

Articles of Capitulation

Articles of Capitulation settled between his Excellency General Washington Commander in Chief of the combined Forces of America & France -- His Excellency The Count de Rochambeau Lieutenant General of the Armies of the King of France -- Great Cross of the Royal & Military Order of St. Louis -- Commanding the Auxiliary Troops of his most Christian Majesty in America -- And His Excellency the Count de Grasse Lieutenant General of the Naval Armies of his Most Christian Majesty, Commander of the Order of St. Louis, comandg in Chief the Naval Army of France in the Chesapeak -- on the One Part -- And His Excellency The Right Honble Earl Cornwallis Lieu. General of His Britannick Majesty's Forces, Commanding the Garrisons of York & Gloucester and Thomas Symonds Esqr Commanding his Britannick Majesty's Naval forces in York River in Virginia on the other part.

Article 1st

The Garrisons of York & Gloucester including the Officers and Seamen of his Britannic Majesty's Ships as well as other Mariners, to surrender themselves Prisoners of War to the Combined Forces of America & France -- The Land Troops to remain prisoners to the United States. The Navy to the naval Army of his Most Christian Majesty --

Article 1st

Granted --

Article 2nd

The artillery, Arms, Accoutrements, Military Chest and public Stores of every Denomination, shall be delivered, unimpaired, to the Heads of Departments appointed to receive them --

Article 2nd

Granted --

Article 3rd

At 12 oClock this Day the two Redoubts on the left Flank of York to be delivered -- the one to a Detachment of American Infantry -- the other to a Detachment of French Grenadiers -- The Garrison of York will march out to a place to be appointed in front of the posts at 2 oClock preciesely, with Shouldered Arms. Colours cased and Drums beating a British or German March. -- they are then to ground their Arms, & return to their Encampment, where they will remain untill they are dispatched to the place of their Destination.-- Two Works on the Gloucester Side will be delivered at One oClock to Detachments of French & American Troops appointed to posses them.-- The Garrison will march out at three oClock in the Afternoon -- The Cavalry with their Swords drawn, Trumpets soundg & the Infantry in the Manner prescribed for the Garrison of York -- they are likewise to return to their Encampments untill they can be finally marched off.--

Article 3rd

Granted.--

Article 4th

Officers are to retain their Side Arms -- both Officers & Soldiers to keep their private property of every kind, and no part of their baggage or papers to be at any Time subject to search or Inspection.-- The Baggage & papers of officers & Soldiers taken during the Siege, to be likewise preserved for them. It is understood that any Property obviously belonging to any of the Inhabitants of these States, in the possession of the Garrison, shall be subject to be reclaimed--

Article 4th

Granted.--

Article 5th

The Soldiers to be kept in Virginia, Maryland, or Pennsylvania, & as much by Regiments as possible, and supplied with the same Rations or Provisions as are Allowed to Soldiers in the Service of America: -- A field officer from each Nation, viz -- British, Anspach & Hessian, & other Officers on parole, in the proportion of One to fifty Men, to be allowed to reside near their respective Regiments, to visit them frequently and be witnesses of their Treatment -- And that there Officers may receive & deliver Cloathing and other Necessaries for them for which passports are to be granted when applied for.

Article 5th

Granted --

Article 6th

The General, Staff & other Officers not employed as mentioned in the above Article, & who choose it, to be permitted to go on parole to England Europe, to N York, or to any other American maritime posts, at present in possession of the British Forces, at their own Option, & proper Vessels to be granted by the Count de Grasse to carry them under flags of Truce to New York within ten Days from this Date, if possible, & they to reside in a District to be agreed upon hereafter, untill they embark -- The Officers of the civil Departments of the Army & navy to be included in this Article.-- passports to go by Land, to be granted to those, to whom Vessels cannot be furnished.--

Article 6h

Granted.--

Article 7th

Officers to be allowed to keep Soldiers as Servants according to the common practice of the Service.-- Servants not Soldiers are not to be considered as prisoners & are to be allowed to attend their Masters.

Article 7th

Granted

Article 8th

The Bonetta Sloop of War to be equipped & navigated by its present Captain and Crew & left entirely at the Disposal of Ld Cornwallis, from the Hour that the Capitulation is signed, to receive an Aid de Camp to carry Dispatches to Sir Hry Clinton -- and such Soldiers as he may think proper to send to N York to be permitted to sail without Examination, when his Dispatches are ready. His Lordship engaging on his part, that the Ship shall be delivered to the Order of the Count de Grasse if she escapes the Dangers of the Seas -- that she shall not carry off any public Stores -- Any part of the Crew, that may be deficient on her Return, & the Soldiers passengers, to be accounted for on her Delivery --

Article 8th

Granted --

Article 9th

The Traders are to preserve their Property, & to be allowed three Months to dispose of, or remove them -- And those Traders are not to be considered as prisoners of War --

Article 9th

The Traders will be allowed to dispose of their Effects -- the Allied Army having the right of pre-emption -- The Traders to be considered as prisoners of War on parole --

Article 10th

Natives or Inhabitants of different parts of this Country at present in York or Gloucester are not to be punished on Acco of having joined the British army --

Article 10th

This article cannot be assented to -- being altogether of civil Resort --

Article 11th

Proper Hospitals to be furnished for the Sick & Wounded -- they are to be attended by their own Surgeons on parole, and they are to be furnished with Medicines & Stores from the American Hospitals -

-

Article 11th

The Hospital Stores now in York and Gloucester shall be delivered for the Use of the British Sick & wounded -- Passports will be granted for procuring them further Supplies from N York as Occasion may require -- & proper Hospitals will be furnished for the reception of the Sick & wounded of the two Garrisons --

Article 12th

Waggons to be furnished to carry the Baggage of the Officers attending the Soldiers, and to Surgeons when travelling on Acco of the Sick -- attending the Hospitals at public Expense

Article 12th

They will be furnished if possible--

Article 13th

The Shipping & Boats in the two Harbours, with all their Stores, Guns, Tackling, & Apparel shall be delivered up in their present State, to an officer of the Navy, appointed to take possession of them -- previously unloading the private property part of which had been on board for Security during the Siege.

Article 13th

Granted.

Article 14th

No Article of the Capitulation to be infringed on pretext of Reprisal, & if there be any doubtful Expressions in it, they are to be interpreted according to the common Meaning & Acceptation of the Words.--

Article 14th

Granted.--

Done at York in Virginia this 19th day October 1781

CORNWALLIS

THOs SYMONDS

[Done in the trenches before York Town in Virginia October 19, 1781.

G. WASHINGTON

LE COMTE DE ROCHAMBEAU

LE COMTE DE BARRUS, en mon nom & celui de COMTE DE GRASSE]