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the ill will of the public than by obtaining from your Excellency a reply which may convince the Portugueze people that the General to whom the direction of their forces is confided, has yielded only to urgent circumstances, and to the absolute necessity of not compromising the army under his command."

If the Portugueze General had not separated from the British army, contrary to the advice and request of Sir Arthur Wellesley, he would of course have been a party to the negotiation. Sir Hew, upon occasion of the armistice, had desired him to state his sentiments fully while the negotiations were in progress; not having received one word of comment during that time, he expressed his surprise at this late expostulation on terms to which the honour of the British Commanders was pledged, as far as their influence or power could be supposed to extend by the common and known laws of war. But to this it was replied, that Ayres Pinto had personally communicated the General's objections to the conditions of the armistice, representing that the Portugueze army and the Government were treated too cavalierly in this transaction; that some notice should be taken of them, were it only to prevent factious persons from raising injurious reports; that the French were not strong enough to deserve so much consideration; and that the Portugueze were now in a condition to demand account from them of the robberies, rapines, depredations, murders, and sacrileges of every kind which they had committed in that kingdom, and which called for exemplary vengeance. The Portugueze Commander now poured in his representations and complaints. It was his duty to declare, he said, that not having been consulted on, or privy to this negotiation, in which he supposed his country was concerned, he considered himself exempt from all responsibility for it. He complained that no notice had been taken in the armistice of the troops under the Monteiro Mor in Alem-Tejo,

CHAP. nor of the Spanish army of Estremadura which had entered that  
 XI. province. The British army, he affirmed, could not, and ought  
 1808. not to be considered in any other light than an auxiliary army;  
September. as such it had been applied for by the Provisional Government,  
 and as such it was still to be regarded, let its strength be what it  
 might. Under these circumstances any treaty with the French  
 ought to have been made in conjunction with the Portuguese  
 Government, and with its full approbation. He protested finally  
 against the treaty in the whole and in its separate parts, . . . in the  
 whole, because it contained no consideration of the Prince Re-  
 gent or the Government which represented him; in its parts,  
 because no declaration was made that what places, stores, and  
 ships were to be taken possession of should be restored to the  
 Portuguese Government; because it stipulated for the impunity  
 of individuals who had betrayed their country; and because it  
 made no provision for the security of the people of Lisbon and  
 its neighbourhood while the French continued there.

*Reply of  
 Sir Hew  
 Dalrymple.*

These representations were in some respects well founded; they were mingled with futile matter, and there was also a covert purport in them, which Sir Hew Dalrymple perfectly understood, of exciting a popular feeling in favour of the Junta of Porto, that body being desirous of prolonging and extending its authority, after the circumstances which alone rendered it legitimate had ceased. Leaving this question untouched, Sir Hew replied, with a courtesy and frankness that disarm resentment. It was not possible, he said, to engage the existing Government of Portugal in a negotiation purely military in its nature, and in which no reference was had either to the Governments of England or of France. With regard to the indemnity for political offences, it was natural that the French should demand it; and to him it appeared that the treaty afforded a fair occasion for remitting punishments which, by keeping political animosity alive, would

not have tended to the tranquillity and happiness of the country. There was little reason to suppose that persons who had thus rendered themselves obnoxious would venture to remain long after the French; if they did, they would of course be vigilantly observed, and their future treatment would depend upon their future conduct. It was not from any want of personal respect to General Freire that he did not enter into the discussion of points which it was only incumbent on him to explain to the Government of the country. But being aware of the calumnies which had been disseminated by the enemy in other countries, as now in this, he assured his Excellency, and would use the necessary means for giving publicity to the pledge, that he served in Portugal as the Commander of a force acting in alliance with the Sovereign of that country; and therefore considered himself bound by duty and honour to pay as strict a regard to the interests of the Prince Regent, the dignity and security of his Government, and the welfare of the nation of which he was the lawful ruler, as even his Excellency himself. But as touching the cessions, he did not see in what terms they could have been better framed. "The nominal Duke of Abrantes," said Sir Hew, "is not the guardian of the Prince Regent's interests; and if any pledge is necessary of the pure and disinterested views of the Sovereign I have the honour to serve, I do not think it was through the stipulations of a treaty with that General that it could most properly be conveyed." The manifest good faith and the temper of this reply produced their proper effect, and General Freire expressed his satisfaction in it as promising the most happy, prompt, and secure accomplishment of the object at which they aimed.

Before the British troops entered Lisbon the Russian Admiral wrote to Sir Hew to inquire what flag was to be displayed when the forts on the Tagus were delivered up, and whether

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*The British  
flag hoisted  
in the forts.*

CHAP. if the Portugueze flag were hoisted, the port would be considered  
 XI. neuter, and his squadron entitled to the benefit of that neutrality.

