

LOUIS DE BOURRIENNE

MEMOIRS OF NAPOLEON
BONAPARTE — VOLUME
10

Louis Bourrienne

**Memoirs of Napoleon
Bonaparte — Volume 10**

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Louis Antoine Fauvelet de Bourrienne

Memoirs of Napoleon Bonaparte — Volume 10

CHAPTER XI

1807

Abuse of military power—Defence of diplomatic rights—Marshal Brune — Army supplies—English cloth and leather—Arrest on a charge of libel—Dispatch from M. Talleyrand—A page of Napoleon's glory— Interview between the two Emperors at Tilsit,—Silesia restored to the Queen of Prussia—Unfortunate situation in Prussia— Impossibility of reestablishing Poland in 1807—Foundation of the Kingdom of Westphalia—The Duchy of Warsaw and the King of Saxony.

Meanwhile the internal affairs of the towns over which my diplomatic jurisdiction extended soon gave me more employment than ever. The greatest misfortune of the Empire was, perhaps, the abuse of the right arrogated by the wearers of epaulettes. My situation gave me an opportunity of observing all the odious character of a military government. Another in my place could not have done all that I did. I say this confidently, for my situation was a distinct and independent one, as Bonaparte had told me: Being authorised to correspond directly with the Emperor; the military chiefs feared, if they did not yield to my just representations, that I would make private reports; this apprehension was wonderfully useful in enabling me to maintain the rights of the towns, which had adopted me as their first citizen.

A circumstance occurred in which I had to defend the rights of the diplomatic and commercial agents against the pretensions of military power. Marshal Brune during his government at Hamburg, went to Bremen, to watch the strict execution of the illusive blockade against England. The Marshal acting no doubt, in conformity with the instructions of Clarke, then Minister of War and Governor of Berlin, wished to arrogate the right of deciding on the captures made by our cruisers.

He attempted to prevent the Consul Lagau from selling the confiscated ships in order to sell them himself. Of this M. Lagau complained to me. The more I observed a disposition to encroach on the part of the military authorities, the more I conceived it necessary to maintain the rights of the consuls, and to favour their influence, without which they would have lost their consideration. To the complaints of M. Lagau I replied, "That to him alone belonged the right of deciding, in the first instance, on the fate of the ships; that he could not be deprived of that right without changing the law; that he was free to sell the confiscated Prussian ships; that Marshall Brune was at Bremen only for the execution of the decree respecting the blockade of England, and that he ought not to interfere in business unconnected with that decree." Lagau showed this letter to Brune, who then allowed him to do as he wished; but it was an affair of profit, and the Marshal for a long time owed me a grudge.

Bernadotte was exceedingly disinterested, but he loved to be talked about. The more the Emperor endeavoured to throw accusations upon him, the more he was anxious to give publicity to all his actions. He sent to me an account of the brilliant affair of Braunsburg, in which a division of the first corps had been particularly distinguished. Along with this narrative he sent me a note in the following terms:—"I send you, my dear Minister, an account of the affair of Braunsburg. You will, perhaps, think proper to publish it. In that case I shall be obliged by your getting it inserted in the Hamburg journals," I did so. The injustice of the Emperor, and the bad way in which he spoke of Bernadotte, obliged the latter,—for the sake of his own credit, to make the truth known to the world.

I have already mentioned that I received an order from the Emperor to supply 50,000 cloaks for the army. With this order, which was not the only one I received of the same kind, some circumstances were connected which I may take the present opportunity of explaining.

The Emperor gave me so many orders for army clothing that all that could be supplied by the cities of Hamburg, Bremen, and Lubeck would have been insufficient for executing the commissions. I entered into a treaty with a house in Hamburg, which I authorised, in spite of the Berlin decree, to bring cloth and leather from England. Thus I procured these articles in a sure and cheap way. Our troops might have perished of cold had the Continental system and the absurd mass of inexecutable decrees relative to English merchandise been observed.

