

PAPERS

RELATIVE TO

THE WAR IN SPAIN.

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PAPERS

RELATIVE TO

THE WAR IN SPAIN,

Presented to the House of Commons, by the Queen's Command, June, 1839.

LONDON:

PRINTED BY J. HARRISON & SON.

LIST OF PAPERS

1. A list of all the papers in the collection of the Library of the University of Toronto, Ontario, Canada, which have been deposited in the Library since the year 1827, and which are now in the possession of the Library.

2. A list of all the papers in the collection of the Library of the University of Toronto, Ontario, Canada, which have been deposited in the Library since the year 1827, and which are now in the possession of the Library.

3. A list of all the papers in the collection of the Library of the University of Toronto, Ontario, Canada, which have been deposited in the Library since the year 1827, and which are now in the possession of the Library.

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LIST OF PAPERS.

No. I. A Return of all the Supplies furnished for the Service of the Queen of Spain, from July, 1838, up to the latest period, including and specifying any Articles furnished to Munagorri, a Spanish Chief, either in Money, Arms, Cannon, or Stores. Also the amount of extra charges of our Navy, caused by the Artillery, Engineers, or Sappers or Miners, and employment of our Squadron on the Coast of Spain, and the Marines on Shore.

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P A P E R S
 RELATIVE TO
 THE WAR IN SPAIN.

No. I.

*A Return of all the Supplies furnished for the Service of the Queen of Spain, from July 1838, up to the latest period, including and specifying any articles furnished to Munagorri, a Spanish Chief, either in Money, Arms, Cannon, or Stores. Also the amount of extra charges of our Navy, caused by the Artillery, Engineers, or Sappers, or Miners, and employment of our Squadron on the coast of Spain, and the Marines on shore.
 Prepared in pursuance of an Order of the House of Lords, dated the 22nd February, 1839.*

(1.) Return from the Admiralty Department, 23rd March, 1839.

Supplies for the Service of the Queen of Spain, (as far as Accounts have been received in Office.)

Provisions, &c.

Biscuit, 8,105 pounds; Rum, 237 gallons; Beef, 152 pieces, of eight pounds; Pork, 340 pieces, of four pounds; Fresh Beef, 4,414 pounds; Vegetables, 2,206 pounds; Flour, 1,008 pounds; Suet, 84 pounds; Pease, 15 bushels; Sugar, 813 pounds; Tea, 105 pounds; Chocolate, 498 pounds	£ s. d. 1,448 19 8
Daily rations to persons victualled, equal at full Seaman's allowance to 27,882 persons victualled for a day	-
Necessaries amounting to £2 12s. 6d.	-

Naval Slops.

Duck, 2,072 yards; Shirts, 837; Woollen Trousers, 235 pairs; Shoes, 250 pairs; Forage Caps, 215; Tobacco, 148 pounds	389 19 1
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Medical Expenses.

Value of Rations issued on Account of Sick and Wounded Men, belonging to the Anglo-Spanish Legion, admitted into the Naval Hospitals at Haslar and Plymouth	66 19 6
	£1,905 18 3

Memorandum:—There is nothing to show that any Articles were specifically furnished to Munagorri the Spanish Chief.

*Extra Charges of our Navy, &c.**Sappers and Miners.*

Working Pay of the Royal Sappers and Miners, between the 1st July and 31st December, 1838	£ s. d. 178 19 1
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Squadron.

Wages and Victuals for the total complements of H.M. Ships in commission, between the 1st July, 1838, and 28th February, 1839	£ s. d. 28,794 9 0
Wages and Victuals of the Marine Battalion, serving with H.M. Ships, between the 1st of July, 1838, and the 28th February, 1839— after abating the amount they would have re- ceived at Quarters, if on Shore	6,770 15 5
Medicines, &c., supplied to the Marine Bat- talion, between the 1st July, 1838, and 19th March, 1839	12 11 9
Salary of an Interpreter on Board H.M. Ship <i>North Star</i> , between 1st July and 31st December, 1838	36 16 10
Rent of a Forge at St. Sebastian, between the 1st July and 31st December, 1838	8 8 7
	35,623 1 7

Marines on Shore.

Contingent Expenses and Allowances of the Marine Bat- talion, between 1st July and 31st December, 1838	1,500 3 4
	£ 37,302 4 0

Recapitulation.

Supplies for the Service of the Queen of Spain	1,905 18 3
Extra Charges of our Navy, &c.	37,302 4 0
Total - - -	£ 39,208 2 3

J. T. BRIGGS,

Accountant-General of the Navy.

(2.) Return from the Ordnance Department, 8th March, 1839.

Spanish Government.

5000 Muskets; 54-32 por Shot; 176 Cannon Cartridges; 210lbs. of Powder
10 metal-lined Cases; 250 Arm Chests.

To equip the British Auxiliary Brigade in Spain.

4-4 $\frac{1}{2}$ In. brass Howitzers; 4-4 $\frac{1}{2}$ In. Beds for Howitzers; 2552 Shot
and Shells; 6216 Cannon Cartridges and Bursters; 2520 Fuzes; 155 Boxes
for Ammunition, Shot, and Shells; 100 Sets of Horse Harness; 20 Pack
Saddles; 6 Officers' Saddles, &c.

For Service of the Royal Sappers and Miners, serving with the Squadron on the North Coast of Spain.

Intrenching Tools:—100 Pickaxes; 200 Spades and Shovels; 1000 Sand Bags; 24 Wheelbarrows, &c.

Miners' Tools:—4 Brass Nails; 4 Jumpers; 2 Tamping Bars; 6 Borers; 20 Pole Picks; 8 Iron Crows; 6 Hammers, &c.

Masons and Carpenters' Tools:—6 Axes; 12 Hand Bills; 8 Saws; 24 Hammers; 12 Trowels; 8 Planes; 4 Adzes, &c.

Value:	Spanish Government	-	-	£ 6769
	British Auxiliary Brigade	-	-	1678
	Royal Sappers and Miners	-	-	192
				—————8639

Extra Charges caused by the Artillery, Engineers, or Sappers and Miners, employed on the Coast of Spain:—

Officers—Artillery	-	-	£ 341
Ditto—Engineers	-	-	189
			—————530

£ 9169

By order of the Board
G. BUTLER,
for the Secretary.

Office of Ordnance,
8th March, 1839.

(3.) Return from the Army Medical Department, and from the Treasury, 1st March, 1839.

Return in reference to an Order of the House of Lords, showing that no Stores have been furnished by this Department for the Service of the Forces of the Queen of Spain, from July, 1838, up to the present period.

From July, 1838, to 1st March, 1839.

Furnished for the Service of the Forces of the Queen of Spain	-	-	-	Nil.
Furnished to the Spanish Chief Munagorri	-	-	-	Nil.
				J. Mc GRIGOR, Director General.

The following Payments have been directed by the Treasury since July, 1838, for Medicines and Surgical Materials furnished previously to that date, viz.:—

On 3rd December, 1838	-	-	-	£159 12 6
16th January, 1839	-	-	-	78 11 6

No. II.

An Account of Payments from Army Extraordinaries and Civil Contingencies since June 1838, made to Colonels Wylde and Lacy, Her Majesty's Commissioners in Spain.

Army Extraordinaries.

	<i>Colonel Wylde.</i>			<i>Colonel Lacy.</i>		
	£.	s.	d.	£.	s.	d.
Pay and Allowance:—						
From 1st July to 30th September	111	11	0	111	11	0
From 1st October to 31st December	111	11	0	139	3	0
Forage for three Horses:—						
From 1st July to 30th September				27	12	0

Civil Contingencies.

22nd Sept. Mr. Staveley, on account of, 1839.				500	0	0
2nd Jan. Ditto	500	0	0			
2nd March Ditto				500	0	0
	<u>£723</u>	<u>2</u>	<u>0</u>	<u>1,278</u>	<u>6</u>	<u>0</u>
				723	2	0
				<u>£2,001</u>	<u>8</u>	<u>0</u>
			Total			

Inclusion I in No. 2.

General San Miguel to the Chief of the Cabinet.

Copia literal del oficio dirigido al Excmo. Sr. D. San Miguel, segun lo es de este reino, en 9 de Octubre de 1838.

J. A. Salas y otros conductores, cogitatis en un todo a los principios de humanidad, respecto de gentes y leyes de la guerra que se ha tenido con

No. III.

Copies or Extracts of any Correspondence that has taken place with the Government of Spain, or with any other Foreign Government, since July 1838, relative to the continued Atrocities of the War in Spain.

No. 1.

Sir George Villiers to Viscount Palmerston.—(Received June 25th.)

(Extract.)

Madrid, June 16th, 1838.

DON CARLOS has lately caused six persons of consideration—magistrates and Alcaldes, likewise a woman—to be put to death for being suspected of holding communication with Pamplona, which town, together with several others, is now strictly blockaded.

No. 2.

Lord William Hervey to Viscount Palmerston.—(Received October 23rd.)

My Lord,

Madrid, October 14th, 1838.

I HAVE the honour to transmit to your Lordship the copy and translation of a letter addressed by General Santos San Miguel to the Carlist Chief, Cabrera, in consequence of his putting to death several of the prisoners taken after the late action with General Pardinas, and burning the town of Urrea del Jalon, in which he threatens to make reprisals should such inhuman conduct be persisted in.

Viscount Palmerston, K. B.

I have, &c.

&c. &c. &c.

(Signed.)

WILLIAM HERVEY.

Inclosure 1 in No. 2.

General San Miguel to the Carlist Chief, Cabrera.

Copia literal del oficio dirigido al rebelde Cabrera por el Excmo. Sr. D. Santos San Miguel, segundo cabo de este reino, en 9 de Octubre de 1838.

LA infame y atroz conducta, contraria en un todo á los principios de humanidad, derecho de gentes y leyes de la guerra que V. ha tenido con

los heridos prisioneros pertenecientes á la division del Excmo. Sr. general Pardiñas, asesinándolos vilmente despues de rendidos, y la observada últimamente en el pueblo de Urrea de Jalon, que V. entregó á las llamas causando la infelicidad de sus habitantes, y el asesinato cometido en cuantos Nacionales de dicho pueblo cayeron en su poder, llena de indignacion á todo el corazon humano, sea cual sea su opinion ó partido á que pertenezca, porque para hacer la guerra con nobleza, no es preciso extender los efectos de ella á los pacificos habitantes, ni usar con los enemigos rendidos otra conducta que la que marcan aquellas, y el honor del gefe que manda y prescribe.

Me es muy sensible usar de represalias, y verme precisado á observar otra igual con los que desafectos al actual sistema que rige en la nacion, aparecen partidarios y amigos de esa innoble y ruin causa que V. defiende, y que envuelve á la nacion en luto y llanto; pero mi deber y el interes de proteger el pais que está á mi cuidado me imponen esa obligacion. En consecuencia he puesto presas á todas las personas pudientes é influyentes de esta poblacion que se hallan en este caso.

Mi conducta con ellas será igual á la que V. en lo sucesivo observe en las poblaciones, y con los amigos y defensores de la causa de la libertad y del trono de la Reina Isabel II.

No circunscribiré mi accion á esta solo poblacion; en cualesquiera que nuestras tropas ocupen, la tendré igualmente con las que pertenezcan á su partido, siguiendo con ellas la misma linea de conducta que V. con las contrarias. V. conocerá que este sistema arruinará bien pronto á unos y otros, y no dejará en el pais mas que el puro suelo, sacrificados los habitantes que le pisan, y fortunas de que disponen.

Haga V. la guerra con el carácter que conviene á un honrado militar y aunque la causa que defienda está proscrita por los hombres sensatos que conocen el modo de constituirse en sociedad, hágase al menos digno de contarse entre los racionales; porque si bien sus opiniones son erróneas en principios de politica, manifestarán al menos un corazon humano, y no de tigre, como disgraciadamente observo, recibiendo por tal sistema la general maldicion de cuantos disgraciadamente habitan el pais que V. recorre, y estan sujetos por esta causa á los efectos del de sangre y ruina, que ha adoptado contra los principios de humanidad, atrayendose con él enemigos en vez de prosélitos.

Quizá su respuesta á este escrito será poco conforme á lo que me prometo y deseo; pero en tal caso no seré culpable de los males que produzca, y V. será responsable ante Dios y los hombres de cuantas desgracias, continuando en el mismo, acarrea á la humanidad doliente y affligida. Dios guardé á V. muchos años. Zaragoza 9 de Octubre de 1838.—El general segundo cabo, Santos San Miguel.—Sr. D. Ramon Cabrera, gefe de las fuerzas rebeldes de Aragon.

(Translation.)

Literal Copy of the official Letter addressed to the rebel Cabrera, by his Excellency Don Santos San Miguel, Second General of this Province, on the 9th October, 1838.

THE infamous and atrocious conduct, entirely contrary to the principles of humanity, the rights of man, and the laws of war, which you have observed towards the wounded prisoners belonging to the division of his Excellency General Pardiñas, vilely assassinating them after they had surrendered, and the conduct latterly observed in the town of Urrea de Jalon, which you gave up to the flames, causing the ruin of its inhabitants, and the murder of as many of the National Guards of that town as fell into your hands, fills every human heart with indignation, to whatever opinion or party it may belong, because in order to carry on war with generosity, it is unnecessary to extend its effects to peaceful inhabitants, nor to observe towards an enemy who has surrendered, any other conduct than that

pointed out in the said laws, and what the honour of the Chief who commands, prescribes.

It is very painful to me to use reprisals, and to find myself compelled to adopt a similar conduct towards those who, disaffected to the system which governs the nation, appear as partizans and friends of the ignoble and base cause which you defend, and which involves the nation in grief and mourning; but my duty, and the desire to protect the country which is under my charge, impose on me that obligation. I have in consequence imprisoned all the wealthy and influential persons in this town who are in that position.

My conduct towards them will be equal to that which you in future observe in the villages, and towards the friends and defenders of liberty, and the throne of Queen Isabel the Second.

I will not circumscribe my action to this town alone. In whatever one may be occupied by our troops, I shall observe the same with those who belong to your party, following, with regard to them, the same line of conduct which you may pursue towards us. You will find that this system will soon ruin both one and the other, and that it will not leave in the country more than the bare soil, after sacrificing the inhabitants who reside on it, and the fortunes they possess.

Make war in the way that becomes an honest soldier; and, although the cause which you defend is proscribed by all sensible men who know how to constitute themselves in society, make yourself at least worthy of being counted amongst rational creatures, for although your opinions are erroneous in political principles, yet it will prove that you have a human heart and not a tiger's, as I unfortunately observe, receiving by such a system the universal curse of as many as unhappily reside in the country which you overrun, and who are thus exposed to the bloody and ruinous system which you have adopted, contrary to the principles of humanity, thus drawing on yourself enemies instead of proselytes.

Your answer to this letter may perchance be little conformable to what I expect and desire; but, in that case, I shall not be answerable for the evils which may be produced, and you will be responsible before God and men for all the misfortunes which, by continuing, you will draw down upon suffering and afflicted humanity.

God preserve you many years.

Zaragoza, October 9th, 1838.

The General second in command.

(Signed)

SANTOS SAN MIGUEL.

To Don Ramon Cabrera, Chief of the Rebel Forces in Aragon.

No. 3.

Sir George Villiers to Viscount Palmerston.—(Received November 5th.)

My Lord,

Madrid, October 27th, 1838.

I HAVE the honour to inclose the copy and translation of a Royal Order, dated the 14th inst., approving of the conduct of the acting Captain General of Aragon, upon the occasion of a threatened disturbance at Zaragoza, after the defeat of General Pardiñas, and appointing a "Junta of Reprisals" in that city.

I have taken an opportunity to speak to the Duque de Frias upon the subject, and to express an anxious hope that the Queen's Government did not intend to sanction a system of reprisals, nor to imitate the sanguinary atrocities of the Carlists. I also asked him what was the object of appointing the Junta at Zaragoza, and in what manner it had been instructed to proceed.

His Excellency stated that some demonstration on the part of the Government had become absolutely necessary, for the purpose of keeping in check the public feeling in Aragon, which was exasperated to the highest pitch by the ferocious conduct of Cabrera: for this Chief appears

not only to have caused all the wounded infantry, belonging to General Pardinás's division, who fell into his hands, to be shot, and those of the cavalry to be lanced to death, but has since massacred all the serjeants and corporals, the number of whom is said to amount to ninety-six. A Junta had, therefore, been formed, which, though called one of reprisals, was only to act as a Court Martial, and to try, in strict conformity with the laws, all persons accused of conspiring against the Queen, who, if found guilty, would be executed in retaliation for those whom Cabrera may hereafter put to death.

The Duque de Frias likewise told me that he feared some measures of rigour against the Carlists, particularly those resident in Madrid, were becoming indispensable, as they no longer deemed it expedient to disguise their proceedings, and had of late, upon more than one occasion, insulted the Queen Regent upon her leaving the Palace.

Should such measures be adopted there is no doubt that they will be well received, as the cry for a system of retaliation is becoming loud and general, and is supported by the greater part of the press. And I regret to say that indications are every where becoming apparent that this unfortunate contest will now be carried on in a spirit even yet more uncompromising and sanguinary than heretofore.

I have the honour to inclose the copy and translation of a Royal Decree, published in the *Gazette* of this day, banishing from Madrid, and the towns within eight leagues distance, the wives and families of all persons in the service of Don Carlos, and ordering that those accused of being spies, or of affording assistance to the enemy, shall be tried by a Council of War.

I have, &c.

(Signed)

GEORGE VILLIERS.

Lord Viscount Palmerston, K.B.

&c. &c. &c.

Inclosure 1 in No. 3.

REAL ORDEN.

Ministerio de la Guerra.—Excmo. Sr.—Al general en gefe del ejército del Centro digo con esta fecha lo siguiente.—He dado cuenta á S. M. la Reina Gobernadora de una comunicacion del general 2.º cabo de Aragon con fecha 9 del actual en que manifiesta las medidas que ha dictado para mantener el órden en la ciudad de Zaragoza, amenazado por la irritacion que produjo en el ánimo de sus habitantes la atroz conducta observada por el rebelde Cabrera contra nuestros prisioneros hechos en la desgraciada accion de Maella y contra el pueblo y nacionales de la indefensa poblacion de Urrea de Jalon, y S. M. no solo aprueba las determinaciones que el espresado general 2.º Cabo ha tomado en aquella ocasion, sino que quiere le haga V. E. entender lo satisfecha que queda del celo y actividad que ha desplegado, esperando que si las circunstancias y estado de esa capital lo exigen, continuará adoptando iguales medidas, para contener los desórdenes y sostener la tranquilidad pública. S. M. me encarga asimismo prevenir á V. E. que bajo su division puede desde luego proceder el general 2.º Cabo de Aragon á formar en Zaragoza un consejo permanente de represalias, para que en él se decida las que se hayan de tomar, y las sentencias que hubieren de recaer contra los que se hallen en el caso de sentir el rigor de la justicia, si el espresado gefe rebelde prosigue en los atentados que ha cometido contra la humanidad y las leyes de la guerra—De Real órden lo traslado á V. E. para su conocimiento. Dios guarde á V. E. muchos años. Madrid 14 de Octubre de 1838.—Hubert.—Señor general 2.º Cabo de Aragon.

(Translation.)

ROYAL ORDER.

Most Excellent Sir, *War-Office, Madrid, October 14th, 1838.*

TO the General-in-Chief of the army of the centre I make the following communication:—

I have laid before Her Majesty the Queen Regent a report from the General Second in Command of Aragon, dated the 9th instant, in which he states the measures adopted to preserve order in Zaragoza, which was in danger of being disturbed, from the excitement produced in the minds of the inhabitants by the atrocious conduct of the rebel Cabrera towards the prisoners taken from us in the unfortunate action of Maella, and the inhabitants and national guards of the defenceless village of Urrea de Jalón; and Her Majesty not only approves of the determinations taken on that occasion by the General Second in Command, but also desires that your Excellency will inform him how much she is satisfied with the zeal and activity which he has shown, trusting, that should the circumstances and state of Zaragoza require it, he will continue to adopt similar measures, in order to prevent disorders, and maintain public tranquillity. Her Majesty likewise commands me to let your Excellency know, that the General Second in Command of Aragon may at once proceed to form a permanent commission of reprisals in Zaragoza, in order that that Commission should settle what reprisals ought to be made; and also the sentences which may have to be pronounced against those whose conduct may render them liable to suffer the rigour of justice, if the above mentioned rebel chief should continue the excesses which he has committed against humanity and the laws of war.

By royal order, I communicate it to your Excellency for your information.

God preserve your Excellency many years.

(Signed) HUBERT.

To the General Second in Command of Aragon.

&c.

&c.

&c.

Inclosure 2 in No. 3.

(Real Decreto.)

LA impunidad con que al abrigo de las leyes ordinarias conspiran los enemigos de mi Augusta Hija y del trono constitucional pone a mi Gobierno en la urgente necesidad de recurrir a medidas extraordinarias que afiancen el sosiego público, impidiendo sus ocultas maquinaciones. Para conseguir este fin y refrenar la osadia de los conspiradores que cada dia va en aumento, como Reina Gobernadora durante la menor edad de mi Excelsa Hija Doña Isabel II. y en el interin que reunidas las Córtes se toma de acuerdo con ellas la resolucion mas conveniente, he tenido a bien mandar, oido el Consejo de Ministros, lo que sigue.

ARTICULO I.

Las mugeres é hijos menores de las personas que esten al servicio de Don Carlos saldrán de Madrid y de los pueblos á ocho leguas de distancia de esta capital en el término de ocho dias; y llegados que sean al pueblo de la residencia que elijan, se presentarán á la autoridad local, por la que serán vigiladas.

ARTICULO II.

Se prohíbe bajo pena de la vida toda correspondencia, aunque sea la mas familiar, con las referidas personas al servicio de Don Carlos.

ARTICULO III.

Todo acto de espionaje, inteligencia ó complicidad con los enemigos, y todo auxilio, de cualquiera especie, prestado a ellos, se juzgará y castigara por un consejo de guerra ordinario. Tendréislo entendido, y dispondreis lo conveniente á su cumplimiento. Esta rubricado de la Real mano.

En Palacio, à 26 de Octubre, 1838.

Al Marques de Valgornera.

(Translation.)

(Royal Decree.)

THE impunity with which, under the shelter of the ordinary laws, the enemies of my August Daughter and of the constitutional throne conspire, places my Government under the urgent necessity of having recourse to extraordinary measures to maintain public tranquillity, and impede their secret machinations. In order to attain this object, and to check the boldness of the conspirators who are daily increasing, as Queen Regent during the minority of my August Daughter Doña Isabel Second, and until the assembly of the Cortes and the adoption of the most expedient determination, in conjunction with them, I have thought fit to command, after hearing the Council of Ministers :

ARTICLE I.

The wives and children, under age, of persons who may be in the service of Don Carlos, shall leave Madrid and the towns at the distance of eight leagues from this capital, within the term of eight days ; and on their arrival at the town which they may have elected for their residence, they will present themselves to the local Authorities, by whom they will be watched.

ARTICLE II.

All correspondence, even of the most familiar kind, with the above-mentioned persons in the service of Don Carlos, is prohibited under pain of death.

ARTICLE III.

Every act of espionage, intelligence or complicity with the enemies, and all assistance of whatever kind afforded to them will be tried and punished by an ordinary Court-martial. Let it be so understood and executed.

Palace, October 26th, 1838.

Signed by the Royal Hand.

To the Marquis de Valgornera.

No. 4.

Sir George Villiers to Viscount Palmerston.—(Received November 19th.)

My Lord,

Madrid, November 10th, 1838.

THE apprehension which I expressed to your Lordship in my despatch of the 27th October, that the civil war was likely to be carried on in a yet more sanguinary manner even than hitherto, has already, I regret to say, been verified.

The wounded prisoners who fell into Cabrera's hands after the defeat of General Pardiñas' division, were inhumanly massacred on the following day, and some time afterwards ninety-six serjeants were shot in cold blood, by order of that Chief, who appears to have selected these victims, out of

wanton barbarity, as no reason but his will was given for their execution.

The first report of this act that reached General Van Halen was not considered by him to be authentic, and he forbore taking any measures on the subject, beyond adverting to it in strong terms in his General Orders; but, upon the intelligence being confirmed, he directed that reprisals should be made, and that ninety-six Carlist serjeants should be shot.

The Castle of Villamalefa having surrendered to Cabrera, he ordered the commander and sixty-six individuals who were in it to be shot, and upon the news arriving at Valencia, the Junta of Reprisals there immediately caused fifty-five Carlist prisoners to be executed.

This dreadful system is now likely to become general throughout Aragon and Valencia, for though I have no doubt that its adoption by the Authorities of the Queen has no other object than to check Cabrera, who in common with the whole of the Carlists, attributes to fear the lenity hitherto observed by those Authorities towards their prisoners, yet it is to be apprehended that increased exasperation will be the only result, and that the spirit of revenge will lead both parties to commit the most savage excesses.

I have considered it my duty to leave no means untried to modify this state of things. I have remonstrated with the Government, and have addressed myself to persons having influence at Valencia and with General Van Halen; but, although all viewed the subject in the same light as myself, I have not met with success, and for reasons which I was not unprepared for; the atrocities of Cabrera have raised the indignation of the people and the army to a pitch far beyond the control of authority, and if the Government were to permit their continuance without retaliation, every town of Valencia and Aragon would be in open rebellion, and Carlists, and those suspected of being so, would be indiscriminately massacred by the people, and the troops would refuse to enter into action with the enemy upon such unequal terms. The Government has, therefore, although most unwillingly, been compelled to sanction the formation of Juntas of Reprisals in the hope of calming popular effervescence, and that some form of order at least may be observed in the measures of retaliation which are now considered to be indispensable.

Under these circumstances, I have determined to make an appeal to Count Luchana, and to endeavour to convince him of the expediency that Don Carlos should be induced to send positive orders to Cabrera, henceforward to observe those usages of war which are practised among civilized nations.

With this object I have addressed a letter to Colonel Wylde, of which I have the honour to inclose a copy to your Lordship.

I have, &c.

Viscount Palmerston, G.C.B.

GEORGE VILLIERS.

&c.

&c.

&c.

Inclosure in No. 4.

Sir George Villiers to Colonel Wylde.

Sir,

Madrid, November 9th, 1838.

IT is with deep regret I observe that the same sanguinary system of warfare which at one time prevailed in the northern provinces, but was happily put an end to by the Eliot Treaty, is now carried on in that part of Spain where the Carlist forces are commanded by Cabrera, and that the acts of barbarity for which that Chief has always been distinguished have arrived to a pitch so intolerable, that the Queen's General has at length been compelled to adopt measures in reprisal.

The wounded soldiers of infantry belonging to the division of Pardinas, who fell into the hands of Cabrera, were all shot on the following day, and those belonging to the cavalry were by Cabrera's orders formed into a circle, where they were charged and lanced to death by his cavalry; but not content with this inhuman violation of the usages of war, it appears that ten days afterwards he caused to be shot in cold blood ninety-four non-commissioned officers belonging to the same division.

It would have been idle to expect that such atrocities should not excite indignation, nor provoke a determined spirit of revenge among the partizans of the Queen in Aragon and Valencia, as well as the comrades of the murdered men, and accordingly events, which cannot be too much deplored, have taken place at Valencia, Alicante and Murcia, notwithstanding the laudable efforts of the Queen's authorities to prevent them; while the Government, in order to moderate the irresistible force of public feeling, has seen itself compelled to establish Juntas of Reprisals (which will at least proceed according to the forms of justice, and may, it is to be hoped, put an end to popular excesses), and General Van Halen, in order to maintain the discipline of his army, has found it absolutely necessary to order that for every individual in the service of Her Catholic Majesty put to death by Cabrera, one of corresponding rank among the Carlist prisoners shall be shot.

Such is the present state of things, and it is one which can only be looked upon with unmingled feelings of horror; nor is it likely to stop here, for on both sides it will produce increased exasperation, and an exterminating system of warfare will before long be acted upon throughout Aragon and Valencia. The Government of the Queen, I repeat, deploras it, but the course of lenity which it has hitherto pursued being attributed to fear by the Carlists, they are emboldened to proceed in their system, and if the sanguinary acts of Cabrera were now, as heretofore, to pass without notice or retaliation, every city in the above-mentioned provinces would break out into open rebellion, and the Queen's troops could no longer be led into action where the combatants would fight upon such unequal terms.

Under these circumstances, I consider it to be my duty as the representative of the British Government, whose exertions have not been more directed to the support of the Queen's cause than to the mitigation of the horrors of civil war, to leave no means untried for putting a stop to the system which is now established in Aragon and Valencia, and I have to request that you will communicate this Despatch to Count Luchana, and suggest to his Excellency how signal a service he might render to the cause of Her Catholic Majesty, to that of humanity, and to the name of Spaniards in foreign countries, if by an urgent representation to the Commander of the Carlist forces in the north, respecting the conduct of Cabrera, and the dreadful consequences of which it has been productive, he could procure that that Chief should be peremptorily ordered by Don Carlos to observe those usages of war which are practised among civilized nations.

Colonel Wylde.

&c. &c. &c.

I have, &c.

(Signed)

GEORGE VILLIERS

No. 5.

Viscount Palmerston to Mr. Milbanke, Lord William Russell, and the Marquis of Clanricarde.

My Lord,
Sir,

Foreign Office, November 27th, 1838.

I INCLOSE for your (Lordship's) information copies of a despatch, and its inclosure, which I have received from Her Majesty's Minister at Madrid, relative to the wholesale murders committed by order of the Carlist Chief, Cabrera, upon prisoners taken from the Queen's forces, and

stating the measures of retaliation adopted by the authorities of the Queen.

I have to instruct ^{your} Lordship to communicate the inclosed papers to Prince Metternich, Baron de Werther, Count Neuzulode, and to state to that Minister, that you are instructed to draw the serious attention of the ^{Austrian Prussian Russian} Government to the melancholy and afflicting details which these papers contain.

It is well known that the commencement of the civil war in Spain was stained with atrocities, similar in kind, although inferior in extent, to those which are detailed in the despatch of Sir George Villiers. But the British Government interposed its good offices between the contending parties; and the Eliot Convention, negotiated under instructions given by the Duke of Wellington, put a stop for a time to these cruelties in the Basque Provinces, and by its indirect operation checked them also in other parts of Spain. For some time past, however, many of the Carlist leaders, regardless of that convention, or pretending that it did not apply to the districts in which they were acting, have renewed, and even exceeded the barbarities of the earlier period of the war; and Cabrera, who now holds avowedly a high command under Don Carlos, has, by the unparalleled atrocities which he has perpetrated, cast a stain, not merely on the party to which he belongs, and upon the country which gave him birth, but even upon the age in which he lives.

Now it is well known that the cause of Don Carlos derives great assistance from the moral support of the ^{Austrian Prussian Russian} Government; and it cannot be doubted that a salutary effect would be produced upon that prince by a knowledge of the indignant disgust with which the atrocities perpetrated by his commanders, must necessarily inspire the Cabinet of ^{Vienna, Berlin, St. Petersburg.}

Her Majesty's Government, therefore, not doubting for an instant what the sentiments must be which these deplorable events will have excited at ^{Vienna, Berlin, St. Petersburg,} instruct you to make this communication to the ^{Austrian Prussian Russian} Government, and to leave the matter in its hands.

(Signed) PALMERSTON.

No. 6.

Sir George Villiers to Viscount Palmerston.—(Received November 27th.)

(Extract.)

Madrid, November 17th, 1838

GENERAL Van Halen has received an insolent communication from Cabrera, stating that he had ordered an officer, the aide-de-camp of General Pardiñas, to be shot, in reprisal for the Carlist prisoners executed at Valencia. General Van Halen has replied, that he shall consequently shoot a Carlist officer, and that on all occasions he shall make reprisals, reminding Cabrera that he has ten thousand Carlist prisoners at his disposal.