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Sir Hew replied, that if he felt authorized to interfere in a business which had been exclusively referred to Sir C. Cotton, he could easily anticipate the answer which that Commander would make. Contrary, however, to his expectation, when two regiments were landed from the fleet, and took possession of the ports on the river, the British flag was hoisted. The Portugueze were naturally hurt at this ; but before their General could offer any representation on the subject, Sir Hew had ordered the Portugueze colours to be displayed in its stead. The negotiation concerning the Russian squadron had not been concluded when the question was proposed to the British General, and it was to settle in a summary way Admiral Siniavrin's claim to the protection of a neutral port that the English flag had been planted by Sir C. Cotton.

*Anarchy in  
Lisbon.*

During the negotiation Lisbon was in a dreadful state. Those wretches who, to the reproach of Christian states and civilized society, are bred in the corruption of all great cities, took advantage of the temporary dissolution of government as they would have done of a conflagration or an earthquake. The soldiers of the police, being Portugueze, had almost all gone to join their countrymen in arms ; and the French while they went the rounds, suffered robberies to be committed in their hearing and in their sight, either not understanding the cries for help, or not choosing to interfere, now that their reign was at an end. They indeed themselves were in such danger, that they soon gave over patrolling the streets, and fired upon those who approached their quarters in the night. In this manner several Portugueze were shot ; the French venturing upon this, not so much in the confidence of their own strength, as in full reliance upon the interference of the English to protect them.

*Observador  
Portuguez,  
420. 501-3.  
Neves, v.  
202.*

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There had been a great error of judgement in not following up the victory at Vimeiro ; and in the subsequent negotiations the British Generals had taken a lower tone than the enemy expected, or circumstances required. But they were more censurable for having failed to manifest that moral sense of the enemy's conduct which individually they felt, and yet collectively seemed for a time to have suppressed, for the sake of professional considerations and courtesy, never more unworthily bestowed. The soldiers of Buonaparte in Portugal had forfeited all claim to those courtesies which honourable men will always delight in rendering to honourable enemies. They had disgraced their profession and their country, and it behoved the British, for the sake of theirs, to have testified their sense of this in the most decided manner. But instead of shunning any farther intercourse than was necessary for the execution of the treaty, they entered into social intercourse with the French, entertainments were mutually given, and British Generals sate at Junot's table in company with the men who were responsible for the horrors committed at Evora and Leiria. They were not fully informed of those crimes, and certainly did not believe Junot and his people to be so thoroughly destitute of honour as they soon found them. But proof enough of their wickedness had been given in public and official acts ; and in thus appearing for a time to forget the real character of the cause in which Great Britain was engaged, a moral fault, as well as a political error, was committed.

Elated no doubt by this, as well as by their success in negotiation, the French continued that system of public and private robbery for which they seemed to think the convention had granted them entire impunity. General Freire complained to Sir Hew Dalrymple that they were plundering the treasury, the museum, public libraries, arsenals, churches, and the houses

*The French  
continue to  
plunder.*

CHAP. and stores of individuals. The British commissioners for carry-  
 XI. ing the convention into effect, Major-General Beresford and  
 1808. Lord Proby, informed him, that except the military and naval  
September. stores there was no kind of public property which the French  
 intended to relinquish; that they meant to carry off the valuables  
 of the Prince, the plunder of the churches, and much of the  
 property of individuals; that they had packed up the royal  
 library, and most of the articles of the museum; that during the  
 negotiation they had taken a sum of about £22,000 from the  
*Deposito Publico*, which was in fact a robbery of individuals,  
 that money being deposited there till litigations concerning it  
 should be decided; and that even after the terms were signed  
 they had actually demanded the money arising from the revenues  
 of the country. The merchants of Lisbon addressed a memorial  
 to the British Commander, stating that Junot had exacted from  
 them a forced loan of two million *cruzados*, promising that pay-  
 ment should be made out of the enormous war-contribution  
 which he had imposed; they had not been paid, and it was now  
 his intention to depart without paying them; they therefore  
 prayed for redress, and likewise that some steps should be taken  
 for recovering their ships and property which had been unlaw-  
 fully sequestered in France.

Question  
 concerning  
 baggage.

