



Slave Trade Act 1843

1843 CHAPTER 98

An Act for the more effectual Suppression of the Slave Trade. [24th August 1843]

WHEREAS an Act was passed in the Fifth Year of the Reign of King *George* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade*, whereby it is enacted (among other things), that it shall not be lawful (except in such special Cases as are hereinafter mentioned) for any Persons to deal or trade in, purchase, sell, barter, or transfer, or to contract for the dealing or trading in, Purchase, Sale, Barter, or Transfer of Slaves or Persons intended to be dealt with as Slaves ; or to carry away or remove, or to contract for the carrying away or removing of Slaves or other Persons as or in order to their being dealt with as Slaves ; or to import or bring, or to contract for the importing or bringing, into any Place whatsoever, Slaves or other Persons as or in order to their being dealt with as Slaves ; or to ship, tranship, embark, receive, detain, or confine on board, or to contract for the shipping, transshipping, embarking, receiving, detaining, or confining on board of any Ship, Vessel, or Boat, Slaves or other Persons for the Purpose of their being carried away or removed as or in order to their being dealt with as Slaves ; or to ship, tranship, embark, receive, detain, or confine on board, or to contract for the shipping, transshipping, embarking, receiving, detaining, or confining on board, of any Ship, Vessel, or Boat, Slaves or other Persons for the Purpose of their being imported or brought into any Place whatsoever as or in order to their being dealt with as Slaves 5 or to fit out, man, navigate, equip, despatch, use, employ, let, or take to freight or on hire, or to contract for the fitting out, manning, navigating, equipping, despatching, using, employing, letting, or taking to freight or on hire, any Ship, Vessel, or Boat, in order to accomplish any of the Objects or the Contracts in relation to the Objects which Objects and Contracts have herein-before been declared unlawful; or to lend or advance, or become Security for the Loan or Advance, or to contract for the lending or advancing, or becoming Security for the Loan or Advance of Money, Goods, or Effects employed or to be employed in accomplishing any of the Objects or the Contracts in relation to the Objects which Objects and Contracts have herein-before been declared unlawful; or to become Guarantee or Security, or to contract for the becoming Guarantee or Security, for Agents employed or to be employed in accomplishing any of the Objects or the Contracts in relation to the Objects which Objects and Contracts have herein-before been declared unlawful; or in any other Manner to engage or to contract to engage, directly or indirectly, therein as a Partner, Agent, or otherwise ; or to ship, tranship, lade, receive, or put on board, or to contract for the shipping, transshipping, lading, receiving, or putting on board of any Ship, Vessel, or Boat, Money, Goods, or Effects to be employed in accomplishing any of the Objects or the Contracts in relation to the Objects which Objects and Contracts have

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herein-before been declared unlawful; or to take the Charge or Command, or to navigate or enter and embark on board, or to contract for the taking the Charge or Command or for the navigating or entering and embarking on board, of any Ship, Vessel, or Boat, as Captain, Master, Mate, petty Officer, Surgeon, Supercargo, Seaman, Marine, or Servant, or in any other Capacity, knowing that such Ship, Vessel, or Boat is actually employed, or is in the same Voyage, or upon the same Occasion, in respect of which they shall so take the Charge or Command, or navigate or enter and embark, or contract so to do as aforesaid, intended to be employed in accomplishing any of the Objects or the Contracts in relation to the Objects which Objects and Contracts have herein-before been declared unlawful ; or to insure or to contract for the insuring of any Slaves, or any Property, or other Subject Matter engaged or employed or intended to be engaged or employed in accomplishing any of the Objects or the Contracts in relation to the Objects which Objects and Contracts have herein-before been declared unlawful: And whereas it is expedient that from and after the Commencement of this Act the Provisions of the said Act herein-before recited shall be deemed to apply to, and extend to render unlawful, and to prohibit the several Acts, Matters, and Things therein mentioned when committed by *British* Subjects in Foreign Countries and Settlements not belonging to the *British* Crown, in like Manner and to all Intents and Purposes as if the same were done or committed by such Persons within the *British* Dominions, Colonies, or Settlements ; and it is expedient that further Provisions should be made for the more effectual Suppression of the Slave Trade, and of certain Practices tending to promote and encourage it:

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,

The recited Act and this Act shall apply to all British Subjects where-ever residing.