The Director of the Customs at Hamburg got angry, but I held firm: my cloths and my leather arrived; cloaks, coats; boots, all were promptly made, and our soldiers thus were sheltered from the severity of the season. To preserve peace with the Imperial Custom-house I wrote to M. Collie, then Director-General, that M. Eudel having wished to put in execution the law of the 10th Brumaire and complaints had been made on every side. Marshal Brune asked for my opinion on this matter, and I gave it to him. I declared to M. Collie that the full execution of the decree of 31st October 1796 was impracticable, injurious to France, and to the Hanseatic Towns, without doing harm to England. Indeed, what said article 5 of this law? "All goods imported from foreign countries, whatever may be their origin, are to be considered as coming from English manufacturers." According to this article France was a foreign country for the Hanseatic Towns, and none of the objects enumerated in this article ought to enter Hamburg! But the town received from England a large quantity of fine cloths, buttons; ironmongery, toys, china; and from France only clocks, bronzes, jewellery, ribbons, bonnets, gauzes and gloves. "Let," said I to M. Eudel, "the Paris Duane be asked what that town alone exports in matters of this sort and it will be seen how important it is not to stop a trade all the more profitable to France, as the workmanship forms the greatest part of the price of the goods which make up this trade. What would happen if the importation of these goods were absolutely prohibited in Hamburg? The consignments would cease, and one of the most productive sources of trade for France, and especially for Paris would be cut off."

At this time neither Hamburg nor its territory had any manufacture of cloth. All woollen stuffs were prohibited, according to M. Eudel, and still my duty was to furnish, and I had furnished, 50,000 cloaks for the Grand Army. In compliance with a recent Imperial decree I had to have made without delay 16,000 coats, 37,000 waistcoats, and the Emperor required of me 200,000 pairs of boots, besides the 40,000 pairs I had sent in. Yet M. Eudel said that tanned and worked leather ought not to enter Hamburg! If such a ridiculous application of the law of 1796 had been made it would have turned the decree of 21st November 1796 against France, without fulfilling its object.

These reflections, to which I added other details, made the Government conclude that I was right, and I traded with England to the great advantage of the armies, which were well clothed and shod. What in the world can be more ridiculous than commercial laws carried out to one's own detriment?

At the beginning of 1807 my occupations at Hamburg were divided between the furnishing of supplies for the army and the inspection of the emigrants, whom Fouche pretended to dread in order to give greater importance to his office.

I never let slip an opportunity of mitigating the rigour of Fouche's orders, which, indeed, were sometimes so absurd that I did not attempt to execute them. Of this an instance occurs to my recollection. A printer at Hamburg had been arrested on the charge of having printed a libel in the German language. The man was detained in prison because, very much to his honour, he would not disclose the name of the writer of the pamphlet. I sent for him and questioned him. He told me, with every appearance of sincerity, that he had never but once seen the man who had brought him the manuscript. I was convinced of the truth of what he said, and I gave an order for his liberation. To avoid irritating the susceptibility of the Minister of Police I wrote to him the following few lines:

—"The libel is the most miserable rhapsody imaginable. The author, probably with the view of selling his pamphlet in Holstein, predicts that Denmark will conquer every other nation and become the greatest kingdom in the world. This alone will suffice to prove to you how little clanger there is in rubbish written in the style of the Apocalypse."

After the battle of Eylau I received a despatch from M. de Talleyrand, to which was added an account in French of that memorable battle, which was more fatal to the conqueror than to the other party,—I cannot say the conquered in speaking of the Russians, the more especially when I recollect the precautions which were then taken throughout Germany to make known the French before the Russian version. The Emperor was exceedingly anxious that every one should view that event as he himself viewed it. Other accounts than his might have produced an unfavourable impression in the north. I therefore had orders to publish that account. I caused 2000 copies of it to be issued, which were more than sufficient for circulation in the Hanse Towns and their territories.

The reader will perhaps complain that I have been almost silent with respect to the grand manoeuvres of the French army from the battle of Eylau to that of Friedland, where, at all events, our success was indisputable. There was no necessity for printing favourable versions of that event, and, besides, its immense results were soon felt throughout Europe. The interview at Tilsit is one of the culminating points of modern history, and the waters of the Niemen reflected the image of Napoleon at the height of his glory. The interview between the two Emperors at Tilsit, and the melancholy situation of the King of Prussia, are generally known. I was made acquainted with but few secret details relative to those events, for Rapp had gone to Dantzic, and it was he who most readily communicated to me all that the Emperor said and did, and all that was passing around him.—

—[Savory gives the following account of the interview between Napoleon and Alexander at Tilsit.

