

partment, has afforded me the Advantage of his most friendly and able Assistance.

I have the Honour to enclose Returns of the Dutch Troops forming the late Garrison of this Island, and of the captured Ordnance and Ammunition.

I have the Honour to be, &c.

(Signed) G. HARCOURT. Brig Gen.  
His Excellency Lieut. Gen. Sir G. Beck-  
with, K. B., &c. &c. &c.

**ARTICLES of CAPITULATION** between Brigadier-General George William Richard Harcourt, and Commodore William Charles Fabie, commanding His Britannic Majesty's Land and Sea Forces, before St. Eustatius, under Authority from His Excellency Lieutenant-General Sir George Beckwith, Commander of the Forces, and His Excellency the Honourable Vice-Admiral Sir Alexander Cochrane, K. B. Commander in Chief of His Britannic Majesty's Squadron in the Windward and Leeward Islands, on the one Part, and on the other Part His Honour William Charles Mufferden, President, and T. N. Karseboom, Major in the Dutch Service (commanding the Troops) in the Island of St. Eustatius.

Art. I. The civil and religious Institutions shall remain upon the same Establishment as they now are. The Houses set apart for Divine Worship shall not be converted to any other Use.

Answer. — Granted.

Art. II. All private and individual Property shall be respected, that of the Military included.

Answer. — Granted.

Art. III. The Dutch Laws shall remain in full Force during the War. The Legislature and Judicial Courts, as they are now composed, viz. the President and Members of the Council, the Secretary and Marshal, and all the Civil Officers, shall remain in the Exercise of their Functions, or to be left to them, or either of them, to resign their Stations, and others, according to Law and Custom, to be elected in their Places. The President not having Military Rank, shall not be considered as a Prisoner of War, but shall continue to preside in all the Civil Departments as heretofore, or resign if he chooses, and the next Member of the Council to succeed him.

Answer. — The Dutch Laws shall remain in Force during the War, together with the Judicial Courts, as by those Laws established; but the Continuance or Removal of all Officers under the Government must be subject to His Majesty's Pleasure. All Persons holding Commissions, whether Civil or Military, under the Dutch Government, must be considered as Prisoners of War, and consequently subject to the Provisions contained in the Fourth Article. A sufficient Time will, however, be granted to the Civil Administration to settle their Public Accounts and private Affairs. Such of the Civil Officers who are Inhabitants and Persons of Property in this Island may be allowed to remain, observing the same Formalities as the other Inhabitants.

Art. IV. All Public Stores, Artillery and Ammunition shall be delivered up; the Garrison shall be considered Prisoners of War, to be transported direct to Holland, in British Ships, and at the Expence of the British Government: they are not to serve against England, or any of its Allies, until regularly exchanged. Such of the Officers who wish

to remain in the Island shall be allowed to do so, as also such of the Privates as may be inclinable to remain in the Island, upon taking the same Oath as other Inhabitants, and in that Case are not to be considered as Prisoners of War.

Answer. — All Public Stores, Artillery and Ammunition, all Public Monies and Properties of every Description or Nature, all Maps, Plans, Charts or Military Memoirs shall be immediately delivered up: The other Points contained in the Fourth Article are totally inadmissible: the Garrison must be considered as Prisoners of War, and will be sent to England as such until regularly exchanged. Such of the Officers who have Properties in the Island, or particular Business to arrange, will be allowed to do so for Six Months, but, at the Expiration of this Period, they must follow the Fate of the Garrison, and provide themselves with Passages to England at their own Expence.

Art. V. The Garrison shall, with all the Honours of War, lay down their Arms in Fort Hollandia; the Officers, as well as Non-commissioned Officers, shall retain their Side-Arms.

Answer. — The Garrison shall march out with the Honours of War; the Officers may retain their Swords, but all the Arms, Colours, Drums, &c. must be grounded.

Art. VI. The Officers shall be allowed a reasonable Time to settle their Business, and each of them to be treated according to their Rank.

Answer. — Answered in the Fourth Article.

Art. VII. No Contributions or Taxes shall be levied, no Quarters for Officers or Privates shall be demanded, and the Houses taken for Quarters or Barracks shall be paid for according to Agreement with their Owners; in the like Manner shall the Hire for Negroes be paid, that may be required for Public Work.

Answer. — The British Government never levies Contributions, but all Taxes and Public Revenues must (until His Majesty's Pleasure is known on the Subject) be continued, and will be levied under the Control of His Representative. All Houses, not being Public Buildings, which may be required for the Troops forming the Garrison of St. Eustatius, and the Hire of all Negroes required for the Public Work, will be paid for by the British Government.

Art. VIII. The Inhabitants will take the Oath of Fidelity to the British Government during the Occupation of the Island by the Arms of His Britannic Majesty; but in no Case shall they be called on to take up Arms, or do any other Kind of Military Duty in favour of the British Government.

Answer. — The Oath of Allegiance and Fidelity to His Britannic Majesty must be taken by all Persons intending to reside at St. Eustatius, within one Month from the Date of this Capitulation, and they must necessarily be subject to the Authority of the British Government, in regard to Militia as well as all other Duties.

Art. IX. As the Non-Intercourse Act passed by the United States in America will henceforth exclude this Island from having any commercial Connections with the said States, and as this Island has never been considered as an agricultural or Sugar Colony by the Northern Country, it shall be allowed to the Inhabitants to export their Produce to St. Bartholomew's, or any other neutral Places, either