

July 1781.

America: Pensacola surrenders.

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mitting the result, as in duty bound, to your Excellency's discretion and better judgement.

That it is not in your Excellency's power to afford all the protection you wish to the trade bound to Halifax, as well as to this port, we equally lament; and although we would not draw a comparison between the two ports, in point of harbour, for large ships, so neither can we suppose your Excellency means to be understood, that the one can bear the least competition with the other, as to the importance arising from the value of imports and exports, which renders the port of New York so immediately and eminently the superior object of protection.

With regard to your Excellency's request to the city, to man a vessel for the protection of the fishery on the banks of Shrewsbury, the Chamber of Commerce beg leave to assure your Excellency, that no application was ever made to this corporation upon that subject; or, in all probability, they had taken it up with the same zeal, which they doubt not your Excellency will admit they manifested to procure volunteers for manning his Majesty's ships under your command.

And if your Excellency will be so good as to furnish a proper vessel, with provisions and ammunition, to protect the fishermen on the banks of Shrewsbury, for the benefit of this market, the Chamber of Commerce will cheerfully exert their endeavours; and they doubt not they will be able, in a short time, not only to procure as many men as your Excellency may think sufficient for that purpose, but also to raise funds for paying them; provided protection from impresses can be granted by your Excellency to the men, and that they shall be discharged as soon as the fishing season is over."

LONDON GAZETTE, August 11.

Copy of a letter from Peter Chester, Esq; late Governor of West Florida, to Lord G. Germain, dated, Charles-town, July 2.

"I had not an opportunity, before I left Pensacola, of writing to your Lordship, to acquaint you of the entire surrender of the province of West Florida to the arms of Spain. The enemy appeared the 9th of March, and, in a few days after, entered the harbour of Pensacola. The whole particulars of the siege I must beg

leave to defer till my arrival in England, which I hope will be soon, as I shall embrace the next opportunity of sailing, either in the flag of truce that I came in from Pensacola, which is very leaky, and must be repaired before she can proceed to sea, or in the next packet, whichever is first ready. We were obliged to capitulate the 8th of May; the articles were signed the 9th; (a copy of which, I now inclose your Lordship). The capitulation would not have taken place so soon, had it not been from a very fatal accident on the morning of the 8th, by having our principal advanced work blown up by a shell which entered the magazine. Many lives were lost: the few that remained unhurt spiked up the guns, and retreated to the fort. Gen. Campbell, thinking (as I imagine) that the rest of the works were not terrible against such a superior force, with so large a train of artillery, hoisted the white flag, and sent one of his aids-de-camp to the Spanish general, to treat upon terms of capitulation, which I hope your Lordship will think are as favourable as could be obtained in our distressed situation. Gen. Campbell, with Capt. Deans of the navy, are sent to the Havannah; and Major of Brigade Campbell is ordered to New Orleans. The rest of the prisoners of war are gone for New York, but were first to go to the Havannah for provisions."

Articles of Capitulation,

Between his Excellency Don Bernardo de Galvez, Knight, pensioner of the Royal and distinguished Order of Charles III. Major-General of the armies of his Catholic Majesty, Inspector, Intendant, and Governor-General, of the province of Louisiana, and General of the Expedition, &c. &c. &c. his Excellency Peter Chester, Esq; Captain-General, Governor, and Commander in Chief in and over his Majesty's province of West Florida, Chancellor and Vice-Admiral of the same, &c. &c. &c. and his Excellency Major-General John Campbell, Commander of his Majesty's forces in the said province of West Florida.

Article 1. All the forts and ports now in the possession of the troops of his Britannic Majesty, shall (upon a time agreed upon) be delivered up to the troops of his Catholic Majesty; the British garrisons, including soldiers and seamen, to march

march out with all the honours of war, arms shouldered, drums beating, colours flying, two field-pieces, with six rounds of ammunition, and the same number of rounds to each soldier, to the distance of 500 yards from their respective posts, where they will pile up their arms, officers only reserving their swords; after which they shall be embarked, as speedily as possible, on board of vessels, provided, and sufficiently victualled, at the expence of his Catholic Majesty, to be sent as speedily as possible, and without unnecessary delay, to one of the ports belonging to G. Britain, at the option of Maj. Gen. Campbell; the men to be under the immediate direction of their own respective officers, and not to serve against Spain, or her allies, until an equal number of prisoners belonging to Spain, or her allies, shall be given by G. Britain in exchange, according to the established custom of equality of rank, or equivalent thereto. — Granted; the port of St Augustine and the island of Jamaica only excepted. And as to the punctilios of exchange of prisoners, Spaniards shall be preferred to their allies; the transportation of those who shall be sent to the Spanish ports in exchange, at the expence of his Britannic Majesty.

Art. 12. This province shall remain in the possession of his Catholic Majesty, until their Britannic and Catholic Majesties shall determine the fate thereof; and, in the mean time, the civil officers, those of the navy and army, during their stay, merchants, and other inhabitants, shall not in any case be compelled to take up arms against his Britannic Majesty, his allies, or any other power whatsoever: They shall not be molested, on any pretence, in their persons, estates, or effects whatsoever, either by land or sea, by the subjects of his Catholic Majesty, or his allies, but shall be protected therein the same as the natural-born subjects of Spain. — The province shall remain to Spain, and the inhabitants shall be treated agreeable to the capitulation of Batonrouge [42. 144.], with an addition of four months more before they retire.

