

Articles of Capitulation agreed upon and granted between his Excellency, Don Bernardo de Galvez, his Catholic Majesty's Governor and Commander in Chief of the Province of Louisiana, and Alexander Dickson, Lieutenant Colonel of the 16th, Regiment of infantry and commander of the troops of his Britanic Majesty upon the Mississippi and for the garrison and district of Baton Rouge in west Florida.

ARTICLE 1st.

The Garrison shall not be made prisoners of war, nor shall they be obliged to engage not to bear arms for a certain time.

ARTICLE 2nd

But they shall go out with all the military honors, arms, baggage, horses, drums beating, flags flying, two pieces of field artillery, with their munitions for fifty rounds, and thirty six rounds for the infantry.

ARTICLE 3rd

The Garrison shall be conveyed as soon as possible under a good escort and convoy, to Pensacola in Spanish ships by the lakes as it may be thought proper; and the troops shall be furnished with good and wholesome provisions for the journey, at least for three weeks, the provisions being first examined and searched by men appointed for that purpose by Lieutenant Colonel Dickson; and the charges and the expenses shall be paid on the debastation of the troops at Pensacola.

ARTICLE 4th

Bernardo de Galvez shall
His Excellency Don Galvez will provide the troops with a vessel of 100 tons, or with two large boats which shall not be searched and in case of want with as many as shall be found necessary for conveying the wounded and sick which shall be able to undergo the fatigues of the voyage; and the other sick and wounded that cannot be conveyed immediately shall be permitted as soon as they are ablt to join their regiments; and in the mean time his Catholic Majesty shall furnish them with every assistance of which they may stand in need.

Answer:

The superiority of the troops under my command as well as of arms, ammunition, and provisions, together with the knowledge of conditions in which the troops and the Fort of Baton Rouge must be, from which all communication is cut off, having taken every vessel coming from Pensacola with troops and provisions, as well as the armed vessel, West Florida, which was their only protection, and from which vessel there are already in town, more than 150 prisoners of war; all this will not permit me to accede to the proposition of not making prisoners of war, the troops which are in the fort. Therefore, possitibely, I require their surrendering themselves as prisoners of war, but considering the honorable defense made by Lieutenant Dickson, his officers and troops they shall go out with drums beating and colors flying, five hundred paces from the fort, where they shall deliver themselves to the troops under my command, and surrender themselves prisoners of war, to be exchanged at the pleasure of the King. They shall be treated with respect and all possible humanity. The field officers shall be permitted to wear their swords, the fort at Natchez as depending on this shall be evacuated and delivered up to me, and the garrison shall have the liberty to retire to Pensacola, Jamica, or any other city they shall judge proper.

What is contained in the above is to be considered as my answer to the 1st, 2nd, 3rd, and 4th, articles.

ARTICLE 5

All the baggage and other effects belong to the officers, soldiers and other persons of the garrison shall remain their property and be sent with them.

GRANTED.

ARTICLE 6

In case any soldiers or other armed persons shall be found in the garrison who have before been in the service of his Majesty, and have absented themselves, that matter shall not be looked into, but they shall enjoy the terms of the capitulation in as ample a measure as the others.

GRANTED.

ARTICLE 7

Every person that shall have borne arms in the garrison shall be treated as part of the garrison whether or not they enjoy service in any military corp, or occupy any employ under his Britanic Majesty or not.

Being considered as part of the garrison, they shall be prisoners of war, reserving for myself the right to grant liberty (to those who are not soldiers) or to enlist them if I think proper.

Answer:

The superiority of the troops under my command as well as of arms, munitions, and provisions, together with the knowledge of conditions in which the troops are, and the fort of Baton Rouge must be, from which all communication is cut off, having been every vessel coming from Passaicola with troops and provisions, as well as the vessel West Florida, which was their only provision, and from which vessel there are already in town, more than 150 prisoners of war; all this will not result as in consequence of the proposition of not taking prisoners of war, the troops which are in the fort. Therefore, possibly, I require their own sending themselves as prisoners of war, but considering the honorable defence made by Lieutenant Dickson, his officers and troops they shall go out with arms bearing the colors flying, five hundred men from the fort, where they shall deliver themselves to the troops under my command, and afterwards themselves prisoners of war, to be exchanged at the pleasure of the King. They shall be treated with respect and all possible humanity. The field officers shall be permitted to wear their swords, the fort at Passaicola as depending on this shall be evacuated and delivered up to me, and the garrison shall have the liberty to retire to Passaicola, Passaic, or any other city they shall judge proper.

That is contained in the above is to be considered as an answer to the 1st, 2nd, and 3rd articles.