

The above articles shall be submitted for the approval of His Excellency General Jansens, and his answer definitively given before six o'clock to-morrow morning, to His Excellency Lieutenant-General Sir Samuel Auchmuty, at Oonarang.

Oonarang, September 17, 1811.

(Signed) P. A. AGNEW, Col. Adj. Gen.

Approved, September 18, 1811.

(Signed) S. AUCHMUTY, Lieut. Gen.
Commander in Chief.

(Signed) DE KOCK

Seen and approved,

(Signed) J. W. JANSENS.

(True copy)

(Signed) P. A. AGNEW, Adj. Gen.

The following articles having been referred to my authority, I annexed my answer, which will form a part of the capitulation.

Art. XII.—It will be necessary to ascertain which of the persons who are the subject of this article, continued in the actual discharge of the functions of their respective offices down to the period specified. Other considerations may also justly weigh in particular cases. The government will be entirely disposed, and will not fail to do, what may appear just and equitable in a fair investigation of each claim.

Art. XV. and 2d clause of Art. XVII.—It is proper to explain the reasons which make it my duty to decline the discussion of Article XV. and of the 2d clause of Article XVII. as I should have done of all the other clauses of the latter article, if they had also been reserved for my consideration.

The action of the 26th August was considered, by the English authorities, as decisive of the fate of the colony, which by that event was altogether deprived of the protection of its former government. The British dominion was in consequence formally established in the island and its dependencies, by my proclamation of the 29th of August.

Since that period the interests, the claims, and pretensions of the subjects of Java, can be treated only with the British Government, and cannot be made the subject of stipulation or of intervention by any other power.

General Jansens had adopted as the rule of his conduct, the principle of entering into no capitulation while any resources remained, however inadequate to success.

It is not my province to pronounce on the justice of this principle, which in some points of view, must no doubt, be accounted honourable to a soldier; but it necessarily deprives them of any title to favourable terms, (except such as may indicate the esteem due to his person and the few who may remain round him) when he is at length constrained to surrender, by the total absence of all means to protract the contest: on this account also, I cannot consent to make the claims and interests of this people, the subject of negotiation and discussion with the head of the late Government. Some of the objects referred to in the articles now under consideration had been provided for by the public orders of the British Government, before his Excellency,

General Jansens, proposed to treat with the Commander in Chief; other points were already the subjects of representation from the parties interested, and were in that regular form under the deliberation of Government.

For these reasons I am under the necessity of withholding from this capitulation any specific judgment on the matters referred to me in these articles.

(Signed) MINTO, Gov. Gen. of British India.

(A true copy.)

(Signed) A BARRY, Chief Sec. to Gov.

Batavia, 28th Sept. 1811.

Return of killed and wounded of the detachments commanded by Colonel Gibbs, in the attack on the enemy's position at Jattee Allee, September 16, 1811.

14th Foot—1 serjeant, 2 rank and file, wounded.

78th Foot—2 rank and file killed; 7 rank and file wounded.

Total—2 rank and file killed; 1 serjeant, 9 rank and file, wounded.

(Signed) P. A. AGNEW, Adj. Gen.

(A true copy.)

(Signed) J. CRAWFORD, Acting Sec. to Gov.

(A true copy.)

(Signed) A. BARRY, Chief Secretary.

[Returns have also been transmitted of ordnance taken in the fort of Oonarang and in the batteries between Samarang and Oonarang, amounting to fifty-six pieces of cannon; also of a large amount of ammunition, stores, &c. found at Oouarang and Cheribon.]

Admiralty-Office, January 20, 1812.

CAPTAIN HARRIS, of His Majesty's Ship Sir Francis Drake, arrived at this office last night, with dispatches from the Honourable Rear-Admiral Stopford, Commander in Chief of His Majesty's ships and vessels at the Cape of Good Hope, addressed to John Wilson Croker, Esq; of which the following are copies and extracts.

His Majesty's Ship Scipion, off Sourabaya.

SIR, 29th September 1811.

IN my letter to you from Batavia-Roads, under date the 30th of August, I acquainted you, for the information of my Lord's Commissioners of the Admiralty, that it was my intention to proceed in the Scipion to the Isle of France, in consequence of the principal part of the enemy's force having been captured or destroyed in the successful assault of their work, by the British troops on the 26th of that month.

On communication of this my signal to His Excellency the Governor-General of India, who was residing at Batavia, and to Lieutenant-General Sir Samuel Auchmuty, the Commander in Chief of the Forces, I was informed by these authorities that the future resources of the enemy were yet unknown, and that they considered it requisite to use all means