

The Napoleon Series

The Bailen Enquiry: the Loot of Cordova

By [Susan Howard](#)

Among all the accusations made against Dupont in regard to the capitulation of Bailen the one most damaging to his reputation was that his actions were influenced by his desire to preserve a vast train of wagons containing the plunder of Cordova. This accusation merits some examination.

On June 7th Cordova was taken by assault in that the gates had to be forced and there was armed resistance in the streets. What happened next was inevitable, as the Spanish stated in article 15 of the Capitulation of Bailen: "As in several places, and notably at the assault of Cordova, several soldiers in spite of the care of the officers gave themselves over to the excesses which are the inevitable result in towns taken by assault." From there the versions diverge in that the Spanish papers alleged a full-scale sack lasting several days while Dupont said order was restored by the evening and maintained during his stay. It is clear that he withdrew the troops promptly and formed two camps outside the town; however, the French witnesses, including those (whom I have not included) who wrote in Dupont's support years later, mostly say that there was some looting continuing for the next few days, in spite of the order of June 8th which stated, "The general in chief orders that tranquillity should reign in the town of Cordova and that persons and property should be respected. Pillage is forbidden. All soldiers guilty of it will be handed over to a Conseil de Guerre." However, on the 9th Barbou's chief of staff issued the order in which he stated that "The disorders are continuing in the interior of the town: the superior officers and half the officers of each Corps are ordered to search the streets and houses to make the soldiers return to the camp. The staff officers of the division will at once mount their horses and send back all the soldiers they find in the town who are not in service and send them back to the camp." Witnesses describe the officers' efforts, and also their limited success.

When asked specifically about this in February 1809 Dupont replied: "It is certain that Cordova was not given over to pillage. A town is given over to pillage when the troops which took it disband, spread from street to street, from house to house, penetrate everywhere, break and carry off what suits them. Nothing like that took place in Cordova. To subdue the town it was necessary to break into the houses to conquer the enemy which was firing from the windows and rooftops. The soldiers, after having overwhelmed the rebels and finding themselves master of the ground, were doubtless able to take what was found in these houses under their hands and which belonged to them by the rights of war but they did not penetrate into the houses where they had not fought and, after the combat ended, all returned to order. The soldiers did not leave the ranks and two camps were formed outside the town in such a way that there only remained within the walls what was necessary to police it." He went on to say that he had had the soldiers' packs searched the next day and any money, only a small amount, was handed in to the army; any other items were confiscated and handed back to the owners if claimed. Notably, the Bishop's palace had served as the arsenal and HQ of the rebels and the fighting had lasted longest there.

He was pressed again about the pillage having lasted for several days and denied it absolutely. He had appointed General Laplane as commandant and given him the

means to police the town. He himself had not dismounted till he had assured himself that order was restored. The generals and other officers went through the town in the following days to keep order. "There could only have been some individual disorders; such as are committed in all garrisons and that the police of the place were charged to repress. The rebels and the local people carried out excesses which we equally repressed."

He also said, "It is notable that many towns, which were entered without fighting in different theatres of war, sometimes suffered more than those which I entered with armed force." What we have here is the viewpoint of a senior officer of the Grand Army, a man who had seen a lot of pillage: his definitions of order and pillage were not the same as those of civilians and certainly not those of the citizens of Cordova.

There was, on all sides, a polite assumption that looting was something done by the common soldiers and that the officers could be trusted to police them and to search their packs and return stolen items. This assumption was unwarranted: French memoirs are quite open about the predatory habits of the officers and when Junot was on his way to Lisbon at the end of 1807 Napoleon thought it necessary to write to him (November 12th) to emphasise the importance of setting a good example of incorruptibility "It is better to have a fortune you have won by your merits and that you can openly avow comes from me than one made by illegitimate and disgraceful means." Also, "The proceeds of prize-money, jewelry and shops containing English goods will go, half to the privy purse, and half to the army; the latter half will enable the generals and chiefs of staff to be content with their pay." "Your chief of staff is an unscrupulous man: he took a lot of money at Fulda. Insist upon his observing a strict rule, and make it known that if there is any thieving I shall punish it." When Dupont was asked about the gratuities he had given to his officers he replied: "The theatre of war not offering any other resource for the officers, I profited from the occasion which had put at my disposition some funds which belonged by right to the army as is the usage in all campaigns." This raises the general question of what resources a theatre of war normally offered to French officers. Also, Dupont could certainly not have answered for the contents of all the officers' wagons.

