

. EVANS AND THE BRITISH LEGION, 1835-1838

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by

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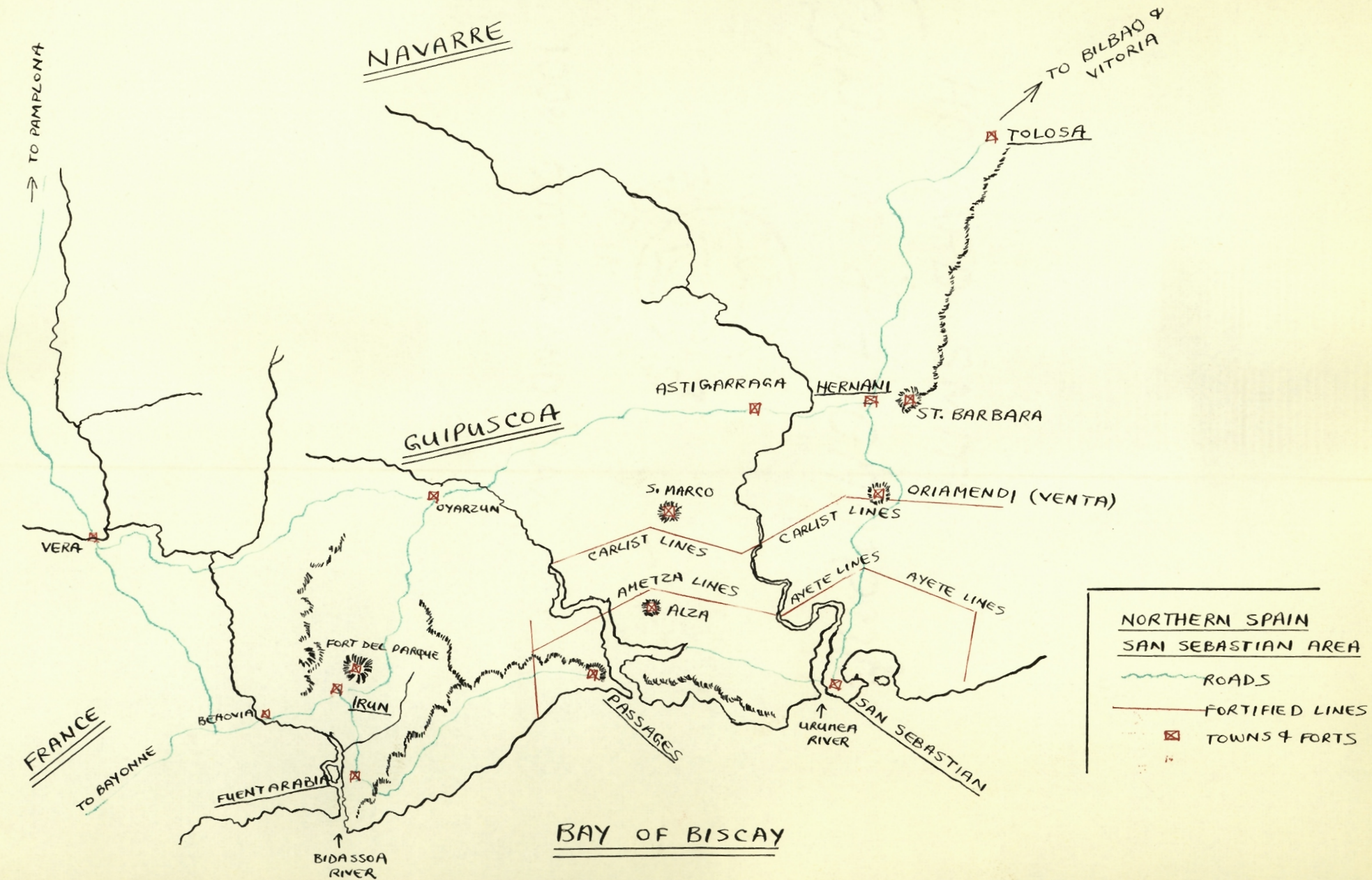
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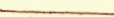

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NORTHERN SPAIN  
SAN SEBASTIAN AREA

-  ROADS
-  FORTIFIED LINES
-  TOWNS & FORTS

## CHAPTER I

### PALMERSTON

Time has not been kind to Great Britain's intervention in the Spanish civil war of 1834 to 1840. An examination of histories, biographies and memoirs published since about 1840 yields surprisingly little in the way of information or comment. Although there are a few important works which deal with this problem, they do so incompletely.

Francis Duncan, a senior officer and historian of the Royal Artillery regiment, published The English in Spain in 1877.<sup>1</sup> It is based on excellent material -- the official despatches to Lord Palmerston of Royal Artillery officers assigned to accompany the armies of Spain's Queen Regent, Maria Christina -- but Duncan did not master this material; he let it draw him into an overall description of the civil war, so that the part actually played by British forces received inadequate treatment.

