CHAP. 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. [9th August 1869.]

A.D. 1869.

WHEREAS by the Foreign Jurisdiction Act, 1843, it was amongst 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 which have from time to time been made between Her Majesty and the Sultan of Zanzibar, Her Majesty is empowered to exercise jurisdiction within the dominions of the Sultan of Zanzibar in regard to vessels captured on suspicion of being engaged in the slave trade:

And whereas by an Order of Her Majesty in council dated the ninth day of August one thousand eight hundred and sixty-six, it was amongst other things ordered that Her Majesty's Consul within the dominions of the Sultan of Zanzibar, should, for and within the said dominions, and for vessels and persons coming within those 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 it is expedient to confirm and extend the jurisdiction conferred by the said Order in council upon Her Majesty's Consul at Zanzibar, and to regulate the exercise thereof, and to provide for the payment of bounties in respect of vessels condemned by Her Majesty's Consul at Zanzibar:

A.D. 1869.

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:

Short title.

1. This Act may be cited for all purposes as The Slave Trade Jurisdiction (Zanzibar) Act, 1869.

Jurisdiction of Her Majesty's consul at Zanzibar in slave trade cases.

2. Her Majesty's Consul at Zanzibar for the time being shall have, and shall be deemed to have always since the commencement of the said Order in council had, all such jurisdiction as ordinarily belongs to Vice-Admiralty Courts in Her Majesty's possessions abroad in regard to vessels captured on suspicion of being engaged in or equipped for the slave trade, in the following cases:

(1.) Where a Zanzibar vessel shall have been captured in pursuance of any treaty with the Sultan of Zanzibar, either within or beyond the dominions of Zanzibar:

(2.) Where the vessel captured shall not be entitled to claim the protection of the flag of any state or nation.

Provisions of other Acts extended to cases adjudicated under this Act.

3. So far as relates to the matters enumerated in this section, all the provisions for the time being in force in regard to vessels captured on suspicion of being engaged in or equipped for the slave trade, and adjudicated upon in any Vice-Admiralty Court in Her Majesty's possessions abroad, shall apply, mutatis mutandis, to all vessels captured on suspicion of being engaged in or equipped for the slave trade, and adjudicated upon by Her Majesty's Consul at Zanzibar in pursuance of the said Order in council or of this Act; that is to say:

As to persons giving false evidence being deemed guilty of perjury:

As to maintaining and providing for captured slaves pending adjudication:

As to condemning slaves as forfeited to the Crown:

As to disposing of slaves after adjudication:

As to breaking up condemned vessels, unless purchased for Her Majesty's service:

As to granting the net proceeds to the captors:

As to rewarding the captors with bounties on the vessel as well as on the slaves:

As to authorizing the Commissioners of Her Majesty's Treasury, if to their discretion it shall seem meet, to order payment of one moiety of the bounty, where slaves may not have been condemned or delivered over in consequence of death, sickness, or other inevitable circumstance:

As to the mode of obtaining such bounties:

As to the mode of paying and distributing the same:

As to authorizing the High Court of Admiralty of England to determine doubtful claims to bounty, and any question of joint capture:

As to authorizing the Commissioners of Her Majesty's Treasury to order payment of costs awarded for vessels detained but not condemned, or to repay to the seizor of any vessel not condemned the expenses incurred by him on account of the seizure:

As to empowering Her Majesty by order in council to establish, and from time to time to repeal and alter, rules and tables of fees:

As to the right of appeal to Her Majesty in council.

This Act to apply to cases already adjudicated.

4. This Act shall apply to all cases of vessels captured on suspicion of being engaged in or equipped for the slave trade, and adjudicated upon by Her Majesty's Consul at Zanzibar, whether before or after the passing of this Act.

Not to repeal 11 & 12 Vict. c. 128.

5. Nothing in this Act shall be construed as repealing any of the provisions of the Act of the session of the eleventh and twelfth years of Her Majesty's reign, intituled "An Act for carrying into "effect the Agreement between Her Majesty and the Imaum of "Muscat for the more effectual suppression of the slave trade."

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