

Art. XIV. That those shall not be in the least molested for having borne Arms by means of their Fidelity, and having been enlisted as Militia for what might happen in the War, nor shall plunder, nor any Disorder be allowed towards them by the English Troops; but on the contrary, they shall fully enjoy, besides the Rights and Privileges of the other Subjects belonging to his Britannic Majesty, restoring without the least Impediment or Hindrance, all the Families with their Wealth, and Families into the City, who went out of it at the Time it was besieged; that they shall be comprehended in the present Articles, and that none of them shall have Troops quartered on them, but they shall be sent to Quarters provided according to the Practice, during the Time the Spaniards had Possession.

Anf. *Granted, excepting that in Case there should be a Necessity of quartering Troops, it shall be left to the Discretion of the Governor. All the King's Slaves shall be restored to Persons appointed to receive them.*

Art. XV. That all the Wealth that shall be found in this City, belonging to the Merchants at Cadiz, from the Register Ships which have arrived, in which all the European Nations are interested, the Commanders shall have suitable Passports given them, to go away with said Registers, without being molested in their Voyage.

Anf. *Granted.*  
Art. XVI. That the Officers who have had the Management, Direction and Distribution of the Royal Finances, or held any other particular Commission under his Catholic Majesty, shall be left in free Use of all those Papers respecting their Charge, with Power to remit or carry them to Spain, for the Purposes mentioned; the same to be understood with respect to the Royal Company established in this City and their other Dependents.

Anf. *All the public Papers shall be delivered to the Secretaries of the Admiral and General to be examined, which shall be returned to his Catholic Majesty's Officers, except they should find them Necessary for the use of the Government of the Island.*

Art. XVII. That the public Archives shall remain in the Possession of the Officers who have them in Charge, without the least Diminution of the Papers and Instruments therein contained, which would be a vast Prejudice to the Rights of the Public, Private, and Particular.

Anf. *As directed in the foregoing Articles.*  
Art. XVIII. That the Officers and Soldiers that are in the Hospitals shall be treated in the same Manner as the Garrison; and when recovered, shall be supplied with Carriages, or Vessels to convey them where the rest of the Garrison shall be, with all Things necessary for their Subsistence and Security in their Voyage, mean while they shall be furnished with such Provisions and Medicines as are made use of by the Surgeons of said Hospitals, who with their Dependents shall be comprehended in this Capitulation.

Anf. *Granted; the Governor having Commissaries sufficient to supply them with Provisions, Surgeons and Medicines necessary at his Catholic Majesty's Cost; whilst they remain in the Hospital.*

Art. XIX. That the Prisoners made on both sides from 6th of June, being the Day the English Squadron appeared off this Port, shall be reciprocally restored, without releasing any in two Months time; in respect to those that have been sent out of the City to other places on the Island for want of a proper place to confine them in, or before, according as they shall arrive.

Anf. *This Article cannot be concluded on till the British Prisoners are delivered up.*

Art. XX. The Articles of this Capitulation being agreed on and agreement on both Sides to comply with the same, the Port Gate shall be delivered to his Britannic Majesty's Troops, who shall place a Guard there, another consisting of the Garrison of the place, till the Evacuation shall be completed, the Earl of Albemarle will be pleased to order some Soldiers to be sent to guard the Churches, Convents, and Generals Houses, and other Inhabitants that shall be employed.

Anf. *The Number of Safe Guards requested for the Security of the Churches, Convents and other Places, shall be granted, the rest of the Article is answered in the Preliminary.*

Art. XXI. That the Governor and Commandant of the Squadron shall dispatch Vessels with Advice to his Catholic Majesty, and to other parts they shall think most convenient, to whom shall be granted Passports for their Security in their Voyage.

Anf. *As the Troops are to be sent to Spain, other Advice would be superfluous.*

Art. XXII. That in Regard to the vigorous Defence made of the Castle, the Garrison shall be included in this Capitulation, and enjoy the same

Honours as those of the Town, and shall march out at one of the most convenient Breaches.

Anf. *Granted.*  
Art. XXIII. That this Capitulation shall be strictly observed and literally, without Interpretation, whereby the contrary may not under any pretence of any of the Articles not being complied with make Reprisals.

Anf. *Granted.*  
At the Head-Quarters at the HAVANNAH, the 12th of August, 1762.  
G. POCOCK,  
ALBEMARLE,  
MARQUIS DEL REAL TRANSPORTE,  
JUAN DE PRADO.

What is contained in these Articles respecting the Squadron, their Officers, Crews and Garrison, is done with my Intervention, to which I consent as their Commandant General, and in consequence of what was agreed on in the Council Yesterday.

HAVANNAH, August 12, 1762.  
EL/MARQUIS DEL REAL TRANSPORTE.

We agree to these Articles which are a faithful Copy of the Originals, according to the Translation done from the English Idiom, by Don Miguel Brito, Publick Interpreter to his Catholic Majesty in this City. Havannah, August 12, 1762.

The MARQUIS DEL REAL TRANSPORTE.  
JUAN DE PRADO.

STATE and REMAIN of his MAJESTY'S MORTARS, and principal STORES, found in the MORO CASTLE, City of HAVANNAH, and PONTO, the Fourteenth of August, 1762.

