

St. Croix, Government-House, December 22, 1807.

GENTLEMEN,

IN answer to your Summons of the Island of St. Croix, which have been transmitted to me by Brigadier-General Shipley and Captain Fahie, I have the Honour to reply, that before I can enter into any Discussion of the Subject, I must demand Permission to send on board of His Britannic Majesty's Ships, Three of my Officers, Major Krause, Captain Holm, and Lieutenant Lohse, in order to ascertain the Extent of the Force employed against the Island under my Government.

I have the Honour to be, &c.

(Signed) LILLIENSCHIOLD.

To their Excellencies General Henry Bowyer, and Rear-Admiral Sir Alexander Cochrane, &c. &c. &c.

ARTICLES of CAPITULATION for the Surrender of the Danish Island of Santa Croix, and its Dependencies, entered into between General Henry Bowyer, Commander of the Land Forces, and Rear-Admiral the Honourable Sir Alexander Cochrane, Knight of the Bath, and Commander in Chief of the Naval Forces employed at Barbadoes and the Leeward Islands, on the Part of His Britannic Majesty, and Governor Lillenschield, of the said Danish Island and Dependencies, on the Part of His Majesty the King of Denmark.

Art. I. BY delivering up the Island, all Military Honours are to be given. The Garrison to march out with their Arms, Ammunition, Drums beating, and flying Banners. The Troops shall on no Account whatsoever, be considered as Prisoners of War. The Infantry and Cavalry to remain in undisturbed possession of their Arms. The Corps of Artillery to keep in possession two Field Pieces and an Ammunition Waggon.

Answer. The Garrison shall march out with all the Honours of War, as expressed, and the Officers shall keep their Swords; but all must be Prisoners of War, and all Arms, except Officers' Swords, shall be faithfully delivered up.

Art. II. The entire Military Force shall have liberty to remain in their Quarters in the Island, and receive their usual Pay and Victuals, until the same, through suitable Means, and upon British Expence, can be transported to some convenient Place in Denmark, in possession of His Danish Majesty. None of the Forces to be permitted to enter into the British Service; and all to keep possession of their Luggage and Equipage. Should any of the Officers wish to go to America, or any other Neutral Country, on their way Home, they are to be provided with Passports to that effect, and they will be permitted to stay two Months in the Island, from the Time this Capitulation is signed.

Answer.—The Garrison will be conveyed to England as soon as Ships can conveniently be provided, and every Indulgence will be shewn them. Their Pay cannot be paid by the British, but they will receive the usual Rations and Allowances issued to Prisoners of War. The Officers and Men will have their Private Property preserved to them. Passports shall be given to such Officers as may require them, to go to America. Those Officers who wish to remain two or three Months, shall be allowed, and the Men shall be quartered as long as they re-

main on the Island. No other Answer can be given to this Article, except that the Officers may rely upon every Respect and Civility being shewn to them.

Art. III. Those Military Officers, who wish to remain in the Island, are permitted to do so.

Answer.—Agreed to.

Art. IV. All the Arms and Ammunition to be delivered up by a Commission of Officers of both Parties; also the Royal Stores and Provisions, and what else of His Majesty's Property shall be found in the Forts; also the Money in the King's Treasuries, all according to the Specification which is to be made as soon as the Country is surrendered.

Answer.—Agreed to; but a *bonâ fide* Account supported by Proofs shall be given.

Art. V. All Churches and Religious Congregations shall be supported in their respective Rights and Privileges.

Answer.—Agreed to.

Art. VI. The Danish Laws and Special Ordinances of this Country, shall remain in full and uncontrolled Vigour and Execution as hitherto; and Justice to be administered by the Persons now in Office. The Appeal from the Upper Court, to go as usual to the High Court of Justice at Copenhagen.—All the Civil Officers are to remain in the Administration of their respective Offices.—The Police of this Island is to be administered as hitherto, with the same Authority as under the Danish Government, according to the received Usages of the Island, and by the same Persons.

Answer.—The Danish Laws and Ordinances shall remain in full Force until the Peace. The same Officers, Judicial and Civil, shall remain in their several Places, but subject to the Pleasure of the Commander in Chief.

The Appeal from the Upper Courts, must go to His Britannic Majesty in Council. The Police will remain undisturbed, and exercised by the same Persons.

Art. VII. All Private Property belonging to Persons present or absent, to Individuals, or Bodies Corporate, of every Denomination, is to be respected, and the Proprietors to remain in full and uncontrolled Possession and Administration of the same, by themselves, or by their Attornies.

The Inhabitants of this Island are to have it in their Power either to dispose of their Produce here, or to ship it to England, America, or elsewhere.

Answer.—All Danish Property on Shore (except such Produce as may have been reloaded from on board Ship since the Blockade of the Island; and such Coffee the Produce of St. Dominica now stored here) shall be fully secured to the Proprietors, provided they do not in any Manner cover, or attempt to cover, the Property of the Enemies of Great Britain and Ireland.

The latter Part of this Articles will be referred to in the Answer to Article XIII

Art. VIII. No Inhabitant shall be compelled on any Pretence whatever to bear Arms against His Danish Majesty, or any other Power, or perform any Military Duty.—The Inhabitants are to keep their Arms and Ammunition; those who wish to remain on the Island, shall swear to observe a strict Neutrality, and those who may wish to quit it, shall be allowed to dispose of their Property, or to appoint Attornies for the Administration of the same.

