

be called to Account or proceeded against for having done so, nor for what they may have done in the Course of their Employment.

Answer.—This Article is not properly Part of a Military Capitulation; but the Inhabitants who wish to remain, or those who shall be permitted to remain, may be assured that they shall be treated with Justice and Humanity, and shall enjoy the full Protection of the Laws.

Art. IX. The French in Malta, and the Maltese of every Description, who wish to go to France, shall have Permission to do so with their Property. Those who have moveable or immovable Effects, that cannot be immediately sold, and who intend going to France, shall have Six Months from the Date of this Capitulation to sell their Property: Their Property shall be respected: They may act for themselves if they remain, or by regular Attornies if they sail with the Division. When their Business shall be finished, within the Time stipulated, they shall be furnished with Passports to go to France, carrying with them on board Ship the Moveables which they may chuse to keep, as well as their Capitals in Specie, or Bills of Exchange, as may be most convenient.

Answer.—Granted; referring to the Answer of the last Article.

Art. X. As soon as the Capitulation shall be signed, the English General shall leave it in the Power of the General commanding the French Troops, whenever he chuses that they should depart, to send a Felucca with the necessary Crew, and an Officer charged to carry the Capitulations to the French Government, for which the necessary Safe-Conduct will be given.

Answer.—Granted.

Art. XI. The Articles of the Capitulation being signed, the Gate called Port de Bombes will be delivered to the English General; it will be occupied by an equal Guard of English and French, who will have it in Charge not to suffer any of the Soldiers of the Besieging Army, or any of the Inhabitants whatever of the Island, to enter until the French Troops shall be embarked and out of Sight of the Harbour. By Degrees, as the Embarkation takes place, the English Troops will occupy the Posts which will give them the Command of the Place: The English General must be sensible that this Precaution is indispensable, that there may be no Subject of Dispute, and that the Capitulation may be religiously observed.

Answer.—Granted; according to the Provisions contained in the Answer to the First Article: every Precaution will be taken that the armed Maltese shall not approach the Posts occupied by the French Troops.

Art. XII. All Alienations, or Sales of moveable or immovable Property whatever, by the French Government while in Possession of Malta, and all Transactions between Individuals, shall be held inviolable.

Answer.—Granted; as far as they shall be just and lawful.

Art. XIII. The Agents of the Powers, Allies to the French, who shall be in Valetta at the Reduction of the Place, shall not be molested in their

Persons or Property, but shall be guaranteed by this Capitulation.

Answer.—Granted.

Art. XIV. Ships of War, or Trading Vessels coming from France under the National Flag, and presenting themselves at the Harbour to enter, shall not be considered as Prizes, nor shall their Crews be made Prisoners, for the first Twenty Days after the Date of the present Capitulation, but shall be sent back to France with Convoy.

Answer.—Refused.

Art. XV. The General in Chief and the other Generals shall be embarked with their Aides-de-Camp and the Officers attached to them, as well as the Ordonnateurs and their Suits respectively, who shall not be separated.

Answer.—Granted.

Art. XVI. The Prisoners taken during the Siege, including the Crews of the Ship Le Guillaume Tell, and the Frigate La Diane, shall be restored, and treated as the Garrison; also the Crew of the Frigate La Justice, if she should be taken on her Voyage to any of the Ports of the Republic.

Answer.—The Crew of Le Guillaume Tell are already exchanged, and that of La Diane shall be transported to Minorca, to be exchanged forthwith.

Art. XVII. Every Person in the Service of the Republic shall be exempt from any Act of Reprisal whatever, or under whatever Pretext.

Answer.—Granted.

Art. XVIII. If any Doubt shall arise upon the Terms of this Capitulation, it shall be interpreted in Favour of the Garrison.

Answer.—Granted, according to Justice.

Made and concluded at Malta the 5th Day of September 1800.

(L. S.) VAUBOIS.

(L. S.) VILLENEUVE.

(L. S.) H. FIGOT, Major-General.

(L. S.) GEO. MARTIN.

Admiralty-Office, October 11, 1800.

Copy of a Letter from Captain George Martin of His Majesty's Ship Northumberland to Evan Nepean, Esq; dated off St. Paul's, the 5th September 1800.

SIR,

AS my Lord Keith is now at Mahon, and it may be some Time before he has an Opportunity of communicating with their Lordships, I have the Honor to enclose a Copy of my Letter to his Lordship, giving an Account of the Surrender of the French Garrison of La Valette, and one of the 29th August; acquainting him of the Capture of La Diane French Frigate,

I am, SIR, &c. &c.

GEORGE MARTIN.

Northumberland, off Malta, 5th September 1800.

MY LORD,

I Have the Honor to acquaint you, that the French Garrison of La Valette surrendered Yesterday to the Allied Forces serving at Malta, and to enclose a Copy of the Articles of Capitulation*.

* For the Articles of Capitulation see above.