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TREATY

BETWEEN

HER MAJESTY

AND THE

REPUBLIC OF TEXAS,

FOR

THE SUPPRESSION

OF THE

AFRICAN SLAVE TRADE.

Signed at London, November 16, 1840.

*Presented to both Houses of Parliament, by Command of Her Majesty,
1842.*

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Signed at London, November 16, 1840.

[Ratifications exchanged at London, June 28, 1842.]

HER MAJESTY the Queen of the United Kingdom of Great Britain and Ireland, wishing to give fuller effect to the principles which form the basis of the Treaties which have been concluded between Great Britain and several other European Powers for the suppression of the African Slave Trade; and the Republick of Texas being likewise desirous of rendering effectual the fundamental Article in her Constitution, which declares the said Trade Piracy, have determined to negotiate and conclude a Treaty for the more effectual extinction of this Traffick.

For this purpose Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Republick of Texas, have named as their Plenipotentiaries, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John, Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of Her Britannick Majesty's Most Honourable Privy Council, a Member of Parliament, Knight Grand Cross of the Most Honourable Order of the Bath, and Her Britannick Majesty's Principal Secretary of State for Foreign Affairs;

And the Republick of Texas, General James Hamilton, &c., &c.;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Republick of Texas, engage to prohibit African Slave Trade, either by their respective subjects or citizens, or under their respective flags; or by means of capital belonging to their respective subjects or citizens; and to declare such trade piracy. And the High Contracting Parties further declare, that any vessel attempting to carry on the Slave Trade, shall, by that act alone, lose all right to claim the protection of their flag.

ARTICLE II.

In order more completely to accomplish the object of the present Treaty, the High Contracting Parties mutually consent, that those ships of their respective navies, which shall be provided with special Warrants and Orders,

according to the Form in Annex A. to this Treaty, may visit such merchant vessels of either of the High Contracting Parties as may, upon reasonable grounds, be suspected of being engaged in the aforesaid Traffick in Slaves, or of having been fitted out for that purpose; or of having, during the voyage on which they are met with by the said cruizers, been engaged in the aforesaid traffick: and that such cruizers may detain, and send or carry away such vessels, in order that they may be brought to trial in the manner hereinafter agreed upon.

But the above-mentioned right of searching merchant vessels of either of the High Contracting Parties, shall be exercised only by ships of war, whose commanders shall have the rank of Captain, or at least that of Lieutenant in the Navy, unless the command shall, by reason of death or otherwise, be held by an officer of inferior rank; and the commander of such ship of war shall be furnished with a Warrant according to the Form annexed to this Treaty, letter A; and the said right shall not be exercised within the Mediterranean Sea, nor within those Seas in Europe which lie without the Straits of Gibraltar, and to the northward of the 37th parallel of north latitude, and within and to the eastward of the meridian of longitude, twenty degrees west of Greenwich; nor in the Gulf of Mexico, to the northward of the 25th parallel of north latitude; nor to the westward of the 90th degree of longitude, west of Greenwich.

ARTICLE III.

Each of the High Contracting Parties reserves to itself the right to fix, according to its own convenience, the number of ships of its navy, which shall be employed on the service mentioned in the Second Article of this Treaty, and the stations on which such ships shall cruise.

The names of the ships so to be employed, and of their commanders, shall be communicated by each Contracting Party to the other; and information shall be reciprocally given by each to the other, when a cruizer is moved from or to a cruising station; in order that the necessary Warrants for the cruizers may be delivered by the Government of either party, as the case may be; and may, when no longer wanted for use under this Treaty, be returned to the Government which issued them, by the Government which received them.

ARTICLE IV.

Immediately after the Government which employs the cruizers shall have notified to the Government which is to authorize the visit, the number and names of the cruizers intended to be employed, the Warrants authorizing the visit shall be made out according to the Form annexed to this Treaty, letter A; and shall be delivered by the Government authorizing the visit, to the Government employing the cruizer.

In no case shall the right of mutual visit be exercised upon the ships of war of either nation.

The High Contracting Parties shall agree upon a particular signal, to be used by those cruizers exclusively, which are invested with the right of visit.

ARTICLE V.

The cruizers of the High Contracting Parties authorized to exercise the right of visit and detention in execution of this Treaty, shall, in all that relates to the formalities of the visit and of the detention, as well as in regard to the measures to be taken for delivering up to the proper jurisdictions, vessels suspected of being engaged in the Slave Trade, conform strictly to the Instructions annexed to the present Treaty, letter B.

