

TITLE LXXI.

THE SLAVE-TRADE.

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Equipping, &c., vessel for slave-trade; forfeiture of vessel.

20 April, 1818, c. 91, s. 2, v. 3, p. 451.
22 March, 1794, c. 11, s. 1, v. 1, p. 347.

The Slavers, 2 Wall., 350, 366, 375, 383.

Penalty on persons building, equipping, &c.

22 March, 1794, c. 11, s. 2, v. 1, p. 349.

Forfeiture of vessel transporting slaves.

20 April, 1818, c. 91, s. 4, v. 3, p. 451.
10 May, 1800, c. 51, s. 4, v. 2, p. 71.

Penalty for receiving persons on board to be sold as slaves.

22 March, 1794, c. 11, s. 4, v. 1, p. 349.

SEC. 5551. No person shall, for himself, or for another, as master, factor, or owner, build, fit, equip, load, or otherwise prepare any vessel, in any port or place within the jurisdiction of the United States, or cause any vessel to sail from any port or place within the jurisdiction of the same, for the purpose of procuring any negro, mulatto, or person of color, from any foreign kingdom, place, or country, to be transported to any port or place whatsoever, to be held, sold, or otherwise disposed of, as a slave, or to be held to service or labor; and every vessel so built, fitted out, equipped, laden, or otherwise prepared, with her tackle, apparel, furniture, and lading, shall be forfeited, one moiety to the use of the United States, and the other to the use of the person who sues for the forfeiture, and prosecutes the same to effect. [See §§ 5375-5382.]

SEC. 5552. Every person so building, fitting out, equipping, loading, or otherwise preparing or sending away any vessel, knowing or intending that the same shall be employed in such trade or business, contrary to the provisions of the preceding section, or any ways aiding or abetting therein, shall, besides the forfeiture of the vessel, pay the sum of two thousand dollars; one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who sues for and prosecutes the same to effect. [See § 5378.]

SEC. 5553. Every vessel employed in carrying on the slave-trade, or on which is received or transported any negro, mulatto, or person of color, from any foreign kingdom or country, or from sea, for the purpose of holding, selling, or otherwise disposing of such person as a slave, or of holding such person to service or labor, shall, together with her tackle, apparel, furniture, and the goods and effects which may be found on board, or which may have been imported thereon in the same voyage, be forfeited; one moiety to the United States, and the other to the use of the person who sues for and prosecutes the forfeiture to effect. [See §§ 5378, 5379.]

SEC. 5554. If any citizen of the United States takes on board, receives, or transports any negro, mulatto, or person of color, for the purpose of selling such person as a slave, he shall, in addition to the forfeiture of the vessel, pay for each person, so received on board or transported, the sum of two hundred dollars, to be recovered in any court of the United States; the one moiety thereof to the use of the United States, and the other moiety to the use of the person who sues for and prosecutes the same to effect. [See §§ 5379, 5524, 5520.]

SEC. 5555. Every vessel which is found in any river, port, bay, or harbor, or on the high seas, within the jurisdictional limits of the United States, or hovering on the coasts thereof, and having on board any negro, mulatto, or person of color, with intent to sell such person as a slave, or with intent to land the same for that purpose, either in the United States or elsewhere, shall, together with her tackle, apparel, furniture, and the goods or effects on board of her, be forfeited to the United States. [See § 5380.]

Forfeiture of vessel found hovering on coasts of United States, &c.

2 March, 1807, c. 22, s. 7, v. 2, p. 428.

SEC. 5556. It shall be unlawful for any citizen of the United States, or other person residing within them, directly or indirectly to hold or have any right or property in any vessel employed or made use of in the transportation or carrying of slaves from one foreign country or place to another, and any such right or property shall be forfeited, and may be libeled and condemned for the use of the person suing for the same; and every person transgressing the prohibition of this section shall also forfeit and pay a sum of money equal to double the value of his right or property in such vessel; and shall also forfeit a sum of money equal to double the value of the interest he had in the slaves, which at any time may be transported or carried in such vessel.