The private pillaging aside, there was also the official plunder which Dupont freely acknowledged: the taking of the public coffers of Cordova and those found in the Bishop's palace, said to be the property of the rebels. No-one on the French side contradicted Dupont's right to take these and he was only rebuked for not having been quicker to secure them; the questions raised only concerned what he did with the money. The contents of the public coffers were handed over to the army paymaster, Plauzoles, who said in February 1809, "I immediately took possession of the funds found; they amounted to the sum of 265 thousand francs. Following the orders of General Dupont these funds served for the payment of the troops and for the secret expenses ordered by General Dupont: I paid them on his mandates." Dupont said as far as he could remember, the public coffers contained around 260,000 francs and the others around 400,000 francs. Legendre: "The funds from the public coffers were handed over to the paymaster. The others remained at the disposal of the ordonnateur who sent them to me. The paymaster must have received 160 or 260 thousand francs as far as I remember having heard said; about 350 thousand francs were handed to me."

It will be seen that there is agreement on the figures, but it should be noted that the prosecutor found evidence that Legendre and the paymasters had compared notes on

arrival at France: he considered this highly suspicious but, given the loss of their records, it may well have been quite innocent. Legendre's attitude to the money seems to have been very casual, he left all the management to his ADC; it was this money that was paid out in gratifications to the officers. He did keep accounts which survived (in the Annexes) and which stated that a total value of 255,540 francs was distributed from the cashbox of the insurgents. Plauzoles stated that he had left Madrid with 800 thousand francs for the pay of the whole corps, 100 thousand more had been sent to him at Andujar. After the capitulation, his caissons contained 60-70 thousand francs. Leremboure, divisional paymaster, put his money in with that of the corps after his caisson broke; he thought there might have been 80-100 thousand francs in total. It was this money which was pillaged by the Spanish at Port Ste Marie.

According to the Spanish papers, Cadiz August 19th

"There have been placed in the treasury the following objects which were taken from Dupont:

600,000 piastres fortes in silver (320,000 francs)

80,000 quadruples in gold (680,000 francs).

A great deal of silverware and jewels stolen at Cordova and other places."

Dupont was asked, "It was published that at Cadiz they had placed in the treasury more than a million taken from you in cash and much silverware and other valuables: Is that true?" He replied, "That is false, absolutely false. Everything taken from the baggage pillaged at Port Ste Marie might amount to one million; that is to say one million of réaux which is 250,000 French francs and in that sum should be included all that was found in the chests of the paymaster general of the army which I believe was 60 to 80,000 francs. The rest belonged to various officers."

If the Spanish account was true - which is doubtful, but it was the only evidence supplied - then there was a lot more cash found in the baggage than was explained by the official figures but there is also the surplus from Legendre's funds to be accounted for, he explained, "They were given into the hands of the paymaster, without giving him an account and only saying to him to look after the wagon in which they were: we counted on regularising the accounts on our arrival at Cadiz." If Legendre had received 400,000 francs and had only paid out 255,000 then there could have been another 100,000 or more in the paymasters' caissons but presumably the sums paid to the officers were still with the baggage, since they would not have had much opportunity to spend them.

The most significant point being, not how much money was found, but, whether legitimate or not, if it was all contained in the two vehicles allowed to each of the general officers and the wagon, or wagons, allowed to the paymaster, that is to say, the normal baggage of the army. Titeux quotes a regulation of 1792, reprinted in 1809 for the army of Germany, which stated that generals of division could have a carriage of four wheels and a wagon of four wheels; generals of brigade, a vehicle of two wheels or a light carriage drawn by two or three horses and a wagon drawn by three horses. Each battalion or squadron had the right to two vehicles of four horses to transport the baggage of the officers and troops. This is what was allowed by the Capitulation of Bailen. There is no report of Castanos having taken any treasure wagons at Bailen, (nor did he insist on searching the vehicles) so the story that the army was encumbered by wagon-loads of loot must be seen as a fantasy.

It is interesting to see how the story developed:

August 25th 1808 Napoleon wrote to Clarke from St Cloud, "I am sending you the interrogations of Villoutreys, which throw light on the horrible affair of General Dupont. You will see that Vedel and Gobert were out of the affair and that these cowards had them brought into the capitulation to save their baggage. Good God! Frenchmen to be capable of such cowardice!" Which is strange, because Villoutreys was not asked anything about the baggage.

On October 3rd, 1808, Napoleon wrote to Clarke from Erfurt enclosing the article taken from the Gazette de Madrid of September 9th, quoted above.

