

Saturday, 10th January, 1806.

Articles of Capitulation proposed by the Lieutenant-Colonel Hieronimus (Castmigus von Prophalow, Commandant of the Town, Castle, &c. circumjacent fortifications of the Cape of Good Hope.

To the Major-General, in the service of his Britannic Majesty, Sir David Baird, K. B. and Commander in Chief of his Majesty's forces, and Commodore Sir Home Popham, K. M. Commander in Chief of his Britannic Majesty's Naval forces in Table Bay.

ART. I. The capitulation being signed, the Cape, Town, Castle, and circumjacent fortifications shall be immediately surrendered to the troops of his Britannic Majesty. The fortifications of the King's Block-House, Craig's Tower, and all the Batteries within that circuit, on the other side of the Camp's Bay.

II. The garrison shall, at the surrender, march out with all the honors of war—and shall then lay down their arms and become prisoners of war; but such officers as are natives of the colony, or married with natives, or in possession of sufficient landed property to become regularly, and bona fide domiciliated, shall be at liberty to continue here so long as they behave themselves as becometh good subjects and citizens; or proceed to Great-Britain with regular passports, having previously passed their paroles not to serve until regularly exchanged.

III. All officers, who, according to the previous article must go to Europe, shall be provided with passages at the expence of his Britannic Majesty, and shall have leave to realize their property previous to their departure, and receive the same pay as they did in their own service, till the day of their embarkation.

IV. The French subjects, who, belonging to the stranded frigate le Atalante, and the stranded privateer le Napoleon, were casually here, and comprehended in the capitulation, shall be treated on the same footing as the garrison, but they must all be embarked for Europe, as well as every other French subject in the colony.

V. The inhabitants of the town, who have borne arms, to be considered as belonging to the town, and may immediately return to their former occupations. But the distinction between the Burgers and other inhabitants is to remain the same, and subject to the same restrictions as under the Dutch laws.

VI. All bona fide private property, whether belonging to the civil or military servants of the government, to the Burgers and inhabitants, to churches, orphans, and other public institutions of that kind, shall remain free and untouched.

VII. Public property of every description, whether consisting of treasure, or naval, or military stores, buildings, estates or merchandizes belonging to the Batavian Republic or the government of France, shall be delivered up, and proper inventories given of them as soon as possible.

VIII. The Burgers and inhabitants shall preserve all their rights and privileges which they have enjoyed hitherto, public worship as at present in use, shall also be maintained without alteration.

IX. The paper money, actually in circulation shall continue current as heretofore, until the pleasure of his Britannic Majesty is known.

X. The lands and houses, the property of the Batavian Republic, which must be delivered in consequence of the present capitulation, shall remain as security for that part of the paper money which is not already secured by mortgages upon the estates of individuals, by its having been put to them. This is however to be without prejudice to the free use to be made of the said lands and houses for public purposes.

XI. Prisoners of war, comprehended in the present Capitulation, shall not be pressed into his Britannic Majesty's service, or engaged against their own free will and consent. With respect to other persons, they are provided for in Article V. of this capitulation.

XII. The inhabitants of Cape Town shall be exempted from having troops quartered on them.

XIII. Two ships having been sunk in Table Bay, to the great detriment of the Roadstead—either after the Batavian Republic had sent out a flag of truce, or whilst it was in contemplation to do so, they are to be raised again and delivered over in an entire state of repair; this having been done without the sanction of the commandant, the raising of the said ships, shall be incumbent on those who sunk them.

XIV. The Capitulation shall be signed at Fort Olto this afternoon, when the Castle of the Cape Town, and all the adjacent forts, previously mentioned, shall be surrendered to his Britannic Majesty's troops.

Given under our hands and seals, this 30th day of January, 1806, at Papendorp near fort Knoke.

(Signed) H. C. Baron von Prophalow, D. Baird, Major-General, Home Popham.