I regret to say, that this sanguinary system seems recommencing in the north. A few days since, thirty men, sent from Logroño to escort the mail, were surprised by a squadron of Balmaseda's cavalry, who were lying in ambush to intercept them, and the whole were inhumanly butchered, although they made no resistance. Count Luchana, in consequence of this atrocious act, ordered an equal number of Balmaseda's men, who were prisoners at Logroño, to be shot; and, at the same time, officially communicated the fact, and the cause, to Maroto, the Carlist General-in-Chief. Colonel Wylde considers that Count Luchana was absolutely compelled to act as he did, or he would have risked a serious alteration in the discipline of his army, as the indignation of the troops was extreme, at the wanton and unprovoked murder of their comrades,

who were so completely taken by surprise, that they hardly fired a shot, and several were unarmed, being on their way to the hospital.

The Government, after having by a royal decree sanctioned the Juntas of Reprisals established in different places, at moments of popular excitement, have now, by another royal decree, of which I have the honour to inclose a translation, ordered their suppression, leaving the question of reprisals to the discretion of the military authorities.

Inclosure in No. 6.

(Translation.)

WAR OFFICE.—CIRCULAR.

Most Excellent Sir,

Madrid, November 12th, 1838.

HER Majesty the Queen Regent in conformity with the proposal made by her Council of Ministers, has been pleased to resolve that all popular Juntas whose object is or may have been to consult or deliberate upon the subject of reprisals, shall immediately cease; being at the same time graciously pleased to declare that these reprisals, as a purely military measure, ought only to be taken by the Generals-in-chief of belligerent armies, in conformity with the laws of war.

I make this communication to your Excellency by Royal Order, for its fulfilment in the corresponding part.

God preserve your Excellency many years.

(Signed)

THE DUKE DE FRIAS.

To the General-in-Chief of

No. 7.

Viscount Palmerston to Sir George Villiers.

Sir,

Foreign Office, November 29th, 1838.

WITH reference to your despatch of the 10th instant, upon the subject of the atrocities committed by the Carlist Chief, Cabrera, upon the prisoners taken from the Queen's forces, I transmit to you a copy of a despatch upon the same subject which I have addressed to Her Majesty's Ambassador at St. Petersburg, and Her Majesty's Ministers at Vienna and Berlin.

Sir George Villiers. I have, &c.

&c. &c. &c.

(Signed)

PALMERSTON.

No. 8.

Sir George Villiers to Viscount Palmerston.—(Received December 3rd.)

(Extract.)

Madrid, November 24th, 1838.

Cabrera, during the time he staid at Calatayud, was occupied in raising contributions and robbing all the neighbouring villages, carrying off recruits and immense numbers of cattle. The same system is pursued by the different Carlist divisions in every part of Aragon and Valencia, and they have lately crossed the Ebro into Catalonia with similar objects.

The system of reprisals has already produced an effect, and Cabrera instead of exhibiting greater violence, now appears to treat his prisoners with more humanity.

No. 9.

Sir George Villiers to Viscount Palmerston.—(Received December 10th.)

(Extract.)

Madrid, December 1st, 1838.

UPON the authority of Colonel Lacy, who derived his information from several respectable persons, as well as from General Van Halen, I reported to your Lordship in my Despatch, of the 24th of November, that the system of reprisals adopted by the Queen's authorities, had induced Cabrera to treat his prisoners with greater humanity, but I fear that such is not the case, as I learn from Colonel Lacy, in a letter dated Zaragoza, the 25th ultimo, that fresh acts of cruelty have been committed by that inhuman Chief.

On passing near Teruel, he took an officer belonging to the garrison, who had walked to a short distance from the town, and shot him as well as some others taken near Santa Olalla. A detachment of cavalry and infantry at Herrera was attacked, forty-five were made prisoners, and all were shot: fifty-eight Carlist prisoners were accordingly ordered to be shot at Zaragoza.

Colonel Lacy states that General Van Halen is deeply afflicted at being compelled, by a sense of duty, or rather, by absolute necessity, in order to maintain the discipline of his army, to have recourse to reprisals; he dares not leave the blood of his soldiers unavenged, although he feels the shame of imitating the example of Cabrera, and the atrociousness of sacrificing men in cold blood, for crimes of which they are guiltless.

From the 1st of October to the 21st of November, Cabrera had executed three hundred and sixty-two prisoners, and in the same time, the number of reprisals amounted to eighty-two, which is some proof of the unwillingness with which General Van Halen resorts to this horrible system.

No. 10.

Sir George Villiers to Viscount Palmerston.—(Received December 24th.)

(Extract.)

Madrid, December 15th, 1838.

BY a letter from Colonel Lacy, dated the 7th instant, at Teruel, I learn that on the 29th ultimo, General Van Halen had taken a convoy to Alcañiz, which is now one of the most important places held by the Queen in Aragon. Alcañiz was reduced to the greatest distress, in consequence of Cabrera having prohibited supplies of any kind being carried in, on pain of death; and several individuals had been shot by him for attempting to enter the town with provisions. He has also given notice to the neighbouring farmers, that if they attempt to gather their olives, which are now ripe, all persons employed by them will be shot.

I regret likewise to state that General Van Halen has received an official communication from Cabrera, dated the 24th of November, declaring that he would not give quarter, and since that time, he has even shot some invalids near Muniesa, who had been discharged as useless, and were returning unarmed to their homes; General Van Halen has in consequence, although most reluctantly, been compelled to adopt a similar system, and to order for execution all prisoners taken since the 24th of November, the date of Cabrera's communication.

The war has now become one of extermination, and it is but too certain that unless Foreign Powers intervene, the Queen's Government will

be unable to put an end to this horrible and revolting carnage. With reference to this subject, I have the honour to inform your Lordship that I communicated to M. de Onis, and subsequently to the Queen Regent herself, the inclosure in your Lordship's despatch of the 29th of November, and both Her Majesty and Her Ministers requested me to express to your Lordship their sincere gratitude for this fresh proof of the interest with which the affairs of this country are always viewed by Her Majesty's Government.

No. 11.

Lord William Russell to Viscount Palmerston.—(Received December 26.)

(Extract.)

Berlin, December 18th, 1838.

I HAVE already spoken to Baron Werther on the subject of the massacres committed by the Carlists in Spain, and have since transmitted to him a copy of your Lordship's despatch. His Excellency has promised to make use of any indirect means he may possess to convey to Don Carlos a knowledge of the horror those massacres inspire to the Prussian Government.

By the next Courier, I will send Baron Werther's official answer.

No. 12.

Mr. Milbanke to Viscount Palmerston.—(Received December 27th.)

My Lord,

Vienna, December 14th, 1838.

I YESTERDAY placed in Prince Metternich's hands your Lordship's despatch, of the 27th November, inclosing one from Her Majesty's Minister at Madrid, on the subject of the atrocious system of warfare now carrying on in Spain, and I expressed the earnest hope of Her Majesty's Government, that the Austrian Cabinet would exert what influence it might possess with Don Carlos, to put a stop to the savage cruelties which were daily perpetrated by his officers under the name of reprisals.

Prince Metternich replied that no one could deplore more than himself the events which formed the subject of this communication, and he requested me to express his readiness to join your Lordship in the cause of humanity, and, setting aside all considerations of a political nature, to contribute by all the means in his power to repress these barbarities, in the full confidence, that, as the reproach of cruelty was equally merited by both parties, Her Majesty's Government would, on its part, not fail to address to that at Madrid the most earnest and energetic remonstrances on the subject.

Prince Metternich also desired me to state, that he felt highly flattered at the confidence manifested by your Lordship's despatch in the sentiments of the Austrian Cabinet, and added, that he would touch upon this question in his next Despatches to the Austrian Chargé d'Affaires in London, when, I have no doubt, his Highness will explain more at length his views upon it, for the purpose of being communicated to your Lordship.

(Signed) J. R. MILBANKE.

No. 13.

Prince Metternich to M. de Hummelauer.—(Received December 28th.)

Monsieur,

Vienne, le 16 Décembre, 1838.

M. MILBANKE m'a donné connaissance d'une Dépêche que lui a adressé Lord Palmerston, le 29 Novembre dernier, et par laquelle ce Ministre réclame nos bons offices auprès de Don Carlos, dans le but d'engager ce Prince à prendre des mesures, pour que de la part des Carlistes il soit mis un terme aux scènes d'horreurs si profondément affligeantes pour l'hu-

manité auxquelles donne lieu journellement la guerre civile dont l'Espagne est le théâtre.

En prenant lecture de l'office du Principal Secrétaire d'Etat, j'ai dû sentir, que le vœu du Cabinet Britannique, dans sa conception, et dans sa mise à execution, plaçait la question sur deux terrains, dont l'un lui servait de point de départ et l'autre de point d'arrivée, ou ce qui est la même chose, sur le terrain de l'humanité, et sur celui de la politique; attendu que le point d'arrivée est Don Carlos, tandis que l'agent intermédiaire se trouve être le Cabinet Autrichien.

Cette observation, Monsieur, est si juste et si vraie, que j'ai cru devoir la faire de prime abord à Monsieur l'Envoyé d'Angleterre; je ne la consigne ici que pour la rappeler; elle ne saurait en aucune manière influencer sur notre action; prêts à accepter les deux attitudes, nous n'avons point tardé à satisfaire à l'honorable invitation de la Cour de Londres.

Je me suis dès-lors occupé, sans perte de tems, de faire parvenir à Don Carlos, après les avoir fait traduire, les paroles sacramentelles que vous trouverez textuellement citées dans l'annexe. Par cette démarche nous fournissons à Sa Majesté la Reine et au Cabinet Britannique une nouvelle preuve que l'Empereur, ainsi que le Cabinet, sont toujours disposés à faire valoir leur influence dans des questions dignes de la sollicitude des hommes de bien. Il n'est certes pas un spectacle plus déplorable que celui qu'offrent à l'humanité entière des scènes de la nature de celles qui ensanglantent la malheureuse Espagne. — La guerre a des droits, mais ces droits aussi ont des limites au-delà desquelles la guerre n'est plus qu'un massacre. La noble adresse que la cité de Londres vient de soumettre à la Couronne, exprime à cet égard notre propre pensée dans des paroles dignes de la cause dont elle embrasse la défense, et la démarche que vient de faire envers nous le Cabinet Britannique, a dû ainsi être accueillie par nous avec un sentiment que j'appellerais de la reconnaissance, s'il ne portait pas le caractère de cette confiance, que nous nous reconnaissons le droit de réclamer de sa part.

C'est parceque nous payons ce sentiment d'une parfaite réciprocité, que nous n'avons point hésité à ajouter aux paroles adressées à Don Carlos, l'assurance, que le Gouvernement Britannique s'emploiera auprès de celui de Madrid, pour lui faire sentir la nécessité, que de son côté, il fasse cesser le soi-disant système de représailles. Je vous avouerai franchement, Monsieur, que je regarde comme plus facile l'accomplissement de notre tâche, que celle qui est réservée au Cabinet de Londres.

Au moment même où nous parviendra la réponse d'Espagne, nous la porterons immédiatement à la connaissance du Principal Secrétaire d'Etat.

Recevez Monsieur, etc.

(Signé) METTERNICH.

(Translation.)

Sir,

Vienna, December 16, 1838.

Mr. MILBANKE has communicated to me a despatch addressed to him by Lord Palmerston, on the 29th of November last, in which that Minister requests our good offices with Don Carlos, with a view of persuading that Prince to take measures for putting an end, on the part of the Carlists, to the scenes of horror so revolting to humanity, to which the civil war now carried on in Spain daily gives rise.

In reading the despatch of the Principal Secretary of State, I could not but perceive that the wish of the British Cabinet, both in its conception and in its execution, placed the question upon two grounds, one of which served as a point of departure, the other as the object to be arrived at, or, what is the same thing, upon the ground of humanity and upon that of policy; since the object is Don Carlos, while the intermediate agent is the Austrian Cabinet.

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That observation is so just and so true, that I thought it right to make it immediately to the English Envoy; I refer to it here only to record it; it cannot in any way influence our line of action, as we are ready to take up both of the above positions; we have not hesitated to accede to the honourable proposal of the Court of London.

I forthwith employed myself to bring to the knowledge of Don Carlos, after having had them translated, the decisive words (paroles sacramentelles) which you will find literally quoted in the Annex. By this step we give a fresh proof to Her Majesty the Queen, and to the British Cabinet, of the constant disposition of the Emperor, and of the Cabinet, to exert their influence in questions worthy of the solicitude of honourable men. There is certainly no spectacle more distressing than that which is offered to the whole of humanity by scenes of the nature of those which deluge unhappy Spain with blood. War has its rights, but those rights have also limits, beyond which war is but a massacre. The noble address which the city of London has lately submitted to the Crown, expresses, in that respect, our own thoughts in words worthy of the cause the defence of which it undertakes; and the step which the Cabinet of Great Britain has lately taken with regard to us, has deserved to be received by us with a feeling of what I should call gratitude, if it did not bear the character of that confidence which we feel we have a right to claim from that Cabinet.

It is because we return this feeling with a perfect reciprocity, that we have not hesitated to add to the words addressed to Don Carlos, the assurance, that the British Government will employ itself to make that of Madrid feel the necessity, on its side, of putting a stop to the so-called system of reprisals. I will frankly confess to you, Sir, that I consider the accomplishment of our task easier than that which falls to the share of the Cabinet of London.

As soon as ever the answer of Spain shall reach us, we will immediately communicate it to the Principal Secretary of State.

Accept, Sir, &c.

(Signed)

METTERNICH.

Inclosure in No 13.

Explication du Prince de Metternich envers M. le Comte de l'Alcudia, le 11 Décembre, 1838.

LE Cabinet de Londres vient de s'adresser à celui de Vienne dans le but d'exciter son intérêt à l'égard du système de massacres qui, sous le titre de représailles, ensanglante l'Espagne. Lord Palmerston admet "que la cause de Don Carlos, recevant un grand soutien par l'appui moral que lui prête la Cour d'Autriche, l'effet salutaire que produirait sur ce Prince la connaissance qu'il acquerrait de l'impression pénible que causent à cette cour les atrocités que se permettent ses Généraux, ne saurait être douteux."

Cette démarche du Principal Secrétaire d'Etat Britannique est envisagée par le Cabinet de Sa Majesté Impériale et Royale Apostolique comme un appel fait à ses sentimens d'humanité et à la haute valeur qu'il attache au respect dû aux imprescriptibles règles du droit des gens.

Sous l'un comme sous l'autre de ces points de vue, il ne saurait se tromper à cet égard. Le Cabinet Autrichien ne se refusera jamais à avancer sur la ligne de ses principes.

Il exprime en conséquence avec une pleine confiance à Don Carlos, le vœu, que conformément aux sentimens qui l'animent, il veuille prendre les mesures les plus sévères qui peuvent se trouver en son pouvoir pour arrêter de son côté le funeste système de représailles qui s'est introduit entre les deux parties belligérentes. Le Cabinet de Vienne sent, que la

possibilité pour Don Carlos d'atteindre un but si digne de sa sollicitude, dépend de l'adoption par la partie adverse d'un système également sévère de répression de ces délits contre l'humanité. Cette condition, qu'il n'est sans doute pas dans les facultés de ce Prince de faire exécuter, ne devrait point l'arrêter dans le choix des mesures que pour sa part il peut ordonner, et qui, si elles devaient ne point influencer sur la conduite de ses adversaires, ne fourniraient pas moins à l'Espagne et à l'Europe une preuve nouvelle des sentimens d'humanité et de générosité qui l'animent.

La Cour de Vienne ne met pas en doute que, de son côté, le Gouvernement Britannique s'empressera d'appuyer auprès de celui de Madrid, la nécessité qu'il ne se refuse pas à ce que réclament également et l'humanité et la loi des nations.

(Translation.)

Explanation of Prince Metternich to the Count of Alcudia,

December 11, 1838.

THE Cabinet of London has lately addressed itself to that of Vienna, for the purpose of exciting the interest of the latter on the subject of the system of massacres which, under the name of reprisals, deluges Spain with blood. Lord Palmerston admits, that "as the cause of Don Carlos receives great encouragement from the moral support afforded to it by the Court of Austria, there can be no doubt of the salutary effect which would be produced upon that Prince, by the knowledge of the painful impression produced upon that Court by the atrocities which his Generals permit."

This step of the Principal Secretary of State of Great Britain is considered by the Cabinet of His Imperial and Royal Apostolic Majesty as an appeal made to its feelings of humanity, and to the just value which it attaches to the respect due to the imprescriptible rules of the law of nations. In neither point of view could he be deceived in that respect. The Austrian Cabinet will never refuse to advance on the line of its principles.

It therefore expresses to Don Carlos with full confidence the wish, that in conformity with the feelings by which he is animated, he will deign to take the most decisive measures in his power to put a stop on his side to the destructive system of reprisals which has been introduced between the two belligerent parties. The Cabinet of Vienna feels that the power of Don Carlos to attain an object so worthy of his sollicitude, depends upon the adoption by the adverse party of an equally rigid system for the repression of those outrages upon humanity. That condition, the execution of which does not depend upon the Prince, ought not to stop the selection of measures which on his part he may order, and which, though they might not influence the conduct of his adversaries, would not the less afford to Spain and to Europe a fresh proof of the sentiments of humanity and of generosity by which he is animated.

The Court of Vienna does not doubt that the British Government will, on their side, hasten to impress upon that of Madrid the necessity of not refusing that which is called for equally by humanity and by the law of nations.

In order to prevent any modification of what I wrote by a personal communication, I sent Lieutenant Askwith with my letter, attended by a Spanish interpreter; and the General's verbal answer was that he could not comply with my request that he did not execute these cutting-throat men, he did it with the hope that less blood might be spilled.

No. 14.

*Viscount Palmerston to Lord William Russell.*My Lord, *Foreign Office, December 29, 1838.*

I INCLOSE, for your Lordship's information, a copy of a despatch from Her Majesty's Minister at Vienna, reporting his conversation with Prince Metternich, on the subject of the massacres committed by the Carlist leaders in Spain.

I have, &c.

Lord William Russell.

(Signed)

PALMERSTON.

&c. &c. &c.

No. 15.

*Viscount Palmerston to the Marquis of Clanricarde.*My Lord, *Foreign Office, December 29th, 1838.*

WITH reference to my despatch of the 27th of November, 1838, I inclose for your Excellency's information copies of two despatches from Her Majesty's Ministers at Berlin and Vienna, of the 18th and 14th of December, reporting their conversations with Baron Werther and with Prince Metternich respectively, on the subject of the massacres committed by the Carlist leaders in Spain.

I have, &c.

The Marquis of Clanricarde.

(Signed)

PALMERSTON.

&c. &c. &c.

No. 16.

Sir George Villiers to Viscount Palmerston.—(Received December 31st.)(Extract.) *Madrid, December 22nd, 1838.*

IN my despatch, of the 15th December, I had the honour to inform your Lordship that General Van Halen had ordered the execution of all prisoners taken since the 24th ultimo, the date of Cabrera's announcement to him that he would give no quarter.

This order necessarily included the prisoners taken by General Borso in the action at Cheste on the 2nd instant, and I inclose extracts of two letters which I have received from Colonel Lacy, stating the grounds upon which he had interceded with General Van Halen in favour of these unfortunate men. I inclose likewise the copy of a letter which I have addressed to Colonel Lacy in reply. His interference appears to have been the means of saving for the present the lives of the wounded portion of the prisoners, but I regret to say that sixty-seven were on the 16th instant shot at Valencia.

Inclosure 1 in No. 16.

Extract of a Letter from Colonel Lacy to Sir George Villiers, dated Valencia, December 14th 1838.

I FOUND that the order mentioned in my last letter to shoot the prisoners here had not been carried into effect, and having on the morning of the 13th received a Note, No. 1, from Lieutenant-Colonel Alderson, I inclosed it to the General in Note No. 2, of both of which I send you copies.

In order to prevent any modification of what I wrote by a personal communication, I sent Lieutenant Askwith with my letter, attended by a Spanish interpreter; and the substance of the General's verbal answer was, that he could not comply with my request, that if he did not execute these prisoners he should have no army at all in fifteen days. That in executing these men, he did it with the hope that less blood might be spilt hereafter; that he did not think General Borso, as a junior officer, had any power to make them a promise.

Notwithstanding this, the men are not yet executed, and I still foster a hope that they may be spared.

Inclosure 2 in No. 16.

No. 1.

Sir,

Valencia, December 12th, 1838.

I HAVE the honor to report to you I have just learnt from General Borso that the General-in-Chief has given orders, that the prisoners taken on the afternoon of the 2nd instant on the plains above Cheste, by the 1st division, amounting to about 150 or 160, should be shot.

As General Borso, in my hearing, on the field of battle, promised these men that their lives should be spared, I think it right to communicate this to you immediately, in order that you may take such steps as you may deem most advisable, to prevent, if possible, this breach of faith.

I have, &c.

(Signed)

R. C. ALDERSON.
Lieut.-Col. Royal Engineers.

Colonel Lacy.
&c. &c. &c.

Inclosure 3 in No. 16.

No. 2.

Sir,

Valencia, December 13th, 1838

IN consequence of having this moment received the inclosed report from Lieutenant-Colonel Alderson, respecting the prisoners taken at Cheste on the 2d instant, I take the liberty of addressing your Excellency on the subject, in the hope that the reprisals in regard to them, which it is said have been ordered, may not be carried into effect.

I feel it to be my imperative duty to address your Excellency on this subject, in consequence of the repeated communications I have received from the British Ambassador at Madrid; and recollecting the extreme regret your Excellency expressed to me at Zaragoza at being compelled by the conduct of the enemy to adopt reprisals at all, I entertain a sanguine hope, that in this case at least, considering the promise made to these unfortunate men, on the field of battle, that their lives should be spared, that you may be induced to grant them an act of grace and pardon.

I have, &c.

(Signed)

J. LACY.
Colonel Royal Artillery.

General Van Halen.
&c. &c. &c.

Inclosure 4 in No. 16.

Colonel Lacy to Sir George Villiers.

(Extract.)

Valencia, December 15th, 1838.

I YESTERDAY inclosed to you a copy of my letter of the 13th instant to General Van Halen, under the impression that the mail for Madrid would leave at twelve o'clock; I now find that this is the day for the departure of the mail, and I avail myself of it to send you a copy of General Van Halen's reply which I received late last night.

Inclosure 5 in No 16.

Ejercito de Operaciones del Centro.

Muy Señor mio,

Valencia, 13 de Diciembre, 1838.

RECIVO la comunicacion que V. S. se há dignado dirigirme para que revoque lo que tengo dicho al Gefe rebelde Cabrera en mi comunicacion oficial, al Ejército en la Orden General de él, y prevenido se ejecute á los Generales Borso y Lopez desde Teruel en 7. de este, con respecto á que sean fusilados los prisioneros hechos en Cheste el 2. del corriente, como consecuencia de la guerra sin Cuartel que de hecho y de oficio nos há declarado el mencionado Gefe rebelde. Hé tenido el honor de facilitar á V. S. una copia de todas las comunicaciones que han mediado sobre este particular y de manifestarle mis sentimientos: por lo mismo me refiero á estos antecedentes, y segun ellos se penetrará V. S. no puedo sin debilidad, sin bajeza, y sin perjuicio de la causa de S. M. dejar de ejucatar lo resuelto, pues, seria autorizar los asesinatos cometidos por el enemigo que descaradamente me anuncia está decidido á continuar abandonando á su ferocidad lá existencia de cuantos estan á mis ordenes. El parte que me dió el General Borso de la accion de Cheste ninguna mencion hace de capitulacion directa con los prisioneros; todos fueron cogidos en el campo, casi en su totalidad heridos, y aun cuando el General de acuerdo con lo que hemos hecho siempre, y por efecto de nuestros sentimientos, les hubiese dicho despues de prisioneros, que les conservaria la vida, esto no es un ofrecimiento hecho antes de su condicion, y de ningun modo se está obligado á respectarsela, cuando su Gefe principal, con fecha de ocho dias antes nos há declarado la guerra á muerte: y á haber sido feliz en la misma accion, la habiariado á cuantos hubiesen caido en su poder.

Horrorizandome la necesidad de haber de ejecutar estas reprisalias, solo las ejecutaré con los que estan sin heridas graves por el momento; reservandome ejecutarlas con los demas hasta su curacion; si en este tiempo el el enemigo variase de conducta entonces podria tener lugar la indulgencia.

Yo no puedo hacer otra cosa cumpliendo con lo que debo á mi Reyna y á mi Patria, pero puesto que V. S. de acuerdo con los sentimientos de su Gobierno aboga en favor de la existencia de los prisioneros enemigos que caen en nuestro poder, le agradecería infinito hiciese los mismos esfuerzos en beneficio de los individuos de este Ejército que, en igualdad de circunstancias, son sacrificados sin proteccion de nadie, esten ó no comprendidos en el tratado de Lord Eliot.

Tengo, &c.

(Firmado)

ANTONIO VAN HALEN.

(Translation.)

Army of Operations of the Centre.

Sir,

Valencia, December 13th, 1838.

I HAVE received the communication which you have been pleased to address to me, in order that I should revoke what I have stated to the rebel Chief, Cabrera, in my official communication, to the army in the general order, and have directed Generals Borso and Lopez to carry into execution, from Teruel, on the 7th instant, that the prisoners taken at Cheste on the 2nd current, should be shot, as a consequence of the war without quarter which, *de facto* and officially, the abovementioned rebel Chief has declared against us. I have had the honour to supply you with a copy of all the communications which have taken place on this subject, and to express to you my sentiments. I, therefore, refer you to my former communications; and from them you must be convinced, that I cannot without weakness, without meanness, and without injuring the cause of Her Majesty, refrain from executing what has been resolved upon, because it would be authorising the assassinations committed by the enemy, who barefacedly announces to me that he is determined to continue abandoning to his ferocity the lives of all under my orders.

The report made to me by General Borso of the action of Cheste makes no mention of any direct capitulation with the prisoners; they were all taken in the field, almost all wounded; and even though the General, in accordance with what we have always done, and from the nature of our feelings, might have told them, after they were made prisoners, that he would spare their lives; this is not a promise made before they were in that condition, and by no means binding to respect it, when their principal chief, eight days before, had declared against us war to the death; and had he been successful in that very action, he would have inflicted it on as many as fell into his hands.

As the necessity of executing these reprisals fills me with horror, I shall only carry them into effect at present with those who are not severely wounded, reserving to myself their fulfilment with respect to the rest until they are cured: if, in the meantime, the enemy should vary his conduct, indulgence might then be shown.

I cannot act otherwise, fulfilling what I owe to my Queen and to my country; but as in accordance with the sentiments of your Government, you plead in favour of the lives of the enemy's prisoners who fall into our hands, I should be infinitely grateful were you to make the same exertions in favour of the individuals of this army, who, under equal circumstances, are sacrificed without the protection of any one, whether comprehended or not in the Treaty of Lord Eliot.

I have, &c.

To Colonel Lacy.

(Signed)

ANTONIO VAN HALEN.

 Inclosure 6 in No. 16.

Sir George Villiers to Colonel Lacy.

(Extract.)

Madrid, December 19th, 1838.

I AM convinced that Her Majesty's Government will entirely approve the measures taken by you to check, if possible, the horrible effusion of human blood which is now going on in Aragon and Valencia, and I can only regret that your intervention has not been attended with more success.

I do not think that General Van Halen, even in the severest construction of what he believes to be his duty, was called upon to order the execution of the prisoners taken in the action at Cheste, merely upon the

announcement of Cabrera that he intended to give no quarter. It appears to me he should have waited to see whether the threat was acted upon, and there was some reason to hope it would not be so, as Cabrera has in his hands a vast number of prisoners whom he has not yet massacred, and fortune having proved unfavourable to him in his recent expedition, he might have seen grounds for pausing before he commenced a war of extermination, from which he might ultimately be the greater sufferer. Cabrera is acting upon his own responsibility, acknowledges no authority, and only follows the dictates of his lawless will, while General Van Halen is a brave man, and, as is usually the case with brave men, a humane one, he is the General-in-Chief of the Queen's army in Aragon and Valencia, and the representative there of a regular and constituted Government. He should, therefore, act with the utmost circumspection, and never, until the necessity of doing so be most clearly demonstrated, permit himself to follow the example of his rebel opponent.

With respect to that part of General Van Halen's letter, in which he implies that you, as the agent of the British Government, exhibit more interest concerning the fate of the enemy's prisoners, than for the Queen's soldiers who have fallen into Cabrera's power, I wish you to inform him from me that the charge is most unfounded. Your interference cannot be said to be in favour of Carlists more than of Christinos, as the object of the British Government is to produce the cessation of a state of things such as there is hardly any record of, even in barbarous ages, and which throws such a stain upon the Spanish character, as must make it extremely difficult for the British Government, in the face of civilised Europe, to continue giving its moral support as well as active co-operation to the Queen's Government, which the numerous and powerful enemies of Her Catholic Majesty can, however unjustly, although with apparent reason, charge with unnecessarily aggravating the horrors of a civil war.

The charge of General Van Halen, in as far as it may be supposed to relate to myself, as the representative of Her Majesty's Government in this country, from whom instructions to you are communicated, is equally unfounded. Both with the Government here, and with Count Luchana, through Colonel Wylde, I have used my best exertions to alleviate the fate of the Queen's soldiers who have fallen into the enemy's hands, and to devise the means of putting an end to this inhuman warfare. General Van Halen must know too well what have been the results of his own exertions towards these objects, and the spirit of the policy pursued by Don Carlos, to feel surprised if mine have not as yet been attended with success.

My letter of the 28th ultimo, appears not to have reached your hands, and I now inclose you a copy of it, by which General Van Halen will learn how anxiously desirous I am that you should be instrumental in the protection of his soldiers who have been made prisoners, and I can assure him, that if he will suggest any other plan more likely to effect the desired object, it shall have my sanction, provided it does not compromise the honour of the British Government, nor expose yourself to insult.

General Van Halen's charge is, if possible, still more devoid of foundation, as regards Her Majesty's Government. The Eliot Treaty, by which thousands of lives have been saved during the last four years, is, in itself, a glorious proof of the interest taken by the British Government in what concerns the advantage and credit of Spain, and may contribute to diminish the horrors of the war; and a most energetic remonstrance has now been addressed to the Northern Powers who support Don Carlos, against the atrocities of Cabrera, and they have been urged by Her Majesty's Government, to use their influence with the Pretender in order that some check may be put upon this man, who is a disgrace not only to his country, but to the age in which we live.

I have, &c.

(Signed) GEORGE VILLIERS.

Inclosure 7 in No. 16.

Sir George Villiers to Colonel Lacy.

(Extract.)

Madrid, November 28th, 1838.

I FEAR that the reports made to you, about the reprisals having produced greater humanity on the part of Cabrera, are far from being founded, and that that monster seems more bent than ever upon pursuing his bloody system; I do feel most deeply for the position of General Van Halen, in being obliged to have recourse to similar weapons in his own defence, for however imperative his duty may be to maintain the discipline of his army, at any cost, yet the sacrifice of so many victims, guiltless of the crimes for which they suffer, must be most painful to a brave and generous man such as I believe General Van Halen to be.

With respect to your writing to Cabrera, I feel myself in great difficulty, because, although I ardently desire that this barbarous system should be checked, and that it should be so by English agency, yet I cannot consent to your direct interference, without having some ground for hoping that it would be successful, and without being certain that it would not expose you to insult from Cabrera; he might turn to a bad account, not only against the Queen's Government, but against our own, any written communication of yours, and he might answer you in a manner which it would be hard to bear, but impossible to chastise; still, however, there may be a chance that owing either to the representations of his own party, or from feeling the uselessness of his barbarities, Cabrera might adopt a different system if the means of doing so were afforded to him, and if he were not supposed to yield to the reprisals of General Van Halen, or the menacing tone assumed in the communications of the latter, and I therefore think the attempt should, if possible, be made.