"The Emperor Napoleon, whose courtesy was manifest in all his actions, ordered a large raft to be floated in the middle of the river, upon which was constructed a room well covered in and elegantly decorated having two doors on opposite aides, each of which opened into an antechamber. The work could not have been better executed in Paris. The roof was surmounted by two weathercocks: one displaying the eagle of Russia, and the other the eagle of France. The two outer doors were also surmounted by the eagles of the two countries.

"The raft was precisely in the middle of the river, with the two doors of the salon facing the two opposite banks.

"The two sovereigns appeared on the banks of the river, and embarked at the same moment But the Emperor Napoleon having a good boat, manned by marines of the Guard, arrived first on the raft, entered the room, and went to the opposite door, which he opened, and then stationed himself on the edge of the raft to receive the Emperor Alexander, who had not yet arrived, not having each good rowers as the Emperor Napoleon.

"The two Emperors met in the most amicable way, et least to all appearance. They remained together for a considerable time, and then took leave of each other with as friendly an air as that with which they had met.

"Next day the Emperor of Russia established himself at Tilsit with a battalion of his Guard. Orders were given for evacuating that part of the town where he and his battalion were to be quartered; and, though we were very much pressed for room, no encroachment on the space allotted to the Russians was thought of.

"On the day the Emperor Alexander, entered Tilsit the whole army was under arms. The Imperial Guard was drawn out in two lines of three deep from the landing-place to the Emperor Napoleon's quarters, and from thence to the quarters of the Emperor of Russia. A salute of 100 guns was fired the moment Alexander stepped

ashore on the spot where the Emperor Napoleon was waiting to receive him. The latter carried his attention to his visitor so far as to send from his quarters the furniture for Alexander's bedchamber. Among the articles sent was a camp-bed belonging to the Emperor, which he presented to Alexander, who appeared much pleased with the gift.

"This meeting; the first which history records of the same kind and of equal importance, attracted visitors to Tilsit from 100 leagues round. M. de Talleyrand arrived, and after the observance of the usual ceremonies business began to be discussed." (Memoirs of the Due de Rovigo, tome iii. p. 117).

"When," said Napoleon, "I was at Tilsit with the Emperor Alexander and the King of Prussia, I was the most ignorant of the three in military affairs. These two sovereigns, especially the King of Prussia, were completely 'au fait' as to the number of buttons there ought to be in front of a jacket, how many behind, and the manner in which the skirts ought to be cut. Not a tailor in the army knew better than King Frederick how many measures of cloth it took to make a jacket. In fact," continued he laughing, "I was nobody in comparison with them. They continually tormented me about matters belonging to tailors, of which I was entirely ignorant, although, in order not to affront them, I answered just as gravely as if the fate of an army depended upon the cut of a jacket. When I went to see the King of Prussia, instead of a library, I found that he had a large room, like an arsenal, furnished with shelves and pegs; on which were hung fifty or sixty jackets of different patterns. Every day he changed his fashion and put on a different one. He attached more importance to this than was necessary for the salvation of a kingdom." (O'Meara's Napoleon in Exile.)]—

I, however, learned one circumstance peculiarly worthy of remark which occurred in the Emperor's apartments at Tilsit the first time he received a visit from the King of Prussia. That unfortunate monarch, who was accompanied by Queen Louisa, had taken refuge in a mill beyond the town. This was his sole habitation, whilst the Emperors occupied the two portions of the town, which is divided by the Niemen. The fact I am about to relate reached me indirectly through the medium of an offices of the Imperial Guard, who was on duty in Napoleon's apartments and was an eye-witness of it. When the Emperor Alexander visited Napoleon they continued for a long time in conversation on a balcony below, where as immense crowd hailed their meeting with enthusiastic shouts. Napoleon commenced the conversation, as he did the year preceding with the Emperor of Austria, by speaking of the uncertain fate of war. Whilst they were conversing the King of Prussia was announced. The King's emotion was visible, and may easily be imagined; for as hostilities were suspended, and his territory in possession of the French, his only hope was in the generosity of the conqueror. Napoleon himself, it is said, appeared moved by his situation, and invited him, together with the Queen, to dinner. On sitting down to table Napoleon with great gallantry told the beautiful Queen that he would restore to her Silesia, a province which she earnestly wished should be retained in the new arrangements which were necessarily about to take place.

