

Article III. The 37th Regiment, formerly Marshal Turenne's, shall keep their Colours and Arms.

*Answer.* Refused, being contrary to all Customs of War. The Officers may keep their Swords.

Article IV. They shall be furnished with Ships to carry them to France.

*Answer.* Granted.

Article V. The Emigrants, who have returned to Martinique, shall not be present where the Garrison lay down their Arms or embark.

*Answer.* Granted.

Article VI. Such Persons of the National Guard, who can give Proofs of their Property, shall be permitted to remain in the Island, giving that Property, as Security for their Conduct.

*Answer.* Those of the National Guard in Fort Bourbon who have Affairs to settle, and whose Sojourn may not be deemed dangerous to the Colony, may remain according to the Declaration of the General, dated January 1, 1794.

Such as wish to go to France shall be allowed, leaving their Agents here.

*Answer.* Granted.

Article VII. Persons not included in the above Article, who are compelled to return to France, shall be allowed a certain Time to settle their Affairs.

*Answer.* A proper Time will be allowed: Fifteen Days at least.

Article VIII. Persons belonging to the Garrison of Fort Convention, possessing no Landed Property, but who exercised some Profession or Trade previous to the present Capitulation, shall be allowed to continue their Trade or Calling; nor sent to France, provided their future Conduct should not make such a Measure necessary.

*Answer.* They are regarded in the same Predicament with those in Article VI.

Article IX. The legal Regulations of the Constituted Authorities shall be confirmed.

*Answer.* Refused.

Article X. The Code of Civil Judicature in Force through the Island shall be continued for the Space of Two Years.

*Answer.* Granted, till His Britannick Majesty's Pleasure be known.

Article XI. The Property of Owners and Captains of Ships shall be secured to them on Board and on Shore.

*Answer.* Granted, as to their Property in Fort Bourbon.

Article XII. The Inhabitants of St. Pierre, embarked on English Ships, shall be set at Liberty, and their Property, under Seal, secured to them.

*Answer.* This Article cannot come within the present Capitulation. The Claimants may apply to the Commanders of the Fleet and Army.

Article XIII. The Ordonateur and Officers of Administration shall have Permission and Time to regulate their Accounts, and to take with them the Papers relative to that End.

*Answer.* Granted.

Article XIV. There shall be an entire and absolute Oblivion of the past, and an End to all Animosities.

*Answer.* Granted, according to the Proclamations.

Article XV. The Rights of Free Citizens inrolled in the National Guard shall be preserved.

*Answer.* Refused.

Article XVI. The Liberty of Individuals composing the Companies of l'Enclume, d'Octavius, de la Croire, and de Pontonur, shall be confirmed.

*Answer.* Refused. The Slaves must be restored to their Owners.

Article XVII. A Period shall be fixed for the taking Possession of the Fort, and the necessary Time allowed for the Garrison to take out their Effects.

*Answer.* The Two Gates of Fort Bourbon to be delivered up to the Troops of His Britannick Majesty

immediately after the Exchange of the present Articles. The Garrison will march out at the Great Gate, and be conducted to the Place appointed for each Corps by the Commissioners who have managed the present Capitulation, and will lay down their Arms at the Place of their Embarkation. Three Days will be allowed for the Evacuation of the Fort, and the Commissaries of Artillery and Stores will remain in the Fort to take Inventories of all the Magazines.

Article XVIII. The greatest Attention shall be paid to the Sick and Wounded; and they shall be furnished with Ships to carry them to France as they recover.

*Answer.* Granted; but at the Expence of the French Government, and to be attended by their own Surgeons; if not sufficient for the Purpose, Surgeons shall be furnished.

Article XIX. General Rochambeau, immediately upon the Surrender of the Fort, shall be at Liberty to take his Measures for his Return to France. A Frigate to be furnished him, his Aides de Camp, Secretaries, and Suite.

*Answer.* A commodious Vessel shall be allowed to General Rochambeau, with the necessary Passports, for his safe Return to France.

Article XX. The Effects, Trunks, Chests, private Papers, and all that General Rochambeau shall declare to belong to himself and his Suite, shall be put under the Protection of an English Guard, when the Troops of that Nation shall have taken Possession of Fort Convention, and shall be embarked with him.

*Answer.* Granted.

Article XXI. The Civil Ordonateur, or Intendant of the Colony, shall have Liberty also, with the Officers of Administration, Comptroller and Treasurer, with those employed in the Public Offices at St. Pierre and Fort Royal, to return to France.

*Answer.* Granted.

Article XXII. The same Demands made by General Rochambeau in Article XX. shall be granted to the Intendant and those under him.

*Answer.* Granted.

Article XXIII. All Papers of Accounts in the Forts or Town shall be carefully collected by the Principals of each Department to which they belong, and embarked in the same Ship with the Ordonateur.

*Answer.* All Papers, not essential to be left in the Colony, shall be given, and free Access to take authentic Copies of such as it may be thought necessary to retain.

Article XXIV. Captains and Officers of Merchant Ships, who have not settled their Affairs, shall be allowed Time to do so. The former the Space of Four Months, the latter of Two Months, under the Protection of the Commander of His Britannick Majesty's Forces, that they may recover their Debts; after which they will procure the readiest Passage to whatever Place may be expedient for their Affairs, with Passports from the English Commanders.

*Answer.* Granted.

Additional Article. Fort Bourbon to be delivered up to His Britannick Majesty in it's present State, with no Deterioration of it's Batteries, Mines, Magazines of Artillery or Provisions, and every Thing it contains which is not the private Property of the Garrison.

Fort Royal, March 22, 1794.

Signed,

D' Aucourt.  
Gafchet, fils.  
Dupriret.

C. Thomson.  
Rich. Symes.  
John Conyngham.

Approved by me,

Approved by us,

D<sup>re</sup> ROCHAMBEAU,  
Commander in Chief of  
the French West India  
Islands.

CHARLES GREY.  
JOHN JERVIS.