Art. 14. All officers, civil, naval, and military, as shall remain for the purpose of settling their affairs, any time after vessels shall be provided for carrying them to G. Britain, or elsewhere, as mentioned in the preceding articles, merchants and others by themselves, during their stay; and in case of their leaving the pro-

vince, then by attorneys to be appointed by them; as also, all absentees, whose affairs now are or shall be put under the management of attorneys, shall be preserved in their rights and privileges, and in the peaceable and quiet possession and enjoyment of their estates and effects, real and personal, moveable or immovable, or of any other nature whatsoever; and shall, by themselves or their attorneys, sell and dispose thereof at their pleasure, in the same manner as they have heretofore done; and the proceeds thereof to vest in such specie as shall be most convenient and agreeable to them; and therewith to transport themselves and their families to any part of the dominions of his Britannic Majesty, in cartel vessels, at their own expence; the necessary vessels shall be furnished them, and safe-conducts to protect them, their families and effects, from the subjects and allies of his Catholic Majesty, the same as if they were the natural-born subjects of Spain. — Granted for one year.

Art. 16. The free exercise of religion shall be allowed throughout the province as heretofore, without putting the least restraint thereon. — Granted for one year, until the King my master's pleasure is known.

Art. 23. All prisoners made by the arms of Spain since the 9th day of March last, shall join the garrisons of the forts and posts to be evacuated, and be on the same footing as stipulated for them in the first article; and all Spanish prisoners who had paroles given them at Pensacola, or who are now in possession of the British troops, to be set at liberty, unless such as shall be accused of, and excepted against, for breach of parole. — Granted.

Art. 26. The full and entire execution of the present capitulation shall be observed *bona fide*; and where doubts shall arise, not provided for in the preceding articles, it shall be understood to be the intention of the contracting parties, that they be determined in the manner most conformable to humanity and liberality of sentiment. — Granted.

Fort-George, Pensacola, 9th May 1781.

PETER CHESTER.

J. CAMPBELL, M. G.

Camp of Pensacola, 9th May 1781.

BDO. DE GALVEZ.

*Additional Articles.*

Art. 27. In case any one or more British soldiers

soldiers or sailors, who are now absent from their respective corps, and wandering in the woods, shall hereafter be taken by the Spanish troops, or their allies, they shall be considered the same as if they actually now were a part of the garrison, and as such (in case they shall be taken before the departure of the garrison) shall be suffered to join the British troops; and if after their departure, they shall be allowed to join the hospital, and be sent to the same port to which the garrison shall retire, along with the sick and wounded who shall be left behind.— Granted, provided they do not present themselves in quality of deserters.

Art. 28. and last. No encouragement whatever shall be given, nor, upon honour, any means used, to entice either soldiers or sailors of the British troops to enlist in the service of Spain, or that of their allies.— Granted; but protection shall be afforded to them who present themselves voluntarily.

By the other articles, an hospital-ship is to be provided, at the expence of his Catholic Majesty, for the sick that can be removed, to go along with the troops, and the rest to be sent by a flag of truce when recovered, they being furnished with medicines at the expence of his Britannic Majesty.— Captains and officers of the navy to be allowed their established number of servants, and included in the first article.— Baggage and equipage to be allowed to the officers, soldiers, and seamen, agreeable to the custom of the army. Their private property and effects to be transported, or disposed of at Pensacola, as they think proper.— All papers necessary for settling public accounts to be allowed, after being examined.— A proper vessel to be provided and victualled at his Catholic Majesty's expence, to carry the Governor, with his retinue and effects, to G. Britain, or any of his Britannic Majesty's colonies in America, and another for Maj. Gen. John Campbell, commander of the forces.— The Chief Justice, and other civil officers, to be furnished with ships, to retire at their own expence.— All public papers, books, and records, to be given up to a person appointed by Don B. de Galvez for examination; and in case of their being of no use for the government of the province, to be returned.— No inhabitants or others to be molested for having borne arms in de-

fence of the province.— Two covered waggons to go out with the troops unsearched.— The commander in chief to be allowed to send advice of this capitulation to Britain, to the commander in chief in America, and to Jamaica.— Negroes who have absconded during the siege to be returned when found, or their value to be given.— Quarters to be provided to the troops till they embark.

*Extract of a letter from Rear-Adm. Sir S. Hood, to Sir G. Rodney, published in the London gazette of Aug. 11.*

“ *Barfleur, at sea, May 4.* At seven a. m. on Saturday the 28th of last month, his Majesty's ship Amazon, being to windward of Point Salines, discovered a very large fleet; and at nine her signal of it was repeated to me by the Ruffel; which ship I had just ordered to St Lucia, having 130 sick on board; and she came back again to me.

I immediately made the signal for a general chase to the S. E. in order to bring all the ships well up to windward; and at ten I formed the line ahead, at two cables length asunder. On opening Rock Diamond, saw nothing of the fleet, but from the mast-head, which were then upon a wind to the southward. Capt. Finch, very properly, so soon as he saw his signal repeated, stood back to reconnoitre the fleet. At twelve he returned near enough for me to see his signal for an enemy of superior force; and upon my desiring to know how many ships of the line there were, he answered, Nineteen. A little before two, Capt. Finch came on board, and informed me, that he saw nineteen sail of the line very distinctly, and two others of two decks, that he thought were armed *en flûte*; the number of frigates he could not ascertain, as three only were drawn out from the convoy; that the convoy was very numerous, and the whole standing to the northward, which was the situation we saw part of them in at sunset from the mast-head, most of them being to the northward of Point Salines.

I sent Capt. Finch immediately to tell Rear-Adm. Drake I desired to see him. Upon his coming on board, I told him, I should continue the line ahead, and get to windward as much as I could, by carrying all my plain sail, and be close in with Fort-Royal at day light, as it was uncertain which way the enemy