—[Las Cases mentions that at the time of the treaty of Tilsit Napoleon wrote to the Empress Josephine as follows:

"The Queen of Prussia is really a charming woman. She is fond of coquetting with me; but do not be jealous: I am like oilcloth, along which everything of this sort elides without penetrating. It would cost me too dear to play the gallant'

"On this subject an anecdote was related in the salon of Josephine. It was said that the Queen of Prussia one day had a beautiful rose in her hand, which the Emperor asked her to give him. The Queen hesitated for a few moments, and then

presented it to him, saying, 'Why should I so readily grant what you request, while you remain deaf to all my entreaties?' (She alluded to the fortress of Magdeburg, which she had earnestly solicited)." (Memorial de St. Helene).]—

The treaty of peace concluded at Tilsit between France and Russia, on the 7th of July, and ratified two days after, produced no less striking a change in the geographical division of Europe than had been effected the year preceding by the Treaty of Presburg. The treaty contained no stipulation dishonourable to Russia, whose territory was preserved inviolate; but how was Prussia treated? Some historians, for the vain pleasure of flattering by posthumous praises the pretended moderation of Napoleon, have almost reproached him for having suffered some remnants of the monarchy of the great Frederick to survive. There is, nevertheless, a point on which Napoleon has been wrongfully condemned, at least with reference to the campaign of 1807. It has been said that he should at that period have re-established the kingdom of Poland; and certainly there is every reason to regret, for the interests of France and Europe, that it was not re-established. But when a desire, even founded on reason, is not carried into effect, should we conclude that the wished- for object ought to be achieved in defiance of all obstacles? At that time, that is to say, during the campaign of Tilsit, insurmountable obstacles existed.

If, however, by the Treaty of Tilsit, the throne of Poland was not restored to serve as a barrier between old Europe and the Empire of the Czars, Napoleon founded a Kingdom of Westphalia, which he gave to the young 'enseigne de vaisseau' whom he had scolded as a schoolboy, and whom he now made a King, that he might have another crowned prefect under his control. The Kingdom of Westphalia was composed of the States of Hesse- Cassel, of a part of the provinces taken from Prussia by the moderation of the Emperor, and of the States of Paderborn, Fulda, Brunswick, and a part of the Electorate of Hanover. Napoleon, at the same time, though he did not like to do things by halves, to avoid touching the Russian and Austrian provinces of old Poland, planted on the banks of the Vistula the Grand Duchy of Warsaw, which he gave to the King of Saxony, with the intention of increasing or destroying it afterwards as he might find convenient. Thus he allowed the Poles to hope better things for the future, and ensured to himself partisans in the north should the chances of fortune call him thither. Alexander, who was cajoled even more than his father had been by what I may call the political coquetry of Napoleon, consented to all these arrangements, acknowledged 'in globo' all the kings crowned by the Emperor, and accepted some provinces which had belonged to his despoiled ally, the King of Prussia, doubtless by way of consolation for not having been able to get more restored to Prussia. The two Emperors parted the best friends in the world; but the Continental system was still in existence.

CHAPTER XII

1807.

Effect produced at Altona by the Treaty of Tilsit—The Duke of Mecklenburg-Schwerin's departure from Hamburg—English squadron in the Sound—Bombardment of Copenhagen—Perfidy of England—Remark of Bonaparte to M. Lemercier—Prussia erased from the map—Napoleon's return to Paris—Suppression of the Tribunate—Confiscation of English merchandise—Nine millions gained to France—M. Caulaincourt Ambassador to Russia—Repugnance of England to the intervention of Russia—Affairs of Portugal—Junot appointed to command the army—The Prince Regent's departure for the Brazils—The Code Napoleon—Introduction of the French laws into Germany—Leniency of Hamburg Juries—The stolen cloak and the Syndic Doormann.

The Treaty of Tilsit, as soon as it was known at Altona, spread consternation amongst the emigrants. As to the German Princes, who were awaiting the issue of events either at Altona or Hamburg, when they learned that a definitive treaty of peace had been signed between France and Russia, and that two days after the Treaty of Tilsit the Prussian monarchy was placed at the mercy of Napoleon, every courier that arrived threw them into indescribable agitation. It depended on the Emperor's will whether they were to be or not to be. The Duke of Mecklenburg-Schwerin had not succeeded in getting himself re-established in his states, by an exceptional decision, like the Duke of Weimar; but at length he obtained the restitution of his territory at the request of the Emperor Alexander, and on the 28th of July he quitted Hamburg to return to his Duchy.

