Good under pain and obligation of their persons and goods.

Art 16. For this cause every individual who is desirous of fitting out a privateer shall before he receives letters patent or special commission be obliged to give bond with sufficient sureties before a competent Judge for a sufficient sum to answer all Damages and wrongs with the owner of the privateer his officers or others in his employ may commit during the cruise contrary to the tenor of this treaty and contrary to the edicts published by either party whether by the king of Sweden or by the United States in virtue of this same treaty and also under the penalty of having the said letters patent and special commission revoked and made void.

Art 17. One of the contracting parties being at war and the other remaining neuter if it should happen that a Merchant ship of the neutral power be taken by the enemy of the other party and be afterwards retaken by a ship of war or privateer of the power at war also ships and Merchandizes of what nature soever they may be when recovered from a pirate or sea rover shall be brought into a port of one of the two powers and shall be committed to the custody of the officers of the said port that they may be restored entire to the true proprietor as soon as he shall have produced full proof of the property Merchants masters and owners of ships seamen people of all sorts ships and vessels and in general all merchandizes and effects of one of the allies or their subjects shall not be subject to any embargo nor detained in any of the Countries territories islands cities towns ports rivers or domains whatever of the other ally on account of any military expedition or any Public or private purpose whatsoever by seizure by force or by any such manner much less shall it be lawful for the subjects of one of the parties to seize or take any thing by force from the subjects of the other party without the consent of the owner this however is not to be under stood to comprehend seizures detentions and arrests made by order and by the authority of Justice and according to the ordinary course for debts or faults of the subject for which process shall be had in the way of right according to the forms of Justice.

Art 18. If it shall happen that the two contracting parties should be engaged in a war at the same time with a common enemy the following points shall be observed on both sides.

1st. If the ships of one of the two nations retaken by the privateers of the other have not been in the power of the enemy more than twenty four hours they shall be restored to the original owner on payment of one third of the Value of the ship and cargo. If on the contrary the Vessel retaken has been more than twenty four hours in the power of the enemy it shall belong wholly to him who has retaken it.

2 In case during the interval of twenty four hours a vessel be retaken by a man of war of either of the two parties it shall be restored to the original owner on payment of the thirtieth part of the value of the vessel and cargo. and a tenth part if it has been retaken after the twenty four hours which sums shall be distributed as a gratification among the crew of the men of war that shall have made the recapture.

3 The prizes made in manner above mentioned shall be restored to the owners after proof made of the property upon giving security for the part coming to him who has recovered the vessel from the hands of the enemy.