The only way that occurs to me for the purpose at this moment, is, that General Van Halen should place at your disposal, a Carlist prisoner, he should be an officer, and of a certain degree of intelligence, and you might then tell him, that you had begged his liberty for the purpose of making him the bearer of a message to Cabrera respecting the horrible system of massacre now carried on by both belligerent parties, and which, as a foreigner, interested for the name and fame of Spaniards in general, you deeply regretted, and would willingly interfere to check—that it can be productive of nothing but reciprocal disgrace, and must, in order to preserve the discipline of the troops, be pursued by the Queen's Government, so long as it is persisted in by Cabrera; that being, however, sure of General Van Halen's readiness to put an end to it, and to punish any infraction of a more humane system, on the part of those under his orders, you have thought it right, as a mere spectator of passing events, to offer to be the medium of communication between the General and the Chief of the Carlist forces, in order that an end should be put to acts so disgraceful to all parties concerned; and the fact of the General having released a prisoner to be the bearer of your message, might be appealed to as an earnest of his benevolent intentions.

I do not expect that much will be gained by this, but nothing will be lost beyond a single prisoner, and it is worth making a trial of intervention, when, as things are at present, it seems so unlikely that an understanding can otherwise ever be come to. The verbal communication would not commit you, and it might, if Cabrera were so inclined, be as effectual as a written document; arrangements might be made for the officer returning with an answer, upon your guarantee that he should not be detained. I have merely suggested this plan of releasing a prisoner, as the most practical means that occurs to me, of your sending a verbal message, though some better course might occur to General Van Halen for effecting the same object, but if anything is done, it should be so without loss of time, for the more the mutual exasperation increases, the more difficult will any compromise become.

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Pray communicate this letter to the General, telling him how much I regret the painful position in which he is placed, and how happy I should be, if any means could be devised of relieving him from it, through your agency.

No. 17.

Sir George Villiers to Viscount Palmerston.—(Received January 9th.)

My Lord,

Madrid, December 29th, 1838.

I HAVE the honour to inclose the copy of a letter which I have received from Colonel Wylde, in reply to mine, of which a copy was inclosed in my Despatch to your Lordship of the 10th of November, 1838, suggesting that a representation should be made by Count Luchana, through the Carlist General, Maroto, to Don Carlos, against the atrocities committed by Cabrera.

I have, &c.

Viscount Palmerston, G.C.B.

(Signed)

GEORGE VILLIERS.

&c. &c. &c.

Inclosure 1 in No. 17.

Colonel Wylde to Sir George Villiers.

Sir,

Logrono, December 17th, 1838.

IMMEDIATELY on receipt of your letter of the 9th of November, I communicated its contents to the Count of Luchana, who assured me that his sentiments were perfectly in accordance with those expressed in your letter, and stated his readiness to meet at all times your wishes and those of the British Government, and requested that I would furnish him with a written translation of your letter, which I forwarded to him the next day, inclosed in a letter from myself, a copy of which I forward with this, together with his answer, which was delayed for a few days, with the hope that some communication would be received in the interim from the Carlist General, Maroto, to whom the Count had already written, in consequence of the atrocious massacre in cold blood by the Carlist Chief Balmaseda, of an officer and twenty-five men of the regiment of Salamanca, who were escorting a Correo from Viana to this place, on the 9th ultimo, the details of which I had the honour to forward to you in my letter of the 11th November, and which produced so strong a sensation of indignation in this army, and so loud a cry for vengeance, that the Count found himself under the necessity of ordering a Court of Inquiry to examine into all the circumstances attendant on this barbarous act, and to take the depositions of the five survivors, who were brought into this place covered with wounds, and two of whom have since died.

The result of the proceedings of this Court has been the proving the fact of these men having been murdered by order of Balmaseda himself, after they had surrendered and delivered up their arms; and the consequent recommendation by the Court, that an equal number of Carlist prisoners should be shot in reprisal, a recommendation which, under the circumstances, the Count felt himself called upon to comply with, as had he not done so, not only would the discipline of his troops, and their confidence in him, have been materially shaken, but it would have rendered it impossible to make them respect the lives of their prisoners on any future occasion, or even to give quarter; he believed, therefore, that his doing so would be for the interests of humanity, and would ultimately spare the effusion of blood.

In transmitting the copy of your letter to the General, I felt it my duty to bear testimony to the loyal manner in which both the letter and spirit of the Eliot Treaty have been observed, since I have been attached to the head quarters of this army, the Carlists themselves having never even attempted to assert the contrary, as far as has come to my knowledge, except in one instance, when a man was shot by the partisan Chief, Colonel Martin Zurbano, at Guebara, who, however, was clearly proved to have been a deserter from the Queen's army.

The prisoners taken from the Carlists also, and the number has been very considerable within the last twelve months, have been invariably well treated, and allowed to keep their clothes, and even to receive visits, and such necessaries as they needed from their friends; whilst the Queen's troops who fell into the hands of the Carlists have been stripped of their clothes, and when exchanged, have returned in the most degrading state of nudity, filth, and starvation.

I speak to these facts from my own personal observation.

Another most flagrant infraction of the Eliot Convention, accompanied by acts of gross barbarity, has also taken place since that near Viana, in the case of Colonel Reynoso, the chief of Brigadier Castañeda's staff, whose horse having run away with him, during a skirmish near Villanueva de Mena, and carried him into the Carlist ranks, he was taken prisoner, and after having been stripped and wounded, he was taken to the village of Nava, a distance of some leagues, and there shot.

This act has been verified by the testimony of the peasants who were present, and by the disinterment of the body, on which were found, in addition to a ball through the head, several sabre wounds, and the soles of the feet excoriated, apparently from having been made to walk barefooted from the place where he was taken.

The Regidor of a village in the Valle de Mena who was suspected of having given information which led to the apprehension of a deserter, was also lately dragged from his house and shot, and his wife afterwards murdered in the midst of her six children by a detachment of Carlists.

Balmaseda's cruelties to Colonel Coba, and the troops under his command, when he surprised them at Quintanar de la Sierra, are also well authenticated, but no act of reprisal has taken place in consequence, nor has the usual humane treatment of the prisoners been in the slightest degree altered, even towards those taken from Balmaseda himself, till he committed the atrocities recently near Viana, and which he boasts of in his official despatch after the action, and then only in the manner and under the circumstances I have stated above.

I have thought it necessary to recapitulate these infractions of the Eliot Treaty by the Carlists, in this letter, in order that they may be recorded officially.

The Carlist General-in-Chief Maroto, up to this date has not taken the slightest notice of Count Luchana's remonstrances, he is therefore persuaded of the inutility of again addressing the Carlist authorities on the subject, more particularly regarding the conduct of Cabrera, over whom it is notorious that Maroto has no control.

I have, &c.

(Signed)

W. WYLDE, Colonel.

Sir G. Villiers, G.C.B.

&c. &c. &c.

Inclosure 2 in No. 17.

Colonel Wylde to Count Luchana.

Most Excellent Sir,

Logrono, November 16th, 1838.

I HAVE the honour to transmit to your Excellency herewith a translation of a letter which I yesterday received from Sir George Villiers.

Your Excellency will perceive that its object is to solicit your Excellency's assistance in endeavouring to bring back the Carlist authorities to an observance of the Eliot Treaty, the terms of which have recently been so shamefully and wantonly violated on several occasions, more particularly by the Chiefs Cabrera and Balmaseda. I am aware of your Excellency having already addressed a remonstrance to the Carlist Commander-in-Chief on this subject, in consequence of the late massacre of the Queen's troops, perpetrated by Balmaseda in this neighbourhood, and of the painful necessity in which you found yourself of carrying into effect an act of reprisals on that occasion, but I have not thought it necessary to withhold the communication of Sir George Villiers's despatch to your Excellency on that account.

In making this communication to your Excellency, I have the sincerest satisfaction in being able, at the same time, to bear testimony to the loyalty and good faith with which the stipulations of the Treaty in question have invariably been carried into effect, during the time I have had the honour of being attached to your head-quarters, as well as to your Excellency's humane treatment of the many Carlist prisoners who have fallen into your power during that period, and which I have had such constant opportunities of observing, at a time when it was notorious that a conduct so opposite was observed towards those of the Queen's troops who had the misfortune to fall into the hands of the enemy.

God preserve your Excellency many years.

(Signed) W. WYLDE.

Count Luchana.

Colonel, and Commissioner of H. B. M.

&c. &c. &c.

Inclosure 3 in No. 17.

*Count Luchana to Colonel Wylde.**Cuartel General de Logrono, 22 de Noviembre, 1838.*

MUY grato há sido para mi, ver en el escrito del Ministro de S. M. Britanica en Madrid, que V. S. me transmitió en 16. del actual, los sentimientos que le animan en favor de la humanidad, de acuerdo con los principios que me han hecho cumplir religiosamente lo estipulado en el Tratado Eliot. V. S. há sido testigo de esta verdad, y del modo cruel con que, despues de mil infracciones cometidas por los Enemigos, acaban de perpetrar otra en las inmediaciones de esta Plaza, con cuyo motivo escribi un oficio al Gefe Carlista, del cual dí á V. S. conocimiento, invitandole á proceder en adelante de un modo menos sanguinario, y mas digno de las costumbres de una Nacion civilizada; Aun no hé recibido respuesta á esta comunicacion ni á otra posterior, en que hacia nuevas reclamaciones por otros excesos, cuya circunstancia no me permite coadyuvar á los deseos del Ecmo Señor Ministro Britanico hasta que la contestacion de los enemigos me manifieste sus ideas acerca de este negocio.

Celebro esta nueva ocasion de manifestar asi á V. S. como al Ministro de S. M. B. mi reconocimiento por los esfuerzos que hacen en favor de nuestra causa, y de la mitigacion de los horrores de la Guerra Civil, de que tantas pruebas há recibido, y está recibiendo este Ejercito.

Dios guarde, &c.

Colonel Wylde.
&c. &c. &c.

(Firmado)

EL CONDE DE LUCHANA.

Translation.

Head-Quarters, Logrono, November 22nd, 1838.

IT has been most gratifying to me to observe from the communication of Her Britannic Majesty's Minister at Madrid, which you transmitted to me on the 16th instant, the sentiments which he entertains in favour of humanity, in accordance with the principles which have made me religiously fulfil the stipulations of the Eliot Treaty. You have been a witness of this fact, and of the cruel manner in which, after the commission by the enemy, of a thousand infractions of the Treaty, they have just perpetrated another in the vicinity of this place, on which account I wrote an official letter to the Carlist Chief, which I acquainted you with, inviting him to act in future in a manner less sanguinary, and more conformable to the usages of a civilized nation: I have not yet received any answer to this communication, nor to a subsequent one, in which I made fresh remonstrances against other excesses, which circumstance prevents me from contributing towards the wishes of his Excellency the British Minister until the enemy's answer shall have discovered his ideas on that subject.

I am happy to have this fresh opportunity to express to you, and to Her Britannic Majesty's Minister, my acknowledgments for their exertions in favour of our cause, and of the mitigation of the horrors of a civil war, of which this army has received, and continues to receive so many proofs.

God preserve, &c.

Colonel Wylde.

(Signed)

THE COUNT OF LUCHANA.

&c. &c. &c.

No. 18.

Sir George Villiers to Viscount Palmerston.—(Received January 9th, 1839.)

(Extract.)

Madrid, December 29th, 1838.

IN my despatch of the 22nd of December, 1838, I stated to your Lordship, that sixty-seven Carlist prisoners taken at Cheste, had been shot at Valencia, but I find I was wrongly informed. General Van Halen had ordered their execution there, but he subsequently carried with him sixty-one to Murviedro, of whom fifty-seven were shot, three having been spared on account of being mere boys, and a fourth, because he promised to give important information. General Van Halen addressed the troops, and expressed his repugnance at being obliged to resort to so dreadful a measure, but declared that the conduct of Cabrera left him no alternative.

Colonel Lacy informs me that General Van Halen has consented to adopt the plan suggested by me, and which I had the honor to communicate to your Lordship in my despatch of the 22nd December. A Carlist prisoner, a Lieutenant, has accordingly been placed at the disposal of Colonel Lacy, who has sent him to Cabrera, and has taken every precaution in his power that the message should be delivered according to my instructions.

The officer is to return to Teruel, and whether successful or not he is to be exchanged immediately provided he brings a Christino officer of the same rank as himself.

I have good reason to believe that the sanguinary system adopted by Cabrera, was suggested to him, and he has since been encouraged to persevere in it, by the Carlist Junta of Madrid. Cabrera was assured that the Queen's Government would not dare to make reprisals, and that the cold-blooded murder of Christino prisoners would exasperate the liberal party to rebellion, and destroy the discipline of the army.

Colonel Wylde.

I have, &c.

&c. &c. &c.

(Signed)

GEORGE VILLIERS.

Sir George Villiers to Viscount Palmerston.—(Received January 9th, 1839.)

My Lord, Madrid, December 29th, 1838.

I HAVE the honour to inclose the copy and translation of a note which I have just received from M. d'Onis, communicating to me the correspondence which has taken place between General Van Halen and Colonel Lacy, relative to the execution of the prisoners taken in the action at Cheste on the 2nd instant, and requesting that I will adopt such measures as may appear to me expedient for inducing the Carlists to abandon the horrible system of warfare they are now carrying on in Aragon and Valencia.

The inclosures in M. d'Onis's note are a translation of Colonel Lacy's letter to General Van Halen and a copy of the reply of the letter, both of which documents I had the honour to forward to your Lordship in my despatch of the 22nd of December, 1838.

I have, &c.

Viscount Palmerston, G.C.B. (Signed) **GEORGE VILLIERS.**
&c. &c. &c.

Inclosure in No. 19.

M. de Onis to Sir George Villiers.

Muy Señor mio, Madrid 29 de Diciembre, 1838.

TENGO la honra de pasar adjuntos á manos de V. S. Copias de la comunicacion dirigida al General en Gefe del Ejercito del centro por el Coronel Lacy, Comisionado Britanico en dicho Ejercito, señalada con el No. 1, y de la contestacion que aquel há juzgado conveniente dar al Coronel, senalada con el No. 2, acerca de las represalias que, contra los impulsos de su corazon, y bien á pesar suyo, se há visto tan cruelmente precisado á ordenar á consecuencia de la declaracion de Cabrera de hacer en adelante la guerra á muerte.

S. M. la Augusta Reyna Gobernadora, al paso que se halla intimamente convencida de los generosos sentimientos que abriga el General Van Halen, quien solo por contener al rebelde Cabrera, que há hecho la indicada declaracion cumpliendola con un rigor inaudito, há podido disponer que sean fusilados los prisioneros hechos por las Tropas Nacionales en la accion de Cheste el dia 2. del corriente, no puede tampoco menos de sentir su maternal corazon sumamente conmorido con los desastres y horrores que presenta actualmente la guerra en Aragon y Valencia, por la multitud de Españoles que sucumben al peso de nuestras discordias civiles, fieles los unos, y alucinados los otros, por solo la ferocidad, de que acaso el mundo no há ofrecido otro ejemplo, del Gefe que acaudilla las fuerzas rebeldes de aquellos desgraciados Reinos.

Por lo tanto, teniendo S. M. siempre presentes las repetidas, positivas y distinguidas pruebas de interes que desde el principio de la actual contienda no há cesado de dar el Gobierno de S. M. Britanica por el triunfo de la causa de la Reina Doña Isabel Segunda, mi Augusta Ama, y de la libertad de la Nacion Española, y bien penetrada de lo mucho que ésta debe á los eficaces y generosos esfuerzos que V. S. está constantemente haciendo para el logro de aquellos caros objetos, se há servido mandarme ponga estos datos en conocimiento de V. S. confiando S. M. en que conmovido su benefico corazon con los estragos de la actual guerra civil y con las horrorosas consecuencias de la declaracion de Cabrera, tendrá V. S. á bien dar los pasos que conceptue indispensables, á fin de que aquel Gefe rebelde revoque la orden que há dado para hacer la guerra sin cuartel, y respete la vida de los prisioneros; pues nada será tan grato á S. M. como ordenar al General en

Gefe del Centro que por su parte se observe religiosamente la misma conducta.

Este importante servicio, hecho en obsequio del bien de la humanidad será un nuevo título que adquirirá V. S. á la gratitud de S. M. la Augusta Reina Gobernadora y de la Nacion Española, que jamas olvidará la franca y poderosa cooperacion de V. S. en la presente lucha, obrando como fiel interprete de los sentimientos y generosos deseos del Gobierno de Sua Majestad Britanica.

Aprovecho, &c.

(Firmado) MAURICIO CARLOS DE ONIS.

Sir George Villiers, G.C.B.

&c. &c. &c.

Translation.

Sir,

Madrid, December 29th, 1838.

I HAVE the honour to inclose to you copies of a communication addressed to the General-in-Chief of the army of the centre by Colonel Lacy, the British Commissioner at that army, marked No. 1, and of the answer which the General considered expedient to return to him, marked No. 2, with regard to the reprisals which, contrary to the impulse of his heart and much against his will, he has found himself cruelly forced to order, in consequence of Cabrera's declaration of "war to the death" in future.

Her Majesty, the August Queen Regent, at the same time that she is firmly convinced of the generous sentiments entertained by General Van Halen, who, solely in order to restrain the rebel Cabrera who made the above declaration, and carries it into effect with unheard of rigour, could have directed that the prisoners taken by the National Troops in the action at Cheste on the 2nd instant should be shot, cannot help feeling, nevertheless, her maternal heart powerfully moved by the disasters and horrors at present occurring in the war in Aragon and Valencia, from the multitude of Spaniards who are falling under the weight of our civil discords, some faithful, and others deceived, solely through the ferocity, of which perhaps the world has not offered another example, of the Chief who is at the head of the rebel forces in those unfortunate provinces.

Her Majesty, therefore, bearing ever in mind the repeated, positive, and distinguished proofs of interest which, since the commencement of the actual warfare, the Government of Her Britannic Majesty have not ceased to render, for the triumph of the cause of the Queen Isabel the Second, my August Sovereign, and for the liberty of the Spanish nation, and well convinced how much it owes to the efficacious and generous exertions which you are constantly making towards obtaining these estimable objects, has been pleased to command me to acquaint you with these facts, Her Majesty trusting that, your beneficent heart excited by the ravages of the actual civil war, and the dreadful consequences of the declaration of Cabrera, you will be pleased to take such steps as you may consider indispensable, in order that that rebel Chief may revoke the order which he has given to carry on the war without quarter, and that he may respect the lives of the prisoners; for nothing will be more pleasing to Her Majesty than to order the General-in-Chief of the centre to observe religiously on his part the same conduct.

This important service rendered to the cause of humanity will be a new title which you will acquire to the gratitude of Her Majesty the Queen Regent, and of the Spanish nation, which will never forget your frank and powerful co-operation in the present struggle, acting as the faithful interpreter of the sentiments and generous wishes of the Government of Her Britannic Majesty.

I avail myself, &c.

(Signed) MAURICIO CARLOS DE ONIS.

Sir George Villiers, K.C.B.

&c. &c. &c.

No. 20.

Viscount Palmerston to the Earl of Clarendon.

(Extract.)

Foreign Office, January 10th, 1839.

WITH reference to your Lordship's despatch of the 22nd of December, 1838, I have to inform you that Her Majesty's Government approve of the zeal with which Colonel Lacy has interceded with General Van Halen in order to save the lives of the Carlist prisoners taken by General Borso in the action of Cheste on the 2nd of December. They approve also of the letter which your Lordship has addressed to Colonel Lacy upon this subject.

No. 21.

Viscount Palmerston to Mr. Milbanke.

Sir,

Foreign Office, January 12th, 1839.

M. HUMMELAUER has communicated to me a despatch dated the 16th ultimo, which he has received from Prince Metternich, stating that his Highness has made a communication to Count Alcudia in accordance with the suggestion contained in my despatch to you of the 27th of November, upon the subject of the massacres committed upon prisoners of war by the Carlist Generals in Spain.

I have in consequence to instruct you to convey to Prince Metternich the cordial and sincere thanks of Her Majesty's Government, for the communication which M. Hummelauer has made to me, and for the step which the Austrian Government has taken in this matter.

You will state that the British Government felt indeed an entire confidence, that its appeal to the humanity and generosity of the Cabinet of Vienna would be met by a ready assent. But Her Majesty's Government cannot refuse themselves the gratification of thus acknowledging the promptitude and zeal with which the step in question has been taken. Whatever may be the success of this attempt to mitigate the horrors of the civil war in Spain, the merit of the Austrian Government in having made it, will be the same; but it would certainly be an achievement worthy of the Cabinet of Vienna, to be able by its influence, to put an end to these horrible massacres. On the other hand, Prince Metternich may be assured, that no effort shall be omitted by Her Majesty's Government, to induce the Government of Queen Isabella to enforce upon its Generals not only mercy, but humanity, towards their Carlist prisoners, and Her Majesty's Government are convinced, from all the information which they have received, that there will be no difficulty in causing all acts of severity to cease on the part of the Queen's troops, whenever the Carlists shall discontinue the system of slaughter which has led to retaliation on the other side.

J. Milbanke, Esq.

I have, &c.

&c. &c. &c.

(Signed)

PALMERSTON.

No. 22.

Viscount Palmerston to Mr. Milbanke.

Sir,

Foreign Office, January 12th, 1839.

WITH reference to my despatch of the 27th November last, I inclose for your information the extract of a despatch from Her Majesty's Minister at Berlin, dated the 18th of December last, reporting his conversation with Baron Werther on the subject of the massacres committed by the Carlist leaders in Spain.

J. Milbanke, Esq.

(Signed)

PALMERSTON.

&c. &c. &c.

No. 23.

Viscount Palmerston to the Earl of Clarendon.

My Lord,

Foreign Office, January 12th, 1839.

M. HUMMELAUER has communicated to me a despatch, dated the 16th ult., which he has received from Prince Metternich, and of which a copy is herewith transmitted, stating that his Highness has made a communication to Count Alcudia, in accordance with the suggestion contained in my despatch to Mr. Milbanke, of the 27th November, upon the subject of the massacres committed upon prisoners of war by the Carlist Generals in Spain.

I have in consequence instructed Mr. Milbanke, to convey to Prince Metternich the cordial and sincere thanks of Her Majesty's Government for the communication which M. Hummelauer has made to me, and for the step which the Austrian Government has taken in this matter. Mr. Milbanke is further directed to state, that the British Government felt indeed an entire confidence that its appeal to the humanity and generosity of the Cabinet of Vienna, would be met with a ready assent; but Her Majesty's Government could not refuse themselves the gratification of thus acknowledging the promptitude and zeal with which the step in question has been taken. Mr. Milbanke will add, that whatever may be the success of this attempt to mitigate the horrors of the civil war in Spain, the merit of the Austrian Government in having made it will be the same; but that it would certainly be an achievement worthy of the cabinet of Vienna, to be able, by its influence, to put an end to these horrible massacres. That, on the other hand, Prince Metternich may be assured that no effort shall be omitted by Her Majesty's Government, to induce the Government of Queen Isabella to enforce upon its Generals not only mercy but humanity towards their Carlist prisoners, and His Majesty's Government are convinced, from all the information which they have received, that there will be no difficulty in causing all acts of severity to cease on the part of the Queen's troops, whenever the Carlists shall discontinue the system of slaughter which has led to retaliation on the other side.

I have, &c.

The Earl of Clarendon.

(Signed) PALMERSTON.

&c. &c. &c.

No. 24.

The Marquis of Clanricarde to Viscount Palmerston.—(Received January 14th, 1839.)

(Extract.)

St. Petersburg, December 22nd, 1838.

I RECEIVED on the 20th instant your Lordship's despatch of the 27th of November, and I have mentioned to Count Nesselrode the substance of a note embodying the instructions contained in it, which I sent to his Excellency on the following day.

Count Nesselrode assured me that the Russian Government were deeply affected by the horrible character which the civil war in Spain had assumed. But he remarked, that the Carlist accounts differed considerably from those which Her Majesty's Government had received, both as to the number of murders committed by Cabrera, and as to the origin of the renewal of such atrocities.

His Excellency said, he supposed that Her Majesty's Government had made a similar communication to that which I announced, to the Courts of Vienna and Berlin. He then asked me, if I thought it impossible to devise means for putting an end to the state of things, with which Spain had been so long and so terribly afflicted. I replied that, undoubtedly, I supposed, if the Great Powers agreed upon the means, they could be enforced. Count Nesselrode said that he saw no reason why an understanding might not be come to upon the subject. His Excellency has twice repeated to

me this opinion, with the expression of an earnest desire that peace could be established in the Peninsula: but, in the absence of instructions thereupon, I have not ventured to enter further upon the subject.

No. 25.

The Marquis of Clanricarde to Viscount Palmerston.—(Received January 11th, 1839.)

(Extract.)

St. Petersburg, December 26th, 1838.

I HAVE the honour to transmit to your Lordship a copy of a note which I have presented to Count Nesselrode, in which the contents of your Lordship's despatch of the 27th of November are embodied.

Inclosure in No. 25.

The Marquis of Clanricarde to Count Nesselrode.

St. Petersburg, December 11th, 1838.

THE Undersigned, &c., has the honour to transmit to His Excellency the Vice-Chancellor, Count Nesselrode, copies of a despatch and its inclosure which have been received by Her Majesty's Secretary of State, &c., from Her Majesty's Minister at Madrid, relative to the wholesale murders committed by order of the Carlist Chief, Cabrera, upon prisoners taken from the Queen's forces, and stating the measures of retaliation adopted by the authorities of the Queen.

The Undersigned has been instructed to communicate these papers to His Excellency the Vice-Chancellor and to draw the serious attention of the Russian Government to the melancholy and afflicting details which they contain.

The commencement of the civil war in Spain was stained with atrocities similar in kind, although inferior in extent, to those which are detailed in the despatch of Sir George Villiers. But the British Government interposed its good offices between the contending parties; and the Eliot Convention, negotiated under instructions given by the Duke of Wellington, put a stop for a time to these cruelties in the Basque Provinces, and by its indirect operation checked them also in other parts of Spain. For some time past, however, many of the Carlist leaders, regardless of that Convention, or pretending that it did not apply to the districts in which they were acting, have renewed, and even exceeded, the barbarities of the earlier period of the war; and Cabrera, who now holds avowedly a high command under Don Carlos, has, by the unparalleled atrocities which he has perpetrated, cast a stain, not merely on the party to which he belongs, and upon the country which gave him birth, but even upon the age in which he lives.

As the cause of Don Carlos derives great assistance from the moral support of the Russian Government, it cannot be doubted that a salutary effect would be produced upon that Prince, by a knowledge of the indignant disgust with which the atrocities perpetrated by his commanders must necessarily inspire the Cabinet of St. Petersburg.

Her Majesty's Government, therefore, not doubting for an instant what the sentiments must be which these deplorable events will have excited at St. Petersburg, have instructed the Undersigned to make this communication to the Russian Government.

The Undersigned avails himself, &c.

(Signed) CLANRICARDE.

His Excellency Count Nesselrode.
 &c. &c. &c.

No. 26.

The Earl of Clarendon to Viscount Palmerston.—(Received January 14.)

Extract.)

Madrid, January 5th, 1839.

CABRERA has removed his prisoners from Horcajo to Morello and Canta Vieja, and among them thirty or forty who were unable to march, were shot upon the road.

Colonel Lacy has, as yet, received no tidings of the Carlist officer, sent by him to Cabrera, but I am happy to say, that the prisoners are now receiving better treatment. By letters that have been communicated to me from Cantavieja, I find that they are now permitted to buy food, and to have the use of fire, and twenty soldiers belonging to Castellon, who were surprised and made prisoners by the Carlists, near a place called Buriol, were not maltreated nor even robbed.

General Lopez, commanding at Valencia, having made an arrangement for the exchange of three Carlist Chiefs, previously to the 24th of November, the date of Cabrera's proclamation, it was allowed to go forward by General Van Halen, and General Lopez took advantage of the opportunity, to communicate with Cabrera, and to propose a revocation of the order not to give quarter.

It is but just to state, that no occasion ever appears to be omitted by the Queen's Generals, for making known to the Carlist Chiefs, their anxious desire, that the war should be carried on with humanity, and to declare that the reprisals which have been imposed upon them, will be abandoned, the moment that the system pursued by Cabrera is changed.

No. 27.

Viscount Palmerston to Lord William Russell and to the Marquis of Clanricarde.

My Lord,

Foreign Office, January 15th, 1839.

WITH reference to my despatch, inclosing a copy of a despatch from Her Majesty's Minister at Vienna, reporting the substance of his conversation with Prince Metternich, respecting the massacres committed by the officers commanding the troops of Don Carlos, I inclose, for your Lordship's information, a copy of a despatch from Prince Metternich to the Austrian Chargé d'Affaires at this court, which has been communicated to me by the latter, and by which it appears that the cabinet of Vienna has made a communication to Don Carlos on the subject of those massacres.

I also inclose copies of two despatches, which I have, in consequence, addressed to Her Majesty's Ministers at Vienna and at Madrid.

I have, &c.

(Signed) PALMERSTON.

Lord William Russell and the Marquis of Clanricarde.

&c.

&c.

&c.

No. 28.

Viscount Palmerston to the Marquis of Clanricarde.

My Lord,

Foreign Office, January 21st, 1839.

WITH reference to the remark made by Count Nesselrode, as reported in your despatch of the 22nd of December last, that he saw no reason why an understanding might not be come to among the Great Powers with a view to put an end to the state of things by which Spain has been so long afflicted, I have to instruct your Excellency to state to Count Nesselrode

that Her Majesty's Government would be glad to know what are his ideas as to the manner in which it might be practicable to accomplish that object, and to reestablish internal peace in Spain.

I have, &c.
(Signed) PALMERSTON.

The Marquis of Clanricarde.

No. 29.

The Earl of Clarendon to Viscount Palmerston.—(Received January 22.)

(Extract.)

Madrid, January 12th, 1839.

THE prisoners (mentioned in my despatch to your Lordship of the 5th of January) taken at Burriol, and whose lives were at first spared, have since been shot by the orders of Cabrera.

When the system of reprisals was first adopted by General Van Halen in Aragon, the Carlist prisoners at Zaragoza petitioned General San Miguel, who commanded there, to be allowed to send two officers from among themselves to Don Carlos, for the purpose of remonstrating against the sanguinary practices of Cabrera, and to procure that he should be ordered to abstain from a system which would eventually cost the lives of all the Carlist prisoners in Aragon and Valencia.

General San Miguel readily assented to this request. The officers went to the head-quarters of Don Carlos, and returned with what they believed was an order to Cabrera to respect the lives of his prisoners; but upon their arrival at Zaragoza they requested General San Miguel to forward their despatches to Cabrera, preferring to remain prisoners to placing themselves in Cabrera's power, who they declared would shoot them for being the bearers of such an order. The General informed them, that if they remained at Zaragoza he might hereafter find himself in the painful necessity of putting them to death, by way of reprisals, if Cabrera's atrocities continued; but he offered to send them to Logroño, with a request to Count Luchana to let them remain in depôt there, which they gladly accepted, and upon their arrival, the General-in-Chief permitted them immediately to proceed to Estella, taking their parole to obtain the release of two Christino officers of equal rank in their places.

This praiseworthy conduct adds another to the numerous proofs which already exist, of the desire of the Queen's Generals to put an end to the cruelty with which the war is now carried on; and the fact of two of Cabrera's own officers not daring to go into his presence, with an order from his King to proceed with more humanity, is a sufficient proof of the spirit by which that Chief is actuated, and that he alone is answerable for the revolting atrocities which have been committed during the last four months.

No. 30.

Viscount Palmerston to the Earl of Clarendon.

My Lord, *Foreign Office, January 24th, 1839.*

I TRANSMIT herewith for your Lordship's information, copies of despatches from and to the Marquis of Clanricarde, in reply to the instructions conveyed to his Lordship in my despatch of the 27th of November, of last year, upon the subject of the atrocities committed by Cabrera upon the prisoners taken from the Queen's forces.

I have, &c.
(Signed) PALMERSTON.

The Earl of Clarendon.

&c. &c. &c.

