



2016-07

Prize Laws in 1745

P prize money is the payment received by all parties involved in the capture of an enemy vessel after it has been sold.

The Cruizer and Convoys Act 1708 was the legislation that stipulated the required actions for disposition of captured vessels. When a ship was captured, either by a Royal Navy vessel or privateer, the ship was brought into a suitable port that had a Prize Agent. The Prize Agent documented all the items on board the vessel and obtained a list by rank of crew members for all ships involved in the capture.

The validity of the capture would then be put under a microscope, so to speak. The owners of the vessel might argue the capture of the vessel was illegal for many reasons, such as they were neutral, not carrying war supplies, or for other reasons. A legal decision was made as to the validity of the capture. If the courts decided the capture was valid, the ship was condemned.

There were two options for the vessel's disposition once the vessel was legally condemned. The Crown could acquire the ship and all required chattels, or the cargo. If the Crown didn't acquire the ship, the ship and chattels, including cargo was sold at a public auction.

The prize agent collected the proceeds from the sale of the ship, chattels, and cargo. The Prize Agent deducted the cost of sale, legal bills, and his fee from these amounts. The last step would be to split the final proceeds into eight parts and ensure the appropriate split of each eighth into amounts for each man.

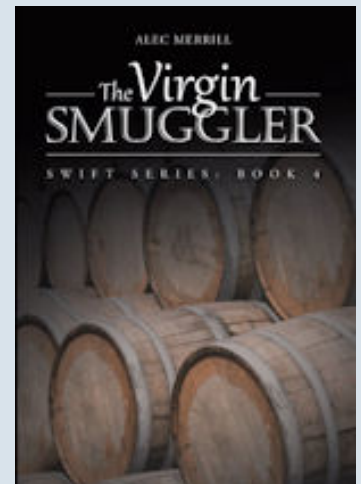
Distribution of payments in 1745 was as follows:

Position / Rank	Payment
Captain	3/8 share with 1/8 going to the Flag Officer
Lieutenants, Marine Captain, Master, Surgeon	1/8 divided amongst all
Marine Lieutenants, Gunner, Boatswain, Carpenter, (Principal Warrant Officers) Master Mates, Chaplain, Admiral's Secretary	1/8 divided amongst all
Midshipmen, Inferior Warrant Officers, Principal Warrant Officer's mates, Marine Sergeants	1/8 divided amongst all
All Others	2/8 divided amongst all

The Cruizer and Convoys Act provided penalties if any item was removed from the captured ship before the ship was condemned. This was because pilfering potentially reduced the proceeds, but also if the ship was not condemned, the cost of these items would have to be compensated. There are cases where Captains had to cover the cost of a ship incorrectly captured and returned to its owners.



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