That all the Provisions of the said consolidated Slave Trade Act herein-before recited and of this present Act shall, from and after the coming into operation of this Act, be deemed to extend and apply to *British* Subjects wheresoever residing or being, and whether within the Dominions of the *British* Crown or of any Foreign Country; and all the several Matters and Things prohibited by the said consolidated Slave Trade Act or by this present Act, when committed by *British* Subjects, whether within the Dominions of the *British* Crown or in any Foreign Country, except only as is herein-after excepted, shall be deemed and taken to be Offences committed against the said several Acts respectively, and shall be dealt with and punished accordingly: Provided nevertheless, that nothing herein contained shall repeal or alter any of the Provisions of the said Act.

II What Persons are designated by the Term Slaves.

And be it declared and enacted, That all Persons holden in Servitude as Pledges for Debt, and commonly called "Pawns," or by whatsoever other Name they may be called or known, shall, for the Purposes of the said consolidated Slave Trade Act, and of an Act passed in the Third and Fourth Years of the Reign of King William the Fourth, intituled *An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves*, and of this present Act, be deemed and construed to be Slaves or Persons intended to be dealt with as Slaves.

III Trial of Offenders against the recited Act and this Act.

And whereas it is expedient to make further Provision for the Trial and Punishment of Offenders; be it enacted, That all Offences against the consolidated Slave Trade

Act or against this present Act, which shall be committed by *British* Subjects out of this United Kingdom, whether within the Dominions of the *British* Crown or in any Foreign Country, or by Foreigners within the *British* Dominions, except in Places where the *British* Admiral has Jurisdiction, may be taken cognizance of, inquired into, tried, and determined according to the Provisions of an Act passed in the Ninth Year of King George the Fourth, intituled *An Act for consolidating and amending the Statutes in England relative to Offences against the Person*.

IV Evidence may be taken abroad, and transmitted to the Court of Queen's Bench.

And whereas the Provisions heretofore made for the hearing and determining in England of Offences committed against the Acts for the Abolition of the Slave Trade in Places out of this United Kingdom have been found ineffectual, by reason of the Difficulty of proving in this Kingdom Matters and Things done elsewhere ; be it enacted, That in all Cases of Indictment or Information laid or exhibited in the Court of Queen's Bench for Misdemeanors or Offences committed against the said Acts or against this present Act in any Places out of the United Kingdom, and within any *British* Colony, Settlement, Plantation, or Territory, it shall and may be lawful for Her Majesty's said Court, upon Motion to be made on behalf of the Prosecutor or Defendant, to award a Writ or Writs of Mandamus, requiring the Chief Justice or other chief judicial Officer in such Colony, Settlement, Plantation, or Territory, who are hereby respectively authorized and required accordingly to hold a Court, with all convenient Speed, for the Examination of Witnesses and receiving other Proofs concerning the Matters charged in such Indictments or Informations respectively, and in the meantime to cause public Notice to be given of the holding of such Courts, and Summonses to be issued for the Attendances of Witnesses and of Agents and Counsel of the Parties; and such Examination as aforesaid shall be then and there openly and publicly taken in the said Court *vivâ voce*, upon the respective Oaths of the Persons examined, and be reduced to Writing, and be sent to Her Majesty in Her Court of Queen's Bench (in manner set forth and prescribed in an Act passed in the Thirteenth Year of George the Third, Chapter Sixty-three, intituled *An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company as well in India as in Europe*); and such Depositions, being duly taken and returned according to the true Intent and Meaning of this Act, shall be allowed and read, and shall be deemed as good and competent Evidence as if such Witnesses had been present and sworn, and examined *vivâ voce* at any Trial for such Misdemeanors and Offences as aforesaid in Her Majesty's said Court of Queen's Bench, any Law or Usage to the contrary thereof notwithstanding.

V In Cases not prohibited hereby Slaves may be sold or transferred.

Provided always, and be it enacted, That in all the Cases in which the holding or taking of Slaves shall not be prohibited by this or any other Act of Parliament, it shall be lawful to sell or transfer such Slaves, any thing in this or any other Act contained notwithstanding.

VI Act not to extend to Persons obtaining Slaves by Inheritance, &c.

Provided always, and be it enacted, That nothing in this Act contained shall be taken to subject to any Forfeiture, Punishment, or Penalty any Person for transferring or receiving any Share in any Joint Stock Company established before the passing of this Act in respect of any Slave or Slaves in the Possession of such Company before

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such Time, or for selling any Slave or Slaves which were lawfully in his Possession at the Time of passing this Act, or which such Person shall or may have become possessed of or entitled unto *bonâ fide* prior to such Sale, by Inheritance, Devise, Bequest, Marriage, or otherwise by Operation of Law.

VII Commencement of Act.

And be it enacted, That this Act shall be deemed and taken to be in force and to have effect from and after the First Day of *November* in the Year One thousand eight hundred and forty-three, and not before.