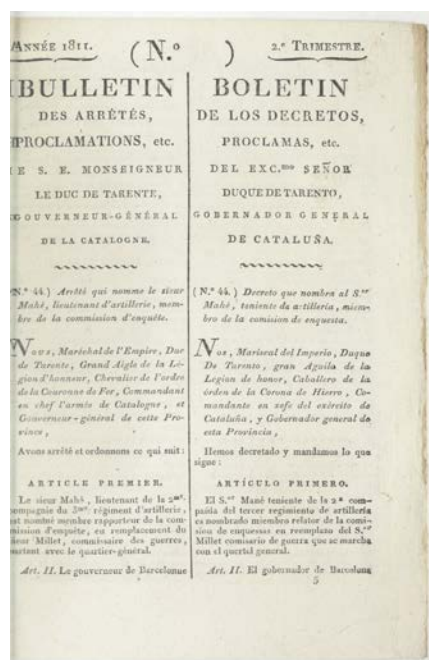


# The Napoleon Series

## Military Discipline in Catalonia 1810-11

By [Susan Howard](#)

The source for this article is: Étienne-Jacques-Joseph-Alexandre Macdonald's , [Bulletin des arrêtés, proclamations, etc., de S. Exc. ... le duc de Tarente, gouverneur général de la Catalogne. \(23mai 1810-28 septembre 1811.\)](#)



By an Imperial decree of February 1810 Catalonia, and three other provinces, had been removed from the control of King Joseph and placed under Governor-generals answering directly to the Emperor. Marshal Pierre Augereau was the first to hold the position but he fell under imperial displeasure for his military operations and was replaced in May 1810 by Marshal Jacques-Etienne-Joseph-Alexandre Macdonald who had the specific instruction to stabilise the northern parts and secure the supplies to Barcelona so that military operations in the south would not be interrupted.

Macdonald reached Girona on May 21st 1810 and Augereau left the next day. One of Macdonald's first acts, on May 22<sup>nd</sup>, was to decree that a regular Bulletin would be published in French and Spanish containing all the proclamations and decrees of the government. This was done and these Bulletins appeared regularly through 1810 and sporadically in 1811. As well as decrees and new

legislation they contained legal judgements and even reported the setting up of commissions to enquire into disputes between officers at the highest level of the administration, which is a rare instance of open government for the period. There is much of interest in them but, at this moment, I am translating in full only two decrees on military discipline and two on punishment of civilians since they give a picture of the crimes that could take place in occupied territory, on both sides, and the measures taken to control them.

On 23 May he issued a proclamation to the people of Catalonia with the preamble:

“We, Marshal of the Empire, Duc de Tarente, Grand-Aigle of the Legion d’honneur, Chevalier of the order of the Iron Crown, Commander in chief of the army of Catalonia and Governor-general of that Province.”

In this proclamation he deplored the state of the province and called on the people to enter into obedience in order to put an end to the disasters caused by war. Specifically, he told them:

“Catalans, animated by the desire to bring an end to the terrible scourge which devastates these lands, I will begin by destroying the brigands which infest them; I

will maintain the most severe discipline among the soldiers. The slightest infractions of the laws of this discipline will be promptly repressed.

The corps will be held guarantors and responsible for violences and the least offences that may be committed and for paying damages, without prejudice to exemplary punishments which may be incurred by individuals who may be guilty.

Mobile columns will cross your communes to protect them against the assassins and thieves which desolate them. Help us to seize them, they are equally your enemies; denounce them, watch their movements, identify their chiefs, and your territory will soon be purged. Rewards will be granted in proportion to the services that you will have rendered your country.

The many and rapid movements of these columns will sometimes demand the requisition of provisions and transport; they will be made legally by the competent authorities, receipts given, and always in deduction from the ordinary impositions.

All other contributions and requisitions will be forbidden and will not be made without my authority.”

### **Bulletin no 1, item 3**

HQ Girona May 27th 1810  
Order concerning repression of abuses.

We, Marshal of the Empire etc.

Informed that in the towns, burghs, villages, cantonments, posts and other places of the Government-general of Catalonia arbitrary taxes and contributions have been established by the soldiers without legal character;

That these duties, under all sort of forms and denominations, have been collected in the most violent and the most vexatious manner;

That the commandants of places, posts and cantonments have arrogated to themselves the right to authorise taxes on entering and leaving on persons, their vehicles, horses, mules and other beasts;

That these same commandants are arbitrarily taxing the merchants and retailers and nearly all the owners of large or small shops established, or wanting to be established, in their commands;

Considering that these abuses are vexatious for the inhabitants of the country and for other individuals of the army; that they prevent the circulation of provisions, make the prices higher and hamper the provisioning of the markets;

Considering besides that the taxes and revenues should be applied to the needs of the army and the country it occupies, and not become the patrimony of individuals; that the express order of His Majesty is to have all these receipts deposited in the coffers of the army;

We decree and ordain as follows:

Article 1. The arbitrary taxes imposed by individuals, soldiers or others, without legal authorisation from the Government-general are suppressed from this date.