LONDON, Jan. 31. The Office allotted to Mr. Fox, in the pending project of Administration, perhaps particularly selected by him, that of Secretary for Foreign Affairs, is precisely the same situation which he held as a Member of the Cabinet; on two former occasions, viz. under the short lived Administration of the Marquis of Rockingham, formed in March 1782 and that of

the memorable coalition (in which he was efficient Prime Minister) which came into power in April 1788.

We have heard, Buonaparte asserts, that he will make peace with all the world except with England; and with her he will never make peace till she has restored all the ships she has taken from France, and otherwise materially diminished her navy.

It is now well known that the account of the battle of Austerlitz, accelerated the death of Mr. Pitt. The news when communicated to him by Viscount Castlereagh struck to his heart, and produced an instantaneous change in his disorder.

February 9. The Public councils are at length brought into some shape and order, and the people are now at least satisfied who are to be their Ministers. The new Tenants of the Cabinet have at length got into their seats; and though, from the necessity of vacating their places in the House of Commons for the sake of a re-election, some time must elapse before they can begin to act with much publicity, the people, secure of their appointments are content to wait, and the uneasiness of suspense is done away.

For ourselves, we regard the present prospects of the country with more sanguineness, than a close examination would, perhaps, warrant; but we know what a combined and orderly wisdom may effect; we know that talent may repair what the want of it has suffered to fall to ruins; and that a country is never so lost but that a perpetual living stream in the hearts of its citizens may be found, and that the energies and powers are not wanting to its salvation, so long as there is skill and wisdom in the public Counsellors to bring them into action.

We regard the present Ministry as the greatest hope and prop of the country, because it is composed of the most noble, generous and disinterested minds; the most experienced talents and wisdom which the kingdom can furnish. If these men cannot save us, none can. They will not only do their best for the present times (demand something more than barren good intention) but they will do the best that can be done. We are secure in these men; and if in the present momentous struggle, Providence deems us to fall, the satisfaction will yet remain to us in all the gloom of our calamity, that we tried the best means of human wisdom, and that we fell by no want of effort or skill of our own.

The people have now a sure confidence; and they know it; one common feeling unites them all; their minds are raised; their hopes are erect; they are eager to rally under leaders fit to govern, and they expect that, for this once the full honors, powers, strength and talents of the Kingdom, will be tried.—Bell's Messenger.

It is remarkable of Lord Nelson and Mr. Pitt, who have died within a short time of each other, that the one was the only Commander in Chief of a British fleet, who ever fell in action and the other the only Prime Minister, who ever died in office, since the Constitution had its present form.

February 10. We understand Mr. Fox has already sent dispatches to all our ministers at foreign Courts, announcing the change of our Ministry, and adding that his wish is to restore peace to all Europe. If report be true, it is Mr. Fox's intention to make peace with France, leaving the Boulogne flotilla as it now is; and he proposes to guard against the dangers of its existence by compelling every man in this country capable of bearing arms, to learn the use of them. The whole of our male population of this description is to be enrolled, called out occasionally in divisions, and ready on any sudden emergency to take the field.

Our troops are arrived from the continent.—Forty sail of transports—with the troops, arrived on Saturday in Yarmouth roads.

February 3. On the 14th, the marriage of Eugene Beauharnois, with the princess Augusta of Bavaria, was solemnized at Munich. He took the name of Eugene Napoleon. The new married couple were immediately to set off for Milan. It is expected that in May next Eugene Beauharnois will be proclaimed hereditary king of Italy.

There are rumours in the Paris and in the foreign journals, that negotiations for peace between England and France will take place, under the auspices of Prussia, and that they will be conducted by Joseph Buonaparte. There seems no foundation for this report, particularly as it is connected with another—that the proposals had come from this government.

Joseph Buonaparte left Paris on the 8th of January. His journey had excited some speculation; but it is generally supposed he was gone to Genoa, to succeed the arch-chancellor Le Brun, governor of that district.

The king of Sweden has presented a note to the diet of the empire, in which he

announces his intention to take no farther part in its proceedings in the present circumstances, while the influence of usurpation and selfishness continues to predominate.

The Plate upon Lord Nelson's coffin is gold. The dimensions are thirteen inches by nine. It is the same size as the Duke of Gloucester's. His Majesty's goldsmith prepared it. The following inscription is upon it.

