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From the Camp at Havre, October 21. N. S.

ON Friday the 18th Instant we began, at the Attack of Bertamont, to remove our Batteries into the Hornwork, in order to batter the Bastions, and continued to work on them with all possible Diligence. On Saturday the 19th in the Morning our Batteries began to fire upon the Face of the Hornwork, at the Gate of Havre, and continued to do so with very good Success till Yesterday about Noon; when the Breaches being almost practicable, and we likewise making Preparations for an Attack, were prevented by the Enemies beating a Parley, and hanging out white Flags at both Attacks, to signify their Desire to Capitulate; upon which Hostages were exchanged. The Enemy sent out Monsieur de Sonagar, a Major-General; Monsieur Grimaldi, a Brigadier; and Monsieur Lylyer, a Colonel; and we sent into the Town Major-General Wrack, Brigadier Ockinga, and Colonel Alberti. The Hostages having dined with the Prince of Nassau near the Bertamont Attack, came in the Afternoon to the Duke of Marlborough's Quarters, (the Prince of Savoy being there at the same time) and having delivered in their Proposals, returned into the Town about eight with their Highnesses Answer. They came out again this Morning, and, after some Debates, it was agreed that the Gate of Nimi should be delivered to us, as it was this Evening; and that the Garrison should march out on Wednesday the 23d; the French to be conducted to Maubeuge, and the Spanish and Bavarian Troops to Namur. 10 at Night. The Articles have been just now signed at the Prince of Savoy's Quarters, by that Prince, the Duke of Marlborough, the Deputies of the States, and the Governor of the Town, and we have taken Possession of the Gate of Nimi with five hundred Men.

Articles for the Surrender of the City of Mons to the High Allies.

I. THAT the Exercise of the Roman Catholick and Apostolick Religion be preserved entire, without any Change or Innovation. *Granted, together with all the Privileges belonging to the Chapter of St. Vandrue.*

II. That the City shall be delivered up to the High Allies at the end of eight Days, beginning from this Day, unless it be relieved within that time by the Army of the two Crowns. *The Port of Nimi shall be delivered up to the High Allies to Morrow, being Monday the 21st Instant, at eleven in the Morning, and the Garrison shall march out on Wednesday the 23d, at eight in the Morning.*

III. That, during that Term, all Acts of Hostility shall cease on both sides, and that no Approaches be made, or Work carried on. *Answered by the preceding Article.*

IV. That if the City be not relieved before that Term is expired, a Gate shall be given up to the Allies; but to prevent all Disorders, the first Gate on the side of the City shall continue shut, and be guarded by some Troops of the Garrison, that no Officer or Soldier of the Allies may enter. *Answered by the second Article, and a Barrier shall be placed between the two Guards according to Custom.*

V. That the Duke de Croy, Governor and Grand-Bailiff of the Provinces; the Marquis de Grimaldi, Lieutenant-General and Commander of the City; Don Antonio Grimaldi, second Lieutenant General; the Prince Francis of Nassau, Major-General; Don Pedro de Zuniga, Major-General; the Brigadiers of the Infantry and Cavalry, all the Officers, Soldiers, Troopers, Dragoons of the Forces of the two Crowns, and of his Electoral Highness of Bavaria, including also the Detachment of his Company of Horse-Guards; the Baron de Giey, Governor; the Aids, Majors, all the Officers of the Chief Governor of the City; all the Officers, Soldiers and others belonging to the Ordnance, as well of the two Crowns as of his Electoral Highness of Bavaria; all Engineers and Persons employed in the King's Works; the Count de Bergeyck, Superin-

tendant-General of the Finances, and Secretary of War; Monsieur de Brouchhoven, Intendant of the Finances; Monsieur de la Forge, Receiver-General of the Finances; all the Commissaries of War, Treasurers of the Troops, Directors of the Hospitals, Provisions and Posts; the Physicians, Chirurgeons and Apothecaries, with their Clerks, Attendants and Workmen; and in general, all that are employed in the Service of the two Crowns, without excepting any Person, whether named or not named, shall march out at the Gate of Nimi, to be conducted to the Buissiere, and from thence, the French Troops to march in four Days to Maubeuge, and those of Spain and of his Electoral Highness of Bavaria to Namur, by the shortest way between the Meuse and the Sambre, with Arms, Baggage, Horses, Footmen, Domesticks; and with their Effects, Papers, Moveables and Equipages, Drums bearing, Colours flying, Ball in Mouth, Marches lighted at both ends, and Ammunition given to each Soldier sufficient for twenty Charges; ten Pieces of Cannon, whereof four are to be twenty four Pounders, and four Mortars with their Carriages, and Arms and Ammunition for each Piece sufficient for twelve Charges; and that the High Allies shall provide them a sufficient Guard for the Security of the Garrison, the above-named Persons and their Equipages. *Granted, that the Garrison shall march out conformably to the former Articles, except that the Count de Bergeyck and Monsieur de Brouchhoven shall continue as Hostages for adjusting and satisfying the Debts contracted in the City of Mons and Province of Hainault; as also for such Debts as were contracted the last Year in Ghent, the Country of Waes, and the Neighbourhood of those Places, during the time that the said City of Ghent was in their Possession, or give sufficient Security for this Effect. The Marks of Honour are granted to the Garrison, excepting the Cannon and Mortars, and that six Charges only be allowed to each Soldier.*