Article 2 It is forbidden, under pain of being considered as an extortioner, to all commandants or other individuals attached to the army or following it, to establish in the future any duties, contributions or taxes either in kind or in cash, without specific authorisation from the Governor-general

Article 3. Individuals who have established such duties, contributions or taxes, without authorisation, and have collected them to this day will declare them to the chief of the general Staff or of the division, within 48 hours of the publication of the present decree; they will turn over the total within the same period, and on receipt, into the coffers of the paymaster-general of the army or to his agents in the towns, divisions and arrondissements.

Article 4. Any individual attached to the army or following it who, up till now, has been forced to pay such taxes, will make his declaration to the Staff of the army or of the divisions of the total of the sums he has paid, the name and rank of those who had received them; the inhabitants of the Government-general will make the same declaration to their municipalities, which will give an account to the magistrates to be submitted to the Governor-general.

Article 5. All commandants or other soldiers who shall not have fulfilled, within the delay prescribed above, the dispositions of the present order, will be suspended from their functions and sent to the rear of the army to await the orders of the Government.

Article 6. The present order does not cancel the rights of tolls legally established at the entries and exits of towns, for the profits to be applied to the needs of the communes and to communal expenses.

Article 7. The present order will be printed, posted and inserted in Bulletin of Acts and Decrees of the Government-general of Catalonia; put into the order of the army; read for three consecutive days at the head of the assembled companies; translated into the languages of the allied troops by the care of their chiefs; translated equally, by the diligence of the magistrates, into Catalan; sent to all the communes and read in the sermons of the parishes for three Sundays consecutively.

The generals, superior army officers and all civil authorities are charged with, and are responsible for, its execution.

**Bulletin no 1, item 4**

At Girona, June 1st 1810

Order determining measures relating to military service, discipline, requisitions etc.

We, Marshal of the Empire, etc.,

Wishing to put an end to the complaints which have been made to him on the disorders committed in several communes or cantons, to put a stop to abuses of all kinds, to assure the provisioning and the communications of the army, to protect

and make respected persons and property in the extent of the command that HM the Emperor has entrusted us with,  
Order the following dispositions:

#### CHAPTER I - Military service and discipline.

Article 9. It is expressly forbidden to forage separately, or to cut crops or fruit trees, at least without urgent necessity; but, in this case, to the generals only and the heads of the corps under their responsibility belong the right to determine the places where it will cause the least damage to the proprietors, in the supposition that the municipalities on whose territories they have to forage have not themselves designated the areas.

They are to cut for preference on fields belonging to suppressed monasteries or to proprietors considered to be emigrés or leaders of insurgents.

Article 10. Damages caused by the events of war to properties of compliant inhabitants will be estimated by commissioners sent by the magistrates, to be taken into consideration and set against taxes, even by reimbursement from the forfeiture fund; if the damage was done with premeditation by the troops they will pay for it.

Article 11. Games of chance are forbidden by military regulations, all those established in the Government-general of Catalonia will be suppressed within 24 hours, under pain of confiscation; it is forbidden to re-establish them without special permission in writing from the Governor-general who will, in that case, apply the profits to the advantage of the hospitals.

Article 14. The men of the corvée will always be accompanied by an armed detachment commanded by an officer who will be held responsible financially, without prejudice to exemplary punishment, for disorders, damage or violence caused to the inhabitants.

Article 15. There will be established immediately in each active division, commandment or arrondissement, military commissions to investigate and judge crimes covered by the penal code, ordonnances and regulations.

#### CHAPTER II - Requisitions

Article 16. All the resources of the country, either in money or in kind, being necessarily applied to the needs of the army and those of the province, a wise administration must share the taxes equally, apply them to all the services, to the improvement of the country, to encouragements and to assist the unfortunate victims of the calamities of war.

Article 17. The right to make requisitions of provisions in kind and transport for the needs of the army is devolved to the Commissaire-ordonnateur in chief. This right will be delegated by him to the commissaires des guerres or service agents, under their responsibility, but the requisitions will be made on paper printed, numbered and marked with the seal of the Ordonnateur in chief of the armies of the Empire, following the attached model, which will be made known to all the communes. The quantities and their nature will be motivated by the arm, corps or detachment.