The High Contracting Parties reserve to themselves the power of making in

these Instructions, by common consent, any alterations which circumstances may render necessary.

The cruisers of the High Contracting Parties shall afford to each other mutual assistance, on all occasions when it may be useful that they should act in concert.

ARTICLE VI.

Whenever a merchant vessel, navigating under the flag of either of the Contracting Parties, shall have been detained by a cruiser of the other, duly authorized to that effect, conformably to the provisions of this Treaty, such merchant vessel, as also her master, her crew, her cargo, and the Slaves who may be on board of her, shall be carried to such place as shall have been appointed to that end by the Contracting Parties respectively; and they shall be delivered over to the authorities appointed for that purpose by the Government within whose territory such place shall be, to be proceeded against before the proper tribunals, as hereinafter directed.

When the commander of the cruiser shall not think proper to take upon himself to carry in and deliver up the detained vessel, he shall not entrust that duty to an officer below the rank of Lieutenant in the Navy, unless it be to the officer who, at the time, shall not be lower than third in command of the detaining ship.

ARTICLE VII.

If the commander of a cruiser of either of the Contracting Parties shall have reason to suspect that a merchant vessel navigating under convoy of, or in company with, a ship of war of the other Contracting Party, has been engaged in the Slave Trade, or has been fitted out for the said Trade, he is to make known his suspicions to the commander of the ship of war, who shall proceed alone to visit the suspected vessel; and if the last-mentioned commander shall find that the suspicion is well founded, he shall cause the vessel, together with her master, her crew, and the cargo, and the Slaves who may be on board of her, to be taken into a port of her own nation, to be proceeded against before the proper tribunals, as hereinafter directed.

ARTICLE VIII.

As soon as any merchant vessel detained, and sent in for adjudication, shall arrive at the port to which she is to be carried under the provisions of Annex B to this Treaty, the commander of the cruiser which shall have detained her, or the officer appointed to bring her in, shall deliver to the authorities appointed for that purpose, a copy, signed by himself, of all the lists, declarations, and other documents specified in the Instructions which are annexed to the present Treaty, letter B; and the said authorities shall, in consequence, proceed to a survey of the detained vessel and her cargo, and to an inspection of her crew, and of the Slaves who may be on board, after having previously given notice of the time of such survey and inspection, to the commander of the cruiser, or to the officer who shall have brought in the vessel, in order that he, or some person on his behalf, may be present thereat.

A declaration of these proceedings shall be drawn up in duplicate, signed by the persons who shall have acted therein, or who shall have been present at the same; and one of the said declarations shall be delivered to the commander of the cruiser, or to the officer who shall have been appointed to bring in the detained vessel.

ARTICLE IX.

Any merchant vessel of either of the High Contracting Parties, which shall be visited and detained in pursuance of the provisions of this Treaty, shall,

unless proof be given to the contrary, be deemed to have been engaged in the African Slave Trade, or to have been fitted out for the purposes of such traffick, if any of the particulars hereinafter specified shall be found in her outfit or equipment, or to have been on board during the voyage in which the vessel was proceeding when captured; videlicet:—

First. Hatches with open gratings, instead of the close hatches which are usual in merchant vessels.

Secondly. Divisions or bulk heads in the hold or on deck, in greater number than are necessary for vessels engaged in lawful trade.

Thirdly. Spare plank fitted for being laid down as a second or slave deck.

Fourthly. Shackles, bolts, or handcuffs.

Fifthly. A larger quantity of water in casks or in tanks, than is requisite for the consumption of the crew of the vessel as a merchant vessel.

Sixthly. An extraordinary number of water-casks, or of other receptacles for holding liquid; unless the master shall produce a certificate from the Custom-House at the place from which he cleared outwards, stating that sufficient security had been given by the owners of such vessel, that such extra quantity of casks or of other receptacles, should only be used to hold palm-oil, or for other purposes of lawful commerce.

Seventhly. A greater quantity of mess tubs or kids than are requisite for the use of the crew of the vessel as a merchant vessel.

Eighthly. A boiler, or other cooking apparatus, of an unusual size, and larger, or fitted for being made larger, than requisite for the use of the crew of the vessel as a merchant vessel; or more than one boiler, or other cooking apparatus, of the ordinary size.

