

delay in deciding the cases of ships and cargoes so brought in for adjudication, and in the payment or recovery of any indemnification adjudged or agreed to be paid to the masters or owners of such ships.

It is also agreed, that in all cases of unfounded detention, or other contravention of the regulations stipulated by the present treaty, the owners of the vessel and cargo so detained shall be allowed damages proportioned to the loss occasioned thereby, together with the costs and charges of the trial.

ARTICLE IX.

In order to regulate what is in future to be esteemed contraband of war, it is agreed, that under the said denomination shall be comprized all arms and implements serving for the purposes of war by land or by sea, such as cannon, musquets, mortars, petards, bombs, grenadoes, carcasses, carriages for cannon, musquet rests, bandoliers, gunpowder, match, saltpetre, ball, pikes, swords, head pieces, cuirasses, halberts, lances, javelins, horse-furniture, holsters, belts, and generally all other implements of war; as also timber for ship building, copper in sheets, sail cloth, hemp, and cordage, and in general (with the exception of unwrought iron and fir planks; and also with the exception of *tar and pitch*, when not going to a port of naval equipment, in which case they shall be entitled to pre-emption) whatever may serve directly to the equipment of vessels; and all the above articles are hereby declared to be just objects of confiscation, whenever they are attempted to be carried to an enemy; but no vessel shall be detained on pretence of carrying contraband of war, unless some of the above-mentioned articles not excepted, are found on board of the said vessel at the time it is searched.

ARTICLE X.

Whereas in consideration of the distance, and other circumstances incident to the situation of the high contracting parties, it may frequently happen that vessels may sail for a port or place belonging to an enemy, without knowing that the same is either besieged, blockaded, or invested, it is agreed, that every vessel so circumstanced, may be turned away from such port or place, but she shall not be detained, nor her cargo, if not contraband, be confiscated, unless after such notice she shall again attempt to enter; but she shall be permitted to go to any other port or place she may think proper; nor shall any vessel or goods of either party, that may have entered into such port or place before the same was besieged, blockaded, or invested by the other, and be found therein after the reduction or surrender of such place, be liable to confiscation, but shall be restored to the owners or proprietors thereof.

Neither of the parties when at war, shall, during the continuance of the treaty, take from on board the vessels of the other, the subjects of the opposite belligerent, unless they be in the actual employment of such belligerent.