Article 18. The Ordonnateur in chief and the commissaires des guerres or agents will keep a register of orders for these kinds of requisitions; they will be written, with reasons, and the name of the commune to which they are being sent, also the name of the troop for which they are being made, and at the foot of the requisition and in all letters will be put the quantities supplied and received. These requisitions will be in deduction from ordinary impositions: if they exceed them it will be held on account.

Article 19. The Ordonnateur in chief, the commissaires des guerres and the chiefs of service will render account to the General chief of staff every time he judges it suitable, for the use of these tickets which will be countersigned by him.

Article 20. It is expressly forbidden to all the civil authorities of the province, under penalty of suffering the loss, to obey, consent to and furnish individual requisitions which do not comply with the forms required and prescribed by articles 17, 18 & 19.

Article 21. The Ordonnateur in chief alone must judge the needs of his administration and will give the designations and authorisations in consequence; however it may be the case that a corps or detachment having neither commissaires des guerres nor service agents may find itself under the necessity of making demands or requisitions of provisions; in that supposition the commander of the troop will give receipts in form and they will be accepted as valid.

Article 22. The civil authorities of the province and of each commune will inform the magistrates and sub-magistrates, the generals or commandants of the nearest cantonments and posts of illegal demands or violences exercised in the towns, communes, hamlets and isolated establishments; it is enjoined on the generals and commandants to give them armed assistance immediately and to arrest all individuals who have made themselves culpable.

Article 23. Any individual who is convicted of having taken or demanded contributions in kind, money or effects, without being authorised, will be considered as a looter and extortioner, taken before a military commission and judged according to the law.

#### CHAPTER IV - Public security [there is no Chapter III in the Bulletin]

Article 30. All the inhabitants, their properties, houses, factories, mills, are put under the safe-guard of the army; it is expressly forbidden, and under penalty of paying the price of the damages at the expense of the commander of the troops, to do them the slightest harm.

Article 31. It is forbidden, under any pretext whatsoever, to interrupt religious ceremonies, to enter armed into churches or chapels without being accompanied by an officer and, armed or unarmed, one will behave there with decency. It is equally forbidden to molest the priests or the faithful in the exercises of piety or of religion.

Article 32. The authorities and the inhabitants of the Government-general of Catalonia are authorised to arrest all individuals who separate themselves from their corps, garrisons, cantonments, posts or routes, but they will cause them no injury or insult. They will conduct them to the nearest post of the headquarters of the division or brigade; they will be given a receipt; they will additionally receive a

reward or indemnity according to the claims and information given to the general staff.

Article 33. In the case where the inhabitants are not strong enough to arrest the marauders they will take care to note their uniform, take all the information which could discover the corps to which they belong and at once inform the general or the colonel commanding the nearest cantonment.

**Bulletin no 5** item 136

HQ of Cervera, September 22 1810. [At this point the army of Catalonia had been ordered south to co-operate with General Suchet over the siege of Tortosa]

Proclamation and order which makes communes collectively responsible for crimes committed on their territory against the French.

We, Marshal of the Empire, etc.,

Soldiers, you are going to be avenged! Ten or twelve of your brothers-in-arms have been cowardly assassinated at Belpuig by inhabitants the more guilty since up till now they have been respected and their property conserved; no harm had been done to them, the shops and markets had stayed open as at Tarrega; the military were paying their accounts, though dearly, but no complaint had been raised and the chiefs of the columns traversing Belpuig or staying there received praises on the discipline and good conduct of their troops.

Perfidious praises which gave the more security and covered the greatest crimes! The assassins, employing the most infamous treason, drew in their unfortunate victims in offering them refreshments and inviting them to rest; your brothers-in-arms found death where they counted on the sacred laws of hospitality!

These murders were repeated several days in a row, from the 4<sup>th</sup> to the 17<sup>th</sup>; one may add a pregnant woman and three servants who, in effect, disappeared from the army at Belpuig.

The priest of that town, the mayor and his officers, of whom the ministry of one and the functions of the others should have led them to oppose these horrible crimes, knew of them, applauded them and permitted the assassins to promenade publicly in Belpuig covered with the spoils of their victims and receiving honour for their crimes.

Who would believe it! No voice was raised against the murderers; none of them were reported, no inhabitant was horrified by the blood with which the assassins were covered.

The pen falls from the hand when one sees a whole population make itself an accomplice to these atrocities by applauding them.