February 1809: Legendre was asked, "Was the delay not caused by the time employed in evacuating the baggage of the army?" Legendre replied, "We were not concerned about the baggage. We thought only of the sick which we did not wish to leave in the hands of the enemy. There were at least 1,500 sick."

November 1809: the declaration of Villoutreys, which appears to have been prompted by questions originating from Napoleon, "Immediately after these troops followed the line of vehicles which may safely be evaluated at 800 carriages and wagons. These vehicles were escorted by the 3rd battalion of the 4th Swiss regiment, which made up the brigade of General Chabert, about 2,200 combatants strong."... "However, General Dupont placed his principal forces on the guard of the vehicles, neutralised by his faulty dispositions the efforts against Bailen and was, as a result, the only cause of this disastrous day and the events which followed." Compare Chabert's statement: "At 3:30 am the voltigeurs exchanged fire with the enemy advance posts which were repulsed; the two battalions received the order to rejoin me, also the 3rd battalion of the 4th Swiss regiment which was part of my brigade but which had stayed further back to escort the vehicles carrying the sick who had been evacuated from the hospital at Andujar."

January 1810, Poinot was asked,

Q: "Did you not hear it said that the quantity of baggage had embarrassed the march of the army, exposed the advance guard to being attacked without help and prevented the arrival of the body of the army?"

A: "On going to Andujar with my division I did see a prodigious number of carriages and baggage wagons but as these should never have embarrassed a skilled general, like General Dupont, I do not think that he would have been so unmilitary as to have placed his baggage in such a manner as to impede his army corps."

August 1810: Regnaud's report states, "Finally, that he subscribed to degrading conditions and paid shameful attention to the preservation of the baggage which contained the pillage of a town belonging to the Emperor's brother; that this baggage was carried by 800 vehicles which delayed the march of the army and exposed the troops to defeat by partial combats." It was added that this baggage train had come from Cordova, where Dupont had abandoned his sick and that it had accompanied him as far as Port Ste Marie where it was looted by the people. "All these facts are

not proved but all are mentioned in the documents, all call for a solemn examination, several appear to be true.”

Spring 1811, Privé sent in a report from England which included his journal. According to Titeux, in the journal Privé reproached Dupont with having refused his suggestion of attempting a new attack on the 19th with 1,500 men who had been left guarding the baggage. Privé was not available for interrogation which makes it difficult to assess the value of this statement but it was this that was quoted at the enquiry “General Privé had shown to General Dupont all the chances of success; he had engaged him to withdraw the numerous troops committed to guarding the baggage that could have been, that should have been, then sacrificed and which, evaluated at nearly 2,000 men by some and a battalion by others, would have offered the reinforcement of a fresh troop to the battalions fatigued by the action of the 19th.” I can find no-one else mentioning any troops guarding the baggage, much less a battalion.

The commission of 1811:

“If it is proved that General Dupont committed depredations in the town of Cordova; if it is proved that the product of these depredations made part, at the time of the capitulation of Bailen, of the baggage of General Dupont; it will rest proven that General Dupont only subscribed to the shameful conditions of the capitulation to assure the conservation of these thefts, or at least that the motive accounted for something in his cowardly determination, and, in consequence it will rest proven that there is a connection between the capitulation of Bailen and the thefts committed by General Dupont But it is necessary, before taking him before that Court, to gather new proofs on the fact of the misappropriations of Cordova.”

The French had re-occupied Cordova in 1810 but no-one had made any enquiries about the events of 1808, nor had any of the other officers of the division Barbou been questioned.

1812 the prosecutor’s opening speech:

“On leaving Cordova the general in chief took with him baggage very considerable for a larger army, immense for his, and which has been assessed at 800 vehicles. However the evacuation of the hospitals was not completed: 400 sick were left there who did not rejoin the army and who would never see their homes again.”

“He stipulated with a shameful attention the conservation of the baggage; above all that of the generals. And this baggage, according to more than one witness, has been labelled as the fruit of pillage on a town belonging to the august brother of HM. And this baggage was carried, it is said, by 800 vehicles which delayed the march of the army on the 18th and 19th which exposed the troops of HM to the misfortune of defending themselves piecemeal instead of attacking in mass and by division: to the disadvantage of these combats in a way to reduce their courage which would have triumphed in a battle. And this baggage came from Cordova where it has been imputed to General Dupont that he left behind the sick that he neglected to take with him: and this baggage followed him from Andujar to Jaen, from Jaen to Port Ste Marie where it awaited the pillage of an unbridled population.”