No. 31

The Marquis of Clanricarde to Viscount Palmerston.—(Received Jan. 23rd.)

My Lord,

St. Petersburg, January 7th, 1839.

I HAVE the honour to inclose a copy of the official answer of Count Nesselrode to the note, by which I communicated to his Excellency, the substance of your Lordship's despatch, of the 27th of November last. Count Nesselrode, at the time that he handed me this note, read to me the despatch, which he has addressed upon the same subject to Count Pozzo di Borgo, and which that Ambassador will read to your Lordship. It is therein stated, Count Nesselrode told me, that the Emperor had expressed himself very strongly to the Marquis de Villa Franca, upon the character which the war in Spain had reassumed, and upon the conduct of Cabrera. I have already informed your Lordship that that Envoy, and the Journal of Don Carlos, give a different version of what has occurred, from that received by Her Majesty's Government.

My despatch of the 22nd of December of last year, will have prepared your Lordship for the idea suggested in the inclosed note, of an interference in concert, by the Great Powers of Europe, in the war of the Peninsula. Count Nesselrode did not explain his notion of an arrangement by which peace in Spain might be procured, but he said, he thought that desirable object might be attained, by the agreement of the Five Great Powers.

Viscount Palmerston, G.C.B.

I have, &c.

&c. &c. &c.

(Signed)

CLANRICARDE.

Inclosure in No. 31.

Count Nesselrode to the Marquis of Clanricarde.

St. Petersburg, December 21st, 1838.
January 2nd, 1839.

LE Soussigné s'est fait un devoir de placer sous les yeux de l'Empereur la note par laquelle Son Excellence Monsieur le Marquis de Clanricarde, Ambassadeur Extraordinaire et Plénipotentiaire de Sa Majesté Britannique, a bien voulu appeler l'attention du Cabinet Impérial sur les calamités dont l'Espagne est malheureusement devenue le théâtre. L'Empereur a accueilli cette communication avec un véritable intérêt. Il partage avec le cabinet de Sa Majesté Britannique, l'affliction que doit faire éprouver à toutes les Puissances de l'Europe la situation actuelle de l'Espagne. Il désire tout aussi vivement que le Gouvernement Anglais, de voir mettre enfin un terme à la guerre sanglante, qui, depuis tant d'années, couvre la Péninsule de deuil et de ruines.

Mais, Sa Majesté ne saurait se dissimuler, qu'au milieu de la lutte à mort, dans laquelle la nation Espagnole se trouve plongée, on ne peut lui faire entendre des paroles de paix, et en espérer un résultat vraiment utile, que par des efforts réunis et concertés en commun entre toutes les grandes Puissances de l'Europe. La Russie ne pourrait rien attendre d'une démarche isolée qu'elle ferait sans la coopération de l'Autriche et de la Prusse, et toutes les trois Cours réunies ne pourraient pas se prononcer efficacement sur les affaires d'Espagne, sans un concert préalable avec l'Angleterre et avec la France.

Tel est le jugement que l'Empereur porte sur cette grave question. Si une entente commune peut être jugée nécessaire pour la résoudre, non dans des vues d'intérêt exclusif, mais dans un esprit de conciliation, comme une question d'humanité qui réclame à juste titre la sollicitude de toutes les Puissances, l'Empereur ne refusera pas de participer à cette délibération, là où l'on conviendra d'en établir le siège. Le Soussigné prie Son Excellence Monsieur le Marquis de Clanricarde de vouloir bien porter cette communication à la connaissance de sa Cour. Il aime à

espérer qu'elle y trouvera une preuve du désir sincère qu'éprouve l'Empereur, de seconder, autant qu'il dépend de lui, les efforts de Sa Majesté Britannique, destinés à pacifier un pays, que l'Europe s'afflige de voir abandonné trop longtems aux malheurs d'une lutte sans terme et sans espoir.

Le Soussigné, etc.

(Signé)

NESSELRODE.

Le Marquis de Clanricarde.

&c. &c. &c.

No. 32.

Viscount Palmerston to the Marquis of Clanricarde.

My Lord,

Foreign Office, January 25th, 1839.

I HAVE to instruct your Excellency to state to Count Nesselrode, that Her Majesty's Government have learnt with great satisfaction, that the Emperor has himself made known to the Marquis of Villafranca the sentiments of his Imperial Majesty, upon the barbarous character which the civil war in Spain has assumed, and upon the cruelties committed by the two contending parties. Her Majesty's Government cannot doubt that the Marquis of Villafranca will deem it to be his duty to make known to Don Carlos, the opinions thus expressed by the Emperor, and it is impossible to suppose, that sentiments so honourable and so just, coming from his Imperial Majesty's own mouth, should fail of producing a decisive effect upon the conduct of Don Carlos.

Her Majesty's Government can assure the Cabinet of St. Petersburg, notwithstanding any statements to the contrary which that Cabinet may have received, that the barbarous massacres of prisoners which have lately taken place in Spain, were first, and have been most extensively, perpetrated by the Carlist Chiefs, and that it was only upon a defensive principle that the Queen's Generals were driven to measures of retaliation. Her Majesty's Government are, therefore, perfectly confident, that if Cabrera and the other Carlist Chiefs shall discontinue their murders, and shall treat their prisoners with humanity, all acts of severity on the part of the Queen's Generals towards Carlist prisoners, will immediately cease.

Her Majesty's Government observe that Count Nesselrode's communication not only contains an answer to the application made to the Imperial Cabinet by Her Majesty's Government, but also conveys a suggestion that a concert should be established between Austria, France, Great Britain, Prussia, and Russia, with a view of putting an end to the civil war in Spain. Upon this suggestion, Her Majesty's Government are not at present prepared to give any decided opinion. The probable result of such a concert, would, of course, very much depend upon the nature of the views with which the several parties thereto might enter into it; and I have already instructed your Excellency to say that Her Majesty's Government would be glad to be made acquainted with the ideas of the Russian Government upon this matter.

It is, however, to be observed, that Great Britain and France do not stand, with respect to these affairs, exactly in the situation in which the other three Powers are placed; and that it would be impossible for the British or French Governments to enter into any negotiations inconsistent with the engagements which Great Britain and France have taken by the Treaty of Quadruple Alliance.

I have, &c.

(Signed)

PALMERSTON.

The Marquis of Clanricarde.

&c. &c. &c.

No. 33.

Viscount Palmerston to Lord William Russell and to the Marquis of Clanricarde.

My Lord, *Foreign Office, January 25th, 1839.*

I INCLOSE for your Lordship's information, and for communication to the ^{Russian} ~~Prussian~~ Government, a copy of a despatch from Her Majesty's Minister at Madrid, containing evidence of the disposition felt by the Generals of the Queen of Spain to abstain from the system of reprisals, if enabled to do so, by the adoption on the part of the Queen's Generals, of a more humane system with respect to prisoners of war.

I have, &c.

Lord William Russell.
The Marquis of Clanricarde.

(Signed) PALMERSTON.

No. 34.

Viscount Palmerston to the Earl of Clarendon.

My Lord, *Foreign Office, January 25th, 1839.*

WITH reference to my despatch of the 24th of January, I inclose, for your Lordship's information, the copy of a further despatch, which I have addressed to Her Majesty's Ambassador at St. Petersburg, relative to the massacres committed by the Carlist Generals.

I have, &c.

The Earl of Clarendon.
&c. &c. &c.

(Signed) PALMERSTON

No. 35.

The Earl of Clarendon to Viscount Palmerston.—(Received January 28th.)

(Extract.)

Madrid, January 19th, 1839.

ALTHOUGH I have not yet received an official report upon the subject from Colonel Lacy, I know that the Carlist officer sent by him to Cabrera has returned, having completely failed in his mission. Cabrera told him that he was not authorised to treat upon the subject of giving quarter; and that he had much repented not having shot a prisoner, who had some time since been sent to him upon a similar mission from Zaragoza.

I inclose an official return given by General Van Halen to Colonel Lacy, of the prisoners shot by Cabrera between the 1st of October and the 7th of January. I understand that not half that number have been executed in reprisal by General Van Halen, who has written to some of his friends here, that he finds himself in a position of the most painful embarrassment, as, although Cabrera persists in his atrocities, he cannot bring himself any longer to continue the revolting system, yet fears the bad effects his leniency may have upon the discipline of the army.

Count Luchana has ordered two Carlist officers to be shot in retaliation for the murder of Colonel Reinoso, the chief of the staff of Brigadier Castañeda's division: they were sent for from San Sebastian, in order to be executed on the spot where the murder was committed, and I learn from Colonel Wylde, whom I instructed to remonstrate with Count Luchaña upon this unnecessary aggravation of cruelty, that the two officers were Guipuzcoans, and that Colonel Reinoso had been killed by a Guipuzcoan battalion.

Some dreadful acts of atrocity have of late been committed by the Carlist bands from the mountains of Toledo, in different villages, which have been burnt, and many of the inhabitants indiscriminately murdered.

A faction commanded by one Garcia, a few days since, entered Fuente Dueña, a town about seven leagues distant from Madrid, and carried off all the principal inhabitants, for whose ransom they have asked exorbitant prices; for three of these individuals, the money was sent without delay, and Garcia, after having received it, ordered them to be shot.

Inclosure in No. 35.

Teruel, January 7th, 1839.

LIST of executions by Cabrera of prisoners taken on and since the first of October, 1838, given to me by General Van Halen.

1838.			
October	2,	Of Pardinás	115
....	16,	Ditto Serjeants at Horcajo	96
November	4,	Daroca detachment	7
....	15,	At Cariñena	43
		Villamalefa	55
		Segorbe	11
		Uria	33
		Cutanda	23
		Alcañiz	9
		Caspe	2
		Muniesa	2
		Paracense	2
		Teruel	1
		Mequinenza	1
		Buriol	20
		Llosa	8
		Total	428

(Signed) J. LACY, Colonel, Royal Artillery.

No. 36.

Viscount Palmerston to Mr. Milbanke.

Sir, Foreign Office, January 29th, 1839.

WITH reference to my despatch of the 12th instant, relative to the atrocities committed by the belligerent parties in Spain, I herewith transmit to you the copy of a despatch dated the 12th instant, which has been received from Her Majesty's Minister at Madrid, showing the strong desire of the Queen's Generals to put an end to the cruelties which at present are practised by both parties in the civil war, and I have to request that you will communicate this despatch to the Austrian Government.

I have, &c.

J. Milbanke, Esq.

(Signed) PALMERSTON.

&c. &c. &c.

No. 37.

Viscount Palmerston to Lord William Russell and to the Marquis of Clanricarde.

My Lord, Foreign Office, January 29th, 1839.

I INCLOSE for your Lordship's information, a copy of a further despatch from Her Majesty's Minister at Madrid, dated the 19th instant, containing some particulars respecting the massacres committed by the Generals commanding the Carlist forces in Spain, and inclosing an official return of the number of prisoners shot by Cabrera between the 1st October, 1838, and 7th January, 1839.

Your Lordship will communicate in an official note to Baron Werther, Count Nesselrode, the information contained in the inclosed papers on those points.

I have, &c.

Lord William Russell.

(Signed) PALMERSTON.

Marquis Clanricarde.

The Earl of Clarendon to Viscount Palmerston.—(Received February 4th.)

My Lord,

Madrid, January 26th, 1839.

I LOST no time in communicating to M. de Onis your Lordship's despatch of the 12th instant, and the important information, that the Austrian Cabinet had consented, at the invitation of Her Majesty's Government, to represent to Don Carlos the necessity of putting a stop to the atrocities committed by his military commanders.

His Excellency requested me, in the most earnest manner, to convey to your Lordship, the expression of his gratitude for this fresh proof of the friendly zeal with which Her Majesty's Government is animated for the cause of Queen Isabel, and the interests of the Spanish nation, and on the following day, M. de Onis made a similar request to me, in the name of the Queen Regent, and of Her Majesty's Government.

His Excellency was desirous that I should furnish him with copies of your Lordship's and Prince Metternich's despatches, which I told him I did not consider myself authorised to do, but that I did not think your Lordship would object to my making a written communication upon the subject, and thus placing on record in the Spanish Foreign Office the service which had been rendered to this country by Her Majesty's Government.

I accordingly addressed to his Excellency a Note transmitting a memorandum, copies of which I have the honour to inclose to your Lordship.

M. de Onis expressed the surprise and concern it was natural he should feel, when I read to him that part of Prince Metternich's despatch to Mr. Hummelauer, in which His Highness considers that the task of the Austrian Cabinet, in inducing Don Carlos to observe a more humane course, will be more easily accomplished than that of Her Majesty's in using its influence for a similar object with the Spanish Government.

M. de Onis observed, that although this opinion could only arise from Prince Metternich having listened exclusively to Carlist statements, yet it was much to be regretted that His Highness should be so much misinformed as to the real state of things in this country, and as to the efforts which the Queen's Government and Generals had made to prevent the war from assuming its present character, and his Excellency added, that, even without this knowledge, a little reflection would show the injustice of placing the Queen Regent, the men of education and enlightened principles, who were at the head of her councils and armies, the representatives of the nation, by whom they were supported, and public opinion, by which all were influenced, in the same category, not with Don Carlos alone, for his authority was barely acknowledged by Carlist Chiefs at a distance from his headquarters, but with Cabrera and Palillos and Forcadell, and others, who are the real authors, and for their own individual purposes, of the horrible massacres which have taken place, and have at length rendered reprisals unavoidable; men sprung from the lowest origin and notorious for their crimes, who through the terror inspired by their merciless atrocities have arrived at command, and by extending their system of plunder and bloodshed maintain themselves in wealth and power. They hoist the standard of Don Carlos, and in form acknowledge his authority, in exchange for the moral influence his cause and Royal Commissions may give them with the people, but they disregard his orders and act with complete independence, and were he to ascend the throne would continue in the state of rebellion under which alone they prosper.

It cannot, therefore, but be galling to a Minister or General of the Queen to be placed in comparison with such men, and to find, that by foreign Governments, the acts of reprisals, without which the discipline of the armies would cease to exist, and the exasperation of the towns could not be restrained, are classed with that wanton perseverance in the shedding of blood, which the Carlist Chiefs have been informed by every devisable means, was alone the cause of the severity observed by the Queen's Generals.

Among many similar proofs of the spirit which animates the Carlist Chiefs south of the Ebro, I have selected a proclamation (of which I inclose the copy and translation) issued lately by Palillos, who holds Don Carlos's

appointment as Commandant General of La Mancha, imposing pain of death upon the relations to the fourth degree of all those serving in the Queen's ranks, forbidding all agricultural labour, and ordering the man to be shot who plucks an olive from his own tree.

To compare an Officer of the Queen in high command with such a ruffian, was an injustice, M. de Onis remarked, of which Prince Metternich probably did not know the extent, and His Highness might perhaps think if Palillos were taken, and expiated his crimes upon the scaffold, that the sanguinary Government of the Queen had again violated the usages of civilized nations.

His Excellency in conclusion said, that if he did not fear to trespass too far on the friendly disposition of Her Majesty's Government, he should solicit that Her Majesty's Minister at Vienna might take an opportunity of rectifying the erroneous opinions of Prince Metternich.

I have, &c.

Viscount Palmerston, G. C. B.

(Signed)

CLARENDON.

&c. &c. &c.

Inclosure 1 in No. 38.

The Earl of Clarendon to M. de Onis.

Sir,

Madrid, January 22nd, 1839.

HAVING, in conformity with the instructions of my Government, communicated to your Excellency, verbally, the despatch addressed by Her Britannic Majesty's Government to its diplomatic agents at the Courts of Austria, Russia, and Prussia, directing them to draw the serious attention of those Governments to the atrocities committed by the military Chiefs of Don Carlos upon their prisoners, and to point out the advantage that might result from its being made known to the Pretender, that crimes so revolting to humanity had been viewed with indignant disgust by the Courts from which that Prince has hitherto derived assistance:

Having also communicated to your Excellency the reply which had been received by the British Government from that of Austria, and the exposition made by Prince Metternich through Count Alcudia to Don Carlos: and your Excellency having expressed to me your desire to possess some written record of these important communications, I herewith have the honor to inclose a memorandum of the despatches in question, and I do so with much satisfaction, not only as I thereby meet your Excellency's wishes, but in order that there may exist in your Excellency's office this new proof of the solicitude with which my Government regards, and the zeal with which it promotes, every measure that can tend to the advantage of Her Catholic Majesty's cause.

I have, &c.

His Excellency M. de Onis.

(Signed)

CLARENDON.

&c. &c. &c.

Inclosure 2 in No. 38.

Memorandum.

THE British Minister at Madrid having, on the 10th of November last, addressed a despatch to his Government upon the subject of the atrocities committed by the Carlist Chief, Cabrera, upon the prisoners taken from the Queen's forces, Lord Palmerston inclosed a copy of it in a despatch, dated November 27th ultimo, to the diplomatic agents of Her Britannic Majesty at St. Petersburg, Vienna, and Berlin, directing them to communicate it to the Ministers of those different Powers, and to draw the serious attention of their respective Governments to the melancholy and afflicting details it contained.

It was well known, Lord Palmerston stated, that the cause of Don Carlos derived great assistance from the moral support of the Russian, Austrian, and Prussian Governments, and it could not be doubted that a salutary effect would be produced upon that Prince, by a knowledge of the indignant disgust with which the atrocities perpetrated by his commands must necessarily inspire the Cabinets of St. Petersburg, Vienna, and Berlin.

On the 16th December ultimo, Prince Metternich wrote to M. Hummelauer, the Austrian Chargé d'Affaires in London, stating that the British Minister had communicated to him Lord Palmerston's despatch abovementioned, which he understood as having for its object, to engage His Highness to take some measures for putting a term on the part of the Carlists, to the scenes so afflicting to humanity, to which the civil war in Spain daily gave rise. This invitation, he states, was immediately accepted by him; and that without loss of time, he had communicated to Don Carlos, through the Count de Alcudia, (under the date of the 11th December ultimo,) that the step Lord Palmerston had taken was viewed by the Cabinet of His Imperial and Royal Apostolic Majesty as an appeal made to its sentiments of humanity, and to the high value which it attached to the respect due to the imprescriptible rights of nations, and that neither to the one principle nor the other should an appeal ever be made in vain.

The Cabinet of Vienna consequently expresses in this document the confident hope, that Don Carlos will take the severest measures in his power for arresting on his side the disastrous system of reprisals which had been introduced between the two belligerent parties. The Cabinet of Vienna, adds Prince Metternich, understands that the possibility of Don Carlos attaining this end, so worthy of his solicitude, depends on the adoption, by the adverse party, of a system for repressing these crimes against humanity, equally severe; but that this condition, which it is of course not within the power of that Prince to enforce, ought not to cause him to hesitate in the choice of the measures which he has the means of carrying into execution.

It is also added in this document, that the Cabinet of Vienna has no doubt that the British Government, on its part, will endeavour to convince the Government of Madrid of the necessity of lending itself to what is equally demanded by humanity and the law of nations.

Such is the communication which Prince Metternich makes to the agent of Don Carlos, and in taking this step, His Highness considers that a fresh proof is thereby given to the Queen and the British Cabinet, that the Emperor as well as the Cabinet of Vienna are always disposed to use their influence in questions worthy of the solicitude of good men.

Lord Palmerston, in instructing the British Representative at Vienna, to convey to Prince Metternich the sincere and cordial thanks of Her Britannic Majesty's Government for the communication which M. Hummelauer had made to his Lordship, desires him to add, that the Prince may be assured that no effort shall be omitted by Her Britannic Majesty's Government, to impress upon that of Her Catholic Majesty, the necessity of directing its Generals to observe, not only mercy, but humanity towards their Carlist prisoners, and that Her Britannic Majesty's Government are convinced, from all the information which they have received, that there will be no difficulty in causing all acts of severity to cease on the part of the Queen's troops, whenever the Carlists shall discontinue the system of slaughter which has led to retaliation on the other side.

Inclosure 3 in No. 38.

Ejercito Real—1 Brigada de Castilla la Nueva—Estado Mayor.

Paisanos,

EL amor que siempre hé tenido á mis pueblos, me há sido una de las primeras atenciones para librarlas, pues V. V. no ignoran mis sentimientos, como tampoco el que me consta los organos de la perdicion de V. V. y de la poblacion entera, por lo que les digo que la guerra tiene

sus leyes, y el que se separa de ellas es un enemigo de la sociedad y del genero humano: en este concepto siempre me hallaran V. V. dispuesto á modificar sus horrores, ya que no está en mi mano poner un termino á la lucha que consume tanta sangre Española. En consecuencia de estos principios no hé mandado hasta la presente la orden general que se comunicó á los demas Pueblos, pero lo hago ahora para que se orienten de ella y se conduzcan en lo sucesivo, si quieren librarse de las funestas consecuencias que pudiera ocasionarse, con mas pulso.

Orden General comunicada á esta Mayoria de mi cargo.

“En vista de las repetidas quejas dadas por los Señores oficiales y soldados de esta Brigada de mi mando, sobre los padecimientos que sus familias y parientes mas cercanos sufren por el Gobierno revolucionario, contra todas las leyes de la humanidad y de la Guerra: para contener tan viles procedimientos, hé determinado que desde la llegada de esta mi orden á los Cuerpos de Infanteria y Cavalleria, se pongan en ejecucion los Articulos siguientes—1o. Todos los Padres, hermanos y parientes hasta el 4o. grado, de los que estuviesen en el Ejercito rebelde que se apresaren, serán pasados por las Armas; se incluyen en este Articulo, todos los que pertenecen á las clases de Peseteros, Voluntarios llamados Nacionales, y cuantos tengan las Armas en las manos, en contra del Rey, el Señor Don Carlos el Quinto y sus imprescriptibles derechos. 2o. Se dará por de comiso, y se aplicará á la Real Hacienda, cuantos frutos sazonados tengan en los Campos sin permitirles ninguna clase de labores. 3o. Si en los Pueblos que entrasen las tropas del Rey, les hiciesen resistencia, se prenderá fuego sin respetar ninguna casa que pertenezca á los Enemigos del Rey, y no se permitira la recoleccion de aceituna del presente fruto, pasando por las Armas á cuantos intentasen recolectarla, y sean hallados por mis tropas. Cuartel General de Carrillo, 20 de Diciembre, de 1838. El Comandante General, Vicente Rugeros Palillos. Señor Gefe de Estado Mayor Don Pedro Felix Madrideojos.”

Lo que participo á V. V. para que lo hagan saber á los vecinos de esa Poblacion, y que en faltando al pacto, y molestando algunas de las familias de los Voluntarios Carlistas, se llevará dicha orden a debido efecto, y no podrán V. V. hacer ninguna clase de labores, y se adquiriran nuevamente el odio eterno y no se les tendrá ninguna consideracion. Dios y el Rey, Campo del Honor, 1o de Enero de 1839.

(Firmado)

PEDRO FELIX MADRIDEJOS.

S. S. Justicias de la Villa de Carrion de Calatrava.

(Translation.)

Royal Army—First Brigade of New Castille—Staff.

Peasants,

THE love which I have always borne towards the towns under me, has made it one of my first cares to save them; for you are not ignorant of my sentiments, and that I know well who are the organs of your perdition, and of that of the entire population, for which reason I tell them that war has its laws, and whoever separates himself from them is an enemy to society and to the human race: on this understanding, you will always find me disposed to modify its horrors, since it is not in my power to put an end to the struggle which is consuming so much Spanish blood. In consequence of these principles I have not transmitted the General Order which was communicated to the other towns, but I do so now that you may be aware of it, and conduct yourselves in future with greater prudence, if you desire to free yourselves from the unhappy consequences which may result.

General Order communicated to the District under my command.

In consequence of the repeated complaints made by the officers and soldiers of this brigade under my orders, on account of the sufferings which their families and nearest relations are exposed to from the Revolutionary Government, against all the laws of humanity and of war: in order to repress such vile proceedings, I have resolved, that from the arrival of the

my order at the corps of infantry and cavalry, the following Articles shall be carried into effect.—1st. All the fathers, brothers, and relations, to the fourth degree, of those who serve in the rebel army, and may be taken, shall be shot: in this Article are included all those who belong to the classes of Peseteros, National Volunteers and whoever carry arms against King Charles the V. and his undoubted rights.—2nd. All ripe fruits which they may have in the fields will be confiscated, and applied to the Royal treasury, without permitting them any sort of labour.—3rd. If in the towns where the King's troops enter, any resistance is made to them, the houses will be burned without respecting any which may belong to the enemies of the King, and the gathering in of the olives of the present season will not be permitted on pain of being shot, to any one who may attempt it and be found by my troops.—Head Quarters of Carrillo, December 20th, 1838.—The Commandant General Vicente Rugeros Palillos.—To the Chief of the Staff Don Pedro Felix Madrideojos."

All which I communicate to you, in order that you may make it known to the inhabitants of your town, and that, in not fulfilling the compact, and on incommoding any of the families of the Carlist Volunteers, the said order will be carried into full effect, and you will not be able to perform any sort of field labour, and will acquire afresh eternal odium, and no considerations will be observed towards you.—God and the King.

(Signed) PEDRO FELIX MADRIDEJOS.

Field of Honour, January 1st, 1839.

No. 39.

The Earl of Clarendon to Viscount Palmerston.—(Received February 4th.)

(Extract.)

Madrid, January 26th, 1839.

CABRERA has a number of peasants in Monton and Villamalefa, whom he shoots if they cannot raise the sums he demands, and he has also many of the principal inhabitants of Caudil in prison, who will probably share the same fate if the amount required for their ransom is not forthcoming.

In my despatch of the 5th of January, I stated to your Lordship, upon the authority of Colonel Lacy, that thirty or forty unfortunate prisoners who were unable to march from Horcajo to Morella had been shot on the road, but General Van Halen has told Colonel Lacy that he has since ascertained the number was one hundred and forty, and that fifty had died of want and misery at Horcajo.

The sufferings of the prisoners have become so dreadful, that General Van Halen has asked the assistance of Colonel Lacy to forward a general exchange, and Colonel Lacy having referred the matter to me, I have addressed to him a letter, of which I herewith inclose a copy to your Lordship.

Inclosure in No. 39.

The Earl of Clarendon to Colonel Lacy.

My dear Sir,

Madrid, January 22nd, 1839.

ALTHOUGH the ill success that attended the step recently taken by you, to induce Cabrera to adopt a system less barbarous, forbids the hope that any other measure having a like object, will be productive of a different result, yet when the interests of humanity are at stake, and there exists a possibility, however remote, of alleviating the sufferings of these unfortunate prisoners, I am unwilling that any backwardness should be displayed on your part, in meeting General Van Halen's wish that you should promote a general exchange, and I accordingly authorise you to write to Cabrera, if such a measure appears to General Van Halen and yourself the best adapted to the object in view, although at the same time, I do not disguise from myself, that your entering into direct communication with such an individual as Cabrera, may expose you to offence

on his part, but some risk is justifiable when a good deed is to be attempted.

The declaration of General Van Halen, that he would hold no further correspondence with Cabrera, until the latter retracted his order not to give quarter, is a difficulty which may, perhaps, be overcome by your writing to the Carlist Chief, as if by your own impulse, and without alluding to the Queen's General, to propose that an exchange of prisoners should take place, and should Cabrera consent to it, the order not to give quarter will be virtually retracted, and General Van Halen then will have no difficulty in renewing the communications that circumstances may render expedient.

You should, as it seems to me, state to Cabrera, that being attached by your Government to the army of the centre, in order faithfully to report events as they occurred, you had witnessed with the deepest concern, the cruelty by which the horrors always incidental to a state of civil war had of late been aggravated; that it was not your intention to enter into any analysis of the causes, that had brought about a state of things so deplorable, your object only being, to contribute to the relief of human suffering, and that for this purpose, you hoped your position was an advantageous one, as it might enable you, if assisted by the good faith of those on whom the ultimate determination must depend, to clear away any of those obstacles which at present impeded a general exchange of prisoners, and the war from being carried on according to the usages of civilised nations.

That, interested as you feel, in the welfare and honour of Spain, and knowing as you do, the undisguised horror which, throughout Europe, is produced by this exterminating warfare, you shall deem yourself most happy, if, by your intervention, an order of things can be established more suited to a great and civilised nation, to the age in which we live, and to the divine doctrines of Christianity: and, lastly, that whatever may be the result of the step you have thus taken upon yourself, it will never be matter of regret to you to have thus acted, for, deeply responsible in the eyes both of God and of his fellow-creatures, is the man, who either causes, or withholds his exertions to prevent, the unnecessary effusion of human blood.

I have, &c.

(Signed) CLARENDON.

Colonel Lacy.

No. 40.

Colonel Wylde to Viscount Palmerston.—(Received February 4th.)

My Lord,

Haro, January 17th, 1839.

I HAVE the honour to forward herewith, a translation of a letter* from the Count of Luchana to the Carlist Commander-in-chief, relative to the murder of Colonel Reynoso, mentioned in my letter to your Lordship of the 17th of December, ultimo, in which the Count informs him of his intention to put to death two officers in reprisal for that act. The Count expressed to me the repugnance he felt in carrying this measure into effect, but felt himself called upon to do so, in compliance with the promise made to his troops, that the barbarities exercised by the Carlists towards them should not go unavenged, in his general order, issued immediately after the slaughter in cold blood, committed by Balmaseda, near Viana, and also, in consequence of Brigadier Castañeda having restrained his soldiers from putting to death on the spot, the prisoners they had made in the action, after Colonel Reynoso was murdered, by pledging himself, that if that atrocity was proved to have been committed, after legal inquiry, his death should be properly atoned for.

Under these circumstances, I did not feel justified in making any official remonstrance when the facts first came to my knowledge. The reason for selecting Guipuzcoan officers to be shot, was on account of the murder of Colonel Reynoso having been committed by a battalion of that Province, the commandant of which was the first to inflict a wound on him

* NOTE. For original and translation of this letter, see pages 55, 56, and 57.

after he surrendered, and to excite his soldiers to ill treat him, and the Guipuzcoans, in general, have been distinguished for their ferocious and sanguinary conduct towards their prisoners.

I observe the Carlists are just now, in their Official Gazette, and by other means, making great efforts to throw off from themselves, the opprobrium of having commenced the system of putting their prisoners to death, and of having been the first to infringe the stipulations of the Eliot Treaty.

With regard to what took place, previous to the Eliot Treaty and since my arrival in this country, I feel bound to bear testimony to the fact, that although instances of cruelty have occurred on both sides, yet they have been comparatively rare on the part of the Queen's Generals, and that the system of wholesale butchery of prisoners, in cold blood, was certainly commenced by Zumalacarregui, who, on one occasion, shortly after my arrival, took nearly an entire battalion prisoners, and shot them by twenty and thirty at a time, in the neighbourhood of the different garrisons occupied by the Queen's troops; the twenty-two officers were taken to the bridge close to Bilboa, and there shot, and their bodies, after being stripped, were laid across the road, by which it was known a column of the Queen's troops were to pass shortly after; and I could mention many other instances of atrocious barbarity, nearly equal to this.

Since the signing of the Eliot Treaty, I have been an attentive observer of the manner in which its stipulations have been kept, by both the Queen's Generals and the Carlist Chiefs. By the former, its terms have been religiously observed, both in letter and spirit, but by the latter, although they have been ostensibly acknowledged, the spirit of the Treaty has been most shamefully violated in the treatment of their prisoners, and the infamous state of nudity and starvation in which they have been kept in their different depôts.

In this statement, I confine myself to what has occurred in these provinces and with the army to which I am attached, and although the Carlists complain of the Queen's Officers having put Carlist partizans to death, it has always been in distant parts of the country, where the Commander-in-Chief of the army of the north has had no power, and moreover where the Eliot Treaty is not, and never was intended to be in force by those who signed it.

Zumalacarregui himself having twice applied to me to get it extended to the whole of Spain, a proposition which was absolutely rejected by both Generals Valdez and Cordoba, and when in fact it would have been unjust and imp litic to have accepted it, in the state of the war at that time, when, except in Navarre and the Basque Provinces, the Carlists had none but small parties composed of smugglers and robbers, who overran some of the provinces, making use of the name of Don Carlos merely to cover their robberies and other illegal acts.