DEPOSITUM. The most Noble Lord HORATIO NELSON,

Viscount and Baron NELSON of the Nile, &c. Born September 29, 1758.

After a series of transcendent and heroic services, this gallant Admiral fell gloriously, in the moment of a brilliant and decisive Victory over the combined fleets of France and Spain, off Cape Trafalgar, on the 21st of October, 1805.

January 14.

On Thursday last the remains of the ever to be lamented Lord Viscount Nelson, were interred in St. Paul's Cathedral, London, with all the splendour which a mourning and grateful nation could bestow. The procession moved from the Admiralty at eleven o'clock, and reached the church at three.—It was attended by about 8000 regular troops, and at least 20,000 volunteers, as likewise by the Prince of Wales, with four or five of his Royal Brothers, and a vast number of nobility and gentry. The ceremony of interment was grand and awful beyond conception.—The pall was supported by Admirals, attended by Naval Captains, and a party of the seamen and marines of the Victory, of 100 guns.—Never was a more sublime scene beheld by an admiring people, nor did ever public regret appear more general. We are sorry our limits preclude our entering into a more detailed account of this honourable proof of a nation's gratitude to the greatest of men.

PARIS, Dec. 31. TRIBUNAL DE LA PAIX.

Extraordinary Sitting of December 30. M. Carrion Nias presented the following project:—

"The French people consecrate in a national temple, the monuments and the trophies of the day of Austerlitz, and of the campaign terminated by that victory.

"When a general peace shall take place, the sword worn by Napoleon I. in that battle, shall be deposited with religious, civil, and military pomp in this temple, to be henceforward taken from thence with the same pomp by the emperor of the French, every time he places himself at the head of his troops, and to be replaced with the same ceremonies after victory and peace.

"In this temple shall be inscribed in bas-relief, and in bronze, the bulletins of the grand army, the names of all the generals and superior officers who commanded it; of all the divisions which composed it; of those brave men who perished during the campaign; of all those who were wounded; of all those who received marks of honor; and the names of the members of the great bodies of the state at the epoch when this vote shall be adopted. These tables shall be spread over the whole surface of the empire, and placed in the principal church of the chief place of each department.

"In every year the 28th of August, the anniversary of the birth of Napoleon the Great, the saviour of France and of Europe, shall be throughout the empire a day of grand, religious, civil and military solemnity.

"At this solemnity, in every department, there shall be read publicly the names of all the conscripts who shall be under their colors, the recital of their heroic actions, and the testimony to their relations of the satisfaction of their country. There shall be also read the names of those who shall not have rejoined their colors, they shall be declared dead to honor, and the affliction of their country shall be testified to their relations.

"Every three years this solemnity shall assume the name of the Grand European Festival. Solemn games shall be celebrated in honor of Napoleon I, the saviour of Europe, in which grand prizes shall be distributed in all the arts to all description of talent in all the sciences, and to every virtue which honors civilized Europe. The emperor of the French shall preside over this festival, from whose hand the men shall receive their prizes—the women from the hand of the empress. All the foreign ambassadors shall be invited to this ceremony—all the people of the continent of Europe shall be admitted at this assembly.

"The first annual solemnity and the first grand triennial festival, shall take place on the 28th of August next. The tribunate leave it to the government to determine upon the manner of executing the articles of the vote above expressed."

M. Duveyrier proposed a triumphal column, on the model of the Pillar of Trajan, to be surrounded by edifices corresponding with its dignity.

M. Previll proposed a national and religious festival, to be solemnized every year on the birth day of the emperor.

All these propositions were referred to a committee, consisting of M. M. Faure, Giffard, Gallios, Curce, and Albisson. The members of the committee withdrew.

For Sale A DOUBLE CHAIR, nearly new. Apply to J. GARNIER, Wilmington, March 11, 1806—16.

WILMINGTON,

TUESDAY, APRIL 15, 1806.

