

as speedily as possible, on Board of Vessels, provided and sufficiently victualled, at the Expence of his Catholick Majesty, to be sent as speedily as possible, and without unnecessary Delay, to one of the Ports belonging to Great Britain, at the Option of Major-General Campbell; the Men to be under the immediate Direction of their own respective Officers, and not to serve against Spain or her Allies, until an equal Number of Prisoners belonging to Spain, or her Allies, shall be given by Great Britain in Exchange, according to the established Custom of Equality of Rank, or equivalent thereto.

Article I. Granted, the Port of St. Augustine and the Island of Jamaica only excepted; and as to the Punctilios of Exchange of Prisoners, Spaniards shall be preferred to their Allies: The Transportation of those who shall be sent to the Spanish Ports in Exchange, at the Expence of His Britannick Majesty.

Article II. Staff Officers, Commissaries, Storekeepers, and in general all and every Person acting with and dependant by their Office or Employment upon the Army, to be included in the preceding Article.

Article II. Granted.

Article III. There shall be an Hospital Ship provided, and sufficiently victualled, at the Expence of his Catholick Majesty, for the Sick and Wounded that are in a Condition to be removed, to accompany the other Troops to the Port they shall retire to; and the rest shall be taken Care of, and sent with a Flag of Truce, when recovered, to the same Place.

Article III. Granted, General Campbell leaving Commissaries, Surgeons, and Medicines, for the Relief of the Sick, at the Expence of His Britannick Majesty; to be afterwards sent away, at the Expence of His Catholick Majesty, the same as the rest of the Garrison.

Article IV. Captains and Officers of the Navy, allowed Servants by the Establishment of the British Navy, to have their Servants reserved to them, and to be included in the First Article.

Article IV. Granted.

Article V. All the private Property, Baggage, and Effects of all and every Officer, Soldier, or Seaman, composing the Garrisons of the Forts or Posts included in this Capitulation, to be reserved and preferred to them without Damage or Molestation; and they allowed either to carry it with them, on Board the Transports that shall be provided for them by the First Article; or dispose of it as they shall think proper at Pensacola.

Article V. Granted, with regard to Baggage and Equipage, agreeable to the Custom of the Army.

Article VI. All Papers necessary for the Settlement of Publick Accounts, in England or elsewhere, shall be allowed.

Article VI. Granted, after having been examined.

Article VII. A Flag of Truce sent some Time ago to the Havannah by Captain Deans, then Senior Captain of the Navy, on the Pensacola Station, shall be sent to the same Port that the Troops and Seamen of this Garrison shall retire to, by Virtue of the First Article.

Article VII. Granted.

Article VIII. A commodious Vessel shall be provided and sufficiently victualled, at the Expence of his Catholick Majesty, for carrying the Governor, his Family, Property and Effects to Great Britain, or to any of His Britannick Majesty's Governments in North America, as he shall think fit; and that during his Stay in the Province, he shall remain in the Government House in the Town of Pensacola, protected in his Person, Papers, Property and Effects, which shall not be liable to Inspection either before, or at his Departure.

Article VIII. Granted, provided he takes any other House than the Government House, which he solicits.

Article IX. A commodious Vessel shall also be provided and sufficiently victualled, at the Expence of his Catholick Majesty, for the carrying of Major-General John Campbell, his Suite, Family, Property

and Effects to Great Britain, or any of His Britannick Majesty's Governments of North America, as he shall think fit; and that, during his Stay in the Province, he shall be furnished with proper Lodgings and Accommodations for himself, Suite, and Family; and that he also shall be protected in his Person, Papers, Property and Effects, which shall not be liable to Inspection, either before, or at his Departure.

Article IX. Granted.

Article X. Commissioners of each Nation shall be appointed to take an Inventory of all the Guns, Stores, Ammunition, Provisions, and other Effects belonging to His Britannick Majesty, in the several Forts, Posts and Places to be delivered up to the Commander of the Spanish Troops.

Article X. Granted.

Article XI. The Naval, Military, and Staff-Officers, whose Affairs require their Presence in the Province, shall be permitted to remain a reasonable Time to settle the same.

Article XI. Granted.

Article XII. This Province shall remain in the Possession of his Catholick Majesty, until their Britannick and Catholick Majesties shall determine the Fate thereof; and in the mean Time the Civil Officers, those of the Navy and Army, during their Stay, Merchants, and other Inhabitants, shall not in any Case be compelled to take up Arms against His Britannick Majesty, His Allies, or any other Power whatsoever; they shall not be molested on any Pretence in their Persons, Estates or Effects whatsoever, either by Land or Sea, by the Subjects of his Catholick Majesty, or his Allies, but shall be protected therein the same as the natural-born Subjects of Spain.

Article XII. The Province shall remain to Spain, and the Inhabitants shall be treated agreeable to the Capitulation of Batonrouge, with an Addition of Four Months more before they retire.

Article XIII. The Chief Justice and other Civil Officers of Government, who shall not have Occasion to stay to settle their Affairs, shall also be carried to Great Britain, or to any of His Britannick Majesty's Governments in North America as they shall think fit, with their Families, Papers, and Effects, and which shall not be liable to Inspection, in good Vessels, to be provided and sufficiently victualled at the Expence of his Catholick Majesty.

Article XIII. Flags of Truce shall be given for them to retire, but at their own Expence.

Article XIV. All Officers Civil, Naval, and Military, as shall remain for the purpose of settling their Affairs, any Time after Vessels shall be provided for carrying them to Great Britain, or elsewhere, as mentioned in the preceding Articles, Merchants and others by themselves, during their Stay; and, in case of their leaving the Province, then by Attornies to be appointed by them; as also all Absentees, whose Affairs now are or shall be put under the Management of Attornies, shall be preserved in their Rights and Privileges, and in the peaceable and quiet Possession and Enjoyment of their Estates and Effects real and personal, moveable or immoveable, or of any other Nature whatsoever; and shall, by themselves or their Attornies, sell and dispose thereof at their Pleasure, in the same Manner as they have heretofore done; and the Proceeds thereof to vest in such Specie as shall be most convenient and agreeable to them; and therewith to transport themselves and their Families to any Part of the Dominions of His Britannick Majesty, in Cartel Vessels, at their own Expence; the necessary Vessels shall be furnished them, and Safe-Conducts to protect them, their Families and Effects, from the Subjects and Allies of His Catholick Majesty, the same as if they were the natural-born Subjects of Spain.

Article XIV. Granted for One Year.

Article XV. Inhabitants whatsoever shall not be compelled to find the Troops of His Catholick Majesty in Quarters: All free Negroes, Mulattos, and Mustees, shall be preserved in their Freedom.

Article XV. The Inhabitants shall find Lodgings whilst there is a Necessity for it, and no longer: Granted with regard to free Negroes and Mulattos;