I have not mentioned Aragon and Valencia, because, when the Eliot Treaty was signed, they were nearly in the same state as many other parts of Spain, except that the bands were larger and more numerous, but they were commanded by Chiefs who acted independently of each other, and were equally lawless in their acts, and equally unentitled to the character or treatment of regular troops; and what has occurred since the war has taken a more serious aspect in those provinces, it is not within my province to give an opinion upon.

I have thought it necessary to put your Lordship in possession of these facts, in consequence of the strenuous efforts alluded to above, as being made by the Carlists at the present moment, to place themselves in the right in the eyes of the world on this question, a position which they are certainly not entitled to hold.

I have, &c.

Viscount Palmerston, G.C.B.

(Signed)

W. WYLDE, Colonel.

&c.

&c.

&c.

No. 41.

Viscount Palmerston to Lord William Russell.

My Lord,

Foreign Office, February 5th, 1839.

WITH reference to my despatch of the 29th ultimo, I inclose for your Lordship's information, and for communication to the Cabinet of Berlin, a copy of a despatch from Colonel Wylde, the British Commissioner at the head-quarters of the forces of the Queen of Spain in the northern provinces, containing some particulars relative to the system of reprisals carried on in that country by the Commanders of the respective armies.

Lord William Russell.

(Signed)

PALMERSTON.

&c. &c. &c.

No. 42.

Viscount Palmerston to Mr. Milbanke.

Sir,

Foreign Office, February 7th, 1839.

I INCLOSE for your information a copy of a further despatch from Her Majesty's Minister at Madrid, containing some particulars respecting the massacres committed by the Generals commanding the Carlist forces in Spain, and inclosing an official return of the number of prisoners shot by Cabrera between the 1st of October, 1838, and the 7th of January, 1839.

You will communicate in an official note to Prince Metternich the information contained in the inclosed papers on these points.

J. Milbanke, Esq

(Signed)

PALMERSTON.

&c. &c. &c.

No. 43.

Viscount Palmerston to the Earl of Clarendon.

My Lord,

Foreign Office, February 7th, 1839.

WITH reference to your Lordship's despatch of the 26th January, I have to acquaint you that Her Majesty's Government approve of the instruction which you have given to Colonel Lacy, directing him to write to Cabrera upon the subject of the massacres of prisoners still committed by his orders.

The Earl of Clarendon.

(Signed)

PALMERSTON.

&c. &c. &c.

No. 44.

Lord William Russell to Viscount Palmerston.—(Received February 6th.)

My Lord,

Berlin, January 30th, 1839.

BARON WERTHER has written to the Prussian Minister in London to instruct him to state to your Lordship the views and proceedings of the Cabinet of Berlin, with regard to meeting the wishes you expressed, that measures should be taken to prevent the massacres perpetrated by the Carlist troops in Spain.

Baron Werther hopes they will give satisfaction to the British Government.

Viscount Palmerston, G.C.B.

I have, &c.

&c. &c. &c.

(Signed)

WILLIAM RUSSELL.

No. 45.

Mr. Milbanke to Viscount Palmerston.—(Received February 6th.)

My Lord,

Vienna, January 26th, 1839.

I DID not fail to make Prince Metternich acquainted with the contents of your Lordship's despatch, of the 12th instant, relative to the communication made by the Austrian Chargé d'Affaires in London to your Lordship, stating the steps which this Cabinet had taken for putting a stop to the cruelties perpetrated on the prisoners of war, by the Carlist Generals in Spain.

Prince Metternich informed me, that he had the day before received from Count Alcudia a verbal communication on this subject, of a satisfactory nature, and such as led him to hope, that the representations addressed to Don Carlos, would be attended with the desired result.

His Highness said, he was not yet officially acquainted with the manner in which Don Carlos contemplated effecting this change in the mode of conducting the war, but he was in daily expectation of receiving some details thereupon, which he would communicate to me as soon as he got them, and I understood him to say, that it was the intention of Don Carlos to accompany the promulgation of them with a manifesto, explanatory of the circumstances which had led to the present state of things between the belligerent parties.

Prince Metternich expressed a wish for a copy of your Lordship's despatch, in order to enable him to communicate it to the Emperor, to whom, he said, it would be a source of satisfaction to see the manner in which the efforts of the Austrian Cabinet, in the cause of humanity, had been appreciated by Her Majesty's Government, and as I saw no objection to comply with this request, I delivered one to His Highness on the following day.

Viscount Palmerston, G.C.B.

I have, &c.

&c. &c. &c.

(Signed)

R. MILBANKE.

No. 46.

Viscount Palmerston to the Earl of Clarendon.

My Lord,

Foreign Office, February 7th, 1839.

I TRANSMIT to you herewith for your Lordship's information, the copy of a despatch from Baron Werther, of the 24th ultimo, which has been communicated to me by the Prussian Minister at this Court, in reply to the representations which Lord William Russell was instructed to make to the Prussian Government, upon the subject of the murders committed by the Carlist General, Cabrera. I inclose also the copy of a despatch, of the 26th ultimo, which I have received from Her Majesty's Minister at Vienna, relative to the communication made by Prince Metternich to Count Alcudia, on the subject of the massacres of Spanish prisoners.

The Earl of Clarendon.

(Signed)

PALMERSTON.

&c. &c. &c.

Inclosure in No. 46.

Baron Werther to Baron Bulow.

Monsieur le Baron,

Berlin, le 24 Janvier, 1839.

PAR une Dépêche du 27 Novembre, Lord Palmerston a chargé Lord William Russell, d'appeler l'attention du Cabinet du Roi sur les actes de barbarie dont les commandants militaires des deux parties contendantes en Espagne se rendent coupables. Lord Palmerston accuse de ces atrocités surtout le Général Carliste, Cabrera, et comme il attribue à la Prusse quelque influence sur Don Carlos, il réclame notre entremise auprès de ce Prince pour mettre un terme aux horreurs qui flétrissent le nom de l'Espagne.

Je vous transmets sous ce pli, Monsieur le Baron, copie de la Dépêche du 27 Novembre, dont Lord William Russell m'a fait part d'ordre de son Cabinet.

Une communication parfaitement analogue est parvenue à Monsieur le Prince de Metternich, qui en a pris occasion pour témoigner au Comte de la Alcudia le vœu que Don Carlos veuille prendre les mesures les plus sévères pour arrêter de son côté le funeste système de représailles, qui s'est introduit entre les deux parties belligérentes. Le Prince a exprimé la conviction que quand même ces mesures n'influeraient pas sur la conduite des adversaires de l'Infant, elles n'en fourniraient pas moins à l'Espagne et à l'Europe une preuve des sentimens d'humanité et de générosité de Don Carlos.

Après avoir pris les ordres du Roi, j'ai fait verbalement à Lord William Russell la réponse suivante : que la Prusse appréciait les sentimens qui avaient dicté à Lord Palmerston la démarche qu'il avait prescrite à Lord William Russell ; qu'elle déplorait vivement les actes de cruauté inouis qui, pendant la durée de la guerre civile d'Espagne, avaient été commis des deux côtés, mais qu'elle ne s'attribuait aucune influence sur la conduite de Don Carlos ; qu'elle saisirait cependant avec empressement toutes les occasions qui pourraient s'offrir pour rendre ce Prince attentif à l'impression douloureuse et funeste que produisaient les atrocités qui, sous le titre de représailles, avaient été ordonnées par des officiers exerçant un commandement au nom de l'Infant.

J'ai ajouté que je chargeais le Comte de Maltzan de déclarer au Comte de la Alcuia, que la Prusse adhérait entièrement aux explications que le Prince Metternich lui avait données.

Monsieur le Comte de Maltzan a reçu cette instruction en partant d'ici pour Vienne.

Nous aimons à être persuadés que le Cabinet Britannique usera de toute son influence sur le Gouvernement de la Reine Christine, pour faire cesser aussi du côté des adversaires de Don Carlos, les atrocités qui ensanglantent l'Espagne et qui lui inspirent une si légitime horreur.

Veillez vous prononcer dans ce sens envers Lord Palmerston, et agrérez, etc.

(Signé) WERTHER.

(Translation.)

Monsieur le Baron,

Berlin, January 24th, 1839.

BY a despatch of the 27th of November, Lord Palmerston has directed Lord William Russell to call the attention of the King's Cabinet to the acts of barbarity of which the military commanders of the two contending parties in Spain are guilty. Lord Palmerston chiefly accuses the Carlist General, Cabrera, of these atrocities, and as he attributes to Prussia some influence over Don Carlos, he requests our intervention with that Prince, to put an end to the horrors which disgrace the Spanish name.

I herewith transmit to you, Monsieur le Baron, the copy of the despatch of the 27th of November, which Lord William Russell has communicated to me by order of his Government.

A similar communication has been made to the Prince Metternich, who has taken the opportunity of expressing to the Count de la Alcuia the wish that Don Carlos will take the most decisive measures to put an end, on his side, to the destructive system of reprisals, which has been introduced between the two belligerent parties. The Prince has stated his conviction, that even if those measures should not influence the conduct of the opponents of the Infant, they would still afford to Spain and to Europe, a proof of the sentiments of humanity, and of the generosity, of Don Carlos.

After having received the King's orders, I made the following reply verbally to Lord William Russell : that Prussia appreciated the feelings which had dictated to Lord Palmerston the step with which he had charged Lord William Russell ; that she very much lamented the unheard of acts of cruelty which had been committed on both sides during the civil war in Spain, but that she could claim no influence over the conduct of Don Carlos, that she would, however, seize with alacrity every occasion which might present itself, to make that Prince sensible of the painful and fatal impression, which was produced by the atrocities, which, under the name of reprisals, had been ordered by officers holding a command in the name of the Infant.

I added, that I had instructed Count Maltzan, to declare to the Count de la Alcuia, that Prussia concurred entirely in the explanations which Prince Metternich had given him.

The Count de Maltzan received that instruction on his departure from hence for Vienna.

We are happy to think that the British Cabinet will use all its influence with the Government of Queen Christina to put a stop, on the side also of the opponents of Don Carlos, to the atrocities which inundate Spain with blood, and inspire so natural a horror to that Cabinet.

I request that you will express yourself in this sense to Lord Palmerston.

(Signed) WERTHER.

No. 47.

Viscount Palmerston to Mr. Milbanke.

Sir, *Foreign Office, February 8th, 1839.*

I HEREWITH transmit to you for your information, copy of a despatch from Her Majesty's Minister at Madrid, of January 26th, reporting the manner in which the Spanish Government had received the intimation, that the Austrian Government had consented to represent to Don Carlos, the necessity of putting a stop to the atrocities committed by his Military commanders; and I have to desire, that you will communicate the substance of this despatch in writing to Prince Metternich, and that you will furnish His Highness with a copy of the proclamation therein inclosed.

J. Milbanke, Esq. (Signed) PALMERSTON.
&c. &c. &c.

No. 48.

Viscount Palmerston to Mr. Milbanke.

Sir, *Foreign Office, February 8th, 1839*

I HEREWITH transmit to you, for your information and for communication to the Austrian Government, copy of a despatch from Her Majesty's Minister at Madrid, of the 26th ultimo, inclosing a letter which he has addressed to Colonel Lacy, respecting a general exchange of prisoners.

J. R. Milbanke, Esq. (Signed) PALMERSTON.
&c. &c. &c.

No. 49.

The Earl of Clarendon to Viscount Palmerston.—(Received February 12th.)

My Lord, *Madrid, February 2nd, 1839.*

I HAVE the honour to inclose the copy and translation of a note which I have received from M. de Onis, in acknowledgment of mine dated the 22nd ultimo, and conveying the thanks of the Queen Regent, for the measure recently adopted by Her Majesty's Government with the northern Courts, in order to check the atrocities committed by the Carlists.

I have, &c.

Viscount Palmerston, G.C.B. (Signed) CLARENDON.
&c. &c. &c.

Inclosure in No. 49.

Note from M. de Onis to the Earl of Clarendon.

Muy Señor mio, *Madrid, 27 de Enero, de 1839.*

He recibido la nota que se ha servido V. S. dirigirme con fecha 22 del corriente, remitiendome un *Memorandum* del Despacho dirigido por el Gobierno de S. M. Britanica á sus Agentes Diplomaticos en las Cortes de Austria, Rusia, y Prusia, con el objeto de llamar seriamente la atencion de estos Gobiernos hacia las atrocidades cometidas por os Gefes Militares de Don Carlos con sus prisioneros, y exponer la ventaja

que resultaria de que se hiciese saber al Pretendiente, que unos crímenes tan repugnantes á la humanidad, han causado el mayor disgusto é indignacion en las Cortes que hasta ahora han auxiliado á aquel Principe; y habiendo dado cuenta de su contenido á la Augusta Reina Gobernadora, se ha servido mandarme dé á V. S. las gracias en su real nombre, como tengo la honra de ejecutarlo, rogandole se sirva hacer presente á su Gobierno, cuan grato ha sido á S. M. este importante servicio prestado por el Gabinete Britanico, añadiendo de este modo una nueva prueba á las muchas, con que ha manifestado el sumo interes que toma por la causa de la Reina, mi Señora, y de la nacion Española.

Aprovecho, &c.

(Firmado) MAURICIO CARLOS DE ONIS.

(Translation.)

Sir,

Madrid, January 27th, 1839.

I HAVE received the note which you were pleased to address to me under date of the 22nd instant, together with a *memorandum* of the despatch addressed by the Government of Her Britannic Majesty to its diplomatic agents at the Courts of Austria, Russia, and Prussia, with the object of drawing the serious attention of these Governments to the atrocities perpetrated by the military Chiefs of Don Carlos upon their prisoners, and of pointing out the advantage that might result if it were made known to the Pretender, that crimes so revolting to humanity had been viewed with the greatest disgust and indignation by the Courts from which that Prince has hitherto derived assistance; and, having laid it before the august Queen Regent, she has been pleased to command me to thank you in her royal name, as I have now the honour to do, and to request you to state to your Government how greatly Her Majesty is obliged for this important service rendered by the British Cabinet, thus adding a new proof to the many by which it has shown the great interest it takes in the cause of the Queen, my Sovereign, and of the Spanish nation.

I avail myself, &c.

(Signed)

MAURICIO CARLOS DE ONIS.

No. 50.

The Earl of Clarendon to Viscount Palmerston.—(Received February 12th.)

(Extract.)

Madrid, February 2nd, 1839.

A FEW days since, Count Luchana sent an officer of his staff to Maroto, to arrange, if possible, a general exchange of prisoners; to come likewise to a distinct understanding with him as to the treatment to which those taken in future were to be subjected; and to endeavour to procure a written stipulation that they should be allowed to retain their clothes, and not be stripped as heretofore; and that they should receive proper rations.

He also was instructed to insist upon being informed, whether Cabrera was to be considered as acting under Don Carlos's orders, and consequently bound by the regulations which might be agreed upon between the two Commanders-in-Chief, and sanctioned by Don Carlos; or whether he was to be looked upon as acting altogether independently.

This inquiry was made, with reference to the treatment which may be adopted towards any part of the brigade recently sent to Aragon, that may fall into Cabrera's hands; for, should they be shot, Count Luchana, who considers this brigade as still belonging to the Army of the North, would avenge their death upon the Basque or Castilian prisoners now in his power.

The officer was well received, but sent back with evasive answers, and a promise that Maroto would give his reply in writing, and use his endeavours to bring Cabrera to reason.

I have the honour to inclose the copy and translation of a letter which Count Luchana has addressed to Maroto, respecting the assassination of Colonel Reynoso, after he had been made prisoner by the Carlists.

I inclose copies of two letters from Colonel Lacy, in answer to mine of the 28th of November, of which copies were transmitted to your Lordship, in my despatch of the 2nd of December of last year.

Inclosure 1 in No. 50.

Letter from the Count de Luchana to Maroto.

Cuartel general de Haro, 11 de Enero, de 1839

DESPUES de mis continuadas y enérgicas instancias para atenuar en lo posible los horrores sangrientos de la guerra civil, respecto de los prisioneros del ejército de mi mando que tenian la desgracia de caer en poder de sus enemigos; y cuando aquellas parecieron hallar acogida en el ánimo de V., al encargarse del mando ó direccion de esas fuerzas, estaba muy distante de creer fuese quebrantado nuestro convenio, de una manera tan contraria á los principios de humanidad, y del modo atroz que lo realizó el sanguinario Balmaseda con la partida del regimiento provincial de Salamanca, entre Viana y Logroño la mañana del día 9 de Noviembre del año anterior. Forzoso quanto sensible me fue, tener que espiar aquel horrendo crimen, usando del derecho de represalias que hasta entonces habia repugnado mi corazon, por mas que hubiese sido provocado á él; pero mi justicia se ostentó aun en medio de aquel irritante suceso, ordenando recayese sobre los prisioneros del mismo Balmaseda que conservaban su vida, no obstante las inauditas crueldades que ejerció su gefe con los rendidos en Quintanar de la Sierra. Mi ardiente deseo de evitar otra sangrienta escena, corrigiendo para siempre el innoble y feroz encarnizamiento, me sugirió la idea de dirigirme á V., como lo hice el 10 de dicho mes, recordándole nuestro convenio de hacer la guerra con arreglo á la estipulacion de Lord Eliot y principios del derecho de gentes, haciéndole conocer toda la estension del crimen cometido por Balmaseda, justificado plenamente en la sumaria que tuve la atencion de acompañarle, para que en lo sucesivo hiciese cumplir lo pactado, evitando actos semejantes, pero añadiéndole que si desgraciadamente se repitiesen, ó alguno de los prisioneros procedentes de nuestras filas padeciese por esta causa, entonces todos los que habia hecho el ejército de mi mando, solo á la feroz barbaria de los suyos, acusarian de la triste suerte que les aguardaba, y solo á Vds. reprobaria la desgraciada España y el mundo todo, como causantes del rompimiento de la estipulacion Eliot. Aun cuando no merecí contestacion de V. demandándola si no mi urbanidad, el importante asunto á que se dirigia mi comunicacion, me persuadí que la fuerza del convencimiento aunque se hiciese duro confesarlo, daria el resultado de proscribir entre sus filas el asesinato de los rendidos, imitándose en esta parte nuestra generosa conducta. Infinitos ejemplares podria citar á V., en corroboracion de esta verdad, mas lo haré únicamente de tres recientes acontecimientos. El primero la accion de Piedrahita, donde cargando con mi escolta á la division de Negri, rendidos mil hombres sin que sucumbiese uno solo en medio del ardor de la carga, ni despues de prisioneros fuese despojado nadie de cosa alguna, siendo asi que todos los nuestros que han tenido la desgracia de sufrir igual suerte, lo han sido de sus ropas, hasta con ofensa del pudor. El segundo fue la toma por asalto del castillo de Ulizarra, donde mis virtuosos soldados concedieron el cuartel á sus bizarros defensores, sin embargo de que el derecho de la guerra les concedia el de disponer de sus vidas; y el tercero fue la batalla sobre Peñacerrada, donde cargando con la caballería sobre la formidable posicion, líneas de parapetos y baterías, debieron mas de 600 hombres la vida y el propio trato á la generosidad que ejerzo siempre con el rendido.

Semejante conducta cuando no hubiera el sagrado que previenen los convenios, parecia mas que bastante, para que fuese respetado todo individuo de este ejército que cayese en poder de las fuerzas que V. manda. Pero cual habra sido mi asombro al ver la sumaria de que incluyo á V. copia, por la cual se ve el asesinato cometido en la persona del coronel D. Vicente María Reinoso, gefe de estado mayor del cuerpo de operaciones de la izquierda? Tan remarcable hecho de ferocidad, aun cuando me fue participado desde luego, con dificultad podia hallar cabida en la creencia humana, despues de los antecedentes de que llevo hecho

mérito: mas en la sumaria está consignada la justificación mas auténtica de que el Coronel Reinoso, apeado del caballo que se plantó sin querer romper, se entregó sin la menor resistencia: que un sargento le despojó de sus ropas y le dió las que tenia: que el segundo comandante Errecondo, del 7 batallon de Guipúzcoa, le dió un sablazo en el hombro despues de hecho prisionero: que fue conducido descalzo y con solo unos pantalones blancos hácia el monte, donde sin embargo de haber hecho responsable de su vida á los conductores, el capitán de cazadores del 7 batallon, fué inhumanamente asesinado, resultando de la exhumacion del cadáver por los tres facultativos que ejecutaron el reconocimiento, que tenia tres heridas, una en la parte lateral izquierda de la cabeza debajo del conducto auditivo externo, hecha á poca distancia por arma de fuego, y otras dos en el brazo izquierdo, como igualmente falta de sustancia en el dedo pulgar del pie por haberle hecho andar descalzo por terreno montuoso. Lo mas notable de dicha sumaria es, que la principal justificación del horrendo crimen, se halla en las declaraciones de los prisioneros que hicieron nuestras tropas á las del mando de V. en la misma accion en que lo fué el Coronel Reinoso; y la prueba mas incontestable de la disciplina de mis subordinados, es la de haber conservado la vida á todos los que experimentaron dicha suerte, sin embargo de haber sido notorio al momento dicho asesinato.

Consecuente en mi propósito de enfrenar por medio de represalias la ferocidad de los súbditos de V., por mas que repugne á los sentimientos de mi corazón, y no teniendo en mi poder gefe de igual graduacion de la provincia á que pertenecen los batallones que cometieron el crimen, determiné que dos oficiales Guipuzcoanos, á quienes tocase la suerte, fuesen fusilados en el mismo sitio en que se asesinó al referido Coronel Reinoso. Esta justa medida habrá ya tenido ó tendrá cumplido efecto, no obstante que el titulado General Pedro Iturriza ha trasladado al comandante general de Guipúzcoa, don Fermin de Ezpeleta, una determinacion por la que su pretendido rey amenaza que si se ejecuta sorteo de nuestros oficiales prisioneros en el depósito de Ataun, dos de igual clase preparándolos á sufrir la misma suerte tan luego como se sepa la ejecucion. Yo confio no llegará semejante caso, porque la justicia de mi determinacion, no concede ni el mas leve pretesto de sacrificar tales víctimas; pero si desgraciadamente llegó á saber que lo han sido, protesto á V., serán espiadas de una manera que sea bien sensible á la injusta causa que defiende; pues responderá sin ninguna consideracion el infinito superior número de prisioneros que existen en nuestros depósitos, y á V. como responsable de respetar los convenios, le acusarán en los últimos momentos de su vida de haber causado su muerte; y repito que la España, la Europa, y el mundo todo, graduará quiénes son los motores del rompimiento de una estipulacion que ponía á salvo á los rendidos.

Dios guarde á V. muchos años.

EL CONDE DE LUCHANA.

Sr. Gefe superior de las fuerzas enemigas.

(Translation.)

Head-Quarters, Haro, January 11th, 1839.

AFTER my repeated and energetic endeavours, to soften as much as possible the horrors of the civil war, in regard to the prisoners of the army under my command, who had the misfortune to fall into the hands of their enemies, and which endeavours appeared to meet your approbation, at the time you took the command or direction of those forces, I was very far from believing that our agreement would be violated, in a manner so contrary to the principles of humanity, and so atrociously, as was done by the bloodthirsty Balmaseda, with the detachment of the Provincial Regiment of Salamanca, between Viana and Logróno, on the morning of the 9th November of last year.

However repugnant to my feelings, I felt it necessary to expiate that horrible crime, by making use of the right of reprisals, which up to that period had been abhorrent to my heart, in spite of the provocations I had received; but my justice was shown even in the midst of that irritating affair, for I ordered that the lot should fall upon prisoners taken from

Balmaseda himself, and whose lives I had spared, notwithstanding the unheard-of cruelties committed by that Chief to those who surrendered in Quintemar de la Sierra.

My anxious desire to avoid similar acts for the future, and to put a stop for ever to such base and ferocious carnage, suggested to me the idea of addressing myself to you, as I did on the 10th of last month, recalling to your mind the agreement between us to carry on the war in conformity with the Eliot Stipulation, and the principles of humanity, and making known to you, in its fullest extent, the crime committed by Balmaseda, and which is fully proved in the process which I therewith inclosed, in order that for the future you should enforce the observance of the Treaty, and by that means avoid the recurrence of similar events; at the same time, I added, that if unhappily such should be repeated, or any of the prisoners taken by your troops from this army should suffer on account of this affair, then all the prisoners made by the troops under my command, would alone have to blame the barbarity of their own party, for the sad fate which awaited them, and on you alone would fall the opprobrium of unhappy Spain, and of the whole world, as the author of the infraction of the Eliot Treaty.

Although you have not thought proper to answer a communication which deserved attention, if not from my urbanity, at least from the importance of the subject to which it related, I persuaded myself that the force of conviction, though painful to admit, would produce the result of forbidding in your files the murder of prisoners, imitating in that particular our generous conduct.

I might cite infinite examples in corroboration of this truth, but will confine myself to three recent instances. The first, the action of Piedrahita, where, on charging with my escort the division of Negri, one thousand men surrendered, not one of whom fell even in the heat of the charge, nor, after their surrender, was anything taken from them, when, on the contrary, all our men, who have had the misfortune to fall into the enemy's hands, have been stripped of their clothes, even to the offence of common decency. The second was the taking by assault of the Castle of Ulizarre, where my virtuous troops gave quarter to its brave defenders, though the custom of war placed the lives of these at their disposal. The third was the battle above Penacerrada, where in the charge of our cavalry on the formidable position and lines of parapets and batteries, more than 600 men owed their lives and good treatment to the generosity with which I always treat my prisoners.

Such conduct, even if a more sacred motive did not exist, would appear to be more than sufficient reason for respecting any individuals of this army who should fall into the power of your forces.

What, then, must have been my astonishment, at seeing the process (of which I inclose you a copy), showing the murder committed on the person of Colonel Don Vicente Maria Reynoso, Chief of the Staff to the Corps of Operations of the Left? So remarkable an act of ferocity I could with difficulty credit, although it was immediately notified to me, after the above instances of an opposite character; but in the process it is proved in the most authentic manner, that Colonel Reynoso having dismounted from his horse, which had become restive and refused to move, surrendered himself prisoner without the slightest resistance.

That a serjeant stripped him of his clothes, giving him his own in exchange; that the second Commandant, Erredondo, of the 7th battalion of Guipuzcoa, gave him a sabre cut in the shoulder after he was prisoner; that he was taken towards the wood barefoot, and with only a pair of white trousers, and there, notwithstanding that the Captain of the Light Company of the 7th battalion of Guipuzcoa had made his conductors responsible for his life, was barbarously murdered, it appearing from the evidence of the three medical men who were present at the disinterment of the body that he had received three wounds, one on the left side of the head under the ear, given at a very short distance by a musket ball, and two others in the left arm; also that the feet were sore from having been made to walk barefoot on rocky ground.

The most remarkable part of the said process is, that the principal proof of the crime is found in the declarations of the prisoners made by our troops in the same action, and the most incontestible evidence of the discipline of my soldiers is, their having spared the lives of their prisoners, though the murder abovementioned was notoriously known at the time to them.

Consistent in my intention to put a stop, by means of reprisals, to the ferocity of your troops, however repugnant it may be to the feelings of my heart, and not having in my power an officer of equal rank from the province to which the battalions which committed the crime belong, I have ordered that two subaltern officers of Guipuzcoa, on whom it should fall by lot, should be shot on the same spot on which the said Colonel Reynoso was murdered.

This just sentence has been, or will be put in execution, notwithstanding that the so-called General Pedro José Iturizza has written to the Commandant-General of Guipuzcoa, stating that his pretended King threatens, that if the sentence be executed, he will order two of our officers from the depôt of Ataun to suffer the same fate as soon as the execution of the first be known.

I trust that such a circumstance will not occur, for the justice of my sentence gives not the smallest pretext for it, but should I learn that such has unhappily been the case, I protest to you that it will be expiated in a manner that will be severely felt by the unjust cause which you defend: for the infinitely superior number of prisoners in our depôts will be held responsible, and who, in the last moments of their life, will accuse you of having caused their death; and I repeat that Spain, Europe, and the whole world will judge who are the authors of the infringement of a Treaty which secured the lives of those who surrendered.

God preserve you many years.

THE COUNT OF LUCHANA.

To the Commander-in-Chief of the Enemy's Forces.

Inclosure 2, in No. 50.

Colonel Lacy to Sir George Villiers.

Sir,

Teruel, January 6th, 1839.

I HAVE the honour to acquaint you that, in compliance with the instructions contained in your letter, No. 25, dated the 28th of November, I applied to General Van Halen to release a Carlist officer for the purpose of making him the bearer of a message to Cabrera, on the subject of reprisals, and to offer to become the medium of communication between him and General Van Halen, for the purpose of putting an end, if possible, to the horrible system of warfare now pursued by the contending armies.

The officer who was selected by General Van Halen from the few that were at Teruel, proceeded on the 23rd of December, with a passport for Cabrera's head-quarters, with verbal instructions from me to state, that as a British officer attending the head-quarters of the army of the centre, I observed with regret the rancorous spirit with which the war was carried on; that the execution of prisoners was a cruelty which could not advance the cause on either side, and that it would have the effect of degrading the Spanish character throughout Europe. As a foreigner, and a spectator of events, I could not look on without endeavouring to mitigate the horrors of such a system, and to offer to be the medium of communication between the two Chiefs; and that I begged to assure Cabrera, that if he would rescind his order not to give quarter, General Van Halen would instantly and gladly adopt the rules of civilized warfare.

I desired the officer to state, that he had been released at my request to be the bearer of this message, and that that alone was a proof of General Van Halen's willingness to put an end to a practise so repugnant to humanity.

The officer returned to Teruel this day, having seen Cabrera at Morella, on the 31st of December.

He said he had communicated according to the instructions I had given him, but that Cabrera told him he was not sufficiently accredited to treat on such an affair; and demanded,—why did not the English Colonel come himself? He then said it was a subject on which the two Generals only ought to treat.

He then asked the officer what rations the Carlist prisoners received, and on being answered, the same as the troops, he became furious, and said the officer was a liar.

Cabrera added, that not long ago a prisoner came from Zaragoza, on the subject of no quarter being given, and that he now repented he had not shot him.

The officer then obtained his passport to return, which is renewed in the following terms:

“Head-quarters, Morella, 31st December, 1839. He presented himself, and this mode of treating in respect to the subject he has explained, not being proper and decorous, he will return to the point from whence he came.—(Signed) The General, Conde de Morella.”

To Sir George Villiers, G.C.B.

&c. &c. &c.

I have, &c.

(Signed) J. LACY.

Colonel, Royal Artillery.

Inclosure 3 in No. 50.

Colonel Lacy to Sir George Villiers.

Sir,

Teruel, January 7th, 1839.

I HAVE the honour to acquaint you, in reply to your letter, 19th of December, that I waited upon General Van Halen this morning with the translation, which he read.

The General said there were some points on which he had been misunderstood, and others on which your Excellency had been misinformed, which he requested I would explain.

He said that in regard to Cabrera's official declaration of the 24th of November, that he would give no quarter, it was merely a formality, for it had been the practice of the faction for some time previous, Cabrera having caused to be put to death since the 2nd of October last, upwards of 400 prisoners, according to the annexed detail, which General Van Halen stated to me this morning.

The reprisals made during that time have been very considerably under that number, I believe not exceeding 148; namely 27 Serjeants, on account of the 96 Serjeants executed by the faction at Horcajo, after the defeat of General Pardiñas; 55, on account of the garrison of the Castillo de Villamalefa, which little fortress fell into the hands of the faction, and 66 of the prisoners taken at Cheste on the 2nd of December.

The total number of prisoners taken at Cheste amounted to about 160, but the General said he had availed himself of every possible pretext for temporary exemption, and that, if Cabrera should alter his conduct, he would not execute any more.

