

OFFICER KILLED.

24th Reg.—Captain Andrew Foster.

OFFICERS WOUNDED.

- 59th Reg.—Alexander M'Pherson, badly.
 71st Reg.—Brevet Lieutenant-Colonel Campbell.
 72d Reg.—Lieutenant-Colonel Grant; Lieutenant Chisholm.
 93d Reg.—Brevet Lieutenant-Colonel Honeyman.
 78th Reg.—Lieutenants Scobie and Strachan, attached to 93d Regiment.
 86th Reg.—Ensigns Heddrick and Craigh.

W. H. TROTTER, Major, 83d Reg.
 Acting Deputy Adj. Gen.

ARTICLES of CAPITULATION proposed by Lieutenant-Colonel Hyeronimus Casimirus Van Prophalow, Commandant of the Town, Castle, and circumjacent Fortifications of the Cape of Good Hope, to the Major-General in the Service of His Britannic Majesty, Sir David Baird, K. C. Commander in Chief of His Majesty's Forces, and Commodore Sir Home Popham, Commander in Chief of His Britannic Majesty's Naval Forces in Table Bay:

Art. I. THE Capitulation being signed, the Cape-Town, Castle, and circumjacent Fortifications, shall be immediately surrendered to the Troops of His Britannic Majesty; viz. The Fortifications of the King's Block-House, Craig's Tower, and all the Batteries within that Circuit, and one on the other Side of the Camp's Bay.

Art. II. The Garrison shall, at the Surrender, march out with all the Honors of War, and shall then lay down their Arms, and become Prisoners of War; but such Officers as are Natives of the Colony, or married with Natives, or in Possession of sufficient landed Property, to become regularly and bona fide domiciliated, shall be at Liberty to continue here so long as they behave themselves as becometh good Subjects and Citizens, or proceed to Great Britain with regular Passports, and having previously passed their Parole not to serve until regularly exchanged.

Art. III. All Officers who, according to the previous Article, must go to Europe, shall be provided with Passages at the Expence of his Britannic Majesty, and have Leave to realize their Property previous to their Departure, and receive the same Pay as they did in their own Service till the Day of their Embarkation.

Art. IV. The French Subjects who, belonging to the stranded Frigates L'Arante, another stranded Privateer Le Napoleon, were casually here, and are comprehended in the present Capitulation, shall be treated on the same Footing as the Garrison; but they must all be embarked for Europe, as well as every other French Subject in the Colony.

Art. V. The Inhabitants of the Town who have borne Arms, to be considered as belonging to the Town, and may immediately return to their former Occupations; but the Distinction between the Burghers and other Inhabitants is to remain the same, and subject to the same Restrictions as under the Dutch Laws.

Art. VI. All bona fide private Property, whether belonging to the Civil and Military Servants of the Government, to the Burghers and Inhabitants, to Churches, Orphans, and other public Institutions of that Kind, shall remain free and untouched.

Art. VII. Public Property of every Description, whether consisting of Treasure, or Naval or Military Stores, Buildings, Estates, or Merchandise belonging to the Batavian Republic, or the Government of France, shall be faithfully delivered up, and proper Inventories given of them as soon as possible.

Art. VIII. The Burghers and Inhabitants shall preserve all their Rights and Privileges which they have hitherto enjoyed. Public Worship, as at present in Use, shall also be maintained without Alteration.

Art. IX. The Paper Money actually in Circulation shall continue current as heretofore, until the Pleasure of His Britannic Majesty is known.

Art. X. The Lands and Houses, the Property of the Batavian Republic, which must be delivered up, shall remain as a Security for that Part of the Paper Money which is not already secured by Mortgages upon the Estates of Individuals, by its having been lent to them. This is, however, to be without Prejudice to the free Use to be made of the said Lands and Houses for public Purposes.

Art. XI. Prisoners of War comprehended in the present Capitulation, shall not be pressed into His Britannic Majesty's Service, or engaged against their own free Will and Consent. With respect to other Persons they are provided for in Article the Fifth of this Capitulation.

Art. XII. The Inhabitants of Cape-Town shall be exempted from having Troops quartered on them.

Art. XIII. Two Ships having been sunk in Table Bay, to the great Detriment of the Roadstead, either after the Batavian Republic had sent out a Flag of Truce, or whilst it was in Contemplation so to do, they are to be raised again and delivered over in an entire State of Repair: This having been done without the Sanction of the Commandant, the raising of the said Ships shall be incumbent on those who sunk them.

Art. XIV. This Capitulation shall be signed at Four o'Clock this Afternoon, when the Castle of the Cape-Town, and all the adjacent Forts previously mentioned shall be surrendered to His Britannic Majesty's Troops.

Given under our Hands and Seals this 10th Day of January, in the Year of our Lord 1806, at Papendorp, near Fort Knokke.

(Signed) H. C. PROPHALOW.

D. BAIRD, Major-General,
 Commanding in Chief.

H. POHAM.

Executed in the Presence of

J. S. TRUITER.

J. PALMER.

General Return of Ordnance on the several Batteries of Cape-Town, Cape of Good Hope, and its Dependencies, 12th January 1806, viz.

Brass Guns.—2 Twenty-four-Pounders. 12 Eighteen-Pounders. 6 Twelve-Pounders. 4 Eight-Pounders. 19 Six-Pounders. 18 Four-Pounders. 24 One-Pounders.

Iron Guns.—32 Thirty-six-Pounders. 51 Twenty-four-Pounders. 67 Eighteen-Pounders. 76 Twelve-Pounders. 4 Nine-Pounders. 17 Eight-Pounders. 35 Six-Pounders. 16 Four-Pounders. 2 One-Pounders.