Forfeiture of interest in vessels transporting slaves.

10 May, 1800, c. 15, s. 1, v. 2, p. 70.

SEC. 5557. The President is authorized, when he deems it expedient, to man and employ any of the armed vessels of the United States to cruise wherever he may judge attempts are making to carry on the slave-trade, by citizens or residents of the United States, in contravention of laws prohibitory of the same; and, in such case, he shall instruct the commanders of such armed vessels to seize, take, and bring into any port of the United States, to be proceeded against according to law, all American vessels, wheresoever found, which may have on board, or which may be intended for the purpose of taking on board, or of transporting, or may have transported any negro, mulatto, or person of color, in violation of the provisions of any act of Congress prohibiting the traffic in slaves. [See § 2163.]

Seizure of vessels engaged in the slave-trade.

3 March, 1819, c. 101, s. 1, v. 3, p. 532.

2 March, 1807, c. 22, s. 7, v. 2, p. 428.

10 May, 1800, c. 51, s. 4, v. 2, p. 71.

SEC. 5558. The proceeds of all vessels, their tackle, apparel, and furniture, and the goods and effects on board of them, which are so seized, prosecuted, and condemned, shall be divided equally between the United States and the officers and men who seize, take, or bring the same into port for condemnation, whether such seizure be made by an armed vessel of the United States or revenue cutter thereof; and the same shall be distributed as is provided by law for the distribution of prizes taken from an enemy.

Proceeds of condemned vessels, how distributed.

Ibid.

SEC. 5559. The officers and men, to be entitled to one-half of the proceeds mentioned in the last section, shall safely keep every negro, mulatto, or person of color, found on board of any vessel so seized, taken, or brought into port, for condemnation, and shall deliver every such negro, mulatto, or person of color, to the marshal of the district into which he may be brought, if into a port of the United States, or if elsewhere, to such person as may be lawfully appointed by the President, in the manner directed by law; transmitting to the President, as soon as may be after such delivery, a descriptive list of such negroes, mulattoes, or persons of color, in order that he may give directions for the disposal of them.

Disposal of persons found on board seized vessels.

3 March, 1819, c. 101, s. 1, v. 3, p. 532.

SEC. 5560. The commanders of such commissioned vessels shall cause to be apprehended, and taken into custody, every person found on board of such offending vessel, so seized and taken, being of the officers or crew thereof, and him convey, as soon as conveniently may be, to the civil authority of the United States, to be proceeded against in due course of law. [See §§ 5351, 5382.]

Apprehension of officers and crew.

Ibid.

10 May, 1800, c. 51, s. 4, v. 2, p. 71.

SEC. 5561. The President is authorized to make such regulations and arrangements as he may deem expedient for the safe-keeping, support, and removal beyond the limits of the United States, of all such negroes, mulattoes, or persons of color, as may be delivered and brought within their jurisdiction; and to appoint a proper person residing upon the coast of Africa as agent, for receiving the negroes, mulattoes, or persons

Removal of persons delivered from seized vessels.