On the 23rd of December, about twenty of a partida of Castellon de la Plana were surprised near Buriol, they threw themselves into an old tower, and defended themselves till the 25th, when, seeing four battalions of the faction arrive, and having no hope of relief, they capitulated, on a promise that their lives should be spared; but the capitulation was not observed, for they were all shot, and for this breach of faith there have been no reprisals.

That with regard to what he had said in his letter to me, dated Valencia, the 13th of December, concerning greater interest being taken for Carlist prisoners, than for those of the Queen's army who had fallen into the power of the Carlists, he had no intention of applying it at all in the present instance; that at the time he made the remark he referred to a circumstance that happened in the north, where five prisoners were taken

by the Pretender's army and executed. They belonged to the command of General O'Donnell at San Sebastian, and as there were no Carlist prisoners there, General O'Donnell applied to the Conde de Luchana to send some prisoners to San Sebastian to enable him to resent the injury by reprisals. Accordingly, thirty prisoners were sent, but Lord John Hay objected to reprisals, and sent a steamer to England for instructions, and the consequence was that no execution took place. He concluded by repeating that he had no intention whatever of alluding to your Excellency in the observation he made, and that he entertained for you the highest esteem.

I must, in justice to General Van Halen, observe, that he always expressed the greatest repugnance at being obliged by the conduct of the enemy to resort to reprisals, but that he considered it indispensable to do so, or in a short time he would have no army, for the soldiers feeling that they fought upon unequal terms, would lose the confidence that is so essentially necessary for them to repose in a commander.

Sir George Villiers, G.C.B.
&c. &c. &c.

I have, &c.
(Signed) J. LACY.
Colonel, Royal Artillery.

List of executions, by order of Cabrera, of prisoners taken on and since the 1st of October, 1838.

Given to me by General Van Halen, at Teruel, the 7th of January, 1839.

October	2.	Of General Pardiñas' Division	115
	16.	Serjeants of ditto, at Horcajo	96
November	4.	Partida, of Daroca	7
	15.	At Hernera, from Cariñena	43
		Villamalefa	55
		Segorbe	11
		Uria	33
		Cutanda	23
		Alcaniz	9
		Caspe	2
		Muniesa	2
		Peracense	2
		Teruel	1
		Meguinenza	1
		Llosa	8
		Buriol	20

Of these he did not recollect
the exact dates.

Total 428

(Signed) J. LACY.
Colonel, Royal Artillery.

7th January, 1839.

No. 51.

Viscount Palmerston to the Marquis of Clanricarde.

My Lord,

Foreign Office, February 12th, 1839.

WITH reference to my despatch of the 29th ultimo, I inclose for your Excellency's information, and for communication to the Cabinet of St. Petersburg, a copy of a despatch from Colonel Wylde, the British Commissioner at the head-quarters of the forces of the Queen of Spain, of the 17th ultimo, containing some particulars relative to the system of reprisals, carried on in that country by the commanders of the respective armies.

I also inclose for the same purpose, copies of a despatch and its inclosure, of the 26th ultimo, received from Her Majesty's Minister, at Madrid, containing intelligence respecting the proceedings of Cabrera, and a copy of a proclamation issued by the Carlist Chief Palillos, on the 1st of January, 1839, enjoining the massacre of the relations of prisoners, taken from the Queen's forces, the confiscation of the produce of their lands, and

the destruction of the houses, in towns in which resistance may be offered to the Carlist troops.

Marquis of Clanricarde.
§c. §c. §c.

I have &c.
(Signed) PALMERSTON.

No. 52.

Viscount Palmerston to Lord William Russell.

My Lord,

Foreign Office, February 12th, 1839.

WITH reference to my despatch of the 5th instant, I inclose for your Lordship's information, and for communication to the Cabinet of Berlin, copies of a despatch and its inclosure, of the 26th ultimo, received from Her Majesty's Minister at Madrid, containing intelligence respecting the proceedings of Cabrera, and a copy of a proclamation issued by the Carlist Chief Palillos, on the 1st of January, enjoining the massacre of the relations of prisoners, taken from the Queen's forces, the confiscation of the produce of their lands, and the destruction of the houses, in towns in which resistance may be offered to the Carlist troops.

Lord William Russell.
§c. §c. §c.

I have, &c.
(Signed) PALMERSTON.

No. 53.

Lord William Russell to Viscount Palmerston.—(Received February 13th.)

My Lord,

Berlin, February 6th, 1839.

ACCORDING to the instructions given to me, in your Lordship's despatch of the 29th ultimo, I have transmitted to Baron Werther a list of the murders committed by Cabrera in Spain, accompanied by the note of which I inclose a copy.

Viscount Palmerston, G.C.B.
§c. §c. §c.

I have, &c.
(Signed) WILLIAM RUSSELL.

Inclosure in No. 53.

Lord William Russell to Baron Werther.

(Extract.)

Berlin, February 6th, 1839.

THE Undersigned has received instructions from his Government to transmit to Baron Werther the inclosed list of the massacres, committed by one of Don Carlos's Generals, named Cabrera. No less than 428 men have been murdered in cold blood by this inhuman monster, in the short space of a few weeks; other Chiefs have committed still greater horrors. Facts so revolting to humanity, and so disgraceful to the present age, cannot fail to affect deeply the members of the Prussian Cabinet. The object of the Government of Her Majesty the Queen of Great Britain, in instructing the Undersigned to communicate to Baron Werther this list of atrocities, is to induce the Cabinet of Berlin to lend its aid to endeavour to put an end to them.

The Undersigned, in fulfilling the orders of his Government, seizes the opportunity to call the attention of Baron Werther to two questions, worthy his serious consideration; the first is this, whether it would not better suit the enlightened policy pursued by Prussia, and at the same time advance her interests, to withdraw from Don Carlos the moral support he has hitherto received from the Cabinet of Berlin? If the Undersigned is not misinformed, the Marquis of Monasterio is an agent of Don Carlos, in

direct communication with the Prussian Government, besides which, several of the King's subjects are fighting in the ranks of Don Carlos.

The second question which the Undersigned begs to call to Baron Werther's consideration, is this: Whether any means could be devised, in concert with the Great Powers of Europe, to bring about a cessation of the horrible warfare which devastates Spain, and from which that unhappy country is incapable of relieving itself, without succour from other nations? This object has already occupied the thoughts of Prince Metternich and Count Nesselrode.

The Undersigned, however, feels confident, that even should Baron Werther be reluctant to entertain the political views he has taken the liberty to suggest, the cause of humanity will find in his Excellency, and the Cabinet of Berlin, zealous and sincere advocates, and that the whole strength of their moral influence over Don Carlos will be set forth, to put an immediate end to these revolting murders. Prince Metternich has written to this effect, in strong language, to Count Alcudia; and the Emperor of Russia has expressed to the Marquis of Villa Franca, his abhorrence of the character the war in Spain has assumed: for which benevolent expressions, the Courts of St. Petersburg and Vienna have received the thanks of the Queen of England. But it would be a source of regret and mortification to Her Majesty, if the Cabinet of Berlin were to remain behind in discharging a task, the accomplishment of which will bring most honour and glory to those nations which most exert themselves.

The enlightened views, the love of justice, and the humanity which adorn the character of the King of Prussia, are a guarantee of His Majesty's desire to fulfil the wishes expressed by the Cabinet of London.

The Undersigned has the satisfaction of assuring Baron Werther, that the Government of the Queen of Spain has expressed to Her Majesty's Minister at Madrid, their anxious desire to abstain from the system of reprisals, which has been forced upon the Queen's Generals by their armies; the soldiers refusing to obey them unless the murder of their officers and comrades was revenged, by the law of retaliation.

The Undersigned avails himself of this opportunity to renew, &c.

No. 54.

Viscount Palmerston to Mr. Milbanke.

Sir,

Foreign Office, February 15th, 1839.

I HEREWITH transmit to you, for your information, an extract from a despatch from Her Majesty's Minister at Madrid, of the 2nd instant, inclosing two reports from Colonel Lacy, relative to the manner in which the overtures made to the Carlist Generals, for the introduction of a more civilized method of warfare between the contending parties have been received, and I have to desire that you will communicate the same to Prince Metternich by note.

I have, &c.

J. Milbanke, Esq.

(Signed)

PALMERSTON.

&c. &c. &c.

No. 55.

Viscount Palmerston to Lord William Russell, and the Marquis of Clanricarde.

My Lord,

Foreign Office, February 19th, 1839.

I INCLOSE for your Lordship's information and for communication to the Cabinet of ^{Berlin} _{St. Petersburg} an extract of a despatch from Her Majesty's Minister at Madrid of the 2nd instant, reporting the result of an attempt

made by Count Luchana to come to some understanding with the Carlist General, Maroto, as to the treatment of the prisoners, who might be taken by the respective armies, and inclosing copies of letters from Colonel Lacy containing, among other matters, a report of the manner in which Cabrera received a proposition made to him by Colonel Lacy, in compliance with instructions from Lord Clarendon, with the view of putting a stop to the system of reprisals.

I have, &c.

(Signed) PALMERSTON.

Lord William Russell, and the Marquis of Clanricarde.

No. 56.

The Earl of Clarendon to Viscount Palmerston.—(Received February 18th.)

(Extract.)

Madrid, February 9th, 1839.

I HAVE the honour to inclose a copy of the letter, which, by my instructions, Colonel Lacy has addressed to Cabrera, proposing a general exchange of prisoners, and that the lives of those who may hereafter be taken should be respected.

The draft of this letter which I sent to Colonel Lacy, and of which a copy was inclosed in my despatch to your Lordship, of the 26th ultimo, was altered at the request of General Van Halen, by the insertion of his readiness to comply with the proposed arrangement.

General Van Halen was much pleased with the step taken by Colonel Lacy, and furnished means for conveying the letter securely to Cabrera.

Inclosure in No. 56.

Colonel Lacy to General Cabrera.

General,

Murviedro, January 29th, 1839.

BEING attached by the British Government to the army of the centre in order faithfully to report events as they occur, I have witnessed with the deepest concern the cruelty, by which the horrors always incidental to a state of civil war have of late been aggravated.

It is not my intention to enter into any analysis of the causes that have brought about a state of things so deplorable, my object only being to contribute to the relief of human suffering; and for this purpose I hope my position is an advantageous one, as it may enable me, if assisted by the good faith of those on whom the ultimate determination must depend, to clear away any of those obstacles which at present impede a general exchange of prisoners, and the war from being carried on according to the usages of civilized nations.

Interested as I feel in the welfare and honour of Spain, and knowing, as I do, the undisguised horror which throughout Europe is produced by this exterminating warfare, I shall deem myself most happy if, by my intervention, an order of things can be established more suited to a great and civilized nation, to the age in which we live, and to the doctrines of Christianity.

Consequently, I think the best means to realize my wishes and those of every friend of humanity would be, if you would please to acquaint me, whether you are disposed to agree to a general exchange of prisoners, promising to respect in future the lives of those who may fall into your power, being assured there will be no objection whatever to such an arrangement on the part of General Van Halen.

And, lastly, whatever may be the result of the step I have thus voluntarily taken upon myself, it will never be matter of regret to me to have thus acted, for deeply responsible, in the eyes both of God and his fellow-

creatures, is the man who either causes, or withholds his exertions to prevent, the unnecessary effusion of human blood.

I have, &c.

(Signed)

J. LACY.

To General Don Ramon Cabrera.

Colonel, British Royal Artillery.

&c.

&c.

&c.

No. 57.

Viscount Palmerston to Lord William Russell.

My Lord,

Foreign Office, February 19th, 1839.

I HAVE to acquaint your Lordship that Her Majesty's Government highly approve the note which you addressed to Baron Werther, on the 6th of February, on the subject of the Carlist massacres, and of which a copy is inclosed in your despatch to me of the 6th instant.

I have, &c.

(Signed)

PALMERSTON.

Lord William Russell.

&c. &c. &c.

No. 58.

Lord William Russell to Viscount Palmerston.

(Extract.)

Berlin, February 12th, 1839.

BARON WERTHER read to me a despatch he had received from the Prussian Minister at Vienna, giving an account of his intercession with Count Alcudia to bring about a cessation of the system of reprisals pursued in Spain. Baron Werther said, that having done all he could do at Vienna, and having instructed the King's Minister at Paris to express to all Spaniards the horror, with which the Cabinet of Berlin viewed the massacres committed in Spain, he thought it not necessary to answer the note I had addressed to him, especially as he did not consider the Marquis of Monasterio to be an agent of Don Carlos, with whom the Prussian Cabinet had no means of communicating, except through the Count Alcudia. Baron Werther said besides, that he saw no hope of settling the Spanish question by any combination of the Five Powers. I told His Excellency that I had had nothing in view but to call his attention to the state of Spain, and provoke his efforts in favour of producing a system of warfare more civilized and humane; that having obtained the result I sought, I should not require an answer to my note.

No. 59.

Viscount Palmerston to the Earl of Clarendon.

My Lord,

Foreign Office, February 21st, 1839.

I INCLOSE herewith, for your Lordship's information, the copy of a despatch from Lord William Russell, Her Majesty's Minister at Berlin, of the 6th instant, transmitting the copy of a note which he has addressed to the Prussian Minister for Foreign Affairs, relative to the massacres committed by the Carlist Chief Cabrera. I inclose also the copy of a despatch to Lord William Russell of the 19th instant, approving the above note; and of a further despatch from Lord William Russell of the 12th instant upon this subject.

(Signed)

PALMERSTON.

The Earl of Clarendon.

&c. &c. &c.

The Earl of Clarendon to Viscount Palmerston.—(Received February 25.)

(Extract.)

Madrid, February 16th, 1839.

I HAVE the honour to inclose a copy and translation of the letter which Colonel Lacy has received from Cabrera, in answer to his of the 29th ultimo, and in which he refuses the mediation of Colonel Lacy upon different frivolous pretexts. His declaration that he must be solicited by General Van Halen to proceed to a general exchange of prisoners, is only made because he knew that General Van Halen had publicly declared, he would hold no further communication with Cabrera until the latter had retracted his order to give no quarter. Cabrera well knew, also, that Colonel Lacy only offered to mediate, and could in no way take upon himself the responsibility of carrying into effect the arrangements entered into between the Queen's General and the Carlist Chief.

I have no doubt of the falsehood of Cabrera's assertion that General Pardiñas, previously to the action of Maella, ordered his troops not to give quarter, but I have made inquiries upon the subject of Lieutenant Askwith, who was attached to the division at that time.

I have forwarded a copy of Cabrera's letter to Colonel Wylde, in order that it may be sent, through Count Luchana, to Don Carlos, who, unless he defends this fresh proof of Cabrera's determination to persevere in his inhuman system, must admit that he has no authority over his General.

I yesterday was shown a private letter from General Van Halen, in which, after lamenting the ill success of the measure taken by Colonel Lacy, he states, that in a short time an exchange of prisoners will be impossible, as those in the power of Cabrera are dying by hundreds from starvation and ill usage.

Inclosure in No. 60.

General Cabrera to Colonel Lacy.

Señor de Lacy,

Beceyte, 1.º de Febrero, de 1839.

MUCHA satisfaccion y placer, Sr. Coronel, me há causado el apreciable escrito de V. de 29. de Enero ultimo, por el interes que manifiesta en favor de las vidas de los desgraciados Españoles, y el plausible objeto de evitar los desastres á que ha dado lugar el Gefe que manda las fuerzas enemigas de estos Países.

Yo gemia cuando despues de dar por mi parte mil ejemplos de humanidad, no podia conseguir se imitasen por los Enemigos, hasta que, variando de conducta, repitiendo con dolor sus hechos, ví con recogijo llegar el suspirado momento de que se respetasen las vidas de mis soldados, y no obstante de hacerlo de un modo bastante cruel, deportandoles y sumiendoles á un estado casi igual á la misma muerte, con solo el consuelo de que se la dilataban, procuré tratar á los que caian en mi poder con las consideraciones de humanidad cual mi posicion, y la á que me obligaba el enemigo permitia; mas llegó el fatal momento en que creyendose Pardiñas con superioridad y ventajas sobre mi, contaba segura su victoria, al emprender su movimiento desde Maella, y esta confianza le recordó los principios que se propusieron de acabar con la mayor parte y clase mas util de los Españoles cual lo convenze la esperiencia lamentable de su comportamiento con los primeros que se pronunciaron por sus leyes y costumbres trastornadas, siendo victimas cuantos eran habidos, sin que hallasen la mas leve comiseracion, ni los enfermos ni los desarmados, y hasta los que permanecian pacificos en sus casas, y en los mismos santuarios, y asi fue, que formada su gente les arengó, concluyendo que no se diese Cuartel á mis tropas, y que fusilaria al que presentase algun prisionero; cuya orden se ejecutó con unos diez y seis

que cayeron en su poder á su primer avance sobre mi á la izquierda; mientras yo respetaba la vida á cuatrocientos que en aquel mismo tiempo hize prisioneros en el costado opuesto, y cuando concluia la batalla, se me dió

conocimiento de la sanguinaria disposicion de Pardiñas que me confesaron los mismos prisioneros, y que la executaron los de Caballeria con los expresados diez y seis; en su consecuencia, y en el acto, dispuse su castigo, sin animo de repetirlo en lo sucesivo, con los que no continuasen bajo tal declaracion, convenciendo que á pesar de ello, respeté la vida á mas de tres mil de aquellos mismos prisioneros, que conforme á justicia debian ser pasados por las armas, cuya suerte iban á dar á los míos, si la victoria hubiera sido contraria.

El cange general que V. me indica, por mi parte, dias há, estuviera verificado, pero el comportamiento de Van Halen le há dificultado de varios modos; en primer lugar, cuando debia reconocer mi generosidad en conservar la vida á una gente que bajo todos respetos no la merecia, dispone los asesinatos de Zaragoza, Valencia, Teruel y otros puntos en prisioneros de epoca anterior, que se hallaban bajo la egida de haberlo sido en circunstancias que se daba cuartel. En segundo, reteniendo los prisioneros que se me deben; y en tercero, sustrayendose de hacer sus proposiciones directamente, y de aquel modo que exige el decoro y formalidad de todo trato.

A. V. le considero testigo de semejante conducta, y con la prudencia y penetracion capaz de distinguir estos extremos, los cuales sin duda le han movido su buen corazon á la compasion, que le aseguro es propio de mi caracter, el que jamas se há negado, ni se negará, á cuanto pueda reportar el bien de la humanidad, y evitar los horrores de la sangre barbaramente derramada por la ambicion de los hombres, que bajo el aparente aspecto de libertad, no han dudado en trastornar el Orden de la Nacion con el que se hallaba satisfecha y tranquila, y aun hán burlado y envilecido los actos de proteccion que han recibido.

Mucho aprecio el servicio que V., por su parte, pueda prestar, contribuyendo á que tenga efecto lo que se propone y yo aspiro; mas ahora llamo su atencion para que se haga cargo que solo el que deba obrar, debe ser el que há de comprometerse para la seguridad de la ejecucion de lo que se convenga, á fin de que en su empleo y persona recaiga la responsabilidad de toda falta de que en ello se cometa, y mientras no me die ese compromiso directo, ni mi decoro, ni el de las Armas de mi Soberano, pueden adherir á otro especie de medios para venir á la realizacion de tan justo objeto.

Dejo con esto manifestados mis sentimientos que pongo á la consideracion de V., mientras tengo el honor de ser, Sr. Coronel, Su muy afectisimo y apasionado.

Seguro Servidor, &c.

(Firmado)

CONDE DE MORELLA.

(True Copy.)

(Signed)

J. LACY.

Colonel, Royal Artillery.

(Translation.)

Sir,

Beceyte, February 1st, 1839.

GREAT satisfaction and pleasure, Colonel, has your appreciated letter of the 29th January last given me, for the interest which you manifest in favour of the lives of the unfortunate Spaniards, and the praiseworthy object of preventing the disasters which the Chief, who commands the enemy's forces in these countries, has given rise to.

It grieved me when, after showing on my part a thousand examples of humanity, I could not obtain their imitation by the enemy, until changing my conduct, and repeating with pain their acts, I saw with pleasure the moment arrive so much longed for, when the lives of my soldiers might be respected; and although it was done in a manner sufficiently cruel, banishing, and shutting them up in a state almost equal to death itself, with the only consolation that life was preserved to them,

yet I endeavoured to treat those that fell into my hands with the considerations of humanity which my position, and that which the enemy forced on me, permitted; but the fatal moment arrived, when Pardiñas, believing himself superior and with advantages over me, reckoned with security on victory, when he commenced his movement from Maella, and this confidence reminded him of the principles which were entertained of putting an end to the greater part of the most useful class of Spaniards, as was proved by the lamentable experience of their deportment towards the first who declared themselves in favour of their laws and customs overturned, all who were seized being victims, without the slightest commiseration being shown to the sick, the unarmed, nor even to those who remained peaceably in their houses, and in the very sanctuaries; and so it was, that having formed his troops, he harangued them, finishing that no quarter should be given to my soldiers, and that he would shoot the man who presented a prisoner; which order was executed on sixteen who fell into his power on his first advance against my left wing, whilst I respected the lives of four hundred who, at that very moment, I made prisoners on the opposite flank, and towards the end of the battle I was made acquainted with the sanguinary orders of Pardiñas, which the prisoners themselves confessed to me, and which were executed on the above sixteen by the cavalry: in consequence, I forthwith ordered their punishment, without intending to repeat it in future towards those who did not continue to act under such a declaration, which is corroborated by my respecting the lives of more than three thousand of those very prisoners, who, in justice, ought to have been shot, for this would have been the fate of mine if the victory had been on the other side.

The general exchange which you indicate to me, would have been effected on my part long since, but the deportment of Van Halen has made it difficult in various ways: in the first place, when he ought to have recognised my generosity in preserving the lives of a set of men, who, in all respects, were undeserving of it, he directs the assassinations at Zaragoza, Valencia, Teruel, and other points, of prisoners of an anterior epoch, who were shielded by having become so, in circumstances when quarter was given; in the second, by retaining the prisoners which are owing to me; and, in the third, by avoiding to make his proposals direct to me, and in the manner which the decorum and formality of all negotiations require.

I consider you as having been a witness of such conduct, and possessing prudence and penetration sufficient to distinguish these extremes, which doubtless have moved your good heart to compassion, and which I assure you is natural to my character, which never has refused, nor will refuse anything that may be to the advantage of humanity, and to prevent the horrors of blood so barbarously shed, through the ambition of men, who, under the apparent veil of liberty, have not hesitated to disturb the institutions with which the nation was satisfied and tranquil, and who have even treated with derision, and vilified, the acts of protection which they have received.

I fully appreciate the value of the services which you may render, in contributing to effect what you propose and what I desire; but I must request you to observe, that the person who is to act, ought to be the person who is to give security for the due performance of what may be agreed upon, so that his public character and his person may afford a guarantee against any violation of such agreement; and until this direct guarantee is given to me, neither my honour, nor that of the arms of my Sovereign, can assent to any other kind of interference for the purpose of accomplishing so just an object.

Having thus expressed my sentiments which I leave to your consideration.

I have, &c.

True Copy. (Signed) THE COUNT OF MORELLA.
J. LACY, Colonel, Royal Artillery.

No. 61.

Mr. Milbanke to Viscount Palmerston.—(Received March 3rd.)

My Lord,

Vienna, February 23rd, 1839.

PRINCE METTERNICH received some days ago the Manifesto of Don Carlos, which I mentioned in my despatch of the 26th ultimo, on the subject of the atrocities committed by the Carlist Generals in Spain. This document, which I understand to be of considerable length, and to embrace a review of the proceedings of both parties since the commencement of the Civil War, and in which all the blame of these horrible massacres, is of course, thrown upon the Queen's officers, will be forwarded to London this day, for the purpose of being shown to your Lordship.

I have not yet had time to communicate officially to Prince Metternich, the despatches inclosed in your Lordship's despatches of the 7th and 8th instant; but as His Highness expressed a wish to be made acquainted with their contents previously to writing to M. de Hummelauer, I read them to him, as well as your Lordship's other despatch of the latter date.

Prince Metternich said, that he fully partook of the horror with which these atrocious proceedings inspired Her Majesty's Government, and that no effort should be wanting on his part to put a stop to them; but that it was no easy matter to decide upon the means, since neither party seemed to be able to exercise much control over the acts of its officers. His opinion, however, was, that a general exchange of prisoners, as a preliminary step, offered the best chance of checking these wholesale murders, and His Highness will probably develop this idea in his despatches to the Austrian Chargé d'Affaires in London.

Viscount Palmerston, G.C.B.
&c. &c. &c.

I have, &c.
(Signed) J. R. MILBANKE.

No. 62.

The Marquis of Clanricarde to Viscount Palmerston.—(Received March 4th.)

(Extract.)

St. Petersburg, February 15th, 1839.

I YESTERDAY presented a note to Count Nesselrode, communicating to the Russian Government information respecting the massacres committed by the Carlist Generals in Spain, and the conviction felt by Her Majesty's Government, that so soon as those commanders should adopt more civilized practices in their warfare, the Queen of Spain's Officers would immediately desist from the reprisals which they had been compelled to make: and I took that occasion to express to His Excellency the desire entertained by Her Majesty's Government, to be informed of any ideas the Russian Government might have formed of a basis for a concerted interference of the Five Great Powers, whereby an end might be put to the civil war in Spain. Count Nesselrode at once said, that he had no definite notion upon the subject;—that the observations to which he had given utterance in conversation with me, and those in his despatch to Count Pozzo di Borgo, were made simply, because, when we addressed to the Russian Government an application for interference to stop the barbarous mode of warfare which had been adopted, the idea naturally suggested itself,—“why not carry the interference a step farther, and make the war itself to cease?” But that he had not thought of any means of overcoming the many difficulties which were opposed to the carrying out of that suggestion. Count Nesselrode proceeded to explain, that his idea was, that if five Plenipotentiaries were assembled, perhaps they might devise a plan for the pacification of Spain. “We,” said His Excellency, “have just now, after eight years' labour, achieved the settlement of a question replete with complicated difficulties, and why should we despair of finding the solution of those which Spain presents?”

Mr. Milbanke to Viscount Palmerston.—(Received March 6th.)

My Lord,

Vienna, February 25th, 1839

I HAVE just seen Prince Metternich, who told me, that he had spoken with Count Alcudia, relative to the proposed exchange of prisoners, which formed the subject of the several despatches from Her Majesty's Minister at Madrid, which I have lately communicated to him.

Count Alcudia answered, that Don Carlos was anxious, that a general exchange should take place; but some measures must be agreed upon by which it should be regulated, for that hitherto the bad faith of the Queen's Generals had led them to exchange peasants, which they took for that purpose, against Carlist soldiers, which latter were either massacred, or removed to a distant part of the country.

Prince Metternich said, that he had desired Count Alcudia to conjure Don Carlos, immediately, and in the most urgent manner, in the name of the Austrian Government, to put a stop to the commission of any further atrocities on the part of his officers.

I have, &c.

Viscount Palmerston, G.C.B.

(Signed)

J. R. MILBANKE.

&c. &c. &c.

The Earl of Clarendon to Viscount Palmerston.—(Received March 11th, 1839.)

(Extract)

Madrid, March 2nd, 1839.

I INCLOSE the copy and translation of a letter from General Van Halen to Cabrera, proposing a general exchange of prisoners, this document adds another proof, to the many which already exist, of the desire which animates the Queen's Generals to carry on the war upon principles of humanity.

Inclosure in No. 64.

Ejército de Operaciones del Centro.

Cuartel general de Onda 17 de Febrero de 1839.

Secretaria de campaña.—En todas las comunicaciones que he dirigido á V. desde que me remitió su primera, fecha en Caudiell en 3 de Noviembre, le he manifestado estar pronto á un cange general de prisioneros, siempre que cesase de matar á los que caian en su poder, como lo habia hecho desde el 2 de Octubre hasta la fecha en que escribia, con todos los pertenecientes á este ejército, á la Milicia nacional, ó á cuerpos francos de estas provincias. En 22 de Diciembre bien laconicamente me ceñi á lo que tanto interesaba á la humanidad, repitiéndole que estaba pronto á un cange general y á reintegrar los 103 prisioneros que me reclamaba, al momento que V. revocase de hecho y por escrito su declaracion de guerra sin cuartel, pues se hace imposible trato alguno con quien asi lo verifica.

La contestacion de V. debió ser terminante y al objeto; pero no fue asi, y los unicos individuos que han caido en su poder desde aquella fecha, que fueron 1 oficial, 1 sargento, 1 cabo, y 17 soldados que se entregaron por capitulacion en el castillo de Borriol ofreciéndoles conservarles las vidas, fueron fusilados á los tres dias, uno en Alcora, y los de mas cerca de Culla, lo cual está probado por la competente sumaria que mandé instruir al efecto.

Cuando todos estos son hechos, veo por comunicaciones de V. á diferentes autoridades, y por lo que manifiestan los desgraciados interesados, supone soy yo el que me niego á un cange general, lo que está muy distante de la verdad, no viendo en su conducta mas que el deseo de que acaben de espirar del modo mas espantoso los 30 prisioneros que tenia en 2 de Octubre ultimo; la diferencia de este numero al de los que existen en el dia, es la prueba mas incontestable del trato que se les da, que comparándola con las bajas de los prisioneros de V. que existen en nuestros depósitos, demostrará al mundo entero de qué parte está la justicia, la verdad, la religion y la filantropia. No ignoro que en el tránsito

desde el Horcajo á Benifasar fueron muertos hasta con piedras los prisioneros que por hallarse exánimes no podían andar ; que en el mismo Benifasar han muerto en solo dos dias 59 soldados de miseria y frio ; y á fin de salvar las vidas de los desgraciados que hasta hoy han podido resistir á semejante tratamiento, y quitar á V. el menor pretexto para concluir con ellos, no creo humillacion ni debilidad el proponerle como le propongo, pronto á cumplirlo religiosamente por mi parte, los articulos siguientes :

1.º Las vidas de cuantos prisioneros de guerra existen en el dia en los depósitos, ó se hagan en adelante por una y otra parte, serán respetadas, dándoles un trato igual al que dan las naciones cultas, y para asegurarse de ello con todas las precauciones que exige la guerra, podrán pasar á los depósitos comisionados especiales á fin de cerciorarse y exigir la total igualdad del tratamiento, que en todos conceptos debe ser el mismo para todos los prisioneros.

2.º No se considerará nunca como prisioneros de guerra los no alistados en el ejército, en los cuerpos ó partidas francas y en la Milicia nacional que lo sean al ser cogidos.

3.º En consecuencia de los articulos anteriores se verificará un cange general de prisioneros clase por clase, precediendo á él por parte del general en jefe del ejército del Centro la entrega de los 103 prisioneros que no se habian devuelto.

4.º La diferencia de mayor número que resulte por una y otra parte sera cangeada tan pronto como la otra le proponga, por tenerlos ya en su poder, y en ningun caso se podrá negar ninguna de ellos á verificarlo.

5.º Desde la fecha de este convenio, cuantos se pasen á una ú otra parte no tendrán derecho á ser tratados como prisioneros de guerra, si son cogidos, y sufrirán la pena que les marca la ley establecida por el que los aprehenda.

6.º Este tratado obliga á su exacta observancia, tanto á los gefes de las fuerzas beligerantes que lo firmen, como á todos sus sucesores, mientras dure la guerra, y á cuantos dependan de unos y otros que se comprometen hacerlo cumplir.

7.º La ejecucion del cange general será arreglada por ambas partes, lo mas pronto posible, nombrándose los comisionados al efecto, provistos de las listas clasificadas que cada uno debe tener, de los prisioneros que existan en sus respectivos depósitos.

Este es el convenio que propongo á V., y en él verá el mundo entero que ni yo ni el Gobierno de S. M. la Reina somos los causantes de tanta inocente víctima sacrificada.

Dios guarde, á V. muchos años,

Sr. D. Ramon Cabrera.

ANTONIO VAN HALEN.

&c. &c. &c.

(Translation.)

Army of Operations of the Centre.

Head Quarters, Onda, February 17th, 1839.