Of a very different character is Sir Charles Webster's Foreign Policy of Palmerston, 1830 - 1841.<sup>2</sup> It is a work of the highest quality, by a respected professional historian. But, as the title suggests, it deals with the formation of policy by Palmerston, and with actual British diplomacy. Many things, especially of a military nature, lie outside its scope. This is true of the military aspects of Britain's intervention in the Spanish civil war.

Also worth mentioning is Sir Herbert Maxwell's life of George Villiers, Earl of Clarendon.<sup>3</sup> Villiers was British ambassador in Madrid at this time, and Maxwell's book is important for the correspondence it prints. But the book is in no sense an adequate account of Britain's intervention, from either a diplomatic or military point of view.

In contrast to this later neglect, there is a wide variety of contemporary published information, printed during the decade 1835 - 1845. It leaves no doubt that the intelligent public of the time had the Spanish civil war brought to its attention again and again. The issues of The Times of London, as well as other newspapers, are full of material - reports from correspondents, editorials, special articles, letters to the editor, printed documents of various sorts. Further, many columns of Hansard were given over to debates on the question. And, beginning in 1836, a small flood of memoirs began to flow, and continued until the early 1840's, written by participants after their return to Britain.

Events of such obvious interest to contemporaries ought also to be of interest to historians. That so little attention has been paid to Britain's intervention in the affairs of Spain raises an important question: why has it proved so unpopular a subject, whether for professional historians or popular writers? Any answer must, of course, be very tentative. To begin with, it is a rare event in modern history for Britain to intervene actively in a civil war on the continent of Europe, as distinct from imperial campaigns and full-scale

European conflicts. Particularly in the decades since the Crimean War, Britain has adopted a policy of involving herself as little as possible in the affairs of Europe, especially in a military sense, unless drawn, almost against her will, into a general war. Britain's intervention in the Spanish civil war of the 1830's, - intervention not repeated one hundred years later, except by private individuals - represents a policy which is "out of step" with the tradition of British foreign policy during the past century. To be "out of step" is often to be unpopular, and this is likely to affect historians as much as anyone else. It is difficult not to feel that the unusualness of Britain's active intervention in a European civil war partly accounts for the lack of historical and popular interest in this particular subject.

Furthermore, Britain's intervention in the Spanish civil war was, as will be seen, carried out against the opposition of much of the ruling class of the day, largely under the initiative of a Foreign Secretary, Palmerston, who was a very unusual character, and by people who at best were on the fringes of the "governing classes". This might not have mattered if it had been a triumphant success, but since it was only a partial success, it has tended to become one of those things which are better forgotten. In foreign policy and military affairs, historians are probably no less likely than anyone else to be attracted by the clear triumph or the clear failure. Something which lies between the two, and peters out to an indifferent conclusion, invites subsequent neglect.<sup>4</sup>

In addition, other crises, of a more spectacular nature, closely followed the Spanish civil war -- the Eastern question, the

Chartist Movement, the agitation against the Corn Laws, the 1848 Revolutions in Europe, the Crimean War, the triumph of the Industrial Revolution as represented symbolically by the great exhibition of 1851. The Spanish civil war, and Britain's intervention, took place in a sort of no-man's-land between the "Romantic" and the "Victorian" periods.

\* \* \*

Although the Spanish civil war was not intrinsically part of the conflict between liberalism and autocracy, which divided Europe into two camps during the 1830's, it was swiftly annexed to that conflict by chancelleries and partizans across Europe. Not for the first, or the last time, Europe refused to let Spain solve its problems in isolation behind the Pyrenees; Spain was made to serve as a crystal ball in which the states of Europe tried to see their own futures, and, like all fortune-tellers, worked to produce what they wanted to see.

The changing of the guard which took place in Europe in 1830 was successful only in the West, with more or less liberal governments taking office in France and Britain and the new state of Belgium. But there were disturbances in the East as well, notably in Poland, which were crushed only by the ruthless use of force.

This half-successful nature of the 1830 revolutions pointed in the direction of war. The Eastern autocracies were afraid that if they let down their guard for a moment, a half-contained Jacobinism would drown them in the flood of revolution; they saw the face of Jacobinism in every disturbance and felt they could not afford to give an inch. The Western liberal governments were no less nervous. Belgium was a new and weak state whose international status was not finally settled until the



end of the decade. The French government also was afraid, on the one hand, of a new European intervention by Eastern powers determined to ward off the possibility of new French aggression, and, on the other hand, of the liberal revolution ~~should~~ entering a second, republican phase in which there would be no room for a Louis-Philippe or respectable middle-class ministers.