Ninthly. An extraordinary quantity of rice, of the flour of Brazil manioc, or cassada, commonly called farina, of maize, or of Indian corn, or of any other article of food whatever, beyond what might probably be requisite for the use of the crew; such rice, flour, maize, Indian corn, or other article of food, not being entered in the manifest, as part of the cargo for trade.

Tenthly. A quantity of mats or matting, greater than is necessary for the use of the vessel as a merchant vessel.

Any one or more of these several things, if proved to have been found on board, or to have been on board during the voyage on which the vessel was proceeding when captured, shall be considered as *prima facie* evidence of the actual employment of the vessel in the African Slave Trade; and the vessel shall thereupon be condemned and be declared lawful prize, unless clear and incontestible evidence on the part of the master or owners shall establish, to the satisfaction of the Court, that such vessel was, at the time of her detention or capture, employed in some legal pursuit; and that such of the several things above enumerated as were found on board her at the time of her detention, or which had been put on board her during the voyage on which she was proceeding when captured, were needed for legal purposes on that particular voyage.

ARTICLE X.

A vessel detained as before mentioned, together with her master, crew, and cargo, shall be forthwith proceeded against before the proper tribunals of the country to which she belongs, and shall be tried and adjudged by and according to the established forms and laws in force in that country; and if, in consequence of such proceedings, the said vessel shall be found to have been employed in the African Slave Trade, or to have been fitted out for the purposes thereof, the vessel and her equipments, and her cargo of merchandize, shall be confiscated; and the master, the crew, and the accomplices, shall be dealt with conformably to the laws by which they have been tried.

If the said vessel shall be confiscated, the proceeds arising from her sale shall, within six months from the date of such sale, be paid into the hands of the Government of the country to which the captor belongs, to be distributed according to law among the officers and crew of the capturing ship.

ARTICLE XI.

If any of the things specified in Article IX. of this Treaty shall be found on board, or to have been on board of any merchant vessel, during the voyage on which the vessel was proceeding when captured, no compensation for losses, damages, or expenses, consequent upon the detention of such vessel, shall in any case be granted, either to her master or to her owner, or to any other person interested in her equipment or lading, even though sentence of condemnation should not be pronounced against her, in consequence of her detention.

ARTICLE XII.

In all cases in which a vessel shall, under this Treaty, be detained as having been engaged in the African Slave Trade, or as having been fitted out for the purposes thereof, and shall be adjudged and confiscated accordingly, the Government whose cruiser detained the vessel, or the Government by whose tribunal the vessel may be condemned, may purchase the condemned vessel for the use of its navy, at a price to be fixed by a competent person, to be chosen for that purpose by the said tribunal; the Government whose cruiser detained the condemned vessel having the first choice of purchasing her. But if the condemned vessel shall not be so purchased, the said vessel shall, immediately after the sentence of confiscation, be broken up entirely, and shall be sold in separate parts, after having been so broken up.

ARTICLE XIII.

When a merchant vessel, detained under this Treaty, shall, upon adjudication before the proper tribunal, be held not to have been engaged in the African Slave Trade, and not to be fitted up for the purposes thereof, she shall be restored to her lawful owner or owners; and if in the course of adjudication it shall be proved that she has been visited and detained illegally, or without sufficient cause of suspicion; or if it shall be proved that the visit and detention have been attended with any abuse or with vexatious acts, the commander of the cruiser, or the officer who shall have boarded the said vessel, or the officer who shall have been appointed to bring her in, and under whom (as the case may be) the abuse or vexatious acts shall have been committed, shall be liable to costs and damages, to be paid to the master and to the owners of the vessel and cargo.

These costs and damages may be awarded by the tribunal before which the proceedings against the detained vessel, her master, crew, and cargo, shall have been instituted; and the Government of the country to which the officer whose proceedings gave occasion for such award belongs, shall pay the amount of the said costs and damages, within the period of one year from the date of the award.

ARTICLE XIV.

If in the visit or detention of a merchant vessel under this Treaty, any abuse or vexation shall have been committed, and if the vessel shall not have been delivered over to the jurisdiction of her own nation, the master of the vessel shall make a declaration, on oath, of the abuses or vexations of which he has to complain, and of the costs and damages to which he lays claim; and this declaration shall be made by him before the competent authorities in the first port of his own country at which he may arrive, or before the Consular Agent of his own nation at a foreign port, if the vessel shall first proceed to a foreign port where there is such an agent.