At a meeting of a majority of the subscribers to establish a Night Guard, were appointed as first, second and third Captains, Archibald F. McNeill, Christopher Dudley, jun'r. and Jesse Wingate, as they are here named, and have formed the companies of four, to guard each night as follows, the first of which are to go on duty this night.

Thursday, 3d of April, 1806.

1st Guard.—James Fleming, captain; James Usher, Edward Dudley, John Craig.

2d. John M. Gabie, captain; James Telfair, John W. Howill, I. M. Levy.

3d. Nathaniel Hill, captain; Joel E. Hobbs, Evan Jones, Thomas Archibald.

4th. William Dick, captain; Richard Lloyd, Timothy W. Bludworth, Mathew Kelly.

5th. Robert Dorsey, captain; Junius Dunbabin, John M'Coil, James Sutton.

6th. Peter Carpenter, captain; Jethro Darden, J. Larkins, Cyrus Bryant.

7th. Nehemiah Harris, captain; William Wilkinson, Nathan Williams, H. B. Joy.

8th. John Williams, captain; John Springs, John Mitchell, Alexander Anderson.

9th. John Mac Aulian, captain; Thomas Jennings, James Dickson, Robert Allan.

10th. Henry B. Howard, captain; Roger Moore, Samuel R. Jocelyn, jun'r. John Witherherd.

11th. George Noble, captain; John Barrett, Daniel M'Kay, Hilory Moore.

12th. William Mitchell, captain; William Moore, Charles B. Morris, James Laroque.

13th. Thomas Cowan, captain; John M'Can, Peter Pelham, Elijah M'Clammy.

14th. Owen Kenan, captain; William Harris, John Brown, Randolph Seagrove.

15th. Samuel Bludworth, captain; James Murrec, William Kemp, Thomas Smith.

16th. Richard Eagles, captain; Hanson Kelly, John Foote, Samuel Crows.

17th. David Smith, captain; John Garnier, Robert Mitchell, P. S. Canu.

18th. Henry Uigohart, captain; Joshua G. Wright, John Allen, John Withings.

19th. Jacob Hartman, captain; Lewis Toomer, John Nicholson, Aaron Gomez.

20th. Alexander Peden, captain; John M'Kay, James Allen, Samuel H. Sibley.

21st. Edwin J. Osborne, captain; John Boney, Andrew Scott, Thomas Robeson.

22d. Thomas Callender, captain; Archibald M. Houser, Emanuel Buttencourt, Thomas Wright.

23d. Peter Maxwell, captain; Samuel Nelson, Caleb Nichols, William A. Withings.

24th. Robert Williams, captain; Richard Taylor, H. Eudy, John Robeson.

25th. John Barclay, captain; Robert W. Brown, Michael Lazarus, John B. Cowan.

26th. George Hooper, captain; John Callherda, Francis Fontain, Samuel R. Joyce, jun'r.

27th. James W. Walker, captain; Thomas F. Davis, Thomas I. Davis, Alexander Hoffer.

28th. Richard Bradley, captain; James Marshall, Thomas Fitzgerald, John Maccaleb.

29th. Benjamin Jacoby, captain; Daniel Oncal, John Wayne, James Colver.

A Guard composed of the three Captains and George W. Burgwin, will be the last on duty; making at this time altogether thirty Guards, and it is expected in a very short time, there will be a sufficient number of Citizens called forward to form several Companies or Guards more.

A. F. McNeill.

Christopher Dudley, jun'r.

Jesse Wingate.

N. B. Those Gentlemen of the town, who have not as yet signed the agreement, for forming themselves into a Night Guard, which must be admitted is of great utility and safety to the town, are now particularly requested to come forward by Monday next, and promote as far as they can this laudable institution.

Men of real estate, look at the foregoing list of Guards and see the number of subscribers who do not possess this kind of property in the town, will not certainly hesitate one moment, in giving this institution all the aid in their power.

There are a number of old gentlemen, as well as a few young but infirm men whom the present subscribers feel confident cannot do personal duty, nor do they expect it—but it is hoped, that such will have no objections to the three Captains of the Night Guard, hiring a substitute in their place on the nights of their duty, and at their expence, as the pre-