But heaven has not permitted that such crimes should remain unpunished; searches were made, the cadavers were exhumed, one of the assassins was arrested.

Soldiers! Your chiefs have with difficulty restrained your just fury; but the blood of the victims calls for vengeance, their cries have echoed up to me.

The priest who deserved death has been condemned to deportation, his sacred character has spared him the final punishment. The alcade who had in his hands the sword of justice did not strike the criminals. This sword has fallen on him.

The officials responsible for the police, far from punishing the assassins, had protected them; they have been condemned to be hanged as has the assassin who was arrested, their properties confiscated, sacked and demolished.

Fifteen inhabitants have been detained as hostages, and if the other assassins who have not been caught are not handed over within eight days, these hostages will be executed in reparation for these crimes.

The commune of Belpuig will, besides, pay within the same period an extraordinary contribution of 10,000 piastres and 2,000 quintals of grain.

Soldiers! It is not for you to carry out justice yourselves, your chiefs will never leave such crimes unpunished.

May this terrible example serve as a lesson to these ferocious and barbarous inhabitants and as a salutary shock to all the other communes.

If in the future such crimes are renewed, it is ordained that all chiefs of corps and officers commanding isolated detachments should execute the following measures:

Article 1. The inhabitants of the communes are collectively responsible for crimes of assassination committed on their territory and on the persons of Frenchmen or of their allies.

Article 2. When it is proved that an Frenchman or ally has been assassinated on the territory of a commune, and that the assassins have not been seized and handed over to the army, ten inhabitants will be taken, the first which are found in the commune, who will be hanged without any other form of trial in reparation for the crime; their goods confiscated and their houses sacked and demolished; if there is resistance on the part of the inhabitants they will be reduced by force, their commune pillaged and burned.

Article 3. The army is reminded of the laws, decrees and orders of the day bearing the death penalty against all individuals of the army convicted of rape, pillage or murder.

The present order will be read to the army, translated, printed and posted through the whole of Catalonia.

**Bulletin no 5** item 137

At Tarrega October 1<sup>st</sup> 1810. [Food was in very short supply]

Order which condemns to death any employee etc., who diverts the provisions of the army to his own profit.

We, Marshal of the Empire etc.

Informed that many soldiers and mule drivers have been permitting themselves to turn to their profit the corn which they were charged to conduct to the army store; that others with the same intention have take a greater amount of barley than is needed to feed their horses and mules, finally that in the several detachments of which the object is to procure provisions for the army there have been committed disorders of all kinds,

Decree and ordain as follows:

Article 1. Any individual who, for his private profit, diverts either meat, corn, barley or any other supplies necessary for the subsistence of men or of horses, will be immediately arrested and taken before a military commission to be condemned to be shot as a robber of the army stores.

Article 2. Any inhabitant who buys provisions from individuals attached to the army will suffer the same penalty.

Article 3. Detachments which go out to collect provisions will always be commanded by a captain, who will answer for the conduct of his troops.

Article 4. The cavalry officer who commands a detachment to go out and collect forage will equally answer for the conduct of his troops.

Article 5. No soldier or driver sent out on corvée may return on his own after loading his horse, mule or vehicle under pain of being considered as desiring to divert it to his profit. The corvée should always to be reunited before its return to be taken, under adequate guard, to the stores; after unloading they may not re-enter unless a second journey has taken place and always following the orders of the officer commanding the detachment.

Article 6. As far as possible each detachment should have a staff-officer and commissaire des guerres, or administration employee, to check the loading and unloading and to give receipts to the communes, etc.

Article 7. All means of transport belonging to individuals, as those belonging to the army, are to be used to bring in food. The necessity of assuring the subsistence of the troops must be widely understood and everyone should hasten to comply with it. All detachments sent to collect grain, corvées or others will be armed; on arriving at the loading point the corvées will pile their arms and the escort will form a guard. It will be commanded by a chef de bataillon in rotation and a proportionate number of officers, they will all be held responsible if any stores are diverted and will pay the price of them by a deduction from their pay, without prejudice to the penalties incurred by the robbers of the provisions of the army.

**Bulletin no 13, item 198**

Barcelona May 25<sup>th</sup> 1811 [This was written after the fortress of Figueras had fallen to the Spanish by treachery]



Order making the communes responsible for the crime of assassination against the persons of Frenchmen or allies.

We, Marshal of the Empire, etc.

