

appear to be the Property of any Subjects of the Ottoman Empire, until Notice be first given of the said Proceedings to the Turkey Company, to the End that Care may be taken that a proper and legal Defence may be made on Behalf of the Claimants or Proprietors, Subjects of the Grand Signor.

Article XIII. Whereas, notwithstanding Our former Instructions to the several Commanders aforesaid, that nothing be in any wise attempted against the Ships, Vessels, and Goods of any Prince or State in Amity with Us, or of their Subjects; yet it hath so happened, from Ignorance of the several Treaties subsisting between Us and Foreign Powers, that several Commanders of Private Ships of War have subjected themselves to very great Costs and Damages in Our High Court of Admiralty for such irregular Proceedings: We being desirous to adhere strictly to the Faith of Treaties, and as much as possible to prevent all illicit Proceedings, do make known more particularly, that the several Treaties of January 29, 1641-2, and of July 10, 1654, subsisting between the British and Portugueze Nations, are to be duly observed according to former Precedents, and especially the 23d Article of the last mentioned Treaty, whereby all Goods and Merchandize of the Enemies of either of the contracting Parties, put on board the Ships of either of them, or of their People or Subjects, shall remain untouched: Provided always, that nothing shall appear by any Persons on board the said Ship, or by any Letters, Papers, or other Documents found on board the same, or by any other strong, circumstantial, and probable Proofs, that the Ship belongs in the Whole, or in Part, to any Enemies of the Crown of Great Britain, or is going to, or coming from, the British Colonies in America, or is carrying the Goods of Our Rebellious Subjects, or is otherwise concerned in any illegal Trade: And we farther will, that all due Respect be paid to the Passports of her Portugueze Majesty, and to the Certificates or Cockets of the Officers of her Customs, whereby it shall appear that the Party obtaining the same did make Oath before the proper Magistrate or Officers, that the Appearer was truly a Subject resident generally, himself and Family, if he hath one, in the Dominions of her Portugueze Majesty, and that no other Person than himself, or other Portugueze Subjects, have, at the Time of obtaining such Passport or Certificate, or will have in View at the Arrival of the Ship at her destined Port, any Right, Interest, or Property in the said Ship, and that the said Certificates or Cockets contain a fair, full, and true Particular of the Goods on board; and that such Passports be granted for the Voyage only out and Home, and for Ships only lying at that Time in some Port of the Portugueze Dominions, when or where the same shall be granted.

Article XIV. That in Conformity to an explanatory Article of the Treaty of Alliance and Commerce between England and Denmark, concluded at Copenhagen, July 11, 1670, which hath been lately concluded and agreed upon between Us and the King of Denmark, all Sorts of Arms, and Things thereto belonging, as Cannons, Muskets, Mortars, Petards, Bombs, Grenadoes, Sauciffes; Carriages, Refts, Bandaliers, Powder, Match, Saltpetre, Bullets, Pikes, Swords, Head-Pieces, Cuirasses, Halberts, Lances, Javelins, Horses, Saddles, Holsters, Belts, and generally all other Implements of War; as also Ship Timber, Pitch, Tar, Rosin, Copper in Sheets, Sail Cloth, Hemp, Cordage, and generally every Thing that is used in the Equipment of Ships, (except unwrought Iron and Fir Planks) laden in Danish Ships, and bound to the Enemies Country, are accounted Contraband Goods: But Fish and Flesh, fresh or salted, Wheat, or other Grain, Flour, Pulse, Oil, Wine, and generally every Thing that serves for the Nourishment and Sustainance of Life, laden in Danish Ships, and bound to the Enemies Country, are not accounted Contraband, provided that the Places to which they are bound, are not besieged or blocked up.

Article XV. Whereas, notwithstanding our former Instructions to the several Commanders aforesaid,

some Inconvenience has arisen from an Ignorance of the Nature and Extent of Our Engagements with Our Good Sister the Empress of all the Russias: We being determined to adhere strictly to the Faith of those Engagements, and solicitous to prevent as much as possible all illicit Proceedings, do hereby enjoin to all the several Commanders aforesaid the strictest Observance of the Stipulations of the Xth and XIth Articles of the Treaty of Commerce, concluded between Us and Her Imperial Majesty on the 20th of June, 1766, which Articles are here inserted, that they may be accurately known to all the aforesaid Commanders, and observed by them as an inviolable Law.

Article X.

The Subjects of the Two High Contracting Parties shall be at Liberty to go, come, and trade freely with the States with which one or other of the Parties shall at this or any future Period be engaged in War, provided they do not carry Warlike Stores to the Enemy.

This Liberty, however, not to extend to Places actually blocked up, or besieged, either by Sea or Land. At all other Times, and with the single Exception of Warlike Stores, the aforesaid Subjects may transport to these Places all Sorts of Merchandize, as well as Passengers, without the least Impediment. In the searching of Merchant Ships, Men of War and Privateers shall behave as favourably as a State of actual War can possibly permit towards the most friendly Neutral Powers, observing, as far as may be, the Principles and Maxims of the Law of Nations that are generally acknowledged.

Article XI.

All Cannon, Mortars, Fire Arms, Pistols, Bombs, Grenades, Bullets, Balls, Fuses, Flint Stones, Matches, Powder, Saltpetre, Sulphur, Breast Plates, Pikes, Swords, Belts, Cartouch Bags, Saddles and Bridles, beyond the Quantity that may be necessary for the Use of the Ship, or beyond what every Man serving on board the Ship, and every Passenger ought to have, shall be accounted Ammunition of Warlike Stores, and if found shall be confiscated according to Law, as contraband Goods, or prohibited Effects; but neither the Ships nor Passengers, nor the other Merchandizes found at the same Time, shall be detained or hindered from prosecuting their Voyage.

Article XVI. That in case the Commander of any Ship having a Letter of Marque and Reprizal as aforesaid, shall act contrary to these Instructions, or any such further Instructions of which he shall have due Notice, he shall forfeit his Commission to all Intents and Purposes, and shall, together with his Bail, be proceeded against according to Law, and be condemned in Costs and Damages.

Article XVII. That all Commanders of Ships and Vessels having Letters of Marque and Reprizal shall, by every Opportunity, send exact Copies of their Journals to the Secretary of the Admiralty, and proceed to the Condemnation of their Prizes as soon as may be, and without Delay.

Article XVIII. That Commanders of Ships and Vessels having Letters of Marque and Reprizal shall, upon due Notice being given to them, observe all such other Instructions and Orders as We shall think fit to direct from Time to Time for the better carrying on this Service.

Article XIX. That all Persons who shall violate these, or any other of Our Instructions, shall be severely punished, and also required to make full Reparation to Persons injured contrary to Our Instructions, for all Damages they shall sustain by any Capture, Embezzlement, Demurrage or otherwise.

Article XX. That before any Letter of Marque and Reprizals for the Purpose aforesaid shall issue under Seal, Bail shall be given with Sureties, before the Lieutenant and Judge of Our High Court of Admiralty of England, or his Surrogate, in the Sum of three thousand Pounds Sterling, if the Ship carries above one hundred and fifty Men; and if a less Number, in the Sum of fifteen hundred