

Article II.

The British Admiral shall appoint Two Ships as Cartels, the Frigates the Braave and Sirene, in which the Rear-Admiral, his Officers and Midshipmen, and Ship's Crews, shall be permitted to proceed, without Hindrance, to Holland, and the Officers shall keep their Side Arms.

Answer.—Inadmissible, by reason that the Cartel Ships sent from Toulon and various other Places, under similar Circumstances, have been detained, and their Crews imprisoned, contrary to the Laws and Usage of War, and the general Good Faith of Nations; but Officers becoming Prisoners, shall be allowed to keep and wear their Swords and Side Arms, so long as they behave with becoming Propriety, and shall be treated with the Respect due to their Ranks.

Article III.

The Dutch Admiral, his Officers and Crew, shall retain their private Property without being searched, and the Remainder of the Crew who cannot be received on Board the Frigates are to be sent to Holland in such Manner as the British Admiral shall judge proper.

Answer.—Private Property of every Denomination will be secured to the Proprietors to the fullest Extent, in consequence of British Acts of Parliament and His Britannick Majesty's positive Orders, as well as from the general known Disposition of British Officers to treat with the utmost Liberality those who become their Prisoners.

Article IV.

They shall be provided with such Quantities of Provisions as may be necessary for those who embark on Board the Two Frigates, and to be so provided from the Dutch Ships.

Answer.—Answered by the Sixth Article.

Article V.

These Cartel Ships, on their Arrival in Holland, shall be sent to England, and there delivered to His Britannick Majesty.

Answer.—Already answered by the Second Article.

Article VI.

The Crew shall be permitted to go on Shore for Refreshment after their long Voyage.

Answer.—This must depend upon the Major-Ge-

neral commanding the Troops on Shore, but the Commander in Chief will use his utmost Exertions to render the Situation of every Individual as comfortable as possible as to ViSualling, Lodging, and every Accommodation, either on Board or on Shore, as can be procured or reasonably expected; and he will dispose of such as become Prisoners as similarly to their Inclinations as his Duty to his Sovereign and the Interests of his Country will admit.

The Sick shall be received into His Majesty's Hospitals, and taken Care of equally with the British Sick.

It is furthermore the Commander in Chief's Duty and Inclination to send such to Europe as become Prisoners, by the most speedy and convenient Conveyances.

Article VII.

The National Flags of Batavia shall continue to be displayed on the Dutch Ships so long as their Crews remain on Board.

Answer.—The Batavian Colours must be struck so soon as the Ships are taken Possession of by His Britannick Majesty's Officers.

(L. S.) G. K. ELPHINSTONE.
ENGELBERTUS LUCAS.

John Jackson, Secretary to the British Commander in Chief.

Clemens Benedictus, Secretary to the Commander in Chief of the Dutch Squadron.

To his Excellency Rear-Admiral Engelbertus Lucas, Commander in Chief of the Squadron of the United States, now lying in Saldanha Bay.

S I R,

I Have had the Honor to receive your Letter, with the Proposals of Capitulation, and I have now the Honor to inclose you my Letters and Answers thereunto, which I hope will be acceptable. I have mentioned to Captain Claris my Inclination to accommodate your Excellency and the other Officers inclined to return to Europe upon their Parole, with the Maria Storeship, or in British Vessels, of which there are many at the Cape, but any of the Public Armed Ships I dare not presume to permit to depart.

Your Excellency may rest assured of every good Office within my Reach. Should the inclosed Articles