The Act of Accusation:

“From the interrogations of the accused, the declarations of witnesses and the documents of the procedure it results that:

- 1) General Dupont allowed the pillage of Cordova to be prolonged beyond the first moments given to the fury of the soldiers;
- 2) He only gave orders to secure the public coffers three days after his entry into Cordova;
- 3) He did not have all the funds put into the chests of the paymaster-general;
- 4) He evacuated Cordova without taking with him all his sick, although he had 800 baggage vehicles;
- 5) He gave, on raising the camp at Andujar on July 18th, too much care to the conservation of this baggage which prevented him from deploying all his forces against the enemy on his arrival at Bailen on the morning of the 19th;
- 14) He stipulated the conservation of the baggage and effects with a care that seems to announce that it was one of the determining motives of the Capitulation.”

Once Villoutreys had given that figure of 800 vehicles, the prosecution stuck to it without any further questioning. Apart from not having questioned anyone else from the division Barbou, neither Marescot nor Chabert were asked about the baggage during the enquiry and Dupont was not told where the figure came from. It will be noticed that, by 1812 it was being alleged that the 800 vehicles had come from Cordova, the loot being transported at the expense of the sick abandoned there. Dupont stated that the sick who remained were those not fit to be moved and it is proved that they were left in the care of the town authorities by the note written by the mayor in response to Dupont’s request, “I was already in bed when I received the communication from Your Excellence and although I could not entirely understand the contents I have grasped that I must be responsible for the effects that the regiments are leaving in this town. I will do it and will occupy myself with taking the greatest care of the sick, desiring that YE commands me as his greatest servant who kisses his hands.” Agustin Guaxardo 11:30pm June 15th. This note also confirms that Dupont left some baggage in the care of the mayor, though its nature and extent remain unknown. On June 28th, Dupont wrote to Vedel, “Have you any baggage? I hope not, given the excessive embarrassment it causes.”

It is only fair to the members of the Commission to note that these details were not available to them.

It was only Villoutreys, and only in the suspect declaration, who claimed that the amount of baggage had delayed the march of the army: Daugier stated that “the march of the army was only delayed by some accidents that happened to the guns and caissons on the road and by the necessity of keeping constantly assembled.” It was only Privé, with a grudge against Dupont for having left him behind, who claimed that 1,500 men had been left guarding the baggage on the 19th: Villoutreys did not mention it in his declaration (probably because the Emperor had not yet seen Privé’s

report) and Daugier wrote, “The general in chief then called up the Paris Guard and the Sailors; these two corps left as rear-guard only the men placed as skirmishers.”

Plauzoles, Leremboure and Legendre were charged but not brought into court. This enabled the prosecution to make allegations of financial misconduct which had very little connection to Dupont but which added an extra flavour of sleaze to the activities of his corps.

There was no evidence produced that the baggage played any part either in the decision to capitulate or in the terms of the Capitulation. This was entirely based on the clause about baggage in the treaty.

Only five of the members of the Commission commented on the matter of the baggage, though the others accepted the prosecution case without comment. Boulay de la Meurthe was the only member who gave real consideration to the matter and made it clear that he was unhappy with the evidence but would not go against the official line: Dupont was reproached with “having carried with him a considerable number of wagons full of these spoils and of having sacrificed the safety and glory of his army to their conservation.” Dupont has denied this, opposing to it the witness of all his officers, his whole army and even that of the inhabitants of Cordova. “Against this has been opposed the letter of a Spanish general [Morla], the Spanish gazettes and the insurrection of the inhabitants of Ste Marie, as having only been caused by the sight of sacred vessels falling from the wagons at the point of embarkation. I admit that I would have difficulty in accepting proofs of this kind and I do not believe that it is prudent to judge the generals on the assertion of the enemy, and above all of an enemy as enraged as the Spanish people have shown themselves.” Boulay said it was difficult to give a positive opinion on the pillage but it seemed certain that Dupont had a larger baggage train than his army demanded and also that he seemed particularly concerned with it in his military dispositions. “One is struck by clauses in the Capitulation which were so concerned with the conservation of this same baggage and above all, that of the generals and superior officers.”

To conclude: though there was undoubtedly pillage at Cordova and loot, official and otherwise, in the baggage there seems to be no justification for the story that the army was accompanied by large numbers of wagons laden with loot which affected either its operations or the decision to capitulate. The evidence of the documents is that this story was concocted by the prosecution to provide the basis of a criminal case against Dupont and there are grounds for suggesting that this originated with Napoleon himself.

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