The Danish charge d'affaires communicated to me about the same time an official report from his Government. This report announced that on Monday, the 3d of August, a squadron consisting of twelve ships of the line and twelve frigates, commanded by Admiral Gambier, had passed the Sound. The rest of the squadron was seen in the Categat. At the same time the English troops which were in the island of Rugen had reembarked. We could not then conceive what enterprise this considerable force had been sent upon. But our uncertainty was soon at an end. M. Didelot, the French Ambassador at Copenhagen, arrived at Hamburg, at nine o'clock in the evening of the 12th of August. He had been fortunate enough to pass through the Great Belt, though in sight of the English, without being stopped. I forwarded his report to Paris by an extraordinary courier.

The English had sent 20,000 men and twenty-seven vessels into the Baltic; Lord Cathcart commanded the troops. The coast of Zealand was blockaded by ninety vessels. Mr. Jackson, who had been sent by England to negotiate with Denmark, which she feared would be invaded by the French troops, supported the propositions he was charged to offer to Denmark by a reference to this powerful British force. Mr. Jackson's proposals had for their object nothing less than to induce the King of Denmark to place in the custody of England the whole of his ships and naval stores. They were, it is true, to be kept in deposit, but the condition contained the words, "until the conclusion of a general peace," which rendered the period of their restoration uncertain. They were to be detained until such precautions should be no longer necessary. A menace and its execution followed close upon this demand. After a noble but useless resistance, and a terrific bombardment, Copenhagen surrendered, and the Danish fleet was destroyed. It would be difficult to find in history a more infamous and revolting instance of the abuse of power against weakness.

Sometime after this event a pamphlet entitled "Germania" appeared, which I translated and sent to the Emperor. It was eloquently written, and expressed the indignation which the conduct of England had excited in the author as in every one else.

—["That expedition," said Napoleon at St. Helena, "showed great energy on the part of your Ministers: but setting aside the violation of the laws of, nations which you committed—for in fact it was nothing but a robbery—I think that it was; injurious to your interests, as it made the Danish nation irreconcilable enemies to you, and in fact shut you out of the north for three years. When I heard of it I said, I am glad of it, as it will embroil England irrecoverably with the Northern Powers. The Danes being able to join me with sixteen sail of the line was of but little consequence. I had plenty of ships, and only wanted seamen, whom you did not take, and whom I obtained afterwards, while by the expedition your Ministers established their characters as faithless, and as persons with whom no engagements, no laws were binding." (Voice from St. Helena.)]—

I have stated what were the principal consequences of the Treaty of Tilsit; it is more than probable that if the bombardment of Copenhagen had preceded the treaty the Emperor would have used Prussia even worse than he did. He might have erased her from the list of nations; but he did not do so, out of regard to the Emperor Alexander. The destruction of Prussia was no new project with Bonaparte. I remember an observation of his to M. Lemerrier upon that subject when we first went to reside at Malmaison. M. Lemerrier had been reading to the First Consul some poem in which Frederick the Great was spoken of. "You seem to admire him greatly," said Bonaparte to M. Lemerrier; "what do you find in him so astonishing? He is not equal to Turenne."—"General," replied M. Lemerrier, "it is not merely the warrior that I esteem in Frederick; it is impossible to refrain from admiring a man who was a philosopher even on the throne." To this the First Consul replied, in a half ill-humoured tone, "Certainly, Lemerrier; but Frederick's philosophy shall not prevent me from erasing his kingdom from the map of Europe." The kingdom of Frederick the Great was not, however, obliterated from the map, because the Emperor of Russia would not basely abandon a faithful ally who had incurred with him the chances of fortune. Prussia then bitterly had to lament the tergiversations which had prevented her from declaring herself against France during the campaign of Austerlitz.

Napoleon returned to Paris about the end of July after an absence of ten months, the longest he had yet made since he had been at the head of the French Government, whether as Consul or Emperor. The interview at Tilsit, the Emperor Alexander's friendship, which was spoken of everywhere in terms of exaggeration, and the peace established on the Continent, conferred on Napoleon a moral influence in public opinion which he had not possessed since his coronation. Constant in his hatred of deliberative assemblies, which he had often termed collections of babblers, ideologists, and phrasemongers, Napoleon, on his return to Paris, suppressed the Tribunate, which had been an annoyance to him ever since the first day of his elevation. The Emperor, who was 'skillful above all men in speculating on the favourable disposition of opinion, availed himself at this conjuncture of the enthusiasm produced by his interview on the Niemen. He therefore discarded from the fundamental institutions of the government that which still retained the shadow of a popular character. But it was necessary that he should possess a Senate merely to vote men; a mute Legislative Body to vote money; that there should be no opposition in the one and no criticism in the other; no control over him of any description; the power of arbitrarily doing whatever he pleased; an enslaved press;—this was what Napoleon wished, and this he obtained. But the month of March 1814 resolved the question of absolute power!

