in Council to exercise within the dominions of the foreign state with whom the treaty is

made jurisdiction in matters relating to the slave trade, shall, subject to the conditions, exceptions, and limitations, if any, contained in the order, exercise all the jurisdiction conferred by this Act on the East African courts; and such court, consul, or person when exercising such jurisdiction, shall be deemed to be one of the East African courts within the meaning of this Act.

Every such order shall recite or embody the terms of the treaty, so far as they relate to the slave trade, and shall be laid before both Houses of Parliament within six weeks after it is made, or, if Parliament be not then sitting, within six weeks after the then next meeting of Parliament, and shall also be published in the London Gazette.

A treaty, whether made before or after the passing of this Act, which ceases to be in force, shall cease to be an existing East African slave trade treaty within the meaning of this Act.

Act in schedule repealed.

8. The Act specified in the schedule to this Act is hereby repealed.

Provided that—

(1.) All bounties and other sums purporting to have been paid in pursuance of any enactment hereby repealed before the passing of this Act shall be deemed to have been duly paid:

(2.) This repeal shall not affect—

(*a.*) Anything duly done or suffered under any enactment hereby repealed; or

(*b.*) Any right, privilege, obligation, liability, or forfeiture acquired, accrued, or incurred under any enactment hereby repealed; or

(*c.*) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, or forfeiture as aforesaid, or any legal proceeding taken or commenced under any enactment hereby repealed; and any such investigation, legal proceeding, and remedy may be carried on and all acts consequential thereon done as if it had been commenced under this Act.

SCHEDULE.

Year and Chapter.	Title.
32 & 33 Vict. c. 75.	An Act to regulate and extend the jurisdiction of Her Majesty's Consul at Zanzibar in regard to vessels captured on suspicion of being engaged in the slave trade, and for other purposes relating thereto.

CHAPTER 60.

An Act to amend the Extradition Act, 1870. [5th August 1873.]

BE it 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:

Construction of Act and short title. 33 & 34 Vict. c. 52.

1. This Act shall be construed as one with the Extradition Act, 1870, (in this Act referred to as the principal Act,) and the principal Act and this Act may be cited together as the Extradition Acts, 1870 and 1873, and this Act may be cited alone as the Extradition Act, 1873.