But the half-successful nature of the 1830 revolutions also pointed in the direction of peace, not a peace produced by utopia or good will, but a nervous peace produced by a balance of power between the two camps, with Britain and France on one side and Russia, Austria and Prussia on the other tending to cancel each other out. As Palmerston put it when defending his foreign policy in a letter to Melbourne, the Prime Minister, "... when Ancillon and Metternich complain of this division of Europe into two camps, that which they really complain of is, not the existence of two camps, but the equality of the two camps. The plain English of it is that they want to have England on their side against France, that they may dictate to France, as they did in 1814 and 1815; and they are provoked beyond measure at the steady protection which France has derived from us. But it is that protection which has preserved the peace of Europe. Without it there would long ago have been a general war."<sup>5</sup>

In this nervous, yet not unstable division of Europe, each side tried to keep its half free from contamination by the other. Further, each concerned itself, as far as it felt able, in the affairs of the other. Englishmen worried about the fate of Poland; Metternich worried about the fate of Spain and Portugal.

In such an atmosphere, it is not surprising that civil wars in Spain and Portugal were not permitted to take place in isolation, especially since there soon arose political movements in those countries that tried to make themselves appealing to the two European camps, so as to secure foreign help. The Spanish civil war (paralleled<sup>ed</sup> by the similar conflict in neighboring Portugal) was touched off by a disputed succession to the throne of Ferdinand VII. Before his death in 1833, Ferdinand altered the pragmatic sanction to make it possible for his young daughter Isabella, under the Regency of his beautiful and sensual wife, Maria Christina, to ascend the throne instead of his brother Don Carlos. Carlos refused to accept the verdict of Ferdinand and went to Portugal to make preparations to seize the throne. Being of a superstitious and authoritarian cast of mind, he naturally looked to the Eastern powers for assistance. These could not, for obvious geographical reasons, help him militarily; nor did they officially recognize him; but they did encourage him to revolt, hoped for his victory and sent him considerable sums of money over the years. Maria Christina, for her part, attached herself to the Spanish liberals, not so much because she was a liberal herself, but so that she could find favor in Paris and London.<sup>6</sup>

Britain was concerned for the fate of the Peninsula. In the nature of the European situation, a victory for Carlos in Spain (or for Miguel in Portugal) would be regarded as a triumph for the Eastern powers, as an autocratic counterpart to the liberal movement in 1830. Lord Palmerston, Britain's vigorous, confident and high-living Foreign Secretary, did not want to intervene, but he did want a liberal victory. Step by step, he drew Britain into active support

of the liberal regimes in both Spain and Portugal, and felt justified in doing so because of the help the Eastern powers were giving to the autocratic pretenders. He had two objectives, probably in this order of importance: first, to ensure that the Eastern powers did not win, or seem to win, a diplomatic triumph through the victory of Carlos or Miguel; secondly, to help Spain develop genuinely free institutions.

Palmerston explained and defended his policy on many occasions, in public and private. But he made his arguments with particular directness in a little known election speech in 1835, in the short Tory interregnum between the first and second Melbourne governments:

"It was their duty, and they felt it to be so, to lend the aid and countenance of England to the development of free institutions amongst those nations that wished to establish such forms of government. A person near him had just now asked what had become of their principle of non-interference, but he only showed in so doing that he did not understand the proper meaning of that term; when they determined to adhere to the principle of not interfering by force of arms in the internal affairs of other countries, they had also determined not to permit any other nations and governments to settle their own internal affairs and disputes; but they also said that if they (the English government) would not interfere actively in support of liberal principles, neither should the despotic governments of Europe interfere on the other side."<sup>7</sup>

But of course complete non-interference, in the climate of the 1830's, was out of the question. With the continent in a nervous state, divided not only by national interests but by principle, the temptation to fish in troubled waters proved too much for both sides.

Britain's intervention in Peninsular affairs was not carried out easily or according to any grand scheme. Because Britain itself was a free country, Palmerston had to face opposition, as well as receive support, in Parliament and the Press. Of even greater significance, he had to face considerable opposition in the Whig Cabinet, many members of which did not share his enthusiasm for spreading liberalism abroad; after 1834, the Prime Minister, Melbourne, was one of those who doubted the wisdom of Palmerston's increasing commitment of British influence and prestige to the cause of constitutional government in Spain and Portugal.

The first major step along the road of intervention, one which led to all the rest, was the negotiation, under Palmerston's initiative, of the Quadruple Alliance, signed on April 22, 1834;<sup>8</sup> and the second major step the Additional Articles to this treaty, signed on August 18, 1834.<sup>9</sup>

The original treaty joined the liberal monarchs of Spain and Portugal "to unite their forces for the purpose of compelling the Infant Don Carlos of Spain and the Infant Dom Miguel of Portugal to quit the dominions of this latter kingdom."<sup>10</sup> Britain was committed only to send a naval force. France was committed in a negative sense - it was to do nothing unless the others asked it to; support for liberalism had not blinded Palmerston to the possibility that French intervention on a large scale would be contrary to British, and also to Spanish and Portuguese interests.