In the midst of these great affairs, and while Napoleon was dreaming of universal monarchy, I beheld in a less extensive sphere the inevitable consequences of the ambition of a single man. Pillage and robbery were carried on in all parts over which my diplomatic jurisdiction extended. Rapine seemed to be legally authorised, and was perpetrated with such fury, and at the same time with such ignorance, that the agents were frequently unacquainted with the value of the articles which they seized. Thus, for example, the Emperor ordered the seizure at Hamburg, Bremen, and

Lubeck of all English merchandise, whatever might be its nature or origin. The Prince of Neufchatel (Berthier) wrote to me from the Emperor that I must procure 10,000,000 francs from the Hanse Towns. M. Daru, the Intendant-General, whose business it was to collect this sort of levy, which Napoleon had learned to make in Egypt, wrote to urge me to obtain a prompt and favourable decision. The unfortunate towns which I was thus enjoined to oppress had already suffered sufficiently. I had obtained, by means of negotiation, more than was demanded for the ransom of the English merchandise, which had been seized according to order. Before I received the letters of M. Darn and the Prince of Neufchatel I had obtained from Hamburg 16,000,000 instead of 10,000,000, besides nearly 3,000,000 from Bremen and Lubeck. Thus I furnished the Government with 9,000,000 more than had been required, and yet I had so managed that those enormous sacrifices were not overoppressive to those who made them. I fixed the value of the English merchandise because I knew that the high price at which it sold on the Continent would not only cover the proposed ransom but also leave a considerable profit. Such was the singular effect of the Continental system that when merchandise was confiscated, and when afterwards the permission to sell it freely was given, the price fetched at the sale was so large that the loss was covered, and even great advantage gained.

Peace being concluded with Russia it was necessary to make choice of an Ambassador, not only to maintain the new relations of amity between Napoleon and Alexander, but likewise to urge on the promised intervention of Russia with England,—to bring about reconciliation and peace between the Cabinets of Paris and London. The Emperor confided this mission to Caulaincourt, with respect to whom there existed an unfounded prejudice relating to some circumstances which preceded the death of the Duc d'Enghien. This unfortunate and unjust impression had preceded Caulaincourt to St. Petersburg, and it was feared that he would not experience the reception due to the French Ambassador and to his own personal qualities. I knew at the time, from positive information, that after a short explanation with Alexander that monarch retained no suspicion unfavourable to our Ambassador, for whom he conceived and maintained great esteem and friendship.

Caulaincourt's mission was not, in all respects, easy of fulfilment, for the invincible repugnance and reiterated refusal of England to enter into negotiations with France through the medium of Russia was one of the remarkable circumstances of the period of which I am speaking. I knew positively that England was determined never to allow Napoleon to possess himself of the whole of the Continent,—a project which he indicated too undisguisedly to admit of any doubt respecting it. For two years he had indeed advanced with rapid strides; but England was not discouraged. She was too well aware of the irritation of the sovereigns and the discontent of the people not be certain that when she desired it, her lever of gold would again raise up and arm the Continent against the encroaching power of Napoleon. He, on his part, perceiving that all his attempts were fruitless, and that England would listen to no proposals, devised fresh plans for raising up new enemies against England.

It probably is not forgotten that in 1801 France compelled Portugal to make common cause with her against England. In 1807 the Emperor did again what the First Consul had done. By an inexplicable fatality Junot obtained the command of the troops which were marching against Portugal. I say against Portugal, for that was the fact, though France represented herself as a protector to deliver Portugal from the influence of England. Be that as it may, the choice which the Emperor made of a commander astonished everybody. Was Junot, a compound of vanity and mediocrity, the fit man to be entrusted with the command of an army in a distant country, and under circumstances in which great political and military talents were requisite? For my own part, knowing Junot's incapacity, I must acknowledge that his appointment astonished me. I remember one day, when I was speaking on the subject to Bernadotte, he showed me a letter he had received from Paris, in which it was said that the Emperor had sent Junot to Portugal only for the sake of depriving him of the government of Paris. Junot annoyed Napoleon by his bad conduct, his folly, and his incredible extravagance. He was alike devoid of dignity- either in feeling or conduct. Thus Portugal was twice the place of exile selected

by Consular and Imperial caprice: first, when the First Consul wished to get rid of the familiarity of Lannes; and next, when the Emperor grew weary of the misconduct of a favourite.

