

**ARTICLES of CAPITULATION** *between the General of Division Vaubois, Commander in Chief of the Islands of Malta and Gozo, and Rear-Admiral Villeneuve, commanding the Marine at Malta, on one Part; and Major-General Pigot, commanding the Troops of His Britannic Majesty and his Allies, and Captain Martin, commanding the British Squadron, and that of the Allies, before Malta, on the other Part.*

Art. I. The Garrison of Malta, its Forts and Dependencies, will march out to be embarked and conveyed to Marseilles, on such Day and Hour as may be appointed, with all the Honors of War: viz. Drums beating, Colours flying, preceded by Two Four-Pounders, with lighted Matches, with their Tumbrels; the Artillery to serve them, and Tumbrels for the Infantry.

The Officers of the Marine, as well Civil as Military; the Sailors and all Persons belonging to that Department, will in the same Manner be conducted to Toulon.

Answer.—The Garrison shall receive the Honors of War demanded; but as it is impossible the Whole should be immediately embarked, the following Arrangements will take Place:

As soon as the Capitulation is signed, the Forts of Ricazoli and Tigne will be delivered up to, the British Troops; and the British Ships may enter the Harbour.

The Porte Nationale shall be occupied by a Guard, composed of French and English in equal Numbers, until the Vessels shall be ready to receive the first Embarkation; when the whole Garrison shall march out with the Honors of War, to the Marino, where they will lay down their Arms. Those who cannot be of the First Embarkation will occupy the Island of Fort Manuel, having an armed Guard, to prevent any Thing that may happen towards the Country.—The Garrison are to be considered as Prisoners of War, and are not to serve against His Britannic Majesty or his Allies, until exchanged; for which their respective Officers will give their Parole of Honor.

All the Artillery, Ammunition, and public Magazines, of whatever Description, shall be delivered to Officers appointed to receive them; as well as Inventories and public Papers:

Art. II. The General of Brigade Chauer, Commandant of the Place and Forts; the General of Brigade Dheunezel, commanding the Artillery and the Engineers; the Officers, Non-commissioned Officers, and Land Troops; the Officers, Soldiers, and Crews; and all other Persons employed in the Marine:

Citizen Pierre Alphonso Guyn, Commissary General of Commercial Affairs for the French Republic in Syria and Palestine, accidentally now at Malta with his Family; those holding Civil and Military Employments; the Ordonnateurs and Commissaries of War and Marine; the Officers of the Civil Administration; and other Members of the Constituted Authority,—shall retain their Arms, personal Effects, and Property of every Description.

Answer.—Granted; with the Exception of the Arms laid down by the Soldiers, agreeable to the First Article: the Non-commissioned Officers shall be allowed to retain their Swords.

Art. III. All Persons having carried Arms in the Service of the Republic during the Siege, of whatever Nation, shall be considered as Part of the Garrison.

Answer.—Granted.

Art. IV. The Division will be embarked at the Expence of His Britannic Majesty; every Officer, Soldier, or Person in public Employment shall receive Rations in Proportion to their Rank, according to the French Regulations.

The Officers and Members of the Civil Administration who go to France, shall enjoy the same Advantages, they and their Families being rated agreeable to that Military Rank which corresponds to the Dignity of their Situations.

Answer.—Granted, as far as is conformable to the Usage of the British Navy, which allows the same Ration to every Individual, of whatever Rank or Condition he may be.

Art. V.—The necessary Number of Carts and Boats to transport and embark the Personal Effects of the Generals, their Aides-de-Camp, the Ordonnateurs and Commissaries, the Chiefs of Corps, and Officers of Citizen Guyn; of the Officers of the Civil and Military Administrations, by Land and Sea, as well as the Papers of the Councils and Administration of Corps; those of the Commissaries of War by Sea and Land; of the Paymasters of the Division, and the other Officers of the Civil and Military Administrations: these Effects and Papers are not to be subjected to any Search, under a Guarantee given by the French Generals that they do not contain any Public or Private Property.

Answer.—Granted.

Art. VI.—The Ships belonging to the Republic that are fit to go to Sea, shall depart at the same Time with the Division, to go to a Port in France, after being furnished with the necessary Provisions.

Answer.—Refused.

Art. VII. The sick capable of being moved, shall be embarked with their Effects, and the Surgeons necessary to their being taken care of during the Voyage, at the same Time with the Division, being furnished with Provisions, Surgical Instruments, and Medicine Chests; those who cannot be moved will be treated as their Situation requires.

The General in Chief leaving at Malta a Physician and Surgeon, who will take care of them, they shall be furnished with Quarters gratis if they should be moved from the Hospital, and sent to France as soon as their Situation admits of it, with every Thing that belongs to them, in the same Manner as the Garrison. The Generals in Chief by Land and Sea, in evacuating Malta, entrusts them to the Generosity and Humanity of the English Generals.

Answer.—Granted.

Art. VIII. No Individuals of whatever Nation, Inhabitants of the Island of Malta or otherwise, shall be in any Manner molested for their political Opinions, or for what they have done, or what has happened during the Time that Malta has been in the Hands of the French Government. This Article applies principally, and in its full Extent, to those who have taken Arms, or held Employments either Civil, Administrative, or Military; they are not to