

The 25th Section of the RULES and REGULATIONS in Prosecutions for a Breach of the Laws for the Abolition of the Slave Trade, and proceedings under various Acts of Parliament for the condemnation of Slaves and Vessels not British engaged in that Trade, substituted in lieu of Section 25 in the former Rules and Regulations established for Vice-Admiralty Courts.

By the Act of 5 Geo. IV. cap. 113., being the Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade, all Ships, Vessels, or Slaves belonging to British Subjects, and acting in violation of the Municipal Law of the United Kingdom of Great Britain and Ireland, may be seized by any Officer of Her Majesty's Customs, or by the Commanders or Officers of any of Her Majesty's Ships or Vessels of War, or any Officer bearing Her Majesty's Commission in Her Majesty's Navy or Army; and it is the duty of the Captor to send the Vessel, with the Slaves, if any on board, for the purpose of adjudication, to the nearest and most convenient Port to any Colony or Settlement where there is a Vice-Admiralty Court.

Upon the arrival in port of the vessel and slaves seized, and also in case of a seizure of Slaves on shore, an immediate representation of the seizure is to be made to the Registrar of the Court of Vice-Admiralty, and the seizer is to make an affidavit* detailing all the circumstances connected therewith, and stating especially by what breach of the Law the forfeiture of the Slaves or Property has been incurred; and in the case of the seizure of a Vessel, there are to be annexed to the Affidavit, and verified therein, all original Papers that may have been delivered up to the seizer; or if the Ship's papers shall have been concealed, thrown overboard, or otherwise destroyed, that fact is to be stated in the Affidavit.

The Affidavit† being duly sworn and exhibited before the Judge or Surrogate, he is to decree a monition‡ to issue returnable seven days after service, citing by name the owners or persons implicated, if known, and all others in general, to appear and show cause why the forfeiture should not be decreed and the penalties pronounced for.

Where the owners or persons implicated are not known, the monition must only cite all persons in general. If the monition contain the names of the owners or others from whom penalties are sought to be recovered, it should, if practicable, be personally served on the parties in the manner of other instruments requiring personal service. In all cases the monition must be served on the Exchange or the Court House or other public place of resort for merchants. If the monition issue against all persons in general, and not against any individual in particular, it need only be served in the manner last mentioned.

If when the monition has been served no appearance be given, the Judge, upon the return of the monition, is immediately, or on the next regularly adjourned Court day, if satisfied by the evidence produced, to proceed to pronounce by Interlocutory Decree§ for the forfeiture of the Vessel and Slaves (if any), and for the penalties due by law.

* See Forms, Nos. 178 to 180.

† See Minutes, Nos. 181 to 183.

‡ See Monitions, Nos. 184 to 187.

§ See Interlocutory Decrees, Nos. 188 and 189.