The invasion of Portugal presented no difficulty. It was an armed promenade and not a war; but how many events were connected with the occupation of that country! The Prince Regent of Portugal, unwilling to act dishonourably to England, to which he was allied by treaties; and unable to oppose the whole power of Napoleon, embarked for Brazil, declaring that all defence was useless. At the same time he recommended his subjects to receive the French troops in a friendly manner, and said that he consigned to Providence the consequences of an invasion which was without a motive. He was answered in the Emperor's name that, Portugal being the ally of England, we were only carrying on hostilities against, the latter country by invading his dominions.

It was in the month of November that the code of French jurisprudence, upon which the most learned legislators had indefatigably laboured, was established as the law of the State, under the title of the Code Napoleon. Doubtless this legislative monument will redound to Napoleon's honour in history; but was it to be supposed that the same laws would be equally applicable throughout so vast an extent as that comprised within the French Empire? Impossible as this was, as soon as the Code Napoleon was promulgated I received orders to establish it in the Hanse Towns.

—[This great code of Civil Law was drawn up under Napoleon's orders and personal superintendence. Much had been prepared under the Convention, and the chief merits of it were due to the labours of such men as Tronchet; Partatis, Bigot de Preameneu, Maleville, Cambaceres, etc. But it was debated under and by Napoleon, who took a lively interest in it. It was first called the "Code Civil," but in 1807 was named "Code Napoleon," or eventually "Les Cinq Codes de Napoleon." When completed in 1810 it included five Codes—the Code Civil, decreed March 1803; Code de Procedure Civile, decreed April 1806; Code de Commerce, decreed September 1807; Code d'Instruction Criminelle, decreed November 1808; and the Code Penal, decreed February 1810. It had to be retained by the Bourbons, and its principles have worked and are slowly working their way into the law of every nation. Napoleon was justly proud of this work. The Introduction of the Code into the conquered countries was, as Bourrienne says, made too quickly. Puymaigre, who was employed in the administration of Hamburg after Bourrienne left, says, "I shall always remember the astonishment of the Hamburgers when they were invaded by this cloud of French officials, who, under every form, made researches in their houses, and who came to apply the multiplied demands of the fiscal system. Like Proteus, the administration could take any shape. To only speak of my department, which certainly was not the least odious one, for it was opposed to the habits of the Hamburgers and annoyed all the industries, no idea can be formed of the despair of the inhabitants, subjected to perpetual visits, and exposed to be charged with contraventions of the law, of which they knew nothing.

"Remembering their former laws, they used to offer to meet a charge of fraud by the proof of their oath, and could not imagine that such a guarantee could be repulsed. When they were independent they paid almost nothing, and such was the national spirit, that in urgent cases when money was wanted the senate taxed every citizen a certain proportion of his income, the tenth or twentieth. A donator presided over the recovery of this tax, which was done in a very strange manner. A box, covered with a carpet, received the offering of every citizen, without any person verifying the sum, and only on the simple moral guarantee of the honesty of the debtor, who himself judged the sum he ought to pay. When the receipt was finished the senate always obtained more than it had calculated on." (Puymaigre, pp, 181.)—

The long and frequent conversations I had on this subject with the Senators and the most able lawyers of the country soon convinced me of the immense difficulty I should have to encounter, and the danger of suddenly altering habits and customs which had been firmly established by time.