But the Quadruple alliance had, of course, a symbolic as well as a literal importance. The very fact that it joined the two principal liberal states of Europe with the two peninsular countries

for the purpose of expelling autocratic pretenders meant that, in Palmerston's words, "what is of pre-eminent and general importance is that it establishes a quadruple alliance among the Constitutional States of the West, which will serve as a powerful counterpoise to the Holy Alliance of the East."<sup>11</sup> It was tit-for-tat; for the Munchengratz meeting which had affirmed the principle of monarchical solidarity, with one autocratic government in theory pledged to aid another;<sup>12</sup> it affirmed the principle of liberal solidarity, with established constitutional states helping others in trouble.

The immediate aims of the treaty were quickly realized, since Miguel had already been forced on the defensive and had few hopes left of victory, and since Carlos had scarcely begun his efforts to conquer the Spanish throne. Both pretenders were expelled. However Carlos, who was brought to England to live in exile, outwitted Palmerston, suddenly left Britain, traversed France and made his way to Northern Spain, where a rebellion was already under way, not yet in favor of Carlos or autocracy, but against the centralizing tendencies of the liberal government in Madrid, which threatened the traditional semi-autonomous status of the Basque provinces.<sup>13</sup> With Carlos on the scene, this rebellion quickly grew to a point where it threatened to undo the purpose of the Quadruple Alliance, and to humiliate the Western powers by handing the East an easy victory in the liberal camp.

Palmerston was not prepared to accept such a sudden reversal of a victory about which he had been so enthusiastic, a reversal which was in part due to his own carelessness. The Additional Articles to the Quadruple Alliance, for the purpose of re-expelling Carlos from the Peninsula, drew Britain another step towards direct intervention in

Spanish affairs. These Articles required France to close its frontier to the shipment of supplies or the passage of men to the Carlist forces (named after Don Carlos); committed Britain to supply arms and munitions to the liberal or Christino forces (named after the Queen Regent, Maria Christina), and to send a naval force if needed; and committed Portugal to send troops if required.<sup>14</sup>

Unlike the original treaty, the purpose of the Additional Articles was not quickly realized, since, in the north of Spain, Carlos' fortunes were on the rise. The guerrillas to which he had attached himself and his cause were proving impossible, in their mountain fastnesses, for the Christino armies to defeat; and from the Eastern powers came encouragement and money.

The original treaty had succeeded without really having to be carried out; it had succeeded, as Palmerston put it, by moral force.<sup>15</sup> The Additional Articles had no such effect, and it became necessary actually to execute them and, on Britain's part, to go well beyond the specific treaty requirements. It is these articles which led directly to Britain's military involvement in the Spanish civil war.

Little was done during the short Tory interregnum from December 1834 to April 1835, although Wellington, who took Palmerston's place as Foreign Secretary, did nothing to revoke Britain's treaty commitments, and even negotiated the ~~Elliot~~<sup>Elliot</sup> Convention between Carlist and Christino forces to spare the lives of prisoners of war.<sup>16</sup> However, as might be expected, he took no active steps to defeat Carlos.

When Palmerston returned to the Foreign Office in April 1835, the Carlist uprising in northern Spain had grown from a revolt

to a civil war. There had been a sufficient number of Carlist successes to make the outcome unpredictable. The Christino forces were poorly led and low in morale. A time had evidently arrived at which Palmerston would have to decide whether to refuse to commit Great Britain further, even if this meant a diplomatic setback; or else to take the risk of a more active intervention, by sending military forces to Spain or by encouraging French forces to cross the Pyrenees.

Palmerston had two advisers in Spain whose opinions he respected: George Villiers, later to be Earl of Clarendon, who had been sent to Madrid as ambassador in 1833; and Colonel William Wylde of the Royal Artillery regiment, who had been sent to northern Spain in September 1834 to accompany the Christino armies and report upon the progress of the war.<sup>17</sup>

Villiers' first despatch to Palmerston after the formation of the second Melbourne government was sent on May 12.<sup>18</sup> It informed Palmerston that Spanish opinion on the subject of foreign intervention had changed, that it was now generally in favor of intervention as the only means of ending the civil war, that even the Spanish Generals were now favorable, and that a formal request must be expected.

Palmerston replied to Villiers on May 22 in a long, carefully argued and beautifully written despatch,<sup>19</sup> in which he tried to postpone a Spanish request for British or French intervention.