This declaration shall be confirmed by an examination, upon oath, of the principal persons among the crew or passengers who have witnessed the

visit or detention; and a formal statement of the whole shall be drawn up, and two copies thereof shall be delivered to the master, who shall forward one of them to his own Government, in support of his claim for costs and damages.

It is understood, that if any circumstances should unavoidably prevent the master from making this declaration, it may be made by the owner, or by any other person interested in the vessel and in her cargo.

On receiving officially a copy of the formal statement above mentioned, the Government of the country to which the officer so charged with abuses and vexations shall belong, shall forthwith institute an inquiry into the matter; and if the complaint be proved to be valid, the said Government shall cause to be paid to the master or owner, or to any other person interested either in the vessel which has been molested, or in her cargo, the proper amount of costs and damages.

ARTICLE XV.

The High Contracting Parties engage reciprocally to communicate each to the other, when asked to do so, and free of expense, copies of proceedings instituted, and of judgments given, relative to vessels visited or detained in execution of the provisions of this Treaty.

ARTICLE XVI.

The High Contracting Parties agree to ensure the immediate freedom of all Slaves who shall be found on board vessels detained and condemned in virtue of the stipulations of the present Treaty; and for this purpose it is agreed, that all Slaves found on board a Texian vessel detained in the West Indies, shall, if the vessel be condemned by the Texian Tribunals, be delivered over by the Texian to the British authorities, to be conveyed, at the expense of the British Government, to some one of the British Colonies in the West Indies; and in regard to Texian vessels detained on the coast of Brazil, or on the coast of Africa, it is further agreed that, in order that any Slaves found on board such vessels may not be exposed to the sufferings which would attend a voyage to Texas, such Slaves shall, notwithstanding anything to the contrary in Articles VI. and VII. of this Treaty, be carried or sent at once, by the commander of the capturing cruizer, to one of the British Settlements on the coast of Africa,—the vessel herself being sent on to Galveston for adjudication.

ARTICLE XVII.

The Acts or Instruments annexed to this Treaty, and which it is mutually agreed shall form an integral part thereof, are as follows:—

A. Forms of Warrants to authorize, and of Orders to guide the cruizers of either nation, in making visits and detentions under this Treaty.

B. Instructions for the cruizers of the respective navies employed under this Treaty to prevent the African Slave Trade.

ARTICLE XVIII.

The present Treaty, consisting of Eighteen Articles, shall be ratified, and the ratifications thereof shall be exchanged in London in nine months from this date, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the sixteenth day of November, in the year of our Lord One thousand eight hundred and forty.

(L.S.) PALMERSTON.

(L.S.) J. HAMILTON.

Annex A to the Treaty between Great Britain and the Republic of Texas, for the suppression of African Slave Trade, signed at London, November 16, 1840.

Form I.

Warrant, in virtue of which a cruiser of either of the High Contracting Parties may visit and detain a merchant vessel belonging to, or bearing the flag of, the other, and suspected of African Slave Trade, or of being fitted out for it.

Whereas, by a Treaty between Great Britain and the Republic of Texas, signed at London on the 16th of November, 1840, for the total extinction of the African Slave Trade, it was stipulated that certain cruisers belonging to the said countries respectively, should be authorized, under the special Instructions thereto annexed, to visit and detain, within particular limits, merchant vessels of the other Contracting Party, engaged in the African Slave Trade, or suspected of being fitted out for that traffick; and whereas the Government of _____ has thought fit that the vessel you command shall be one of the _____ cruisers furnished with the said special Instructions, and you will accordingly receive Instructions from the said Government for your guidance on the said service: you are therefore authorized and empowered, by virtue of those Instructions, and of this present Warrant, to visit merchant vessels under the _____ flag, suspected of being engaged in the African Slave Trade, within the limits set forth in the 2nd Article of the aforesaid Treaty, and to deal with such vessels as shall have engaged in the African Slave Trade, or shall be suspected of being fitted out for that traffick, as pointed out in the said Treaty, and in the Instructions thereunto annexed.

Given under our hands, and the seal of the Office of Admiralty, this _____ day of _____ 18 —.

[Signature.]

To the Commander of the _____ ship
the " _____ "

Form II.

Order for the guidance of the commander of the cruiser of either of the High Contracting Parties, in visiting and detaining a merchant vessel belonging to, or bearing the flag of, the other.

