

## AMERICAN HISTORICAL DOCUMENTS

### ARTICLES OF CAPITULATION AT YORKTOWN

#### ARTICLES OF CAPITULATION, YORKTOWN (1781)

ARTICLE I. The garrisons of York and 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 and France. The land troops to remain prisoners to the United States, the navy to the naval army of his Most Christian Majesty.

Granted.

ARTICLE II. 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.

Granted.

ARTICLE III. At twelve o'clock 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.

Granted.

The garrison of York will march out to a place to be appointed in front of the posts, at two o'clock precisely, with shouldered arms, colors cased, and drums beating a British or German march. They are then to ground their arms, and return to their encampments, where they will remain until they are despatched to the places of their destination. Two works on the Gloucester side will be delivered at one o'clock to a detachment of French and American troops appointed to possess them. The garrison will march out at three o'clock in the afternoon; the cavalry with their swords drawn, trumpets sounding, and the infantry in the manner prescribed for the garrison of York. They are likewise to return to their encampments until they can be finally marched off.

ARTICLE IV. Officers are to retain their side-arms. Both officers and 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 and papers of officers and soldiers taken during the siege to be likewise preserved for them.

Granted.

It is understood that any property obviously belonging to the inhabitants of these States, in the possession of the garrison, shall be subject to be reclaimed.

ARTICLE V. The soldiers to be kept in Virginia, Maryland, or Pennsylvania, and as much by regiments as possible, and supplied with the same rations of provisions as are allowed to soldiers in the service of America. A field-officer from each nation, to wit, British, Anspach, and Hessian, and 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 their officers may receive and deliver clothing and other necessaries for them, for which passports are to be granted when applied for.

Granted.

ARTICLE VI. The general, staff, and other officers not employed as mentioned in the above articles, and who choose it, to be permitted to go on parole to Europe, to New York, or to any other American maritime posts at present in the possession of the British forces, at their own option; and 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, and they to reside in a district to be agreed upon hereafter, until they embark. The officers of the civil department of the army and navy to be included in this article. Passports to go by land to be granted to those to whom vessels cannot be furnished.

Granted.

ARTICLE VII. 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, and are to be allowed to attend their masters.

Granted.

ARTICLE VIII. The Bonetta sloop-of-war to be equipped, and navigated by its present captain and crew, and left entirely at the disposal of Lord Cornwallis from the hour that the capitulation is signed, to receive an aid-de-camp to carry despatches to Sir Henry Clinton; and such soldiers as he may think proper to send to New York, to be permitted to sail without examination. When his despatches are ready, his Lordship engages on his part, that the ship shall be delivered to the order of the Count de Grasse, if she escapes the dangers of the sea. That she shall not carry off any public stores. Any part of the crew that may be deficient on her return, and the soldiers passengers, to be accounted for on her delivery.

ARTICLE IX. The traders are to preserve their property, and to be allowed three months to dispose of or remove them; and those traders are not to be considered as prisoners of war.

The traders will be allowed to dispose of their effects, the allied army having the right of preemption. The traders to be considered as prisoners of war upon parole.

ARTICLE X. Natives or inhabitants of different parts of this country, at present in York or Gloucester, are not to be punished on account of having joined the British army.

This article cannot be assented to, being altogether of civil resort.

ARTICLE XI. Proper hospitals to be furnished for the sick and wounded. They are to be attended by their own surgeons on parole; and they are to be furnished with medicines and stores from the American hospitals.

The hospital stores now at York and Gloucester shall be delivered for the use of the British sick and wounded. Passports will be granted

for procuring them further supplies from New York, as occasion may require; and proper hospitals will be furnished for the reception of the sick and wounded of the two garrisons.

ARTICLE XII. Wagons to be furnished to carry the baggage of the officers attending the soldiers, and to surgeons when travelling on account of the sick, attending the hospitals at public expense.

They are to be furnished if possible.

ARTICLE XIII. The shipping and boats in the two harbours, with all their stores, guns, tackling, and 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.

Granted.

ARTICLE XIV. No article of capitulation to be infringed on pretence of reprisals; and if there be any doubtful expressions in it, they are to be interpreted according to the common meaning and acceptation of the words.

Granted.

Done at Yorktown, in Virginia, October 19th, 1781.

CORNWALLIS,  
THOMAS SYMONDS.

Done in the Trenches before Yorktown, in Virginia, October 19th, 1781.

GEORGE WASHINGTON,  
LE COMTE DE ROCHAMBEAU,  
LE COMTE DE BARRAS,  
En mon nom & celui du  
COMTE DE GRASSE.

