

in the Hereditary States, shall be at Liberty to return to their respective Countries upon their Word of Honor not to serve against his Imperial Majesty or his Allies until they are reciprocally exchanged. The Period of Three Months shall begin from the Day on which the Capitulation is signed.

The Garrison will lay down their Arms upon the Glacis of the Citadel. The Officers will keep their Swords, Baggage, and the Number of Horses allowed by their own military Regulations. The Non-combattans shall be sent back to France. The Generals shall keep their Secretaries, and all the Officers their Servants. A Pair of Colours shall be granted to the General of Division Foissac la Tour, in Consideration of the Energy of his Defence.

Art. II. The Cisalpine, Swiss, Poles, and Piedmontese shall be considered and treated in every Respect as Troops of the French Republic.—Granted.

Art. III. Three covered Waggon's shall be allowed the Commandant for the Carriage of his Papers, Baggage, and personal Property. These Waggon's shall not be examined, and shall be subject to his Orders only.—Granted.

Art. IV. The Chief of the Staff, and the other Chiefs of Departments, shall have the Power of taking with them all Papers relating to their own Concerns, and shall have the sole Charge of the Waggon's destined for this Purpose, and for the Carriage of their own personal Effects. The Commissaries shall be responsible that nothing belonging to the Place is taken away.—Granted.

Art. V. An Appeal is made to the Justice and Generosity of the Austrian Government, in Favor of those Citizens who have been employed in the Cisalpine Republic, (which was formally acknowledged by the Emperor at the Treaty of Peace concluded at Campo Formio,) as well as of all those who have manifested Republican Opinions, the Imperial Commissaries, and the Citizens who acted as Artillery Men, having been treated in the same Manner, according to the Terms of the noble Capitulation made by Buonaparte with General Wurmer.—Granted.

Art. VI. Engineer and Artillery Officers shall be appointed to receive all Articles relating to their Departments.—Granted.

Art. VII. Commissaries shall also be named to take Charge of the Magazines of Provisions.—Granted.

Art. VIII. The Sick and Wounded who cannot be removed shall continue to receive the necessary Care; for which Purpose the French Surgeons and Physicians who now attend them shall remain. The General in Chief shall name an Officer who shall have the particular Charge of the Sick; and as soon as they may be sufficiently recovered to travel, they shall be furnished with the Means of following the Army if it is exchanged, or of going into France or Germany according to the same Conditions with all the Rest, every one complying with what is decided for his Rank.—Granted.

Art. IX. There shall be furnished by the Austrian Troops Escorts sufficient to protect all Individuals whatever comprised in the present Capitulation, against Insult or popular Commotion, for which the Commander of the Escort shall be made particularly responsible.—Granted.

Art. X. All Doubts that may arise out of the present Capitulation shall be explained in Favor of the Garrison consistently with the Laws of Equity.—Granted.

Art. XI. After the Signature of the present Capitulation, Hostages shall be mutually exchanged. On the Part of the French, a Brigadier and a Captain,—on that of the Austrians, a Colonel and a Captain.—Granted.

Art. XII. During the Management of the Capitulation, there shall be Cessation of Hostilities on both Sides.—Granted.

Art. XIII. Migliarello shall be occupied by a Battalion of Austrians, from which Fifty Men shall be detached to occupy the outer Part of the Gate of Cerefe.—The Two Armies shall have no Communication with each other, Commanding Officers, and those who have Leave from their respective Generals, excepted.—Granted.

Art. XIV. The Commissary of the Executive Power, and the Inspector General of the Police of the Cisalpine Republic at Mantua, shall have Leave to go wherever they please.—Granted.

Art. XV. A sufficient Number of Carriages shall be allowed for the Carriage of the Effects, not only of the Officers composing the Garrison, but of all such as not being present may have left their Baggage.—Granted.

Art. XVI. Two Carriages shall be granted for the Suite of the General, and for such others as shall have been ordered by him to follow the Lot of the Garrison.—Granted.

Art. XVII. The Generals and other Officers may send any Part of their Baggage to France with the Troops:—unless indeed General Kray, who always acts like a Man of the highest Honor and Liberality, consents that the Officers should share the same Fortune with the Men, and be permitted to return to France Prisoners on their Parole.

Answer.—Regulated by Article I.

ADDITIONAL ARTICLE.

All Deserters shall be given up to their respective Battalions.—General Kray promises them their Life.

(Signed) FOISSAC LA TOUR, le General de Division.

(Signed) Baron KRAY, General d'Artillerie.

(Signed) MONBERT, Chef de Brigade, Commandant en Chef de Genie.

Le Chef de Brigade ΒΟΥΤΤΟΥ, Commandant d'Artillerie n'a pas signé des Motifs qui lui sont personnels.

(Signed) FOISSAC LA TOUR.

Head-Quarters, Caselleccio,
July 28, 1799.