SPECIES.	Moro.	Havan-	Ponto.	Total.
42 Pounders,	3			4
36	4			8
32	5			11
26	11			22
24	1			1
20				3
18				8
16				14
15			6	5
12	24		5	29
10	6		3	9
8			3	3
7			4	4
6			3	3
5 and half			1	1
4			1	1
Total,	69	15	18	102
36 Pounders,	2			2
26	25			27
24	4	50	14	68
18		57	10	67
16		47	47	94
12	6	10	16	22
11		6	6	12
8		18	18	36
Total,	37	188	24	249
9 Inch,	1			1
8	1			1
5 and half	3			3
4 and half		4		4
13 Inch,	1			1
12				1
Powder, Quintals,	70	447	20	537
Muskets, of different Callipers,	247	3928		4175
Head Granadoes, fixed,		500		500
Musket Ball, Quintals,		30		30
Shells, Empty, of different Sorts,	160	300		460
24 Pounders,	600	6853	150	7603
18	450	1063	100	1613
16	1950	3500	200	5650
12	1000	358	100	1458
8		80		80
Musket Cartridges, fill'd, in the City of Havannah,				225000

CHARLES-TOWN (South-Carolina) OB. 2.

THERE are now in this Harbour 53 Sail of Vessels, viz. 14 Ships, 5 Snows, 1 Xebecque, 7 Brigantines, 11 Schooners, and 17 Sloops; of which 7 are Vessels that have put in, in Distress; one is a Man of War: 11 lies Windbound, and 17 are near loaded.

Our immense Crop of Rice may now be said to be secure, the Hurricane Season having passed off in very moderate Weather with refreshing Showers.

The Ship Two Brothers, Joseph Smith, Master, of and from New-York for Havannah, sailed from New-York the 15th ult. and sprung a Leak the 17th in the Night, which obliged her to put in

here. She proves so leaky that she must be unloaded.

The Sloop Orleans, of New-York, John Williams Master, laden with Sugars, from the Havannah for Liverpool, sprung a Leak on the 25th ult. which increased so much the two following Days, that she has likewise been obliged to put in here. Brigadier-General Haviland, an Officer who has distinguished himself upon all Occasions during the present American War, is arrived in said Sloop on his way to England.

OB. 6. By the last Accounts from the Country of the Creek Indians, we are informed, that two Indians of the Upper Creek Towns, who had been at St. Augustine, were returned, and had brought a Talk to their Countrymen from the Spaniards, who desire them to come and get Presents; "for (say they) we have taken some English Vessels, and have plenty of Goods. We do not desire you to help us, only be neuter, and in a short Time we expect to have Charles Town. It is on your Account we have made War with the English, who wanted us to join them and cut off all the Indians, but we refused; and this was the Cause of the War."—Notwithstanding this talk, our Advices add, that several Gangs of the Creek Indians were gone out to War against the Spaniards. The People of Cheehaw or Point declare, they never will make Peace with the Spaniard; and if they bring any Spaniards in alive, they will burn them before the Doors of those that love them.

Extra of a Letter dated Havannah, Sept. 23. "The Royal in general gained great Honour during the Siege, but especially the Day of the Storm. They first entered the Breach (if it may be so called) Sword in Hand, led by Lieut. Forbes, now a Captain in the 42d. The Breach did not allow of more than one Man abreast, and was so situated, that had they missed a Step, they must have gone headlong a Hundred Yards into the Sea on one Side, or the Ditch on the other. Indeed the very Men who entered against great and small Arms of the Enemy, were afraid to return by the same Way, lest they should tumble down, even after the Place was reduced, and the Affair all over. It is agreed there never was a more desperate Attempt, nor more bravely executed. Upon the whole of this Expedition, which has been long and severe, borne from the Enemy and Climate, never a Man (one excepted) has been known to shew the least Backwardness, nor has been heard to complain of hard Duty; though many, both Officers and Men, have been several Days in the Trenches without being relieved.

"The Dons were a little more obstinate than we expected; but had they known how to disperse and make the most of their Strength, they might have increased our Difficulties. They mustered 6000 Men under Arms when the Place surrendered; and we were not able to bring out more than Half that Number fit for Duty.

"In the King of Spain's Warehouses were found a large Quantity of Tar, and other naval Stores in Proportion. The Prize Goods all go to England on Account of the Captors, except the Dry Goods belonging to the Royal Company, which are to be sold here on the same Account. The Prize Vessels will be left, owing to want of Hands, except one Ship which carries home Sugars to be sold there for the Benefit of the Captors.

"'Tis uncertain when Lord Albemarle and Sir George Pocock will leave us, but 'tis imagined, some Time in November.

"Things now go on here quiet and easy, the Spaniards are brought into pretty good Order, and have no Reason to complain of any Hardships being put upon them by their Conquerors. A small Detachment of 300 or 400 Men, under Major Monypenny, sails in a Day or Two to reduce the Matanzas, an inconsiderable Government, but independent of the Havannah, at about 20 Leagues distance from hence.

"Commodore Keppel will sail in a few Days for Jamaica, with some Ships of War; and it is said, will cruise some Time off Cape St. Nicholas, as it seems the French Men of War and Privateers do great Damage to the Trade that Way."

BOSTON, OB. 18.  
We hear from Biddeford in the County of York, that at their Inferior Court lately held there, a remarkable Cause was tried between Thomas Hammet of Berwick, in said County, Yeoman, Plaintiff, and Peter Steple of Kittery, in said County, Gentleman, Defendant, for the Defendant's debauching, ravishing, and carnally knowing the Plaintiff's Wife, &c. and that after a full hearing of six Hours the Jury brought in their Verdict for the Plaintiff to recover against the Defendant One Thousand Pounds Lawful Money Damages, and Costs.

PHILAD.

Monday last arrived in ten Weeks from Madeira. When generally known, but the Conclusion of the Expedition to Enterprizes, should were late Advices English and Portuguese and an advanced Portuguese Light Night, a Town, Troops, the Spaniards of War; the Smallness of to, they took to the fire upon them; and finished the Day to the Sword, except and Sixteen Officers Almeida was raising out of Portugal, is said to Estremadura, near

Captain Friend Scarborough Master arrived at New-York for this Port (besides Wynn and Shurlow) but the last quick sprung a Leak.

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