

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 vessels 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 vessels, should only be used for the reception of 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, of 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 on the manifest as part of the cargo for trade.

Tenthly: A quantity of mats or matting, larger than is necessary for the use of the crew 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 transport of negroes or others for the purpose of consigning them to slavery; and the vessel shall thereupon be condemned, and shall be declared lawful prize, unless clear and incontestably satisfactory 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 on some legal pursuit, and that such of the several things above enumerated, as were found on board of her at the time of her detention, or had been on board of her on the voyage on which she was proceeding when captured, were needed for legal purposes on that particular voyage.

ARTICLE X.

If any of the things specified in the preceding Article shall be found in any vessel which is detained under the stipulations of this Treaty, or shall be proved to have been on board the vessel during the voyage on which the vessel was proceeding when captured, no compensation for losses, damages, or expences, consequent upon the deten-

tion 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 the Mixed Commission should not pronounce any sentence of condemnation in consequence of her detention.

ARTICLE XI.

In all cases in which a vessel shall be detained, under this Treaty, by the respective cruisers of the Contracting Parties, as having been engaged in transporting negroes or others for the purpose of consigning them to slavery, or as having been fitted out for that purpose, and shall consequently be adjudged and condemned by the Mixed Commissions to be established as aforesaid, either of the two Governments may purchase the condemned vessel for the use of its royal navy, at a price to be fixed upon by a competent person, to be chosen by the Court of Mixed Commission for that purpose; but the Government whose cruiser shall have detained the condemned vessel shall have the first choice of purchasing her. But if the condemned vessel shall not be so purchased, the said vessel shall, immediately after condemnation, be broken up entirely, and shall be sold in separate parts, after having been so broken up.

ARTICLE XII.

When any vessel shall have been declared good prize by one of the Mixed Commissions, the captain, pilot, crew, and passengers found on board the said vessel, shall be immediately placed at the disposal of the Government of the Country under whose flag the said vessel was navigating at the time of her capture, to be tried and punished according to the laws of that Country. In the like manner, the owner of the vessel, the persons interested in the equipment and cargo, and their several agents, shall be tried and punished, unless they can prove that they took no part in that infraction of the present Treaty, on account of which the vessel was condemned.

ARTICLE XIII.

Each of the two High Contracting Parties most solemnly binds itself to guarantee the liberty of the negroes who may be emancipated under the present Treaty, by the Mixed Commissions sitting within the colonies or possessions of such Government; and to afford, from time to time, and whenever demanded by the other party, or by the members of the Mixed Commissions by whose sentence the slaves shall have been liberated, the fullest information as to the state and condition of such negroes, with a view of insuring the due execution of the Treaty in this respect.

For this purpose, the Regulations C, annexed to this Treaty, as to the treatment of negroes liberated by sentence of the Mixed Commissions, have been drawn up, and are declared to form an integral part of this Treaty; the two High Contracting Parties reserving to themselves the right to alter, by common consent and by mutual agreement, but not otherwise, the terms and tenor of such Regulations.