3 March, 1819, c. 101, s. 2, v. 3, p. 533.

- of color delivered from on board vessels seized in the prosecution of the slave-trade, by commanders of United States armed vessels.
- Bounty.**
 Ibid., s. 3. SEC. 5562. A bounty of twenty-five dollars shall be paid to the officers and crews of the commissioned vessels of the United States, or revenue-cutters, for each negro, mulatto, or person of color, who may be, as hereinbefore provided, delivered to the marshal or agent duly appointed to receive such person; and the Secretary of the Treasury is required to pay, or cause to be paid, to such officers and crews, or their agent, such bounty for each person so delivered.
- To what port captured vessels sent.**
 Ibid., s. 5, p. 534. SEC. 5563. It shall be the duty of the commander of any armed vessel of the United States, whenever he makes any capture under the preceding provisions, to bring the vessel and her cargo, for adjudication, into some of the ports of the State or Territory to which such vessel so captured may belong, if he can ascertain the same; if not, then to be sent into any convenient port of the United States.
- When owners of foreign vessels shall give bond.**
 22 March, 1794, c. 11, s. 3, v. 1, p. 349. SEC. 5564. Every owner, master, or factor of any foreign vessel, clearing out for any of the coasts or kingdoms of Africa, or suspected to be intended for the slave-trade, and the suspicion being declared to the officer of the customs by any citizen, on oath, and such information being to the satisfaction of the officer, shall first give bond, with sufficient sureties, to the Treasurer of the United States, that none of the natives of Africa, or any other foreign country or place, shall be taken on board such vessel, to be transported or sold as slaves, in any other foreign port or place whatever, within nine months thereafter.
- Distribution of penalties.**
 10 May, 1800, c. 51, s. 7, v. 2, p. 71. SEC. 5565. The forfeitures which may hereafter be incurred under any of the preceding provisions, and which are not otherwise expressly disposed of, shall accrue and be one moiety thereof to the use of the informer, and the other moiety to the use of the United States, except where the prosecution is first instituted on behalf of the United States, in which case the whole shall be to their use.
- Contracts for reception in Africa of persons delivered from seized vessels.**
 16 June, 1860, c. 136, s. 1, v. 12, p. 40. SEC. 5566. It may be lawful for the President to enter into contract with any person, society, or body-corporate, for a term not exceeding five years, to receive from the United States, through their duly constituted agent upon the coast of Africa, all negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave-trade, by commanders of the United States armed vessels, and to provide such negroes, mulattoes, and persons of color with comfortable clothing, shelter, and provisions, for a period not exceeding one year from the date of their being landed on the coast of Africa, at a price in no case to exceed one hundred dollars for each person so clothed, sheltered, and provided with food; and any contract so made may be renewed by the President from time to time as found necessary, for periods not to exceed five years on each renewal.
- Instructions to commanders of armed vessels.**
 Ibid., s. 2, p. 41. SEC. 5567. The President is authorized to issue instructions to the commanders of the armed vessels of the United States, directing them, whenever it is practicable, and under such rules and regulations as he may prescribe, to proceed directly to the coast of Africa, and there hand over to the agent of the United States all negroes, mulattoes, and persons of color delivered from on board vessels seized in the prosecution of the slave-trade; and they shall afterward bring the captured vessels and persons engaged in prosecuting such trade to the United States for trial and adjudication.
- Contracts for reception, &c., in West Indies, of persons delivered from seized vessels.**
 17 July, 1862, c. 197, s. 1, v. 12, p. 592. SEC. 5568. It may be lawful for the President to enter into arrangement, by contract or otherwise, with one or more foreign governments having possessions in the West Indies or other tropical regions, or with their duly constituted agent, to receive from the United States, for a term not exceeding five years, at such place as may be agreed upon, all negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave-trade, by commanders of United States armed vessels, and to provide them with suitable instruction, and with comfortable clothing and shelter, and to employ them, at wages, under such regulations as may be agreed upon, for a period not exceed-

ing five years from the date of their being landed at the place agreed upon. But the United States shall incur no expenses on account of such negroes, mulattoes, or persons of color, after having landed them at the place agreed upon. And any arrangement so made may be renewed by the President from time to time, as may be found necessary, for periods not exceeding five years on each renewal.

SEC. 5569. The President is authorized to issue instructions to the commanders of the armed vessels of the United States, directing them, whenever it is practicable, and under such regulations as he may prescribe, to proceed directly to such place as shall have been agreed upon with any foreign government, or its duly constituted agent, under the provisions of the preceding section, and there deliver to the duly constituted authorities or agents of such foreign government all negroes, mulattoes, or persons of color, taken from on board vessels seized in the prosecution of the slave-trade; and they shall afterward bring the vessel and persons engaged in prosecuting such trade to the United States for trial and adjudication. [See §§ 2158-2164.]

Instructions to
commanders of
armed vessels.

Ibid., s. 2 p. 593.