Palmerston began by denying that there was any treaty basis for a Spanish request. "When the British Government in the year 1833 acknowledged Isabella II as Queen of Spain, and afterwards in 1834 concluded with Spain the Quadruple Treaty and its Additional Articles,

those steps were taken upon the principle of respecting the right of every independent nation to determine for itself the form of Government which it may think best suited to its interests and welfare." Isabella had become the monarch because of a change in the law of succession made by the Spanish nation "acting by its Legitimate and Constitutional Organs," and any British Government which had not accepted this change "would have been very unmindful of the History of Their own Country, and of the principles of the British Constitution." Since Don Carlos refused to acknowledge Isabella, and instead went to Portugal to unite his cause with Miguel, it was natural for Spain and Portugal to join in the Quadruple Alliance to expell the two pretenders. When Carlos later went to the north of Spain, the Additional Articles were signed. "But neither the Treaty of 22 April, nor the additional Articles of 18 August contemplated or provided for the entrance of French or British troops into Spain for the purpose of interfering in the Civil War there going on." As a result, Britain would be free to consider any request to intervene on its merits, and free of any previous commitments. This was, of course, strictly true, but disingenuous. For Palmerston had himself hailed the Quadruple Treaty as forming an alliance of Constitutional States to offset the "Holy Alliance."

Palmerston then delivered the verdict: "H.M. Govt as at present informed, have a strong and decided opinion that it would be inexpedient that either a French or a British Force should enter Spain for the purpose of taking part in the Civil War." Rather than seek foreign intervention, Palmerston wrote, Spain should seek to make better use of her own forces. There were still many Spanish resources which



could be used to suppress the insurrection, and if Spain were to apply for assistance before her own resources were used up, she would lose the respect of other countries and of her own people. "A settlement of the present Contest, if brought about by Foreign Troops could only be temporary, and never would be acquiesced in as legitimate and final by the Spanish nation."

Palmerston went on to argue that the civil war had originally broken out because the people of northern Spain feared the loss of their traditional privileges, and he advised that concessions be made to them. "... it is well worth the serious Consideration of the Spanish Government, whether there are no means but military force by which this unfortunate contest could be put an end to. The general opinion, when first the Insurrection broke out, was that the refusal of the Inhabitants of these Provinces to acknowledge the Queen's authority sprang more from feelings connected with their ancient and local Privileges than from any personal attachment to Carlos. It was naturally to be expected when Don Carlos appeared among them and came in Person to share their Privations and to encourage their exertions, that the Feelings which at first grew out of Things, should gradually be transformed to Persons; That the War Cry should in some degree be changed; and that the Insurgents should progressively think more of Don Carlos and less of their Privileges." There was still time, Palmerston wrote, for the Spanish government to appease the feelings of the insurgents by making concessions in regard to their traditional rights, and thus cut the ground from under Carlos' feet.

This despatch did not completely reveal Palmerston's real

opinions. For he knew that official British military intervention would not receive Cabinet support,<sup>20</sup> that French intervention might harm British interests, and that a request which had to be denied would embarrass Britain and encourage the Eastern powers.

Palmerston's literary and dialectical skill was wasted. Before his despatch even reached Madrid the request for foreign intervention had been made to Villiers and is reported in a despatch to Palmerston of May 20.<sup>21</sup> The Madrid government and the Spanish Generals were agreed that the civil war could not be won without assistance from allies. As a result, Spain "solicited of His Majesty's Government not only the accomplishment of the second additional article to the Quadruple Treaty, but that a few Troops might occupy some of the Sea-Port-Towns of Spain at the same time that a French Army crossed the Pyrenees. That this, together with the occupation of some frontier Towns by a Portuguese Force, would be viewed as a result of the Treaty, and remove much of the alarm which must always be entertained in this Country upon the entry of a French Army...."

Villiers was himself strongly of the opinion that only British and French intervention would defeat the Carlists. In order to underline the case made by the Spanish Government, he sent Palmerston a military estimate prepared by Colonel Wylde, on the basis of his observations of the actual operations in the north of Spain.<sup>22</sup> Wylde wrote that "if it is thought necessary for the welfare of Spain that the rebellion should be suppressed immediately, there is not the slightest chance left of accomplishing it by any other means than Foreign Intervention: and that the Force that enters should consist of Fifty Thousand men at least."

Wylde repeated this opinion in several of his reports written directly to Palmerston;<sup>23</sup> he emphasized that the Spanish Generals were themselves in favor of intervention. Villiers also followed up the official request of the Spanish government with despatches and private letters to Palmerston urging foreign intervention as the lesser of two evils.<sup>24</sup>

France refused to send an army across the Pyrenees to undertake the unenviable task of suppressing Carlism, but it did agree to send a few thousand troops of the regiment of Africa, ancestor of the famous (or infamous) French Foreign Legion.<sup>25</sup> Even this was done only to sugar the pill of refusal. No better proof could have been needed that the July monarchy in France was pacific in nature, and had no wish to carry on the mission of the French revolution or of Napoleon.