VI. That Draught Horses, with their Harness and Waggon, each drawn at least by four Horses, shall be provided at the Expence of the Allies, for transporting to Namur the said Cannon, Mortars, Ammunition, Equipages and Baggage, of the Officers, Soldiers, and as many of the Sick and Wounded as are in a Capacity to travel. *Granted, That as many Waggon as are necessary for the Baggage and the Wounded be allowed them, at the Expence of the Garrison.*

VII. That Don Antonio Grimaldi, second Lieutenant-General, may stay in the Town with his Domesticks, Equipage, Physicians and Surgeons, till he be perfectly cured of the Wound he received in the Siege; and that after his Recovery, a Passport and Guard be given him to retire to Namur, or elsewhere, with his Equipages, Domesticks, Physicians and Surgeons. *Granted.*

VIII. That all the other Sick and Wounded Officers, Troopers and Dragoons, who are not in a Condition to march out with the Garrison, shall continue in the City of Mons, and be provided with Lodgings, Beds, Food and Medicines, at the Expence of the High Allies, until they are perfectly cured, as they are usually treated in the Hospitals of the two Crowns; as also with Physicians, Surgeons, and other Persons employed in the said Hospitals; and accordingly, as they shall be able to travel, they shall be supplied, at the Expence of the Allies, with the necessary Carriages and Passports, to be safely transported to Namur, with their Footmen and Equipages, or to the next Town. *Granted, Provided the Garrison be at the Charge, as well of their Transportation, as their Entertainment.*

IX. That the Marquis de Bourbonville, and Don Valero Fernandez de Heredia, Lieutenants-General, Messieurs d'Appelterre, and de la Faille, Majors-General, and all other superior Officers that are in the City; as also all the Officers of Regiments which are not part of the Garrison, who were shut up in the City, shall go out with the Garrison, with their Domesticks, Horses and Equipages; as shall also the Domesticks, Horses and Equipages of the General and Particular Officers employed in

the Army, or elsewhere, which are in the Town; and that particular Passports be granted to the General Officers, to retire to any part of Spain, if they require them. *Granted.*

X. That such of the Garrison as have been taken Prisoners during the Siege, the Commanding Officers and Soldiers of the Forts of the Haine, Nimi, Moulin aux Bois, and all that have been taken in the other Works, as also such as endeavoured to go into the Town since it was invested, shall be returned on either side. *Granted. For those who were taken on either side during the Siege, but excepting such who would have thrown themselves into the Place.*

XI. That such of the said Prisoners as are in the Army of the High Allies, shall be sent back into the Town before the Garrison marches out; and that such as have been sent to other Places, shall be returned to Namur within ten Days after signing this Capitulation; and such of the Troops of the High Allies as are in the Town, shall be immediately returned to the Army. *Granted.*

XII. That ten covered Waggon be provided by the High Allies, which shall be sent into the City the Evening before the Garrison marches out, and shall attend the Garrison to Namur, without being visited by the Allies under any pretext whatsoever. *Granted, That they shall have four.*

XIII. That no Person employed in the Service of the two Crowns, nor their Equipages, Papers, or Effects, shall be seized on any pretence whatsoever; and that sufficient Carriages be granted them, at the Charge of the Allies, for the conveyance of their Families, Effects, Papers and Domesticities, by the nearest way to Namur. *Granted, Excepting Deserters, and the Hostages are to be responsible for the Debts; what relates to the Carriages is answered in the sixth Article.*

XIV. That no Demand be made on the besieged for the Houses burnt or beaten down in the Suburbs, or any other Damage done during the Siege. *Granted, Provided this no way respects Provisions, and other Debts which have been contracted.*

XV. That Monsieur de la Neuville Commissary of the War, the Sieur de Lannoy Treasurer of the Garrison, and the Sieur Gaudry Commissary of the Provisions, shall stay to regulate the Accounts of the Debts lawfully contracted during the Siege, and other Debts which are paid by the Treasurers of France. *Answered by the fifth Article.*

XVI. That Monsieur de la Forge, Commissary and Receiver-General of the Finances, shall stay to regulate the Debts in relation to Spain. *Answered by the precedent Article.*

XVII. That no other Person of the Garrison, without distinction, that serves the two Kings, in a Civil or Military Capacity, shall be arrested or molested on any reason or pretext whatsoever for the Debts of the two Crowns; but that the said Garrison, and all Officers Military and Civil, March out safely, and be faithfully conducted to Namur and Namurage by the nearest Road, according to what hath been said before, with their Papers, Effects, Baggage and Equipage. *Granted, as before explained.*

XVIII. That the High Allies shall not take any Soldier, Trooper or Dragoon out of their Rank, either as they pass out of the Town, or on their March, on any pretence whatsoever. *Granted, Excepting Deserters, and no Violence shall be used on either side; but it shall be free for them to kill themselves as they please.*