Whereas, by a Treaty between Great Britain and the Republic of Texas, signed at London on the 16th of November, 1840, for the total extinction of the African Slave Trade, it was stipulated that certain cruisers, belonging to the said countries respectively, should be authorized, under the special Instructions thereto annexed, to visit and detain, within particular limits, merchant vessels of the other Contracting Party engaged in the African Slave Trade, or suspected of being fitted out for that traffick; and whereas we think fit that the vessel you command shall be one of the _____ cruisers furnished with the said special Instructions, we herewith transmit to you a copy of the said Treaty, and of the Instructions thereto annexed; and you are accordingly authorized and empowered, by virtue of this present Order, and of the accompanying Warrant from the Government of _____, to visit, within the limits set forth in the 2nd Article of the aforesaid Treaty, merchant vessels under the _____ flag, suspected of being engaged in the African Slave Trade, and to deal with such vessels as shall have engaged in the said traffick, or shall be suspected of being fitted out for that traffick, in the manner pointed out in the said Treaty, Instructions, and Warrant; and we charge and require you to conform most strictly to all the provisions and stipulations contained therein, taking care to exercise the authority so conferred upon you in the mildest manner, and with every attention which is due between allied and friendly nations, and to co-operate cordially with the commanders of any _____ vessels of war employed in the same service.

Given under our hands, the _____ day of _____ 18 —.

[Signature.]

To the Commander of the _____ ship
the " _____ "

These Forms of Warrants and Orders shall be annexed to the Treaty signed this day between Great Britain and the Republick of Texas, for the suppression of African Slave Trade, and shall be considered as an integral part of that Treaty.

In witness whereof the respective Plenipotentiaries have signed the present Annex, and have affixed thereto the Seals of their Arms.

Done at London, the sixteenth day of November, in the year of our Lord one thousand eight hundred and forty.

(L.S.) PALMERSTON.

(L.S.) J. HAMILTON.

Annex B to the Treaty between Great Britain and the Republick of Texas, for the suppression of African Slave Trade, signed at London November 16, 1840.

Instructions to Cruizers.

First. Whenever a merchant vessel belonging to, or bearing the flag of, either of the High Contracting Parties to the Treaty of this date, shall be visited by a cruizer of the other, the officer commanding the cruizer shall, before he proceeds to the visit, exhibit to the master of such vessel the special Orders which confer upon him, by exception, the right to visit her; and he shall deliver to such master a certificate, signed by himself, specifying his rank in the Navy of his country, with the name of the ship which he commands; and declaring that the only object of his visit is to ascertain whether the vessel is engaged in the African Slave Trade, or is fitted out for the purpose of such traffick, or has been engaged in the said traffick during the voyage in which she is met with by the said cruizer. When the visit is made by an officer of the cruizer other than her commander, such officer shall not be under the rank of Lieutenant in the Navy, unless he be the officer who at the time is second in command of the ship by which the visit is made; and in these cases such officer shall exhibit to the master of the merchant vessel, a copy of the special Orders above-mentioned, signed by the commander of the cruizer; and shall likewise deliver to such master a certificate, signed by himself, specifying the rank which he holds in the Navy of his country, the name of the commander under whose orders he is acting, the name of the cruizer to which he belongs, and the object of his visit, as hereinbefore recited.

If it shall be ascertained by the visit that the ship's papers are regular, and her proceedings lawful, the officer shall certify upon the log-book of the vessel, that the visit took place in virtue of the special Orders above-mentioned; and these formalities having been completed, the vessel shall be permitted to continue her course.

Secondly. If in consequence of the visit, the officer commanding the cruizer shall be of opinion that there are sufficient grounds for believing that the vessel is engaged in the African Slave Trade, or has been fitted out for that traffick, or has been engaged in that traffick during the voyage in which she is met with by the cruizer; and if he shall, in consequence, determine to detain her, and to have her delivered up for adjudication, he shall forthwith cause a list to be made out, in duplicate, of all the papers found on board, and he shall sign this list and the duplicate, adding, after his own name, his rank in the Navy, and the name of the vessel under his command.

He shall in like manner make out and sign, in duplicate, a declaration, stating the place and time of the detention, the name of the vessel and that of her master, the names of the persons composing her crew, and the number and condition of the Slaves found on board.

This declaration shall further contain an exact description of the state of the vessel, and of her cargo.