Considering that it is in the interest of the chiefs and principal inhabitants of the communes of Catalonia to use all their authority and influence to maintain order among the people and to make them remain passive under the events of war;

Considering that the security of the army demands severity against those who aid or favours in any manner spying, enticement or desertion or whose conduct can be regarded as seconding the projects of our enemies;

We decree and ordain as follows:

Article 1. The chiefs and principal inhabitants of the communes are collectively responsible for crimes of assassination, arrest and abduction committed on their territory on the persons of French soldiers, their allies and other individuals attached to the army or following it, other than the events of war caused by regular enemy troops.

Article 2. Once it is proved that a Frenchman etc. has been killed, injured, arrested or kidnapped on the territory of their commune, other than by regular enemy troops, and that those culpable have not been seized and handed over to the army, six inhabitants will be taken for each individual killed, wounded, arrested or abducted, the first-comers found in the place or area where the crime was committed, who will be hanged without further form of trial, their goods confiscated, their houses sacked and demolished. If the inhabitants resist, the town will be reduced by force and the commune pillaged and burned.

Article 3. All individuals taken with arms in hand and not identified by a military uniform as being attached to a corps of regular troops will be hanged immediately without further form of trial.

Article 4. The crimes of enticement and spying will be punished by death.

Article 5. These crimes will be considered punishable, as much for non-revelation, as attempts against the security of the army; in consequence any individual having knowledge of plots of this nature will be judged under articles 103 & 105 of the Penal code:

*Art 103 All persons having knowledge of plots forms of crimes planned against the internal or external security of the state, not having made a declaration of these plots or crimes to the Government, the administrative authorities or the judicial police, of the circumstances which have come to their knowledge, will be, even when they are recognised as exempt from all complicity, punished by the sole fact of non revelation in the manner, and according to the dispositions which follow:*

*Art 105 In regard to other crimes or plots (other than crimes of lèse-majesté) mentioned in the present chapter, any person who, on being informed of it, does not makes the declarations prescribed by article 103, will be punished by an imprisonment of 2-5 years and a fine of 500 to 2000 francs,*

Article 6. In future, any individual accused of crimes against the security of the state or of the army who is acquitted for lack of sufficient proof, but who has not completely cleared themselves from the accusation, will be sent before the high police of the Government-general for a ruling on what should apply to them.

Article 7. Any individual who is convicted of lighting fires on the roofs, terraces, balconies or windows after sundown with the effect of signalling to the enemy, or who has made any other signal whatsoever, whether it be day or night, will be hanged without further form of trial.

Article 8. The army is reminded of the laws, regulations and orders of the day, bearing the death penalty against any individual of the army, or following it, convicted of theft, pillage, rape or murder against the inhabitants of Catalonia.

Article 9. The present decree will be put into the order of the army, printed, published and posted in all the communes. The generals, chiefs of the corps, of military and civil administration, and of the police, are specially charged to watch over its complete execution.

## Comments

The first point that comes out of these documents is the nature of the offences being carried out by the French troops (who were largely Italians, Neapolitans and Germans) in Catalonia. This was not just petty theft but organised extortion; not just starving soldiers helping themselves to food but embezzlement of scarce resources. They also show that there was also a problem of unnecessary destruction of property which helped to alienate the inhabitants and a lack of respect for the Church which did even more damage. Whether it was ever possible to implement these orders in detail remains uncertain, and doubtful, given that the officers as well as the men were under-paid and underfed.

The second point is the shocking nature of the retaliatory orders made following the murders in Belpuig in 1810 and repeated in 1811. The idea of punishing attacks on French soldiers by arresting the first inhabitants found and executing them on the spot, then confiscating their goods and sacking their houses, does not appear consistent with Macdonald's express desire to conciliate the people of Catalonia. The purpose of these orders was, I think, twofold: firstly to frighten the inhabitants enough to stop them from getting involved in future attacks on soldiers; secondly, to limit the vengeance of the soldiers. This second is clearly implied in the statement "Soldiers! Your chiefs have with difficulty restrained your just fury; but the blood of the victims calls for vengeance, their cries have echoed up to me." Had it been left to the army it is safe to assume Belpuig would have been sacked, with the accompanying rape and murder, and burned to the ground; as it was the vengeance was limited to the execution of the guilty, and collaborating officials, the taking of hostages (the fate of the hostages is unknown), and the extraction of a substantial fine, which went to the army chests not into the pockets of the soldiers. Both orders were accompanied by a reminder to the army of the penalties for theft, rape and murder.

The third point which is worthy of comment is that Macdonald did not follow Soult's example in declaring the Spanish regular soldiers to be brigands, his order of May 1811

quite clearly distinguishes regular enemy troops from the armed individuals the law was directed against.

Placed on the Napoleon Series: February 2017