

otherwise, by His Majesty's Commissioners for executing the Office of Lord High Admiral of Great Britain, shall and may lawfully seize all Ships, Vessels and Goods belonging to the King of Spain, or his Subjects, or others inhabiting within the Territories of the King of Spain, and bring the same to Judgment in any of the Courts of Admiralty within His Majesty's Dominions; and to that End His Majesty's Advocate-General, with the Advocate of the Admiralty, are forthwith to prepare the Draught of a Commission, and present the same to His Majesty at this Board, authorizing the Commissioners for executing the Office of Lord High Admiral, or any Person or Persons by them empowered and appointed, to issue forth and grant Letters of Marque and Reprizals, to any of His Majesty's Subjects, or others whom the said Commissioners shall deem fitly qualified in that Behalf, for the apprehending, seizing and taking the Ships, Vessels and Goods belonging to Spain, and the Vassals and Subjects of the King of Spain, or any inhabiting within his Countries, Territories or Dominions; and that such Powers and Clauses be inserted in the said Commission as have been usual, and are according to former Precedents. And His Majesty's said Advocate-General, with the Advocate of the Admiralty, are also forthwith to prepare the Draught of a Commission, and present the same to His Majesty at this Board, authorizing the said Commissioners for executing the Office of Lord High Admiral, to will and require the High Court of Admiralty of Great Britain, and the Lieutenant and Judge of the said Court, his Surrogate or Surrogates, as also the several Courts of Admiralty within His Majesty's Dominions, to take Cognizance of, and judicially proceed upon, all and all Manner of Captures, Seizures, Prizes and Reprizals of all Ships and Goods that are or shall be taken, and to hear and determine the same; and, according to the Course of Admiralty and the Laws of Nations, to adjudge and condemn all such Ships, Vessels and Goods as shall belong to Spain, or the Vassals and Subjects of the King of Spain, or to any others inhabiting within any of His Countries, Territories and Dominions; and that such Powers and Clauses be inserted in the said Commission as have been usual and are according to former Precedents; and they are likewise to prepare and lay before His Majesty, at this Board, a Draught of such Instructions as may be proper to be sent to the Courts of Admiralty in His Majesty's Foreign Governments and Plantations

for their Guidance herein; as also another Draught of Instructions for such Ships as shall be commissioned for the Purposes aforementioned.

CHATHAM, P.  
DORSET.  
PORTLAND.  
WESTMORLAND.  
SPENCER.  
LIVERPOOL.  
MACARTNEY.  
FALMOUTH.  
STOFFORD.  
W. PITT.

Admiralty-Office, November 21, 1796.

*Copy of a Letter from Captain Bowen, of His Majesty's Ship the Terpsichore, to Evan Nepean, Esq; dated at Gibraltar the 23d of October, 1796.*

**J**UDGING it to be proper that my Lords Commissioners of the Admiralty should be acquainted as soon as possible with the Capture of a Spanish Frigate by His Majesty's Ship under my Command, I herewith inclose you a Copy of my Letter to the Commander in Chief, giving an Account of the Action; and I request you will be pleased to lay the same before their Lordships.

*Extract of a Letter from Captain Bowen, of His Majesty's Ship Terpsichore, to Admiral Sir John Jervis, K. B. Commander in Chief of His Majesty's Ships and Vessels in the Mediterranean, dated at Gibraltar the 23d of October, 1796.*

**O**N the Morning of the 13th Instant, at Day-light, we discovered a Frigate to Windward standing towards us: About Eight I could perceive her making every Preparation for Battle, and was then apparently in Chace of us. Our Situation altogether was such as to prevent my being over desirous of engaging her. Out of our small Complement of Men, we had left Thirty at the Hospital, and we had more than that Number still on Board in our Sick and Convalescent Lists, all of whom were either dangerously ill or extremely weak. We were scarcely out of Sight of the Spot where we knew the Spanish Fleet to have been cruizing only Two Days before; and, in fact, we had stood on to look for them, with a View of ascertaining their Movements. A small Spanish Vessel, which we conjectured to be a Sort of Tender, was passing us, steering towards Carthagen, so that I could hardly flatter myself with being able to bring the Frigate off in the Event of a Victory, or of even escaping myself, if disabled. On the other Hand, it evidently appeared that nothing but a Flight and superior Sailing could enable me to avoid an Action; and to do that from a Frigate apparently not much superior to us, except in Point of Bulk, would have been committing the Character of one of His Majesty's Ships more than I could bring myself to resolve on. I therefore continued standing on without any Alteration of Course. Having, with infinite Satisfaction and Comfort to myself, commanded the Terpsichore's Crew for Two Years