Palmerston did more. Indeed, it was he, far more than any French Minister, who worked aggressively to support the liberal cause in Spain. In spite of his long despatch of May 22, in which he had done everything he could to discourage a Spanish request for foreign intervention, he now did everything he could to agree to that request once it had been made. Although he did not try to fill the role that France had refused, he did try to meet the requests addressed specifically to Great Britain, and of which he had first been informed in Villiers' despatch of May 20 -- the fulfillment of the second of the Additional Articles, which committed Britain to supply the Queen of Spain with arms and munitions, and to send a naval force if needed; and in addition to send troops to occupy some of the seaports of Spain. No problem arose in fulfilling the second of the Additional Articles. In order to send troops, however, Palmerston had to resort to an unusual expedient. This was arranged with General Miguel Alava, the Spanish ambassador in London,

and is recorded in a letter to Palmerston of June 5, and a reply to Alava of June 8.<sup>26</sup>

Alava wrote that "being aware from the conferences which he has lately held" with Lord Palmerston, "... of the difficulties that might present themselves in carrying into effect... the co-operation, which... he has mentioned... with the view of speedily terminating the unfortunate struggle, which now engages the attention and forces of the Spanish Government in Navarre and the Basque Provinces... has the honour to request... in conformity with the spirit and moral influence of the Treaty of the Quadruple Alliance of the 22nd of April of last year... that the Government of His Britannic Majesty will be pleased to authorize him by a special order of the King in Council to raise in the United Kingdom a body of ten thousand troops... and furnishing him from the military arsenals with the articles of armament, and others, which may be necessary for the speedy departure of the said forces for the place where their presence may be most useful."

The 10,000 volunteers Alava wanted to enlist would be British subjects, but would be entirely separate from the regular British Army; and would serve the Spanish, not the British monarch. Since the raising of such an army was specifically prohibited by the Foreign Enlistment Act, an Order in Council would be necessary to authorize it. This was Palmerston's solution to the impossibility of persuading the Cabinet to send a force from the regular Army. That he would adopt such an unusual expedient shows how far he was prepared to go to meet the requests of the Spanish government, in spite of opposition from his own Cabinet to the sending of regular troops. To what extent this stemmed from a genuine belief that liberalism was suited to Spanish needs, or from a fear that

a Carlist victory would embarrass both himself and his country is, of course, a matter of opinion.

The Order in Council suspending the Foreign Enlistment Act was signed by the King on June 10, and was to last for a period of two years unless renewed.<sup>27</sup>

The permission was granted without restriction, and the wording of the Order gave a clear impression that His Majesty and His Government were not only in favor, but decidedly in favor, of the formation of the British Legion.

FOOTNOTES TO CHAPTER I

1. Francis Duncan, The English in Spain, London 1877.
2. Sir Charles Webster, Foreign Policy of Palmerston, two volumes, London, 1951.
3. Sir Herbert Maxwell, Life and Letters of George William Frederick, Fourth Earl of Clarendon, two volumes, London, 1913.
4. Duncan, op cit, p. 41: "The somewhat inglorious, not very protracted, and decidedly broken career of the auxiliary force under De Lacy Evans... presented so little that was attractive to the student of the war, that, as is usually the case, it was deliberately condemned to oblivion."
5. Lord Melbourne's Papers, edited by L.C. Sanders, London 1889, pp. 337-340, Palmerston to Melbourne, 1 March 1836.
6. Webster, op cit, I, pp. 370-387 and 422-424.
7. The Times, 14 January 1835, report of Palmerston's speech at South Hants election.
8. Webster, op cit, I, pp. 393-399; text in Parliamentary Papers, 1834. LI. 299.
9. Webster, op cit, I, pp. 403-404; text in Parliamentary Papers, 1835. LI. 307.
10. Parliamentary Papers, 1834. LI. 299.
11. Webster, op cit, I, p. 397.
12. Webster, op cit, I, pp. 360-365.
13. FO 72/439, Draft to Villiers, number 1, Foreign Office 22 May 1835; Webster, op cit, I, pp. 399-401.
14. Parliamentary Papers, 1835. LI. 307.

FOOTNOTES TO CHAPTER I - 2

15. Webster, op cit, I, p. 397.
16. Webster, op cit, I, p. 422.
17. FO 72/447, Palmerston to Wylde, number 1, Foreign Office 20 September 1834. The despatch contains Palmerston's formal instructions to Colonel Wylde.
18. FO 72/442, Villiers to Palmerston, number 79, Madrid 12 May 1835.
19. FO 72/439, Palmerston to Villiers, number 1, Foreign Office 22 May 1835.
20. Webster, op cit, I, p.425.
21. FO 72/442, Villiers to Palmerston, number 83, Madrid 20 May 1835.
22. Ibid, enclosure Wylde to Villiers, 13 May 1835.
23. FO 72/447, Wylde to Palmerston, number 27, Vitoria 14 May 1835; number 28, Vitoria 15 May 1835; number 29, Pamplona 27 May 1835; number 30, Pamplona 1 June 1835.
24. FO 72/442, Villiers to Palmerston, number 88, Aranjuez 2 June 1835; number 90, Aranjuez 7 June 1835; Webster, op cit, I, p. 427.
25. Webster, op cit, I, p. 428.
26. Parliamentary Papers, Papers Relating to the War in Spain, 1834-1838, 1839 (192) L. 191, pp. 257-258.
27. Parliamentary Papers, Foreign Enlistment Act -- Order in Council, 1835 (323) XXXVII. 629.