The jury system gave tolerable satisfaction; but the severe punishments assigned to certain offences by the Code were disapproved of. Hence resulted the frequent and serious abuse of men being acquitted whose guilt was evident to the jury, who pronounced them not guilty rather than condemn them to a punishment which was thought too severe. Besides, their leniency had another ground, which was, that the people being ignorant of the new law were not aware of the penalties attached to particular offences. I remember that a man who was accused of stealing a cloak at Hamburg justified himself on the ground that he committed the offence in a fit of intoxication. M. Von Einigen, one of the jury, insisted that the prisoner was not guilty, because, as he said, the Syndic Doormann, when dining with him one day, having drunk more wine than usual, took away his cloak. This defence per Baccho was completely successful. An argument founded on the similarity between the conduct of the Syndic and the accused, could not but triumph, otherwise the little debauch of the former would have been condemned in the person of the latter. This trial, which terminated so whimsically, nevertheless proves that the best and the gravest institutions may become objects of ridicule when suddenly introduced into a country whose habits are not prepared to receive them.

The Romans very wisely reserved in the Capitol a place for the gods of the nations they conquered. They wished to annex provinces and kingdoms to their empire. Napoleon, on the contrary, wished to make his empire encroach upon other states, and to realise the impossible Utopia of ten different nations, all having different customs and languages, united into a single State. Could justice, that safeguard of human rights, be duly administered in the Hanse Towns when those towns were converted into French departments? In these new departments many judges had been appointed who did not understand a word of German, and who had no knowledge of law. The presidents of the tribunals of Lilbeck, Stade, Bremerlehe, and Minden were so utterly ignorant of the German language that it was necessary to explain to them all the pleadings in the council-chamber. Was it not absurd to establish such a judicial system, and above all, to appoint such men in a country so important to France as Hamburg and the Hanse Towns? Add to this the impertinence of some favourites who were sent from Paris to serve official and legal apprenticeships in the conquered provinces, and it may be easily conceived what was the attachment of the people to Napoleon the Great.

CHAPTER XIII

1807-1808.

Disturbed state of Spain—Godoy, Prince of the Peace—Reciprocal accusations between the King of Spain and his son—False promise of Napoleon—Dissatisfaction occasioned by the presence of the French troops—Abdication of Charles IV.—The Prince of the Peace made prisoner—Murat at Madrid—Important news transmitted by a commercial letter—Murat's ambition—His protection of Godoy—Charles IV, denies his voluntary abdication—The crown of Spain destined for Joseph—General disapprobation of Napoleon's conduct—The Bourbon cause apparently lost—Louis XVIII. after his departure from France—As Comte de Provence at Coblenz—He seeks refuge in Turin and Verona—Death of Louis XVII—Louis XVIII. refused an asylum in Austria, Saxony, and Prussia—His residence at Mittan and Warsaw—Alexander and Louis XVIII—The King's departure from Milan and arrival at Yarmouth—Determination of the King of England—M. Lemercier's prophecy to Bonaparte—Fouche's inquiries respecting Comte de Rechteren—Note from Josephine—New demands on the Hanse Towns—Order to raise 3000 sailors in Hamburg.

The disorders of Spain, which commenced about the close of the year 1807, in a short time assumed a most complicated aspect. Though far from the theatre of events I obtained an intimate knowledge of all the important facts connected with the extraordinary transactions in the Peninsula. However, as this point of history is one of the most generally, though I cannot say the best, known, I shall omit in my notes and memoranda many things which would be but repetitions to the reading portion of the public. It is a remarkable fact that Bonaparte, who by turns cast his eyes on all the States of Europe, never directed his attention to Spain as long as his greatness was confined to mere projects. Whenever he spoke of his future destiny he alluded to Italy, Germany, the East, and the destruction of the English power; but never to Spain. Consequently, when he heard of the first symptoms of disorder in the Peninsula he paid but little attention to the business, and some time elapsed before he took any part in events which subsequently had so great an influence on his fate.

Godoy reigned in Spain under the name of the imbecile Charles IV. He was an object of execration to all who were not his creatures; and even those whose fate depended upon him viewed him with the most profound contempt. The hatred of a people is almost always the just reward of favourites. What sentiments, therefore, must have been inspired by a man who, to the knowledge of all Spain, owed the favour of the king only to the favours of the queen!

—[Manuel Godoy, originally a private in the guards, became the paramour of Charles IV.'s Queen; then a grandee; and then the supreme ruler of the State.—
Editor of 1836 edition.]—

Godoy's ascendancy over the royal family was boundless; his power was absolute: the treasures, of America were at his command, and he made the most infamous use of them. In short, he had made the Court of Madrid one of those places to which the indignant muse of Juvenal conducts the mother of Britannicus. There is no doubt that Godoy was one of the principal causes of all the misfortunes which have overwhelmed Spain under so many various forms.

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