There was something absolutely comic in the impudent per-  
 suasion of the French that they might continue to pillage, and  
 carry off what they pleased, under protection of the British  
 army. They proposed to take away the Vasco da Gama and  
 some Portugueze frigates; the Gama, it may be remembered,  
 was the ship wherein they had embarked great part of the  
 treasure which they had collected. The reply was, that these  
 vessels did not belong to them, and they were only to carry away  
 their individual baggage. Junot actually demanded five ships  
 to remove his own personal effects. Such a demand was of

course pronounced to be inadmissible. Sir Hew declared he would not listen to any proposal which compromised his own honour and that of the British nation. He perceived, that owing to the shameless and open manner in which the French were preparing to carry off public and private property, popular indignation was strongly excited, and that because of the interpretation which they by their conduct affected to give the convention, this feeling was little less directed against the English than the French. He instructed the commissioners therefore to require the restoration of these plundered goods; "by this means," said he, "affording a proof to the Portugueze nation that we at least act with good faith, and are therefore entitled to use the necessary measures, however vigorous, for the protection of those obnoxious persons for whose safety that faith is pledged."

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The commissioners exercised their charge with becoming firmness. The money taken from the public deposit they compelled the French to promise to replace, . . a concession which was not obtained till after a very long discussion. The spoils of the museum and royal library were also reclaimed. They had been selected, General Kellermann said, by M. Guiffroi, a member of the National Institute: the objection, indeed, on the part of the English, he admitted to be well founded; nevertheless, he observed that these articles, consisting chiefly of specimens in natural history, and interesting manuscripts, were, in general, duplicates, . . that they were precious acquisitions for the sciences; . . the sciences were of all countries, and far from making war upon them, we ought to promote their communication. They wished, therefore, to select articles of natural history at their pleasure, and to leave for them such compensations as the English might think proper. Of course, the British commander returned a most decided negative, saying he

*The French  
endeavour  
to carry off  
articles  
from the  
Museum.*

CHAP. XI. could not sell articles which were not his, and would not allow them to be removed: and the French general was compelled to issue a general order, commanding all individuals of the French army, or administration, to make restitution of whatever they had taken from any public or private establishment, within four-and-twenty hours.

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*They embark horses, carriages, and pictures, which are recovered.*

It was something to have wrung from them such a confession of robbery; yet within a few hours after this very order had been issued, Junot's first aide-de-camp, Colonel de Cambis, carried off the Prince Regent's horses from the royal stables, to embark them as General Junot's property. Having been compelled to restore them, this same officer the next day endeavoured in like manner to carry off two carriages belonging to the Duke of Sussex, and it was necessary to threaten him with being carried prisoner to England, if he persisted in this sort of conduct. It was ascertained that Junot had embarked a collection of pictures from the house of the Marques de Angeja; restitution was demanded, and he said they had been given to him. This was found to be false; and Junot then laid the affair upon a relation of his who was embarked with him, but who immediately endeavoured to conceal himself in one of the transports. A threat of detaining the General brought this person back; he was ordered on shore, to give an account of the transaction, and as he refused to acknowledge the jurisdiction of the commissioners, or to land, was compelled to do both, and to produce the pictures.

*They carry off large sums in money.*

But in other cases the commissioners were bound by the letter of a treaty, in which it now appeared that one party could not have presumed too little upon the honour of the other, nor one too much. All the money which these plunderers had collected they were allowed to carry off. Sir Hew observed, that this description of property could never come under the pro-



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visions of the treaty, and that it was impossible to identify it, or prove exactly from whom it was obtained. But Ayres Pinto had pointed out a simple and satisfactory mode of proof: the French had brought no Portuguese money with them, consequently, whatever they possessed in it must have been the fruits of rapine. Yet the French carried off three months' pay for the whole army, in the general military chest, and, besides this, distributed large sums to the different regiments, to be carried off in their regimental chests. One regiment alone was said to have taken 100,000 crowns with it.

*Question concerning the silver in bars.*

The French had also a great quantity of silver in bars, into which they had reduced the pillage of the churches and palaces, for the sake of easier conveyance. Kellermann strenuously insisted that the convention guaranteed to them whatever was in their possession previous to the first day of the truce, and declared, most positively, that they never would concede this point. The commissioners, on the contrary, insisted upon the article which restricted them from carrying off other than military and personal baggage; and they declared that the Commander-in-chief would never consent to any other construction. At length they compromised the dispute: the French, though they would not acknowledge that, by the treaty, they were under any obligation, proposed to pay the debts of the army with this silver, for which purpose, they said, it had ever been expressly intended, and agreed, that if any remained after these debts were discharged, it should be delivered up. The commissioners acknowledged, that, by the convention, they could scarcely require more; and Sir Hew pronounced that the offer was fair, and might be acceded to.

*Further instances of dishonour in the French.*

The commissioners, however, were soon convinced that concession was not the likeliest expedient for avoiding new pretensions. The ingenuity of man, they said, could not provide