CHAPTER II

EVANS

Great Britain's intervention in the Spanish civil war has so far been looked at from what might be called the Foreign Office viewpoint. This provides a necessary perspective, without which it would be absurd to attempt writing the story of Britain's intervention; but history is not so simple and easily packaged as a toiler in the files of the Foreign Office might believe. In the 1830's the Foreign Office was really just a glorified word for the name of the Foreign Secretary -- for the purposes of this work, Lord Palmerston. He ran it, but he did not run it in a vacuum; he had to pay attention to the King, to the Cabinet, to Parliamentary opinion, and to public opinion. In particular, he had to be alert to radical views, which were pushy, self-righteous, usually sincere, but sometimes fanatical and not always above shady dealings.

These very adjectives might be used to describe the career of George de Lacy Evans, who was chosen by Palmerston and Alava to command the British Legion. Through his career, it is possible to trace the Radical pressures which were brought to bear upon British foreign policy in the 1830's, and to discover another set of antecedents for the British Legion, no less interesting or significant than the official story.

George de Lacy Evans was born in County Limerick, Ireland, in 1787. His early life is a mystery; the available printed sources do not even agree on the first name of his father, on the maiden name of his mother, or on the name of the town in which he was born.<sup>1</sup>



In 1806, Evans joined the army in India. He was commissioned as an Ensign the next year, and saw active service against Amir Khan and the Pindaris and in the capture of Mauritius. As a junior officer, he seems to have been capable, brave and ambitious. He was promoted to Lieutenant in 1809, and three years later exchanged to the 3rd Dragoons so that he could see action against France in the Peninsula. Although apparently employed mostly in doing staff work, he helped cover the retreat from Burgos, was wounded at the battle of Vitoria, helped sketch the passes of the Pyrenees under the direction of Sir George Murray, was at the siege of Pamplona, the crossing of the Pyrenees, the investment of Bayonne, and the battle of Toulouse. At each of the latter two engagements he had a horse shot from under him. After the end of the war in France, still anxious for active service, he joined, as Deputy Quartermaster General, General Ross' corps which was sent from Wellington's army to fight the Americans. He took part in the battles of Bladensburg, Washington, Baltimore and New Orleans, and was wounded twice. He reputedly has the distinction of having commanded and led the troops which captured Washington and burnt down the capitol's public buildings, presumably in retaliation for the burning of York, Ontario. He then rejoined Wellington's army in Belgium, and saw action at <sup>Quatre</sup>~~Quatre~~ Bras and Waterloo. He remained in the army, on the staff of the occupation forces, until 1818, when he was put on half-pay. His services were recognized and rewarded; he was promoted Captain in January 1815 for his Peninsular services, Brevet Major in May 1815 for his American service, and Brevet Lieut-Colonel in June of the same year for his services at Waterloo.<sup>2</sup>

After his retirement from the army on half-pay, Evans' life

becomes a mystery for about ten years. When his name again floats to the surface, he has become as ambitious for political, as he earlier was for military service, has developed a particular interest in foreign policy and has become one of the leading Radical figures of the time.

In their attitude to foreign affairs, the trademark of the Radicals of the 1830's was hatred of Russia and its Tsar.<sup>3</sup> Russia was regarded not only as the leading despotic State in Europe, but also as the leading aggressive power. Her ambitions were then as feared as they were after the Second World War, only in the opposite sense. The Radicals hated and feared her because she was autocratic and despotic and monarchical, the main force behind the Holy Alliance; 120 years later, precisely the same emotional hatred<sup>4</sup> of Russia was felt by many Westerners, who saw her hand behind all the trouble-spots of the world.

Evans' first notable anti-Russian campaign was conducted in writing. In 1828, he published "On The Designs of Russia," in both British and French editions.<sup>4</sup> A year later he published "On the Practicality of an Invasion of British India."<sup>5</sup> However, his principal mark was made in the House of Commons, to which he was elected member for Rye in 1831 as an extreme Radical -- which at the time meant a democrat. He was not a lazy or easy-going member, for two things had happened to increase his radicalism and to justify his hatred of Russia -- on the one hand, the July revolution in France, the revolution in Belgium, and the Whig victory in Britain, all of which could be interpreted as proof that Liberalism was on the march to an inevitable triumph; and on the other hand, the savage Russian suppression of the Polish insurrection, which could be interpreted as confirmation of the Tsar's aggressive policies.

