

and the British arbitrator, and there be neither British Consul nor British Vice-Consul to fill, *ad interim*, the vacancies,—then the Portuguese commissioner and Portuguese arbitrator shall sit, and, in all cases brought before them for adjudication, shall proceed to adjudge the same, and to pass sentence accordingly.

Thirdly. On the part of Portugal, and in those Commissions which shall sit within the possessions of Her Most Faithful Majesty,—if the vacancy be that of the Portuguese commissioner, his place shall be filled by the Portuguese arbitrator; and either in that case, or if the vacancy be originally that of the Portuguese arbitrator, the place of such arbitrator shall be filled, successively, by the highest civil authority resident in such possessions; by the principal magistrate of the same; and by the secretary of the Government: and the said Commission, so constituted as above, shall sit, and, in all cases brought before them for adjudication, shall proceed to adjudge the same, and pass sentence accordingly.

Fourthly. On the part of Portugal, and in those Commissions which shall sit within the possessions of Her Britannic Majesty, if the vacancy be that of the Portuguese commissioner, his place shall be filled by the Portuguese arbitrator; and either in that case, or if the vacancy be originally that of the Portuguese arbitrator, his place shall be filled, successively, by the Portuguese Consul and Portuguese Vice-Consul, if there be a Portuguese Consul and Portuguese Vice-Consul appointed to, and resident in, such possession; and if the vacancy be both of the Portuguese commissioner and of the Portuguese arbitrator, then the vacancy of the commissioner shall be filled by the Portuguese Consul, and that of the Portuguese arbitrator by the Portuguese Vice-Consul, if there be a Portuguese Consul and a Portuguese Vice-Consul appointed to, and resident in, such possessions; and in the case in which there be no Portuguese Consul or Portuguese Vice-Consul to fill the place of Portuguese arbitrator, then the British arbitrator shall be called in, in those cases in which a Portuguese arbitrator, were there any, would be called in; and in case the vacancy be both of the Portuguese commissioner and Portuguese arbitrator, and there be neither Portuguese Consul nor Portuguese Vice-Consul to fill, *ad interim*, the vacancies, then the British commissioner and arbitrator shall sit, and in all cases brought before them for adjudication, shall proceed to adjudge the same, and pass sentence accordingly.

The highest civil authority of the settlement wherein either of the Mixed Commissions shall sit, in the event of a vacancy arising either of the commissioner or the arbitrator of the other High Contracting Party, shall forthwith give notice of the same to the highest civil authority of the nearest settlement of such other High Contracting Party, in order that such vacancy may be supplied at the earliest possible period: and each of the High Contracting Parties agrees to supply definitely, as soon as possible, the vacancies which

may arise in the above-mentioned Commissions from death, or from any other cause whatever.

#### ARTICLE XI.

The Mixed Commissions shall transmit annually to each Government, a report, relating,

1. To the cases which have been brought before them for adjudication.
2. To the state of the liberated negroes.
3. To every information which they may be able to obtain respecting the treatment and progress made in the religious and mechanical education of the liberated negroes; and such report shall, under the authority of the Government, be annually published in each country.

The Undersigned Plenipotentiaries have agreed, in conformity with the XIVth Article of the Treaty signed by them on this day, the third of July, one thousand eight hundred and forty-two, that the preceding Regulations, consisting of eleven Articles, shall be annexed to the said Treaty, and considered as an integral part thereof.

The third day of July, one thousand eight hundred and forty-two.

HOWARD DE WALDEN. (L.S.)  
DUKE OF PALMELLA. (L.S.)

*Annex C. to the Treaty between Great Britain and Portugal, upon Slave Trade, of the third day of July, one thousand eight hundred and forty-two.*

Regulations in respect to the treatment of liberated negroes.

#### ARTICLE I.

The object and purpose of the letter and spirit of these Regulations is to secure to negroes and others, liberated in virtue of the stipulations of the Treaty to which these Regulations form an Annex (marked C.), permanent good treatment, and full and complete emancipation, in conformity with the humane intentions of the High Contracting Parties.

#### ARTICLE II.

Immediately after sentence of condemnation, upon a vessel charged with being concerned in illegal slave trade, shall have been passed by the Mixed Commissions established under the Treaty to which these Regulations form an Annex, all negroes or others who were on board of such vessel, and who were brought on board for the purpose of being consigned to slavery, shall be delivered over to the Government to whom belongs the cruiser which made the capture.

#### ARTICLE III.

The negroes, so liberated and delivered over to such Government, shall be placed under the care and superintendence of a Board consisting of two members or commissioners, with a power to call in a third member under the circumstances hereinafter stated.