XIX. That the Garrison shall be permitted to supply themselves out of the Magazines of the Town, with the necessary Provisions for the Subsistence of the Officers, Soldiers, Troopers and Dragoons for five Days, after their March out of the City. *Granted, That those who go to Namur shall have Provisions for five Days, and those who march to Namurage for two.*

XX. That the Gentlemen, Aide de Camp, Commissaries, and all other Officers of War, State, Policy, or Finances of his Electoral Highness of Bavaria, and the Domesticities, with the Effects, Papers, Moveables, Horses and Equipages which his said Electoral Highness hath in this City; as also the Officers and Domesticities belonging to his Electoral Highness of Cologne that are in this City, shall go out with their Effects, with Freedom and Safety, and Guards, Waggon and Passports shall be granted them as they shall have occasion. *Granted.*

XXI. That all the Wives, Children and Families of Militaries, Generals, Officers and Soldiers; as also of all o-

ther Persons employed in the Service of the two Crowns, and of his Electoral Highness of Bavaria, of whatsoever Quality or Character they be, may retire with their Effects, Moveables and Cloaths within six Months to any other City belonging to the two Crowns, as they shall think convenient; and that Carriages, Passports and Guards for their Security be granted them as they shall have occasion. *Granted, For three Months, and that the Carriages be provided at their own Charge.*

XXII. That all the Civil Officers who have any Trust or Employment in the Province, and all the Inhabitants of the City of Mons, may be permitted to retire within six Months to any of the Territories in Subjection to the two Crowns, with their Families, Effects, Money, Papers, Moveables and Merchandizes, and that they shall be furnished with Necessaries by the High Allies for their March, as they shall require them. *Granted, at their Expence, as before.*

When the Gate is delivered up, all Magazines of Provision and Ammunition shall be faithfully discovered to Commissioners appointed for that Purpose, without Exception; and Care shall be taken that the said Ammunition and Provision shall not be wasted or imbezelled in the mean time.

Lastly, Instead of what was granted by the fifth Article, it is agreed on both sides, That Monsieur de Brouchehoven, Intendant of the Finances; Monsieur de la Forge, Receiver-General of the Finances; and Don Antonio de Soletto, Brigadier of the Troops of Spain, shall remain as Hostages for the Payment of the Debts of the Garrison, and other just Demands of the City and the Province of Hainault, at the Charge of the Crown of Spain; and that the Count de Bergeyck shall be responsible for, and satisfy all his own Engagements, and those of Monsieur Brouchehoven, which regard the Town of Ghent, the County of Waes, and that Neighbourhood, within the Term of three Months; in default of which, he shall render himself to the City of Ghent, within ten Days after he shall be required so to do by the High Allies.

Concluded and agreed to on both sides at the Camp before Mons the 20th of October, 1709.
Signed by the Prince of Savoy, the Duke of Marlborough, the Deputies, and the Governor of the Town.

My Lord High Admiral having received a Letter signed J. M. giving an Account of several Intiret Practices committed on Board a Tender, not only relating to the Victualling, but in inserting Mens Names in their Books before their real Entry, as also of some Embezzlements of Stores; His Lordship does hereby give Notice, that if the Person who writ the said Letter will attend him at his Office, and discover what he knows of this Matter, he shall have all fitting Encouragement and Protection.

Admiralty-Office, October 14. 1709.
Whereas the Reverend Mr. Gifford, late Chaplain of her Majesty's Ship the Northumberland, did, on the 2d of October, 1708. take the Confession of Thomas Hermitage, a Boy belonging to the said Ship, relating to the Evidence that he had given on the Tryal of Mr. John Bowen, for the Death of William Smith, and the Reasons that induced him to give the said Evidence; and the said Bowen being to be tried again on Tuesday the 25th Instant, upon an Appeal brought by the Relations of the Deceased: It is the Direction of my Lord High-Admiral, that the said Mr. Gifford do forthwith repair to Town, and come to this Office, that he may confront the said Hermitage, who now pretends that he was frighted by Mr. Gifford into his said Confession.

At the Desire of the Bond-Creditors of the Royal African Company of England, the General Court and General Meeting of the said Creditors held the 13th Instant, was adjourned till Tuesday the 18th Instant, at 4 in the Afternoon, in order to compleat or determine the Condition, that being the last Day limited for taking the Subscription.

Advertisements.
Whereas a Commission of Bankrupt is awarded against Joseph Wait of Sudbury, in the County of Suffolk, Factor, and he being declared a Bankrupt, is required to surrender himself to the Commissioners on the 25th and 28th Instant, and on the 14th of November next, at 3 in the Afternoon, at Guildhall, London; at the first of which Sitings the Creditors are to come prepared to prove their Debts, pay Contribution-money, and chuse Assignees.

Whereas a Commission of Bankrupt is awarded against William Morfe, of London, Druggist, and he being declared a Bankrupt, is required to surrender himself to the Commissioners, on the 19th and 26th of October Instant, and 14th of November next, at 3 in the Afternoon, at the Irish Chamber in Guildhall, London; at the first of which Sitings the Creditors are to come prepared to prove their Debts, pay Contribution-money, and chuse Assignees.