

It is but just that I should take Notice of the Exertions of Mr. J. Acott (acting) Master, who has passed for Lieutenant, whom I left in Charge of the Ship, and who proved himself worthy of the Confidence reposed in him. The Topaze French Frigate appeared in the Offing on the 13th, with a Reinforcement for the Garrison, though with only Twenty-five Englishmen and Twenty Negroes, and no other Officers than Two young Gentlemen, Messrs. George Yeo and Edward Bryant, he contrived by his skilful Manœuvres to drive her off the Coast.

As to the Seamen and Marines, all Praise I can bestow falls short of their Merit; from the 15th December they never slept in their Beds; the Weather was constantly both boisterous and rainy; the Roads almost impassable; and from the Time we landed until the Surrender of the Place they had not the least Cessation from Fatigue.

I have the Honour to inclose a Statement of the Killed and Wounded on board the Confidence (Twenty-four); also a List of the Returns of Ordnance, Stores, &c. The Portuguese Land and Sea Forces, One killed and Eight wounded; French, One Captain and Fifteen Privates killed, and Twenty wounded.

I have now, Sir, the Happiness to congratulate you on the final Success of the Expedition, and I trust the Steps I have taken will insure me your Approbation.

I am, &c. JAMES LUCAS YEO.

To Rear-Admiral Sir William Sidney Smith, K. S.  
Commander in Chief, &c. &c. &c.

*CAPITULATION, proposed by Victor Hugues, Officer of the Legion of Honour, Commander of His Majesty the Emperor and King, Commander in Chief of Cayenne and French Guyana, and accepted by James Lucas Yeo, Post Captain in His Britannic Majesty's Service, commanding the Combined Naval English and Portuguese Forces, and Manuel Marques, Knight of the Military Order of Saint Benoit d'Aviois, Lieutenant-Colonel in Chief and Director of the Corps of Artillery of Para, commanding the advanced Army of the Portuguese.*

ALTHOUGH the advanced Posts have been carried, and that the Commissioner of the Emperor and King is reduced with his Garrison to the Town, he owes it to those Sentiments of Honour which have always distinguished him, to the Valour and good Conduct of the Officers and Soldiers under his Command, to the Attachment of the Inhabitants of the Colony for His Majesty the Emperor and King, to declare publicly, that he surrenders less to the Force than to the destructive System of liberating all the Slaves who should join the Enemy, and of burning all the Plantations and Ports where there should be any Resistance.

The Commissioner of the Emperor commanding in Chief, after having witnessed the burning of several Plantations, particularly his own, the most considerable of the Colony, had attributed it at first to the Casualties of War, and the Disorganization of the Gangs, and the Liberation of the Slaves appeared to him a momentary Nuisance; but being assured in Writing that the English and Portuguese Officers acted in virtue of the Orders of His Royal Highness the Prince Regent, and in wishing to save the Colo-

ny from total Destruction, and to preserve his august Master's Subjects, who had given him so many Proofs of their Attachment and Fidelity, the Commissioner of His Imperial and Royal Majesty surrenders the Colony to the Forces of His Royal Highness the Prince Regent on the following Conditions:

Article I. The Garrison shall march out with their Arms and Baggage, and all the Honours of War; the Officers shall retain their Side Arms, and those of the Staff their Horses. The Garrison shall lay down their Arms, and engage not to serve against His Royal Highness and His Allies during one Year.

II. Vessels shall be furnished at the Expence of His Highness the Prince Regent, to carry the Garrison, the Officers Civil and Military, and all those employed in the Service, with their Families and Effects, direct to France with as little Delay as possible.

III. A convenient Vessel shall be furnished to convey to France the Commissioner of the Emperor commanding in Chief, his Family, his Officers, his Suite, and Effects, the Chief of the Administration of Finances, the Commander of the Troops, the Inspector, and the Commandant of the Artillery, with their Families.

IV. A convenient Delay shall be granted to the Officers who have Property in the Colony to settle their Affairs.

V. The Arsenals, Batteries, and every Thing belonging to the Artillery, the small Arms and Powder Magazines, and the Provision Stores, shall be given up by Inventory, and in the State in which they now are, and the same shall be pointed out.

VI. The Slaves on both Sides shall be disarmed and sent to their respective Plantations. The French Negroes whom the Commanders by Sea and Land of His Royal Highness the Prince Regent have engaged for the Service during the War, and to whom, in virtue of their Orders, they have given their Freedom, shall be sent out of the Colony, as they can only remain there in future an Object of Trouble and Dissension. The Commanders engage, as they have promised, to solicit of His Royal Highness the Prince Regent the replacing of those Slaves, or an Indemnity in favour of the Inhabitants to whom they belong.

VII. The Papers, Plans, and other Articles belonging to the Engineer Department, shall be equally given up.

VIII. The Sick and Wounded who are obliged to remain in the Colony may leave it, with all that belongs to them, as soon as they are in a Situation to do so; in the mean Time they shall be treated as they have been hitherto.

IX. Private Property, of whatsoever Nature or Description, shall be respected, and the Inhabitants may dispose of it as heretofore.

X. The Inhabitants of the Colony shall preserve their Properties, and reside there, conforming to the Orders and Forms established by the Sovereign under which they remain; they shall be at Liberty to sell their Properties and retire wherever it may suit them, without any Obstacle.

XI. The Civil Laws, known in France under the Title of the Napoléan Code, and in Force in the Colony, shall be observed and executed until the Peace between the Two Nations; the Magistrate,