

exchanged, commissaries, named according to the 13th article of the present capitulation, shall be admitted into the fortress to fulfil their mission.

On the same day, and immediately after the exchange of the ratifications, detachments of the blockading troops shall occupy La Porte de Secours, of the citadel, and La Porte de France, of the town; and to avoid disorder and confusion, the blockading troops are not to enter the place and citadel, until the French troops shall have retired.

Answer—Granted.

Art. XVI. The garrison shall evacuate the place on the 1st of November, at two o'clock, P. M. by the Porte Neuve.

Answer—Granted.

Art. XVII. It is to be distinctly understood, that the garrison of Pamplona shall enjoy all advantages which might be guaranteed by any armistice, or such other arrangement as may have been concluded between His Majesty the Emperor and King, and the coalesced powers previous to the ratification of the present capitulation.

Answer—Refused.

Art. XVIII. If any discussion shall arise in the fulfilment of the articles of the present capitulation, the interpretation shall always be favourable to the garrison.

Answer—Granted.

*Conditions imposed upon the Garrison by Commanding Officers of the Allies.*

NO Spaniard, without regard to sex or class, can be allowed to follow the French garrison to its destination; and all such, whether civil or military, will remain under the protection of the laws.

Answer—On the part of the garrison, no facility to expatriate will be given to the persons here designated.

All prisoners of war, without any exception, and all deserters belonging to the Spanish and allied armies, shall be given up to the troops of the said armies without exchange, upon the ratification of the capitulation.

Answer—Prisoners of war, contained in this article, shall be delivered over to the allied armies, as well as deserters, if any should be found.

The forced loan of twenty thousand duros, levied upon the inhabitants during the blockade, (the funds of which have been appropriated for the payment of the troops of the garrison) not being recoverable, on account of the occupation of the country by the allied armies, shall be recognised as a credit of Spain upon the French Government, and shall be taken into account when, at a peace, the interest of the two nations shall be settled.

Answer—It will be the more easy to settle this demand, when the two nations shall treat upon their respective interests, as much is due to the French Government on account of the arrears of the contributions of Navarre; and as the town itself, as well as many of the inhabitants of Pamplona, owed conjointly, at the period of the 1st of January of the present year, the sum of three hundred and thirty thousand six hundred and fourteen reales de vellon.

These presents done in duplicate before Pamplona, the day, month, and year, as below, and signed Francisco Dionisio Vives—Baron L. de Maucune—W. Goldfinch, Captain of the Royal Engineers, and Lieutenant-Colonel Ventura de Mena. The present capitulation ratified in all its parts, at Pamplona the 31st October, 1813. The General Governor of the town and citadel of Pamplona.

BARON DE CASSAN.

The present capitulation approved and ratified by the undersigned Mariscal de Campo of the National Armies of Spain, Knight of the Royal Military Order of St. Louis, and of St. John of Jerusalem, Commandant of the blockade of Pamplona, in virtue of the authority of the Marshal-General the Duke of Ciudad Rodrigo, General in Chief of the National and Allied Armies of Spain.

Camp before Pamplona, October 31st, 1813.

CARLOS DE ESPANA.

(A true copy.)

(Signed) L. WIMPFEN.

I, Don Joseph Joachim Foncellas, President of the Municipality of Pamplona, certify, that Brigadier Don Francisco Dionisio Vives, Colonel Goldfinch, and Colonel Don Ventura Mena, officers appointed by Field-Marshal Don Carlos D'España, Commander in Chief of the right of the line of blockade, having appeared before me, and required that I would state what had been the conduct of the French garrison during the blockade, I explained to them, that with respect to the people, it had been conformable to good discipline, and that the arrangements made by the governor during the scarcity, which prevailed in consequence of the blockade, did not occasion the death of any inhabitant.

In order that this may avail those whom it may concern, I give it in the Convent of St. Peter, this 30th day of October 1813.

(Signed) MARQUIS OF FONCELLAS.

(True copy.)

(Signed) A. WIMPFEN.