IN all the communications which I have addressed to you, since you transmitted to me your first, dated at Caudiell, 3rd November, I have stated that I was ready to enter into a general exchange of prisoners, provided you ceased to kill those who fell into your hands, as you had done from the 2nd of October up to the date at which I wrote, with respect to all belonging to this army, to the National Militia, or to the Free Corps of these provinces. On the 22nd of December I confined myself briefly to what was most interesting to humanity, repeating that I was ready to make a general exchange, and to deliver over the 103 prisoners which you claimed from me, the moment you should revoke, by deed and by writing, your declaration of war without quarter, for any treaty with one who so acts is impossible.

Your answer ought to have been decisive and to the point, but it was not so, and the only individuals who have fallen into your power from that date, who were one officer, one sergeant, one corporal, and seventeen soldiers, who yielded upon a promise that their lives should be spared, were shot within three days, one at Alcora, and the others near Culla, which is proved by the inquiry which I ordered to be instituted.

Although all these are established facts, I observe from your communications to different authorities, and from what is stated by the unfortunate

sufferers, that you pretend that I am the person who refuses a general exchange, which is very far from the truth; and I cannot perceive from your conduct anything but a wish to see the 30 prisoners, whom you possessed on the 2nd of October last, expire in the most horrible manner. The difference between this number and that which exists at the present moment, is the most undeniable proof of the treatment which they receive, which, on comparison with the deaths among your prisoners in our depôts, will demonstrate to the whole world on which side is justice, truth, religion, and humanity. I am not ignorant that in the removal from Horcajo to Benifasar the prisoners who, from being almost lifeless, were unable to walk, were put to death even with stones; that in the same Benifasar fifty-nine soldiers have died in only two days from cold and misery; and in order to save the lives of the unhappy men who have hitherto been enabled to endure such treatment, and to deprive you of the smallest pretext for putting them to death, I do not consider it any humiliation or weakness to propose to you as I now do, the following articles, which I am ready to fulfil religiously:—

1st. The lives of all the prisoners of war existing at present in the depôts, or who may be taken in future on either side, shall be respected; they shall be treated as is usual among civilized nations; and in order to ensure this, with all the precautions required by war, special Commissioners will proceed to the depôts to make inquiry and to exact a complete equality of treatment, which in all respects ought to be the same for all the prisoners.

2nd. Those who are not enlisted in the army, in the free corps or parties, or who do not belong to the National Militia at the time of being taken, shall not be considered as prisoners of war.

3rd. In consequence of the preceding Articles, a general exchange of prisoners, rank for rank, will take place, the General-in-Chief of the Army of the Centre previously delivering over the 103 prisoners which had not been returned.

4th. The surplus of prisoners which shall remain in the possession of either party, shall be exchanged, so soon as the party possessing the surplus, shall propose the exchange; the right to make this proposition resting with that party, in consequence of their having the said surplus in their power: and in no case shall either party refuse to effect the exchange.

5th. From the date of this Convention, those who pass over from one side to the other, shall have no right to be treated as prisoners of war if taken, and shall suffer the punishment awarded by the law of the party into whose hands they fall.

6th. This Treaty is binding, not only upon the Chiefs of the belligerent forces who sign it, but also upon their successors and those under their orders, who bind themselves to execute it.

7th. The details of the general exchange shall be arranged by both parties as soon as possible, Commissioners being appointed for the purpose, furnished with classified lists of the prisoners in their respective depôts.

This is the Convention which I propose to you, and in it the entire world will see that neither I nor the Government of Her Majesty the Queen are the cause of the sacrifice of so many innocent victims.

God preserve you many years.

Senor Don Ramon Cabrera. (Signed) ANTONIO VAN HALEN.
&c. &c. &c.

No. 65.

Mr. Southern to Viscount Palmerston.—(Received March 18th.)

(Extract.) *Madrid, March 9th, 1839.*

IN compliance with the instructions of the Earl of Clarendon, Colonel Lacy has again written to Cabrera, in order to prove to him the falsehood of his allegation that General Pardinás ordered his troops not to give quarter at the battle of Maella. I have the honour to inclose to your Lordship a copy of Colonel Lacy's letter.

Inclosure in No. 65.

General,

Murviedro, March 4th, 1839.

I RECEIVED your letter of the 1st of February on the 7th of that month, and I beg you will accept my best thanks for the promptness of your reply to my letter of the 29th of January, and also for your polite expressions towards me.

I should have been gratified far beyond any other consideration, if it had been in your power to have accepted my offer of mediation in regard

to war with quarter, and in favour of the unfortunate prisoners. And I beg leave to repeat, without pretending to offer any official responsibility, which my situation in regard to Spain could not warrant, that I shall be most happy to act at any time as the medium of communication in the cause of humanity between you and General Van Halen.

With a view to remove as much as possible any feeling that may militate against the restoration of civilized warfare and an exchange of prisoners, I request you will allow me to observe, that I believe you have been misinformed as to what you state in regard to Pardinás having harangued his troops at Maella before the battle, and enjoined them not to give quarter. There was a British Officer under my orders attached to that division in Aragon, and since I had the favour of your letter of the 1st of February, I have written to him on the subject. His answer most decidedly states, that although Pardinás did harangue his troops previous to the attack, there was nothing that could be interpreted to the intent that they should not give quarter.

The clearing up of this point appeared to me to be completely within my province, and within my power, from having a British Officer in Aragon who was present at the battle of Maella—an Officer placed there for the purpose of faithfully reporting every occurrence, and whose testimony I am satisfied you will respect.

Thus, then, it appears to me that one of the greatest obstacles to a favourable arrangement between the Chiefs of the contending forces will be removed, and that Spain may soon be able to cast off the imputation of prosecuting the war with unnecessary cruelty.

To this end I entreat your attention to what I have written; and I conjure you, as the Chief of a considerable force, and as a Christian, to do your utmost to mitigate the calamities of a war, where not only brother is fighting against brother, but father is opposed to son.

I have, &c.

General Don Ramon Cabrera.

(Signed) J. LACY.

&c. &c. &c.

Colonel, British Royal Artillery.

No 66.

Mr. Southern to Viscount Palmerston.—(Received April 1st.)

(Extract.)

Madrid, March 23rd, 1839.

AS the Count de Luchana was retiring from Los Arcos, he received a letter from Maroto, stating that he considered Balmaseda as a criminal, and that he should not be answerable for any act he might commit.

Maroto at the same time informed Count Luchana that it was not his intention to put to death any officers in reprisal for the two shot by his Excellency's orders, in consequence of the murder of Colonel Reynoso. Two circumstances of importance, as indicating a change of system among the adherents of Don Carlos: and when taken into consideration with the raising of the blockade of the principal towns on the borders of the territory, under the dominion of Don Carlos, and the humanity and consideration with which persons carrying on communication between the Vascongado Provinces and the neighbourhood have been lately treated, prove the intention of carrying into execution some policy which they consider will be more acceptable to the rest of Europe.

No. 67.

Colonel Wylde to Viscount Palmerston.—(Received April 4th.)

(Extract.)

Alcanadre, March 22nd, 1839.

THE general exchange of prisoners, proposed to Maroto by the Count of Luchana, has at length been carried into effect, and not a single officer or man of this army now remains in the hands of the Carlists in these provinces; and Maroto, in his last communication to the General, promises to use his best endeavours to induce Cabrera to consent to a similar exchange in Aragon.

No. 68

Mr. Southern to Viscount Palmerston.—(Received April 15th.)

(Extract.)

Madrid, April 6th, 1839.

I HAVE the honor to inclose to your Lordship the copy and translation of a letter from Cabrera to Colonel Lacy, in answer to the one which the latter addressed to the Carlist Chief, at the desire of Lord Clarendon, and of which a copy was forwarded to your Lordship, in my despatch of the 9th of March, respecting a general exchange of prisoners, and a more humane system of carrying on the war.

I have likewise the honor to inclose to your Lordship copy and translation of Cabrera's proposed amendments to General Van Halen's propositions with this object, and of the conditions to which the latter has ultimately agreed. I have no communication of a subsequent date from Colonel Lacy; but from Lieutenant-Colonel Alderson I learn, that a general exchange of prisoners is finally agreed upon, and that the division to which he is attached is conveying to a place called La Bechà, which has been fixed upon as a neutral point, from three to four hundred prisoners to be exchanged.

Maroto has lately declared the road from Pampeluna to France free for all parties, and has forbidden the slightest annoyance to be given to either couriers or travellers proceeding across a territory, which has for some time been impassable for the subjects of the Queen.

On the other hand, the petty warfare in other Provinces is every day growing more atrocious. La Mancha is fast relapsing into the state from which it was rescued by General Narvaez. The most horrible cruelties are daily practised by the bands of Palillos. This infamous warfare, in detail, likewise extends to parts of Estremadura and Old Castile. In the incursions made by the parties which ravage these countries in the name of Charles V., no quarter is given, unless the persons who fall into the power of this ferocious banditti are supposed to possess property, when their lives are spared for the moment, in the hope of receiving a ransom. Two recent instances have occurred, in which the passengers by the mail diligence have been seized in La Mancha and Estremadura, and carried into the mountains, while the whole of the escort have been, in each case, deliberately murdered.

In the most recent case, which occurred in the neighbourhood of Trujillo, the Captain-General of Estremadura, by way of reprisals, has put to death, on the same spot where the escort was executed, an equal number of prisoners of war, selecting twelve of those under trial for atrocious crimes, unconnected with their adherence to the cause of the Pretender.

Inclosure 1 in No. 68.

Señor de Lacy,

Cuartel General, Segura, 16 de Marzo de 1839.

CREO que completamente, Señor Coronel verá realizados sus deseos de V., porque siendo muy conformes á los míos, he practicado y se hallar principiados los medios de llevarse á efecto el cange general de prisioneros, y se establezca el convenio competente para la guerra con Cuartel; cuyos resultados no solo me proporcionarán el gusto de apreciar las prendas de su persona, sino tambien de llenar los recomendables sentimientos que con respecto al bien de la humanidad adornan su alma, quedando satisfecho los impulsos de la mia.

Dejo aparte como objeto que ya no es del momento, la declaracion de Pardiñas, para lo que no me faltan motivos de asegurarme en ella; pues la deposicion de un gran numero de vecinos que se hallaban presentes, y aun la de muchos de los mismos prisioneros me parece de la fuerza de probanza legal, contra la cual no puede prevalecer un voto negativo y singular en la clase de imparcialidad, y que puede exencionarse, sin dañar al honor del deponente, ya por inadvertencia capaz á la diferencia del idioma, ó ya por un momento de distraccion: y el haber tenido efecto, con los diez y seis, arguye en favor de los que declaran afirmativamente, pero ya he dicho que en lo presente, este hecho no influye para el objeto que se busca.

Ya Van Halen tiene mi contestacion para que nombre sus Comisionados, y forme las listas de los prisioneros que tenga; y haciendo yo otro tanto, se asigne el punto para realizarse el cange; pues para ello no es obstaculo que no esté concluido el tratado para lo sucesivo, respecto que en este se trata de la suerte futura de los prisioneros, y el referido cange, de la de los presentes. Ademas los Articulos que me propuso Van Halen no contenian extremos que son necesarios, y se atentaba contra un derecho que en las actuales particulares circunstancias de esta Nacion se debe en todo el rigor de justicia considerar á los Españoles: por lo que me reservé redactarlos y ampliarlos, cual ya lo hé verificado, y con esta fecha se los remito; y son segun la copia que acompaña; no dudando que, visto su equidad, merecerán el asenso de V. y recaerá tambien la aprobacion de Van Halen.

Me parece que con esto doy á V. un fiel testimonio del fundado concepto que manifiesta haber formado de mi en sus escritos de 23 de Enero, y 4, del actual, á cuyo favor le quedará siempre reconocido este que

Tiene el honor, &c.

(Firmado) EL CONDE DE MORELLA.

(Translation.)

Sir,

Head Quarters, Segura, March 16th, 1839.

I BELIEVE, Colonel, that I shall see completely realised your wishes, for, being very similar to my own, I have made preparations for, and indeed already begun, carrying into effect the general exchange of prisoners, so that the requisite Convention may be entered into for carrying on war with quarter, the results of which will not only afford me the pleasure of appreciating your personal qualities, but also of fulfilling the praiseworthy sentiments in the cause of humanity which adorn your mind, while the impulse of my own is satisfied.

I waive, as an object not now of moment, the declaration of Pardiñas, though motives are not wanting to confirm me in it; for the depositions of a great number of inhabitants who were present, and even those of many of the prisoners, appear to me to have the force of legal proof, against which a negative vote, and singular with respect to impartiality, ought not to prevail, and which may be objected to, without injuring the honour of the deponent, either on account of his not discerning the difference of the idiom, or of being under a momentary distraction: and the circumstance of its having been carried into effect towards the sixteen, argues

in favour of those who depose in the affirmative; but I have already said that at the present moment this fact has no influence on the object in view.

Van Halen has already my answer desiring him to name his Commissioners, and make out the list of the prisoners in his hands, in order that on my doing the same, a place may be agreed on to effect the exchange; which may take its course, for all that no Treaty is as yet concluded in respect to subsequent events, seeing that it is to decide on the future lot of prisoners, whereas the exchange under consideration relates only to that of actual prisoners. Besides, the Articles proposed to me by Van Halen did not embrace certain extremes which are necessary, and attempted to infringe a right, which in the present peculiar circumstances of the nation ought in all rigour of justice to be allowed to Spaniards; on which account I reserved to myself to draw up and enlarge the Articles; accordingly, having done so, I under this date transmit them to him. I inclose a copy of them, and, considering their equity, I make no doubt that they will merit your approval, and also receive the sanction of Van Halen.

I conceive that I hereby give you a faithful testimony of the well-founded opinion you state you have formed of me in your letters of 23rd January, and 4th instant, for which favor I shall always remain grateful, and

I have, &c.
(Signed) THE COUNT OF MORELLA.

Colonel Lacy.
&c. &c. &c.

Inclosure 2 in No. 68.

Commandancia General de Aragon Valencia and Murcia.

CONSECUENTE á lo que digo á V. en mi comunicacion de 28 de Febrero ultimo, acerca de la ampliacion y ratificacion de los Articulos para el tratado sobre el que se establezca la guerra entre ese y este Ejercito, lo he verificado segun los que siguen:

1.º Será respetada la vida, sea cual fuere su clase, de cuantos prisioneros existen y se hagan en lo sucesivo, correspondientes á ambos Ejercitos, sin distincion de los que sean ó no pasados de las filas del uno á las del otro, á no ser que sea ya por segunda vez, pues que en este caso se manifiesta maldad y carencia de opinion.

2.º Los prisioneros serán asistidos y tratados asi en salud como enfermedad, del mismo modo que la tropa del Ejercito, en cuyo poder estén, y para satisfaccion de las partes podrán visitarse por un Comisionado mediante las precauciones que exige la guerra.

3.º Se asignará punto para deposito de prisioneros que estén en poder de las armas Reales, el cual será respetado, y no podrá ser hallado por las fuerzas contrarias, ni aproximarse á distancia de dos leguas.

4.º En igual caso se hallarán los hospitales que no estén en puntos fortificados. Y serán respetados los enfermos y facultativos aun de los que se hallen en fuertes, si fueren tomados por las armas contrarias.

5.º Asi que una y otra parte tengan prisioneros se propondrá el cange por el ultimo que los haya, y no podrá el otro dilatarle por ningun pretesto.

6.º Los canges se realizarán en el pais mas proximo al en que se hallen los prisioneros, y en el punto intermedio de los fuertes de una y otra parte.

7.º Tanto en los transitos como en el punto donde sean colocados los prisioneros, no se permitirá se les insulte, ni maltrate, ni tampoco á las personas que les auxiliien con algun socorro.

8.º No podrán ser transportados los prisioneros á ultramar, ni á puntos lejanos que dificulten los canges.

9.º Serán preferidos para los canges los procedentes de los Ejercitos que tengan los prisioneros que han de cangearse.

10.º Si sucediese alguna desgracia de asesinatos, heridas ù otros atropellamientos á los prisioneros tendrá derecho la parte contraria á la represalia en la manera numero y clase que le parezca, á no ser que se acredite que á los causantes y cuantos hayan tenido parte en ello, se le haya hecho sufrir igual suerte sea el numero que fuere; pues no se admira excusa aunque se diga ser efecto de conmocion popular ó desorden; y ni tampoco por resultas de causas ó sumarios que deben cesar.

11.º Este tratado debe obligar á su exacta observancia tanto á los Gefes de las fuerzas beligerantes que lo firmen, como á todos sus sucesores mientras dure la guerra, y á cuantos dependan de unos y otros que se comprometen á hacerlo cumplir.

Notas 1. Se establece que á los pasados de un Ejercito al otro se les considere con el derecho de prisioneros de guerra como á los demas, respecto que las circunstancias de la que se sostiene en una misma Patria entre sus mismos naturales, no es desercion el acto de trasladarse á las filas que á su convencimiento defienden su causa, y que cuestionandose la legitimidad del Gobierno, no se tiene declarado el derecho de arrebatarse violentamente á los hombres de sus casas para defender un partido que tienen por injusto; mientras estos hombres le tienen para sacudir el yugo del que creen opresor, pues de lo contrario cuantos han adoptado el sistema opuesto á las instituciones que regian á la muerte de Fernando 7.º, y cayesen prisioneros, deberian ser juzgados como á desertores y algo mas.

2. No se comprenden en este Convenio los individuos de cuerpos francos y los titulados Milicianos Nacionales, respecto á que no se hallan sujetos á la disciplina militar, por cuya razon pudieran cometer algun hecho que rompiese el tratado, y perjudicase la suerte de los demás; pero esto no se opondrá á que sean tratados segun su comportamiento.

No dudo que á vista de la justicia en que están fundados se adherirá V. á ellos, y en este caso podrá avisarmelo para estender los ejemplares correspondientes á fin de que sean firmados por una y otra parte.

Dios guarde á V. muchos años. Cuartel General de Segura, 16 de Marzo de 1839.

(Firmado) EL CONDE DE MORELLA.

Commandancia General de Aragon, Valencia y Murcia.

EN este momento recibo la comunicacion de V. de 14, de este mes con el estado de los facciosos que V. tiene prisioneros para el cange general convenido, y desde luego hé mandado á mi Ayudante de Campo el Coronel graduado Don Joaquin Aquilera pase á formar relaciones separadas de los Revolucionarios que tengo en mis depositos arregladas al numero y clases que resultan de dicho estado y con separacion de los que han de cangearse en Aragon y en Valencia.

Asimismo prevengo lo conveniente á los 2.º Comandantes Generales de ambos Reinos, que lo son del 1.º el Brigadier D.º Luis Llangostera, y del 2.º el de igual clase D.º Domingo Forcadell, para que se entiendan con los que V. me designa, y acuerden el modo puntos y epoca de llevar á efecto el espresado cange.

Dios guarde, &c.

(Firmado) EL CONDE DE MORELLA.

Cuartel General de Segura, 21 de Marzo, de 1839.

Sr. Don Antonio Van-Halen.

&c. &c. &c.

(Translation.)

Commandancy General of Aragon, Valencia, and Murcia.

IN consequence of what I stated to you in my communication of 28th February last, respecting the extension and ratification of the Treaty for the regularization of the war between this and your army, I have framed the following articles.

1st. The lives of all prisoners, of whatever class, at present existing, or, who may be hereafter made, appertaining to either army, shall be respected, without distinction of those, who may, or, may not have passed from the ranks of one to those of the other, unless it should be for the second time, because in this case, want of principle and an indifference to character are manifested.

2nd. The prisoners shall be assisted and taken care of, both in health and in sickness, in the same manner as the troops of the army, in whose power they may be, and for the satisfaction of the parties they may be visited by a commissioner, on taking the precautions required in war.

3rd. A point shall be fixed on for the depôt of the prisoners who may be in the hands of the Royal troops, which shall be respected, and shall not be entered by the opposite forces, nor approached within a distance of two leagues.

4th. The same shall be applicable to the hospitals which are not in fortified places, and regard shall be paid to the sick and the medical men, even where they may be situated in forts, if taken by the opposite forces.

5th. Whenever one or other party has prisoners, an exchange shall be proposed by the last who has made them; and it shall not be lawful for the other to delay the exchange on any pretext.

6th. The exchanges shall take place in the country nearest where the prisoners are, and at an intermediate point between the forts of one and other party.

7th. Both during the marches, and in the place where the prisoners may be kept, no one shall be allowed to insult or ill-treat them, or the persons who afford them any succour.

8th. It shall not be lawful for the prisoners to be transported beyond seas, nor to distant points which may retard the exchange.

9th. Those belonging to the armies, who possess the prisoners to be exchanged, shall have the preference.

10th. If any misfortune such as assassinations, wounds or other injury to the prisoners should take place, the adverse party shall be entitled to use reprisals in the manner, number, and class he may see fit, unless it be proved that the culprits and all who joined in these crimes have been made to suffer the same fate, whatever their number may be; for the excuse that it was the effect of a popular commotion or disorder shall not be admitted, any more than that it was the result of summary prosecutions or processes which ought to cease.

11th. This Treaty shall, as to its exact observance, be binding, both on the chiefs of the belligerent forces who sign it, and on their successors whilst the war continues, and on all who depend on the one or other, who engage to cause it to be fulfilled.

Notes. 1st. It is established that those who pass over from one army to the other shall be considered as prisoners of war the same as the rest, inasmuch as the circumstances of the contest being carried on in the same country, among the natives of the same, do not constitute as desertion the act of joining those ranks, which, according to their conviction, defend their own cause, and that the legitimacy of the Government being in dispute, the right of dragging men violently from their homes to defend a side which they consider unjust, is not settled, whilst these men have a right to shake off the yoke of those whom they look on as oppressors, for, on the contrary, as many as have adopted the system opposed to the Institutions in force at the death of Ferdinand VII., and have become prisoners, ought to be judged as deserters and as something more.

2nd. The individuals of free corps, and those denominated National Militia, not being subject to military discipline, are not comprehended in this Convention, because they might commit some act to destroy the Treaty, and injure the fate of the rest. This, however, shall not prevent their being treated according to their behaviour.

I do not doubt that, seeing the justice on which the above articles are founded, you will adhere to them, in which case you can advise me in order that I may cause the necessary copies to be made, for the purpose of their being signed by both parties. God preserve, &c.

Head Quarters, Segura,

March 16th, 1839. (Signed)

THE COUNT OF MORELLA,

Commandancy General of Aragon, Valencia, and Murcia.

I HAVE this moment received your communication of the 14th of this month, with the list of the factious in your possession as prisoners for the general exchange agreed on. I at once ordered my Aide de Camp, the Brevet Colonel Dr. Joaquim Aguilera to proceed to the formation of separate lists of the revolutionists whom I have in my Depôts, according to the number and classes specified in your statement, and separating those who are to be exchanged in Aragon and Valencia.

At the same time I will give the necessary instructions to the Generals Second in Command of both Kingdoms, being, of the first, Brigadier Don Luis Llangostera, and, of the second, Don Domingo Forcadell, of the same rank, in order that they may come to an understanding with those whom you designate and may fix on the mode, place and time for carrying into effect the aforesaid exchange. God preserve, &c.

Head Quarters, Segura,

March 21, 1839.

(Signed)

THE COUNT OF MORELLA.

Inclosure 3 in No. 68.

Cuartel General de Carinena, 27 de Marzo, 1839.

ACABO de recibir la comunicacion de V. fecho 16 en Segura, y siento que los Articulos que me propone, aunque de acuerdo con mis sentimientos en gran parte y con los que yo propuse, ofrezcan en algunos dificultades que retarden la celebracion del convenio, estas las demostraré por Articulos, y en su consecuencia incluyo los que estoy pronto á firmar conviniendo V. en ellos.

El Articulo I. que yo propuse se fundó en nuestra parte en lo mismo que V. espresa en la primera nota, pues despues de cinco años de guerra todos han tenido ocasion y tiempo de alistarse en las filas que mas han convenido con sus ideas, y por esto hacia diferencia de los que pasasen desde la fecha del convenio en adelante; mas no veo inconveniente en admitirlo como V. lo propone. El segundo marcaba los solos que deben considerarse prisioneros de guerra que no pueden ser mas que los que la hacen con armas en la mano, sea cual sea la organizacion ó denominacion de sus Cuerpos. Voluntarios, y no soldados son llamados todos los que forman los Cuerpos Carlistas de las Provincias Vascongadas y Navarra: los que sirven á las ordenes de V. han sido forzados del modo que sabe, pues ninguno existio á la muerte del Rey Don Fernando Septimo, y sin embargo en una y otra parte son cangeados y considerados como Ejercito, por lo que no hay ninguna razon, para que no gocen de igual consideracion los Milicianos Nacionales y Cuerpos Francos que son realmente Voluntarios y sugetos cuando hacen el servicio á la misma ordenanza y disciplina del Ejercito; por lo tanto han sido cangeados como sus Cuerpos en las Provincias del Norte y deben serlo en estas: sin lo cual todo convenio se hace imposible.

2. Me confórmo como V. lo propone.

3. Cuando V. ocupa los pueblos fortificados de Morrella y Cantavieja no parece necesaria la designacion de un punto para Deposito de prisioneros declararlo inviolable, mas sin embargo para el bien estar de los dichos no tengo inconveniente en reconocer, sino que por su posicion no perjudique en manera alguna á las operaciones militares, en el cual no podrán existir Depositos de Armas, viveres, vestuario y cualquiera otro efecto de guerra ni talleres ó fabricas en que se construyan ó recompongan. Tampoco podrá haber en él mas fuerza que la precisa para la custodia de prisioneros que nunca pasará de la tercera

parte de su numero, y si bien las Tropas del Exército Nacional no podrán entrar en el radio de una hora de camino, tampoco lo harán las del mando de V. para evitar el combate, pues en este caso podrán ser atacadas dentro del circulo incluso del mismo pueblo en que esté el Deposito y cesará la inviolabilidad. El punto elegido debe ser pueblo abierto y á distancia de mas de seis horas de cualquiera que esté fortificado. Para concederlo debe pasar de 400 el numero de los prisioneros.

4. Convengo que los heridos y enfermos no deben ser considerados como prisioneros, debiendose cuidar por el que los coja y restiuirlos à su Exército cuando su salud lo permita, cualquiera que sea el punto donde se encuentren; pero para ser considerados como tales ha de ser verdadera la enfermedad y tener la baja con fecha anterior al dia de la entrada alli de las tropas, teniendo documentos que acrediten sus destinos los empleados en los Hospitales.

5. Conforme: y para que cuanto antes no quede prisionero alguno en los Depositos de V. celebraria me remitiese un estado de los que le quedarán verificado el proximo cange para hacerlos venir de Cadiz prefiriendo los de sus tropas.

6. Conforme.

7. Conforme.

8. Convengo el que no sean transportado ultramar los prisioneros, pero el punto de su Deposito queda á nuestro arbitrio y nunca será distante, pues es tambien de nuestro interes cangearlos lo mas pronto posible.

9. Conforme.

10. Si sucediese la desgracia de que trata tendrá derecho la parte ofendida de exigir la satisfaccion debida y perdidas las esperanzas de que se le haga justicia, aplicando las leyes à los que las hagan producido, en este solo caso tendrá lugar la represalia en igualdad absoluta de clases y numero de personas. El estender este articulo comá esto, daria margen á la repeticion de escenas horrorosas y aun asi se puede obrar injustamente.

11. Conforme.

Si V. penetrado de la justicia de mis observaciones se conforme con los articulos que le propongo, desde luego podrá estenderse el convenio para que sea firmado y ejecutado por ambos.

(Firmado) ANTONIO VAN HALEN.

Translation.

Head Quarters, Carinena, March 27, 1839.

I HAVE just received your communication, dated Segura the 16th, and regret that the Articles you propose to me, although in great part in conformity with my sentiments, and with those which I proposed, in some points present difficulties which may retard the conclusion of the Convention. These I will point out Article by Article, and therefore I enclose those which I am ready to sign if you agree to them.

The 1st Article proposed by me is based on our part on the same motive as you express in the first note, for after a five years' war all have had opportunity and time to enlist in such ranks as have most suited their ideas; and on this account I made a difference for those who might desert from the date of the Convention; but I see no objection in agreeing to it as proposed by you. The second only designated those who were to be considered as prisoners of war, who can only be those who carry it on with arms in their hands, whatever the organization or denomination of their respective corps may be. All those who compose the Carlist Corps in the Basque Provinces, and in Navarre, are called volunteers and not soldiers: those serving under your orders have been compelled to do so in a manner you well know, for at the death of King Ferdinand VII. none existed, and yet on both sides they are exchanged, and considered as the army; so that there is no reason why the National Guards and Free Corps who are really volunteers, and when on duty are subject to the rules and discipline of the army, should not enjoy equal consideration, and the more so as both they and their corps have been exchanged in the northern Provinces, and ought to be so in these: without which all Convention becomes impossible.

2. I agree to it as proposed by you.

3. When you occupy the fortified places of Morella and Cantavieja, the designation of a point for a depôt of prisoners to be declared inviolable, appears unnecessary; but, nevertheless, for the good of the above cited, I have no objection to recognize, only that from its position it must in nowise interfere with the military operations, nor have in it any depôts of arms, comestibles, clothes, and any other article of war, nor work-shops, or manufactories, in which they are made or mended. Nor can there be a larger force in it than what is indispensably required for the custody of the prisoners, which must never exceed the third part of their number. And although the troops of the National Army cannot approach within an hour's distance of it, neither will those under your orders, in order to avoid an action, for in this case they might be attacked within the circle including the village, in which is the depôt, and its inviolability will cease. The point selected ought to be an open village, and at a distance of more than six hours' from any fortified place. To grant it the number of prisoners must exceed four hundred.

4. I agree that the wounded and sick ought not to be considered as prisoners, and ought to be taken care of by the captor, and restored to their army when their health permits it, wherever their army may be; but, to be considered as such, their illness must be real, and they must have been on the sick-list the day previous to the entry of the troops there, presenting documents to the employés in the hospitals proving their identity.

5. I agree: and in order that, as soon as possible, no prisoner whatever should remain in your depôts, I should wish you would forward me a statement of those remaining after the next exchange has been effected, in order to send to Cadiz for others, those belonging to your troops having the preference.

6. Agreed to.

7. Agreed to.

8. I agree that the prisoners are not to be sent out of the country, but the place of the depôt to be left to us, and it will never be at a distance, for it is also in our interest to exchange them as soon as possible.

9. Agreed to.

10. If the misfortune should occur of which it treats, the party offended will be entitled to demand due satisfaction, and the hope of justice being rendered being lost, to apply the severity of the law upon those who have been the cause of it, in this case only reprisals in absolute equality of rank and number of persons will take place. The drawing out of this Article, as it now stands, would give rise to the repetition of horrible scenes, and even thus one can act unjustly.

11. Agreed to.

If you, convinced of the justice of my observations, agree to the Articles as proposed by me, the Convention can immediately be drawn out, in order that it may be signed and observed by both of us.

Don Ramon Cabrera,
¶c. ¶c. ¶c.

(Signed) VAN HALEN.

Inclosure 4 in No. 68.

Convenio celebrado entre los Gefes Superiores de las fuerzas beligerantes en los reinos de Aragon, Valencia y Murcia.

ART. 1. Será respetada la vida sea cual fuese su clase de cuantos prisioneros existen y se hagan en lo successivo correspondientes á ambas fuerzas, sin distincion de los que sean ó no pasados á las filas de la una á las otras, á no ser que sea ya por segunda vez, pues en este caso, serán juzgados segun la ley establecida por el que los aprehenda. Para evitar toda duda, este Articulo comprehende á todos los Cuerpos del Exército, Voluntarios, Milicia Nacional, Francos, resguardo y Compañías organizadas por las respectivas Autoridades de quien dependen.

2. Los prisioneros serán asistidos y tratados, asi en salud como en enfermedad, del mismo modo que la tropa del ejército en cuyo poder estén; y para satisfaccion de las partes, podrán visitarse por un comisionado mediante las precauciones que exige la guerra.

