

up to you; but that the usual Indulgence of Side-Arms to Officers, and of retaining private Property, shall be granted to Officers and Soldiers; and that the Interests of several Individuals in Civil Capacities, and connected with us, shall be attended to.

If your Excellency thinks that a Continuance of the Suspension of Hostilities will be necessary to transmit your Answer, I shall have no Objection to the Hour that you may propose.

I have the Honor to be,

SIR,

Your most obedient and most humble Servant,
(Signed) CORNWALLIS.

Copy of a Letter from General Washington to Lieutenant General Earl Cornwallis, dated Camp before York October 18, 1781.

MY LORD,

To avoid unnecessary Discussions and Delays, I shall at once, in Answer to your Lordship's Letter of Yesterday, declare the general Basis upon which a definitive Treaty of Capitulation may take Place.

The Garrisons of York and Gloucester, including the Seamen as you propose, shall be received Prisoners of War. The Condition annexed of sending the British and German Troops to the Parts of Europe to which they respectively belong, is inadmissible; instead of this, they will be marched to such Parts of the Country as can most conveniently provide for their Subsistence; and the benevolent Treatment of Prisoners, which is invariably observed by the Americans, will be extended to them. The same Honors will be granted to the surrendering Army, as were granted to the Garrison of Charles Town.

The Shipping and Boats in the Two Harbours, with all their Guns, Stores, Tackling, Furniture and Apparel, shall be delivered in their present State to an Officer of the Navy appointed to take Possession of them.

The Artillery, Arms, Accoutrements, Military Chest, and Public Stores of every Denomination, shall be delivered, unimpaired, to the Heads of Departments to which they respectively belong.

The Officers shall be indulged in retaining their Side-Arms; and the Officers and Soldiers may preserve their Baggage and Effects; with this Reserve, that Property taken in the Country will be reclaimed.

With Regard to the Individuals in Civil Capacities, whose Interests your Lordship wishes may be attended to, until they are more particularly described, nothing definitive can be settled.

I have to add, that I expect the Sick and Wounded will be supplied with their own Hospital Stores, and be attended by British Surgeons, particularly charged with the Care of them.

Your Lordship will be pleased to signify your Determination either to accept or reject the Proposals now offered in the Course of Two Hours from the Delivery of this Letter, that Commissioners may be appointed to digest the Articles of Capitulation, or a Renewal of Hostilities may take Place.

I have the Honor to be, &c.

(Signed) GEO. WASHINGTON.

Copy of a Letter from Lieutenant General Earl Cornwallis to General Washington, dated York in Virginia, October 18, 1781.

SIR,

I Agree to open a Treaty of Capitulation upon the Basis of the Garrisons of York and Gloucester, including Seamen, being Prisoners of War, without annexing the Condition of their being sent to Europe; but I expect to receive a Compensation in arranging the Articles of the Capitulation for the Surrender of Gloucester in its present State of Defence. I shall in particular desire, that the Bonetta Sloop of War may be left entirely at my Disposal from the Hour that the Capitulation is signed, to receive an Aid de Camp to carry my Dispatches to Sir Henry Clinton, such Soldiers as I may think proper to send Passengers in her, to be manned with 50 Men of her own Crew, and to be permitted to sail without Examination, when my Dispatches are ready, engaging on my Part, that the Ship shall be brought back and delivered to you, if she escapes the Dangers of the Sea; that the Crew and Soldiers shall be accounted

for in future Exchanges; that she shall carry off no Officer without your Consent, nor Public Property of any Kind; and I shall likewise desire, that the Traders and Inhabitants may preserve their Property, and that no Person may be punished or molested for having joined the British Troops.

If you chuse to proceed to Negotiation on these Grounds, I shall appoint two Field Officers of my Army to meet two Officers from you, at any Time and I like that you think proper, to digest the Articles of Capitulation.

I have the Honor to be, &c.

(Signed) CORNWALLIS.

ARTICLES of Capitulation settled between his Excellency General Washington, Commander in Chief of the Combined Forces of America and France; his Excellency the Count de Rochambeau, Lieutenant-General of the Armies of the King of France, Great Cross of the Royal and Military Order of St. Louis, commanding the auxiliary Troops of his Most Christian Majesty in America; and his Excellency the Count de Grasse, Lieutenant General of the Naval Armies of his Most Christian Majesty, Commander of the Order of St. Louis, commanding in Chief the Naval Army of France in the Chesapeake, on the one Part: And the Right Honourable Earl Cornwallis, Lieutenant General of His Britannic Majesty's Forces, commanding the Garrisons of York and Gloucester, and Thomas Symonds, Esq; commanding His Britannic Majesty's Naval Forces in York River, in Virginia, on the other Part.

Article I. The Garrisons of York and Gloucester, including the Officers and Seamen of His Britannic Majesty's Ships, as well as other Mariners, to surrender themselves Prisoners of War to the Combined Forces of America and France; the Land Troops to remain Prisoners to the United States, the Navy to the naval Army of His Most Christian Majesty.

Article I. Granted.

Article II. The Artillery, Arms, Accoutrements, Military Chest, and public Stores of every Denomination, shall be delivered, unimpaired, to the Heads of Departments appointed to receive them.

Article II. Granted.

Article III. At Twelve O'clock this Day the two Redoubts on the L ft Flank of York to be delivered, the one to a Detachment of American Infantry, the other to a Detachment of French Grenadiers. The Garrison of York will march out to a Place to be appointed, in Front of the Posts, at Two o'Clock precisely, with shouldered Arms, Colours cased, and Drums beating a British or German March; they are then to ground their Arms, and return to their Encampment, where they will remain, until they are dispatched to the Places of their Destination. Two Works on the Gloucester Side will be delivered at One o'Clock to Detachments of French and American Troops appointed to possess them; the Garrison will march out at Three o'Clock in the Afternoon; the Cavalry with their Swords drawn, Trumpets sounding; and the Infantry in the Manner prescribed for the Garrison of York: They are likewise to return to their Encampment, until they can be finally marched off.

Article III. Granted.

Article IV. Officers to retain their Side Arms: Both Officers and Soldiers to keep their private Property of every Kind; and no Part of their Baggage or Papers to be at any Time subject to Search or Inspection; the Baggage and Paper of Officers and Soldiers, taken during the Siege, to be likewise preserved for them. It is understood, that any Property obviously belonging to the Inhabitants of these States, in the Possession of the Garrison, shall be subject to be reclaimed.

Article IV. Granted.

Article V. The Soldiers to be kept in Virginia, Maryland, or Pennsylvania, and as much by Regiments as possible, and supplied with the same Rations of Provisions as are allowed to Soldiers in the Service of America; a Field Officer from each Nation, to wit, British, Anspach, and Hessian, and other Officers on Parole, in the Proportion of One to Fifty Men, to be allowed to reside near their respective Regiments, to visit them frequently, and to be Witnesses of their Treatment; and that these Officers may receive and deliver Cloathing and other Necessaries;