

Art. 15. Every master or captain of a vessel met to the southward of the twentieth degree of north latitude, and at less than two hundred miles distance from the continent of Africa, without a passport in the form prescribed by the 6th Article, or convicted of having performed that navigation without such passport, shall be punished with three years confinement in the galleys: and the owners, captain, or master of such vessel shall be liable, *in solidum*, to a mulct equal to half the value of the vessel.

Art. 16. The omission or negligence on the part of the civil authority, or of the functionary or officer referred to in Article 7, shall be punished with a mulct of six hundred milrees, payable by every one of them.

S. 1. This mulct shall be trebled, with forfeiture of their offices, and disqualification for all others, in case that any connivance on their part be proved.

Art. 17. The penalties imposed for smuggling are to be applied to the transgressors against the provisions contained in the 1st and 2d clauses of the 7th article.

In the case provided for by this article, an embargo shall immediately be laid upon the ship and her cargo, as a security for the mulcts which the captain or master, the mate, owner, or shipper may have incurred, and for which they will have to answer *in solidum*.

Article 18.

Every Custom-house Officer who in the case specified in the first clause of the 10th Article, gives in a false report, shall lose his office, become disqualified for every other, and pay a mulct of 400 milreis.

S. 1. The chief authority at the Custom-house, who employed the officer by whom the false report was given in, shall likewise pay a mulct of 600,000 reis, if there should have been any negligence on his own part; which mulct shall be trebled, with forfeiture of office, and disqualification for all other, should there be proof of his having been guilty of connivance.

Article 19.

The Governors, or principal authorities acting for them, in any part of the Portuguese dominions, where it may be proved, that owing to their remissness or negligence any exportation or importation of slaves, other than that permitted by the third Article of this decree, has taken place, shall forfeit their respective offices, and be rendered, during five years, incapable of exercising any others. Should there, however, be proof of connivance on their part too, they shall moreover be condemned to five years' transportation to some of the settlements in the interior of Africa, besides a mulct of 2,000 milreis each.

S. 1. The captains, or masters, and mates of slaving vessels, as well as the persons charged with the purchase or sale of the slaves, or their conveyance on board such vessels, shall be confined in the galleys during a period of from two to five years, and pay a mulct of from 500 to 2,000 milreis each, and *in solidum*.

S. 2. All other individuals found on board vessels employed in the said traffic, not comprized in the foregoing clause, shall be condemned to serve from two to four years on board national ships of war, without pay, and in the rating awarded to them by

their sentence according to the importance of the circumstances.

Article 20.

All contravention of the provisions of this Decree is hereby declared to be a public crime; and its prosecution becomes a special duty of the Procuradores Regios (Crown Attorneys) and their delegates, on pain of suspension. Any person, however, shall be competent to give information of such contravention.

Article 21.

With regard to the transgressions against this decree to prescription, shall prevent the taking cognizance of, or imposing penalties for them.

Article 22.

The magistrates of the several districts are the competent persons to take cognizance of offences against this decree, but their decisions may always be appealed from the supreme tribunal of commerce.

S. 1. The magistrates, as well as the said tribunal, shall apportion the penalties, as may be just, and within the limits prescribed by this decree.

Article 23.

The Consuls and Vice Consuls of Portugal at any ports frequented by Portuguese vessels, are charged with the execution of the present decree; and may, on learning any transgression of it, require of the competent authorities of the country, the detention of the vessel, and the arrest of the criminal parties, whereupon they shall send the ship, her cargo, and the prisoners, to the ministry of Marine, in order that cognizance may be taken of the case by the competent authority.

S. 1. Any Consul or Vice Consul convicted of remissness in the execution of this Article, shall be punished with the forfeiture of his office, and disqualification for any other.

S. 2. In case of connivance, he shall in addition to incurring the penalties mentioned in the preceding clause, pay a mulct of from 2,000 to 5,000 milreis.

Article 24.

Of the sums arising from all the penalties imposed, and bonds unredeemed, one half shall go to the Treasury, and the other half to a fund from which the wants of the freedmen, who by virtue of this decree are to obtain their manumission, shall be supplied.

S. 1. The municipal chamber of each district shall administer this fund, and render an account of its administration to the competent authority.

S. 2. In case of information being given, the amount of the penalty shall be divided into three portions, one to go to the Treasury, another to the freedmen's fund, and the third to the informer.

S. 3. In case of apprehension effected on land, or in port, the sum which legally belongs to the apprehenders shall be set apart before the division stated in the preceding clause is proceeded to.

S. 4. In cases of capture at sea, the dispositions of the anterior laws and regulations, shall be followed in the division of the prize.

Article 25.

The present Decree shall be published in the usual form by the governors of the ultra-marine dominions