Thirdly. The commander of the cruizer shall without delay carry or send the detained vessel, with her master, crew, passengers, cargo, and the Slaves found on board, to one of the ports or places hereinafter specified, in order that proceedings may be instituted in regard to them, conformably to the laws of the country under whose flag the vessel is sailing; and he shall

deliver the same to the competent authorities, or to the persons who shall have been specially appointed for that purpose by the Government within whose territory such port or place shall be.

Fourthly. No person whatever shall be taken out of the detained vessel; nor shall any part of her cargo, nor any of the Slaves found on board, be removed from her, until after such vessel shall have been delivered over to the authorities of her own nation; excepting in the cases otherwise provided for in the Treaty to which these Instructions form an Annex, or in the present Instructions; or unless the removal of the whole or of part of the crew or of the Slaves found on board, shall be deemed necessary, either for the preservation of their lives or from any other consideration of humanity, or for the safety of the persons who shall be charged with the navigation of the vessel after her detention. In any such case, the commander of the cruiser, or the officer appointed to bring in the detained vessel, shall make a declaration of such removal, in which he shall specify the reasons for the same; and, except as otherwise provided for with respect to Slaves, in the said Treaty, or in these Instructions, the masters, sailors, passengers, or Slaves, so removed, shall be carried to the same port or place as the vessel and her cargo, and they shall be received in the same manner as the vessel, agreeably to the regulations hereinafter set forth.

Fifthly. All Texian vessels which shall be detained by the cruisers of Great Britain, in consequence of being engaged in the African Slave Trade, shall be carried and delivered up to the Texian jurisdiction at Galveston. But any Slaves found on board of Texian vessels detained on the coast of Brazil or on the coast of Africa, whether by a British or by a Texian cruiser, under the Treaty to which these Instructions form an Annex, shall at once be carried or sent by the commander of the capturing cruiser, to one of the British settlements on the coast of Africa. And any Slaves found on board of Texian vessels detained in the West Indies, whether by a British or a Texian cruiser, under the Treaty to which these Instructions form an Annex, shall, together with the vessels so detained, be carried and delivered up to the Texian Authorities at Galveston, to be disposed of after adjudication according to the provisions of the said Treaty.

All British vessels which shall be detained by the cruisers of Texas, in consequence of being engaged in the African Slave Trade, shall, together with the Slaves found on board, be carried and delivered up to the British Jurisdiction at Bathurst on the River Gambia, if taken off the coast of Africa, or at Port Royal in Jamaica, if taken in the West Indies.

Sixthly. As soon as a merchant vessel which shall have been detained as aforesaid, shall arrive at one of the ports or places above-mentioned, the commander of the cruiser, or the officer appointed to bring in such detained vessel, shall forthwith deliver to the Authorities, duly appointed for that purpose by the Government within whose territory such place shall be, the vessel and her cargo, together with the master, crew, and passengers, and the Slaves found on board, unless such Slaves shall have been carried or sent to another port or place, as hereinbefore directed; and also the papers which shall have been seized on board the vessel, and one of the duplicate lists of the said papers, retaining the other in his own possession. Such officer shall at the same time deliver to the said Authorities one of the declarations made out in duplicate, as hereinbefore specified, adding thereto a statement of any changes which may have taken place from the time of the detention of the vessel to that of the delivery, as well as a copy of the statement of any removals which may have taken place, as above provided for.

In delivering over these several documents, the officer shall make, in writing and on oath, an attestation of their truth.

Seventhly. If the commander of a cruiser of either of the High Contracting Parties, who shall be duly furnished with the aforesaid special Instructions, shall have reason to suspect that a merchant vessel, sailing under convoy of, or in company with, a ship of war of the other party, is engaged in the African Slave Trade, or has been fitted out for the purpose of that traf-

fick, or has been engaged in the said traffick during the voyage in which she is met with by the said cruizer, he shall confine himself to communicating his suspicions to the commander of the ship of war; and he shall leave it to the latter to proceed alone to visit the suspected vessel, and to deliver her up to the jurisdiction of her own country, if there should be cause for doing so.

These Instructions shall be annexed to the Treaty signed this day between Great Britain and the Republick of Texas, for the suppression of African Slave Trade, and shall be considered as an integral part of that Treaty.

In witness whereof the respective Plenipotentiaries have signed the present Annex, and have affixed thereto the Seals of their Arms.

Done at London, the sixteenth day of November, in the year of our Lord One thousand eight hundred and forty.

(L.S.) PALMERSTON.

(L.S.) J. HAMILTON.
