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CHAPTER XXVI.—Continued.

Lieut.-General Burgoyne's proposals with Major General Gates' answers, followed as a matter of course.

"The annexed answers being given to Major General Gates' proposals it remains for Lieut.-General Burgoyne and the army under his command to state the following preliminary articles on their part.

"1. The troops to march out of their camp with the honors of war and the artillery of the entrenchments which will be left as hereafter may be regulated,

"Answer.—The troops to march out of their camp with the honors of war and the artillery of the intrenchment to the verge of the river where the old fort stood, where their arms and artillery must be left.

"2. A free passage be granted to this army to Great Britain upon condition of not serving again in North America during the present contest, and a proper port be assigned for the entry of transports to receive the troops whenever General Howe shall so order.

"Answer.—Agreed to for the port of Boston.

"3. Should any cartel take place by which this army or any part of it may be exchanged the foregoing article to be void as far as such exchange shall be made.

"Answer.—Agreed.

"4. All officers to retain their carriages, bat-horses and other cattle, and no baggage to be molested or searched, the Lieut.-General giving his honor that there are no public stores secreted therein. Major General Gates will of course take the necessary measures for the security of this article.

"Answer.—Agreed.

"5. Upon the march the officers are not to be separated from their men, and in quarters the officers shall be lodged according to rank and are not to be hindered from

employing their men for roll calling and other necessary purposes of regularity.

"Answer.—Agreed to as far as circumstances will admit.

"6. There are various corps in this army composed of sailors, batteau men, artificers, drivers, independent companies, and followers of the army, and it is expected that these persons of whatever country shall be included in the fullest sense and utmost extent of the above articles and comprehended in every respect as British subjects.

"Answer.—Agreed to in the fullest extent.

"7. All Canadians and persons belonging to the establishment in Canada be permitted to return home.

"Answer.—Agreed.

"8 Passports to be immediately granted for three officers, not exceeding the rank of Captain, who shall be appointed by General Burgoyne to carry dispatches to Sir W. Howe, Sir G. Carleton, and to Great Britain by the way of New York, and the public faith be engaged that these despatches are not to be opened.

"Answer.—Agreed.

"9. The foregoing articles to be considered only as preliminary for fixing a treaty in the course of which others may arise to be considered by both parties, for which purpose it is proposed that two officers of each army shall meet and report their deliberations to their respective Generals.

"9. This capitulation to be finished by two o'clock this day and the troops to march from their encampment at five and be in readiness to move towards Boston to-morrow morning.

"10. Lieut.-General Burgoyne will send his Deputy Adjutant General to receive Major General Gates' answer to-morrow morning at ten o'clock.—Complied with.

"(Signed.) HORATIO GATES.

"Saratoga, Oct. 15th, 1777."

It is evident from the terms of the treaty that General Gates knew the full value politically and morally of the advantages so easily obtained and that he had no notion of losing them from any mistaken sense of vain show or a desire to sacrifice more lives

than necessary. In fact it was yet doubtful whether he would be able to reap the full fruits of his good fortune, Clinton might at any time arrive at Albany and even in that case Burgoyne's surrender would not have helped General Gates materially. He did therefore, what a good and prudent soldier should have done, secured all possible advantages without risking anything.

CHAPTER XXVII.

The officers met, as appointed, on the 16th of October, when the following terms of capitulation were finally arranged:

"1. The troops under Lieut.-General Burgoyne to march out of their camp with the honors of war, and the artillery of the intrenchments to the verge of the river where the old fort stood, where the arms and artillery are to be left—the arms to be piled by word of command from their own officers.

"2. A free passage to be granted the army under Lieut.-General Burgoyne to Great Britain on condition of not serving again in North America during the present contest, and the port of Boston is assigned for the entry of troops whenever General Howe shall so order.

"3. Should any cartel take place by which the army under General Burgoyne, or any part of it may be exchanged the foregoing article to be void as far as such exchange shall be made.

"4. The army under Lieut.-General Burgoyne to march to Massachusetts Bay by the easiest, most expeditious and convenient route, and to be quartered in, near, or as convenient as possible to Boston, that the march of the troops may not be delayed when transports arrive to receive them.

"5. The troops to be supplied on their march and during their being in quarters with provisions by Major-General Gates' orders at the same ratio of rations as the troops of his own army, and if possible the officers' horses and cattle to be supplied with forage at the usual rates.

"6. All officers to retain their carriages, bat-horses and other cattle, and no baggage to be molested or searched. Lieut.-General