3. Cuando el número de prisioneros pertenecientes à las armas nacionales esceda de cuatro cientos, se designará un pueblo abierto que por su posicion no

prejudique en manera alguna á las operaciones militares, en que se establecerá el depósito, sin que puedan entrar en el, ni á menos de una hora distancia las fuerzas nacionales; pero en este punto no podrá haber depositos de armas, viveres, vestuario y cualquiera otro efecto de guerra; asi como tampoco talleres ó fabricas, en que se construyan ó recompongan; la fuerza no pasará de la precisa para la custodia de los prisioneros, y dentro del circulo marcado, no podrán refugiarse otras algunas para evitar una accion, pues en este caso dejará de ser inviolable, y podrán ser atacados hasta en el mismo pueblo.

4. Los enfermos y heridos en cualquiera parte que se encuentren con un correspondiente baja que acredite estar allí ó haber quedado como tales, serán respetados y restituidos á sus cuerpos, cuando su salud lo permita. De la misma consideracion gozarán los empleados legitimamente en la curacion y asistencia de los mismos siempre que presenten documentos que acrediten su destino.

5. Asi que una y otra parte tengan prisioneros se propondrá el cange por el último que los haga, y no podrá el otro dilatarle por ningun pretesto.

6. Los canges se realizarán en el pais mas proximo á el en que se hallen los prisioneros, y en el punto intermedio de los fuertes de una y otra parte.

7. Tanto en los transitos como en el punto donde sean colocados los prisioneros, no se permitirá se les insulte ni maltrate, ni tampoco á las personas que les auxiliien con algun socorro.

8. Los prisioneros no podrán ser trasladados á ultramar.

9. Serán preferido por los canges los procedentes de los exercitos que tengan los prisioneros que han de cangearse.

10. Si sucediese alguna desgracia de asesinato, heridas ú otros atropellamientos á los prisioneros, tendrá derecho la parte ofendida á exigir la satisfaccion debida, y perdidas las esperanzas de que se le haga justicia, aplicando las leyes á los que les hayan producido; en este solo caso tendrá lugar la represalia con igualdad de clases y de numero de personas.

11. Este Tratado debe obligar á su exacto observacion tanto á los Gefes de las fuerzas beligerantes que lo firman, como á todos sus sucesores, mientras dure la guerra, y á cuantos dependen de unos y otros que se comprometen á hacerlo cumplir.

(Firmado) VAN HALEN.

Translation.

Draft of Convention to be signed by the Chiefs of the belligerent Forces in the Kingdoms of Aragon, Valencia, and Murcia.

Art. 1. The lives of all prisoners made and who may be made in future, belonging to either of the two forces, will be respected, without distinction of such as may or may not have deserted to one or the other, unless it should be for the second time; as in this case, they will be tried by their captor according to established law.

In order to avoid all doubts, this article comprises all captains of the army, volunteers, national guard, free captains, custom officers, and companies organized by the respective authorities on whom they depend.

2. The prisoners will be treated in health as well as in illness, in the same manner as the troops of the army, in whose power they may be; and for their mutual satisfaction they may be inspected by a commissioner under the precautions required by war.

3. When the number of prisoners belonging to the national troops, exceeds four hundred, an open village will be fixed upon, for forming a depôt, which, however, from its position, must in no way interfere with the military operations, nor can the national troops approach within an hour's distance of it; but there must be no depôts of arms, food, clothing, or any other article of war; nor any workshops or manufactures for their fabrication: the force in it must be what is absolutely necessary for the custody of the prisoners, and no other forces can take refuge in it in order to avoid an action, for in this case it would be no longer inviolable.

4. The sick and wounded wherever they may be met with, with a proper

document, shewing them to be, and to have been left there as such, will, as soon as their healths permit, be given back to their respective corps. The medical attendants on them, on proving their identity, will be similarly treated.

5. So soon as both parties have prisoners, an exchange will be proposed by the one who made the last, and the other cannot delay it under any pretext whatsoever.

6. The exchanges will take place in the country nearest to where the prisoners are, and in the intermediate point between the strong force of both.

7. It is forbidden to insult or ill treat the prisoners, or such persons as may bestow charity upon them.

8. The prisoners cannot be sent out of the country.

9. The prisoners belonging to either of the armies will have the preference over all other in exchanges.

10. If any misfortune of murder, wounds or other attacks upon the prisoners, the party offended will have the right to demand due satisfaction, and if unable to obtain it, will punish the originators of it; in this case only are reprisals with equality of rank and number of persons, permitted.

11. This Treaty is obligatory, not only upon the Chiefs of the belligerent forces who sign it, but also upon all their successors, as long as the war continues, and upon all acting under their orders.

(Signed) VAN HALEN.

No. 69.

Mr. Southern to Viscount Palmerston.—(Received April 22.)

(Extract.)

Madrid, April 13th, 1839.

THE Convention for putting the war in Aragon and Valencia on a regular footing has been definitively concluded between General Van Halen, and Cabrera. It was signed on the 3rd instant, at Lecera by General Van Halen, and on the 1st instant at Segura, by Cabrera. The conditions are identical with the paper approved by General Van Halen, a copy of which I had the honor to enclose to your Lordship in my despatch of the 6th of April.

No. 70.

Mr. Southern to Viscount Palmerston.—(Received April 29.)

(Extract.)

Madrid, April 20th, 1839.

Having observed that the copy which Colonel Lacy has forwarded to me of the Convention between General Van Halen and Cabrera, varies slightly from the copy I had the honour to enclose to your Lordship in my despatch of the 6th of April, I now transmit to your Lordship a copy and translation of the Convention as officially published by General Van Halen himself.

Inclosure in No. 70.

ORDEN GENERAL.

Convenio celebrado entre los Gefes Superiores de las fuerzas beligerantes que operan entre los reinos de Aragon, Valencia y Murcia.

ART. I. Será respetada la vida sea cual fuere la clase de cuantos prisioneros existen y se hagan en lo sucesivo correspondientes á ambas fuerzas, sin distincion de los que sean ó no pasados de las filas de las unas á las otras, á no ser que lo sean ya por segunda vez, pues en este caso serán juzgados segun la ley establecida por el que los aprehenda. Para evitar toda duda en la inteligencia de este articulo, se declara que comprende á todos los cuerpos del ejército, voluntarios realistas, milicianos nacionales, francos, resguardo, companias organizadas, y los que dependientes de estos estén autorizados para hacer la guerra con documentos que lo acredite de sus gefes superiores.

2. Los prisioneros serán asistidos y tratados así en salud como en enfermedad, del mismo modo que la tropa del ejército en cuyo poder estén; y para satisfacción de las partes podrán revistarse los depósitos, mediante las precauciones que exige la guerra.

3. Cuando el número de prisioneros pertenecientes á las armas nacionales esceda de 400, se designará un pueblo abierto que por su posición no perjudique en manera alguna á las operaciones militares, en el que se establecerá el depósito; sin que puedan entrar en él, ni á menos de una hora de distancia las fuerzas nacionales: pero no podrá haber en dicho punto, depósitos de armas, viveres, vestuario ó cualquiera otro efecto de guerra; así como tampoco talleres ó fabricas, en que se construyan ó recompongan; la fuerza no pasará de la precisa para la custodia de los prisioneros, y dentro del círculo marcado no podrán refugiarse otras algunas para evitar una acción: pues en este caso dejará de ser inviolable, y podrán ser atacados hasta el mismo pueblo.

4. Los enfermos y heridos en cualquiera parte que se encuentren con la correspondiente baja que acredite estar allí ó haber quedado como tales, serán respetados y restituidos á sus cuerpos cuando su salud lo permita. De la misma consideración gozarán los empleados legitimamente en la curación y asistencia de los mismos siempre que presenten documentos que acrediten su destino.

5. Así que una y otra parte tenga prisioneros se propondrá el cange por el último que los haga, y no podrá el otro dilatarle por ningún pretexto.

6. Los canges se realizarán en el país más próximo á él en que se hallen los prisioneros, y en el punto intermedio de los fuertes de una y otra parte.

7. Tanto en el tránsito como en los puntos donde sean colocados los prisioneros, no se permitirá se les insulte ni maltrate, ni tampoco á las personas que les auxilién con algún socorro.

8. Los prisioneros no podrán ser trasladados á ultramar.

9. Serán preferidos para los canges los procedentes de los ejércitos que tengan los prisioneros que han de cangearse.

10. Cuando por una ú otra parte se falte á lo que establecen los artículos anteriores, bajo cualquiera pretexto incluso el de sediciones ó motines, la parte agraviada podrá exigir la satisfacción debida cual es el castigo que marcan las leyes, y en caso de no obtenerle á su debido tiempo quedará nulo este convenio, comunicándolo antes oficialmente, y sin fuerza retroactiva para los que hasta aquella fecha se encontrasen prisioneros, á escepción de aquel número y clase que deba en represalia espiar la suerte de los que al infringir el convenio han sido sacrificados y podrá ser hasta un doble.

11. Quedan obligados á la exacta observancia de este Tratado los Jefes de las fuerzas que las firman, como todos sus sucesores, mientras dure la guerra, y cuantos dependan de unos y otros que se comprometen á hacerlo cumplir.

Y para su debido efecto y cumplimiento en la parte que á cada uno le corresponde, le firmamos ambos Jefes en nuestro respectivo cuartel general.

(Sello) *Lecera, 3 de Abril de 1839.*

ANTONIO VAN HALEN.

(Sello) *Segura, 1 de Abril de 1839.*

EL CONDE DE MORELLA.

Lo que se hace saber en la orden general de la plaza para conocimiento de la guarnición.

El comandante jefe de S. M. FRANCISCO CASCAJARES.

Translation.

CONVENTION,

Concluded between the Superior Chiefs of the belligerent Forces, operating in the Kingdoms of Aragon, Valencia, and Murcia.

ARTICLE 1st. The lives will be respected of all prisoners whatever may be their class, at present existing or who may in future be made, belonging to both Forces, without distinction of those who may or may not have passed over from the ranks of one to those of the other, unless it be for the second time, in which case they shall be tried according to the law established by the party who

takes them. In order to prevent all doubt in the meaning of this article, it is declared to comprehend all the Corps of the Army, Volunteer Royalists, National Militia, Free and Preventive Corps, organized Companies, and those depending on them who may be authorized to make war by documents proving it from their superior Chiefs.

2. The Prisoners will be assisted and treated both in health and in sickness in the same manner as the troops of the army in whose power they are; and for the satisfaction of the parties, the depôts may be inspected, on taking the precautions required in war.

3. When the number of prisoners belonging to the National Army shall exceed four hundred, an open town shall be designated which from its position shall not injure in any way the military operations, and in it a depôt shall be established, without the national forces being able to enter it, nor come within an hours' distance. But no depôt of arms, provisions, clothing or any other warlike effects will be permitted; nor manufactories in which they are constructed or repaired. The force will not be beyond what is necessary for the custody of the prisoners, and no others will be allowed to take refuge in order to avoid an action, within the circle established; for in this case it will cease to be inviolable, and they may be attacked to the very town.

4. The sick and wounded in whatever part they may be found, with the necessary document to prove their having been left as such, shall be respected and restored to their Corps when their health permits it. Those employed legitimately in the cure and assistance of the above mentioned, shall enjoy the same consideration provided they present documents to prove it.

5. As soon as one or other party has prisoners an exchange will be proposed by the last who has made them, and the other will not be able to retard it on any pretext.

6. The exchanges will take place in the country nearest that in which the prisoners are, and at an intermediate point between the forts of one and other party.

7. Both during the marches and in the places where prisoners are kept, they will not be allowed to be insulted or ill treated, nor either the persons who may afford them any succour.

8. The prisoners cannot be sent beyond seas.

9. Those belonging to the army which has the prisoners to be exchanged will have a preference.

10. When one or other party fails to execute the preceding articles under any pretext, including seditions or mutinies, the party aggrieved is entitled to demand the necessary satisfaction, which is the punishment laid down by the laws. And in case of not obtaining it in due time, this Convention will become null, communicating it before officially, and without retroactive force regarding those who up to that date were prisoners, with exception of the number and class that ought, in reprisal, to expiate the fate of those who on the infringement of the Convention had been sacrificed, which may be as much as the double.

11th. The chiefs of the forces who sign, as well as all their successors, whilst the war lasts, are bound to the exact observance of this Treaty, and all who depend on the one or the other, who engage to cause it to be executed.

And for its due effect and fulfilment, in the part belonging to each, it is signed by both Chiefs at our respective head quarters.

(Seal) *Lecera, April 3, 1839.*

(Signed)

ANTONIO VAN-HALEN.

(Seal) *Segura, April 1, 1839.*

THE COUNT OF MORELLA.

No. 71.

Mr. Southern to Viscount Palmerston.—(Received May 6.)

(Extract.)

Madrid, April 27, 1839.

I HAVE the honour to inform your Lordship, that the division of the forces of Cabrera, which were laying waste the neighbouring Province of Guadalajara, the Seigneury of Molina, and the Alcarria, are supposed to have

retired from Trillo and Sacedon towards Chelva, on their return to the mountains of Aragon and Valencia. In the course of their devastating march, they passed within thirteen leagues of Madrid.

Except that they have not inflicted death upon their prisoners, there is no atrocity which these troops have not committed. Spreading themselves into numerous small bands, they have contrived to cover a large extent of territory, occupied by numerous and comparatively flourishing towns and villages, and have left whole districts in the most deplorable state of desolation. In the cases where the towns could not pay the amount of the fine arbitrarily fixed by the invaders, the principal Inhabitants and Magistrates have been carried away as hostages. Before this division crossed the Tagus, they were already accompanied by a battalion of prisoners, consisting of Judges, Alcaldes, principal contributors, the most respectable men of the country, and fathers of families, torn from their homes without a moment's warning, exposed to the caprices of a brutal soldiery, and all the hardships and misery of forced marches, until they arrive at some mountain-hold, where they are deposited, and where, if their ransom does not quickly arrive, they often perish from want and ill-usage.

Marconell and Polo everywhere boasted of the humanity they were enjoined to exercise by their General Cabrera, under the articles of the Van-Halen Convention. The humanity, which these men have displayed, has been limited to the fact that they have not put their prisoners to death; in every other respect, their troops have on this occasion exceeded the outrages even of the former pirates of the Barbary Coast.

General Van-Halen, when he abandoned the siege of Segura, sent his artillery, on the 11th instant, to Zaragoza, escorted by four battalions of the division of the reserve. He himself proceeded to Villar de los Navarros, in order to protect the left flank of the escort. He had not advanced far, when he received intelligence that the enemy had occupied Muniesa, Blesa, and Guesa, in force: he consequently, on the 13th, countermarched to attack him. The report proved false.

Cabrera had in the mean time crossed the mountains into Valencia, and General Van-Halen determined on following him, which he did, marching past the Castle of Segura, by Bihel and Villanueva, to Teruel, where he arrived on the 16th instant, and afterwards proceeded to Segorbe, to raise the siege of Villafames, which General Aspiroz, however, had already relieved.

A soldier of the garrison of Teruel was made prisoner, and shot a few days before the General's arrival in that place, in violation of the Convention. The sick and wounded, who were surprised in the hospital at Daroca, have all been sent back by Cabrera, together with the guard which was placed over them, and taken prisoners at the same time.

On the 20th instant, a general exchange of prisoners took place near Castellon de la Plana. Of the Queen's troops twelve officers, one chaplain, two cadets, and one thousand three hundred and one soldiers of the line have been restored. The Queen's authorities complain of the deplorable state in which these wretched persons are found, and the indignation of the people has been roused at the sight of the spectacle they present. A considerable number of them were sent to the hospital, from which they are not expected to come out; and should the rest ever recover, a great length of time must elapse before they become fit for service.

ANTONIO VAN-HALEN
THE COUNT OF MORELLA
I HAVE the honour to inform your Lordship, that the division of the
forces of Cabrera, which were laying waste the neighbouring Provinces of
Guadalajara, the Seignory of Molina, and the Alcarria, are supposed to have
Marched April 27, 1809.
Mr. Spenser is the Count of Morella - (Riviera's Map &c.)
(Extract.)

carry them yourself to Madrid, as you may think, under the circumstances of the moment, most expedient.

The arrangement which the British Government, as at present intimated, would think most practicable, would be founded upon an anxiety to all who might submit; upon the maintenance of local municipal institutions; but upon the proposition of the Government, the British Government would not

No. IV.

Copies and Extracts of Correspondence between Lord John Hay, Colonel Wylde, the Board of Admiralty, and the Foreign Office, relative to aid and support afforded by the British Government to the Chief Munagorri.

N.B.—No communication on this subject has been received at the Foreign Office, either from Lord John Hay, or from the Board of Admiralty.

No. 1.

Colonel Wylde to Viscount Palmerston.—(Received April 30, 1838.)

My Lord, Paris, April 27, 1838.

HAVING observed in the public papers a statement of an insurrection having broken out in the Basque Provinces, against the authority of Don Carlos, and having reason to believe this report to be well founded, both from information I was previously in possession of, and from that which I have acquired since my arrival here, I have thought it right respectfully to call your Lordship's attention to the subject, in order that, should I come in contact with any of this new party, on my arrival at San Sebastian, I may be instructed as to what language I should be authorized to use towards them, and whether I might hold out hopes, that if they abandoned the cause of Don Carlos, and expelled him from the Provinces, all hostility against them would cease on the part of England, leaving them at liberty to settle the question of their Fueros with the Queen's Government as they thought proper; or would your Lordship mediate in their favour? As to the independence of Navarre, and the other Basque Provinces, it is an absurdity which I feel convinced no rational man of this supposed new party can seriously think of.

I have, &c.
 Viscount Palmerston, G.C.B. (Signed) W. WYLDE, Colonel.
 &c. &c. &c.

No. 2.

Viscount Palmerston to Colonel Wylde.

Sir, Foreign Office, April 30, 1838.

I HAVE received your despatch of the 27th instant, dated from Paris, relative to a statement which has appeared in the public papers, to the effect that an insurrection had broken out in the Basque Provinces, against the authority of Don Carlos, and which you have reason to believe is well founded.

In answer to your request to be furnished with instructions for your guidance, in case you should come in contact with any of this new party, I have to inform you, that if you have any means of communication with the leaders of the party, you may state to them that Her Majesty's Government would be very willing to employ their good offices in endeavouring to bring about a reconciliation between those people and the Spanish Government, upon terms satisfactory to both; though the leaders must of course understand that the British Government could only act as mediators to bring about an arrangement, and could not become guarantees of any arrangement which might thus be agreed upon.

If the party should be disposed to avail themselves of such offer, you will either transmit to Sir George Villiers any proposals they may make, or you will

carry them yourself to Madrid, as you may think, under the circumstances of the moment, most expedient.

The arrangement which the British Government, as at present informed, would think most practicable, would be one founded upon an amnesty to all who might submit; upon the maintenance of their local municipal institutions; but upon the incorporation of the Provinces with the rest of the Kingdom of Spain, as regards representation in the Cortes, and subordination to the laws of the realm.

Colonel Wylde,
&c. &c. &c.

I have, &c.

(Signed) PALMERSTON.

No. 3.

Viscount Palmerston to Sir George Villiers.

(Extract.)

Foreign Office, May 7, 1838.

THE ardent desire which is felt by the British Government that the Civil War in Spain should be speedily and finally terminated, is well known to all Europe; and it is unnecessary to say, how infinitely preferable it would be that this War should end by an amicable arrangement between the Chiefs of the Insurrection, and the Spanish Government, than that it should be extinguished by the mere employment of physical force. Independently of all those other considerations which must at once suggest themselves as recommending the first kind of settlement, it is obvious that an agreement made upon terms, is likely to last as long as those terms are mutually observed: whereas a submission enforced by arms may depend for its continuance upon the continued presence of those arms by the employment of which it was accomplished.

Her Majesty's Government therefore highly approve the measures which you have adopted to predispose the Spanish Government to a friendly arrangement, and I am commanded to instruct you to follow up the steps you have already taken, if upon the receipt of this Despatch, the state of things should be favourable for such a proceeding:

You will, in that case, ask the Spanish Government to authorize you to make known that Her Catholic Majesty will grant a full and complete amnesty to all those who may, within a given time, lay down their arms and take the oath of allegiance to the Queen; That the Spanish Government has also pledged itself to that of Great Britain to fulfill such other conditions as may seem calculated to satisfy the Provinces, without derogating from the dignity of the Crown or affecting the integrity of the Kingdom; and it appears to Her Majesty's Government that among these, ought to be, retention of military rank or adequate pecuniary compensation for the individual officers, and a confirmation of existing municipal privileges for the people; subject, however, to the condition that the Provinces should like the rest of Spain send deputies to the Cortes, and that they should conform to the general laws of the realm.

Her Majesty's Government would not choose to become guarantee to either party for the fulfilment of the conditions entered into by the other; because to do so, would be to assume an interference in the internal affairs of another country, objectionable in principle, and impossible in execution. You should, therefore, distinctly explain, that it is as mediator, and not as guarantee, that the British Government offers itself, on this occasion, to be the channel of communication; but that Her Majesty's Government would not withhold its good offices with the Spanish Government, on behalf of the Provincials, if in the course of the arrangement any question or difference should arise, as to whether the conditions which had been agreed to, were faithfully and punctually performed.

With respect to the detailed manner of carrying such a proceeding into effect, Her Majesty's Government trust entirely to your local knowledge, and to your judgement and discretion; and I therefore, give you no further instructions on that point; but you will take great care not to lose sight of the consideration that it would not be fitting for the British Government to put itself forward as

mediator in such a negotiation, unless the Government of Spain had previously placed in your hands the most convincing proofs that it is sincere in the matter, and not only willing, but prepared, to fulfil all the engagements which it might contract with the insurgents.

No. 4.

Colonel Wylde to Viscount Palmerston.—(Received May 26.)

(Extract.)

San Sebastian, May 18th, 1838.

I HAVE the honor to acknowledge the receipt of your Lordship's despatch of the 30th of April, containing instructions for my guidance in case of my coming in contact with any of the partizans of the Chief Muñagorri, and I have now to inform your Lordship, that immediately on my arrival here I had an interview with one of the most respectable merchants of this place, who is in constant communication with Muñagorri and the Junta of Guipuscoa, landed proprietors, (some of whom are the most respectable of their class in the Province) established at Bayonne, for the purpose of furthering the cause of the insurrection. This Gentleman thinks it of great importance, that the Junta should know from me what view the British Government takes of their cause, and what support it is disposed to afford to it. My answer was, that I felt authorized to assure them of the friendly feeling of the British Government towards their cause, and of their willingness to employ their good offices as mediators, for the purpose of putting an end to the civil war, and bringing about a reconciliation between the people of these Provinces and the Spanish Government, so far as was consistent with the friendly relations existing between the two Governments, and on the understanding that the views of this new party did not in any way affect the right of the Queen of Spain to the throne, or Her Sovereignty over the Basque Provinces. He assured me, that the views of his party were perfectly consistent with the rights and interests of the Queen; their only object being, to obtain peace and the establishment of their ancient Fueros or Privileges, any thing short of which they would never consent to, and, that what they anxiously sought and hoped for was, that England and France, particularly the former, with the concurrence and approbation of the Spanish Government, would become guarantees of these terms, as, without such guarantee, they should not feel secure of their being observed with good faith by any future Spanish Ministry. This, and a supply of arms and ammunition to a small extent, is all they expected or asked for.

He ended by requesting, that I would allow him to place me in communication with the Junta at Bayonne.

No. 5.

Viscount Palmerston to Colonel Wylde.

(Extract.)

Foreign Office, May 28, 1838.

I HAVE received your despatch of the 18th instant, marked "confidential," and I hasten to convey to you the approval of Her Majesty's Government of the steps which you have taken in execution of my instructions of the 30th ultimo, with a view to bring about a reconciliation between the insurgents of the Basque Provinces and the Spanish Government.

The French Government has declined taking any active part in this mediation, not from any indifference to the object in view, nor from underrating its importance, but from apprehension that any direct intercourse with the Carlists might subject the French Government to misrepresentation; and from a fear that the Government of Spain would not abide by the engagements it might make with the Carlists. Her Majesty's Government, however, think that they ought not to be deterred by such apprehensions from trying to bring about an amicable arrangement between the Provinces and the Spanish Government; and, there-

fore, Her Majesty's Government are determined to persevere in the attempt, though without the direct assistance of France ; and I have therefore to instruct you to follow up this matter in such a manner as may appear to be most expedient, in concert with Lord John Hay, and in accordance with the communications you may receive from Sir George Villiers.

The maintenance of the Fueros of the Provinces must of course be the basis of any arrangement ; but it appears to Her Majesty's Government that it ought to be understood that the Provinces should send Deputies to the General Cortes of the kingdom, to deliberate and legislate for national purposes. For, if the Provinces were to separate themselves from the rest of the Spanish monarchy, and to have a Cortes of their own, the greatest inconvenience would arise ; and it would, in fact, be a dismemberment of Spain. An entirely separate organization of the Provinces was of no consequence while Spain was governed despotically, and when all questions about peace and war, and about other great national interests, were determined by the uncontrolled will of an absolute king ; because that will was for those purposes as powerful in the Provinces as in the rest of Spain, and national unity, both of action and of external relations, was thereby maintained. But now that a representative system has been established in Spain, and the will of the Sovereign has been subjected to the controul of representative assemblies, the unity and integrity of Spain would be destroyed if there was one Cortes in Madrid, and others in Navarre, Guipuscoa, and Biscay ; or if the acts of the General Cortes of Spain were to have no effect in the Provinces north of the Ebro. The consequence of such an arrangement would be that the north and the south of the Ebro would practically become separate kingdoms, of which one might be at war with a Foreign Power, while the other was at peace with that Power.

With respect to the question of guarantee, you will see, in my instructions to Sir George Villiers, the opinion of Her Majesty's Government on that subject. But you will point out to the leaders with whom you may communicate, that an arrangement deliberately made between them and the Spanish Government, through the intervention of Great Britain, is not likely to be departed from ; first, because the British Government would, of course, employ all its influence at Madrid to prevent such a breach of good faith ; and next, because it is not probable that the Spanish Government could be impelled to break faith on this matter by any motive which could be sufficiently strong to counterbalance the disinclination which that Government will necessarily feel to offend Great Britain, and to excite the just resentment of the people of the Provinces.

If the Provinces were weak and defenceless, and easily overrun, an unprincipled administration at Madrid might possibly attempt to violate the engagement taken towards them ; but the Provinces have shewn their strength and powers of resistance, and nothing can be so improbable as that any administration, responsible as the Spanish Government henceforward will be, to public opinion and to a popular assembly, would wantonly and unjustly bring upon themselves another insurrection in the Provinces north of the Ebro, by breaking engagements deliberately entered into through the intervention of an allied Power.

You will use your own discretion as to remaining at St. Sebastian to carry on these communications, or going on to the Head Quarters of Count Luchana.

No. 6.

Viscount Palmerston to the Lords of the Admiralty.

My Lords,

Foreign Office, May 28, 1838.

I HAVE the honor to inclose, for the information of your Lordships, a copy of a despatch from Colonel Wylde, dated the 18th instant from San Sebastian, stating the steps he had taken in execution of instructions from Her Majesty's Government, given with a view to bring about a reconciliation between the insurgents of the Basque Provinces and the Spanish Government, together with a copy of an instruction, which I this day address to Colonel Wylde for his further guidance in this matter, and in which I direct him to follow it up in

such manner as may appear to be most expedient, in concert with Lord John Hay, and in accordance with the communications which Colonel Wylde may receive from Sir George Villiers; and I have to request that your Lordships will give corresponding instructions to Lord John Hay.

I have, &c.

(Signed) PALMERSTON.

No. 7.

Charles Wood, Esq. to Commodore Lord John Hay.

My Lord,

Admiralty, May 29, 1838.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith copies of a letter from Her Majesty's Secretary of State for Foreign Affairs, dated the 28th instant, and of its inclosures relative to the steps which have been taken, with a view to bring about a reconciliation between the insurgents of the Basque Provinces and the Spanish Government, and I am to signify their Lordships' direction to you to act upon them in such manner as may appear to you to be the best calculated to carry out the intentions of Her Majesty's Government.

I am, &c.

(Signed) C. WOOD.

*Commodore Lord John Hay, C. B.
North Coast of Spain.*

No. 8.

Colonel Wylde to Viscount Palmerston.—(Received June 7.)

(Extract.)

Bayonne, May 27, 1838.

TWO days after I had the interview with Muñagorri's friends mentioned in my letter to your Lordship of the 18th instant, I was again waited upon by them, to request that I would address a letter to Muñagorri, containing the same assurances of the favorable light in which his enterprize was viewed by Her Britannick Majesty's Government as I had communicated verbally to them at our first meeting. As I did not see any objection to my complying with this request, I wrote that evening the letter to Muñagorri, a copy of which I have the honor to enclose.

Inclosure in No. 8.

Colonel Wylde to Don Jose Antonio Munagorri.

Sir,

San Sebastian, May 23, 1838.

HAVING been informed by your friends in this place that you are extremely anxious to know in what light Her Britannick Majesty's Government regards the enterprize you and the party under your influence are engaged in, and Commodore Lord John Hay having also shewn me your letter of the 14th instant to him, in which you state that you have no intention whatever of attempting any thing contrary to the rights of Her Majesty Isabel II. to the crown of her predecessors, your only object being the re-establishment of peace, and the ancient Fueros of Navarre and the Basque Provinces,—I have great satisfaction, in consequence of the above assurances on your part, in being able to communicate to you that I have received instructions from my Government not only to assure you of its sympathy in the cause you are engaged in, but of its readiness to employ its good offices as a mediator to bring about a reconciliation between these Provinces and the Spanish Government on terms honorable to both. It not having been against the struggles of a brave people

for the preservation of their liberal institutions that the hostility of the British Government has ever been directed, but against that despotism which the success of Don Carlos must necessarily entail upon the whole Spanish Nation.

Should you after this communication think it desirable that I should have a personal interview with you, I shall be happy to meet you either at Bayonne, or any place on the frontiers most convenient to yourself, on any day you may fix for that purpose.

Don Jose Antonio Munagorri.

I have &c.

(Signed) W. WYLDE, Colonel.

No. 9.

Colonel Wylde to Viscount Palmerston.—(Received July 8.)

My Lord,

Madrid, June 30, 1838.

ON my road from San Sebastian to Saragossa I had the honour to receive your Lordship's despatch, containing additional instructions for my guidance in any future communications I might have with Muñagorri, as well as an extract of those sent to Sir George Villiers. Previous to my leaving Bayonne I had had several interviews with Muñagorri's committee, and I believe had convinced them completely of the inexpediency of their requiring any guarantee from the British or French Governments, or calling upon the former to take any other part than that of a mediator between the contending parties, assuring them, at the same time, that they might rely upon its good offices being zealously used whenever the time should arrive that they could be employed with advantage to their cause. With this declaration, and the promise of arms made by Lord John Hay, they appeared to be perfectly satisfied. I did not, therefore, think it necessary to delay my journey to Madrid, after receiving your Lordship's instructions, for the purpose of seeing the Committee again, as Sir George Villiers had urged my coming here immediately, and Muñagorri's friends also wished me to do so, and Lord John Hay had also informed me of his having received similar instructions to mine.

From all the information I was able to collect at Bayonne as well as at Pau, where many influential Spaniards of both parties who have emigrated from the provinces, reside, I feel satisfied that Muñagorri's sentiments are those of a very large party in the Basque Provinces, and that if they are judiciously supported by the Spanish Government, or what is of still more consequence, by a declaration of the Cortes, and Muñagorri is able shortly to establish himself within what may be termed the Carlist territory, very important consequences will result from this movement.

I leave this on Monday next to join the Count of Luchana's head-quarters.

I have, &c.

Viscount Palmerston, G.C.B.
&c. &c. &c.

(Signed) W. WYLDE, Colonel.

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