Evans was the first member of Parliament to raise the Polish question in the House of Commons. He did so with a motion which he moved on August 16, 1831;<sup>6</sup> he continued his campaign in a number of speeches in 1832, including a second motion moved on August 7, 1832.<sup>7</sup> Evans also set the tone of argument used by other members who moved motions or made speeches denouncing Russian actions in Poland - namely, that Russia had violated the agreements of the Congress of Vienna, which, while recognizing Russian sovereignty, had granted Poland an autonomous status, with her own charter.<sup>8</sup>

It is sometimes said that, while the Radicals in Parliament were anxious to denounce Russia, they were unprepared to face the logical consequences of their denunciation; that, while they insisted the British government rescue Poland, it never occurred to them that this might require a European war; an outraged public opinion would be enough.<sup>9</sup> This insipid doctrine may have been held by a Joseph Hume or a Sir Francis Burdett; it was not held by Evans. Evans was quite prepared to contemplate the possibility of war against Russia, which he thought could be conducted and won by a liberal alliance of Britain and France. And no one who reads his speeches on the subject can miss the tone of bombastic hopefulness. Possibly he thought a general European war against Russia would give him a chance to distinguish himself. And in fact, this is exactly what happened, although not for 20 years -- in the Crimean war, in which Britain and France combined against Russia, Evans served with great distinction as General in command of the 2nd division, and even received the thanks of Parliament in 1853.<sup>10</sup> In 1831-32, however, a British war against Russia was regarded as utter folly by most politicians. However sympathetic to the fate of Poland, Britain could not

reach that country directly, and the last thing the British government wanted to do was to encourage another French campaign across Europe. Furthermore, Palmerston had his hands full trying to secure the independence of Belgium, a task which was made easier because of Russia's preoccupation with Poland.

However ineffective at the time, Evans' views are worth presenting in his own words, as a measure of his temper and ambition: "...it must rejoice every friend to liberty and humanity to hear the denunciations which were uttered against the conduct of Russia. He hoped the House would not be satisfied with denunciations, but that they would act with the courage that became a free and generous people. He would not shrink from a war, if a war became necessary, although he was glad that the peace of Europe had hitherto been preserved. If, however, as a sad alternative, war should become necessary, both England and France were bound to enter into it. Russia was really at the mercy of France and England. Her new acquisition in Asia and elsewhere could soon be wrested from her, and by-and-by she might be reduced to her proper dimensions. If the negotiations were to terminate in hostility between Russia, and France and England on the other side, the cause of liberty could have nothing to fear from the power of the Autocrat or his allies." <sup>11</sup>

And as an indication of Evans' belief in the power of Radical reform to invigorate a country and set it on the paths of righteousness: "There was no power in Europe greater than England, and no opponent whom we had less reason to fear, great as was its power, than Russia; and if any such fear did exist, it must be done away with by the Reform which

had taken place both in France and in this country, and the consequent amicable alliance between the two countries...."<sup>12</sup>

Evans soon found himself at war, but with two of his fellow Radical members of Parliament, not with the Tsar of all the Russias. The constituency of Westminster was, at this time, perhaps the most prestigious, as it was one of the most democratic, in all of Britain. This was the constituency of Charles James Fox; its reputation as the home of British Radicalism had been continued by such well-known reformers as Sir Francis Burdett and John Cam Hobhouse, its two sitting members at this time.

On November 14, 1832, an editorial appeared in The Times, then a pro-reform journal, praising De Lacy Evans: "The motions which he made last session in favor of Poland, and in support of Liberal principles in our foreign policy, earned him the confidence of his countrymen as well as strangers. We hope therefore that he will be returned for Rye at the ensuing election, to advance his spear in the phalanx of independents...."<sup>13</sup> But five days later, another editorial took a different note: "Colonel Evans, it is well known, has for several days been expected to start for Westminster. We have so often and so cheerfully expressed our respect for the straight-forward character of this right-minded and gallant officer, that we are sure neither he nor his friends will mistake our motive when we avow our regret that he should put himself forward against Sir J. Hobhouse, and on the mere ground (for there is no other declared or implied) that Sir John will not give pledges on certain subjects which a little, close, self-elected borough, calling itself a Political Union, in dirty imitation of the worst part

of the Duke of Newcastle's proceedings, seek to impose upon him. Let him set the junta at defiance, and let us hope that so honest a man as Colonel Evans will refuse to be the dupe of a set of meddling intriguers, who will laugh at him while they use his generous and unsuspecting temper as the instrument of their own paltry objects, which are too selfish to deserve the name of ambition."<sup>14</sup>

The Times might as well have saved its breath. The extreme Radicals in Westminster were determined to try to exact from their nominees firm pledges to support certain causes -- such as the ballot for voting, triennial Parliaments, and the repeal of the House and Window taxes. Both Hobhouse and Burdett refused.

The principal Radical organizer in Westminster was the famous Francis Place, friend of Bentham and Mill, and political organizer of genius. Although Place had been foremost in ensuring the election of Burdett and Hobhouse, he tended to be suspicious of both of them, as essentially Whig politicians who had moved slightly towards the Radicals, but who were not thorough-going reformers. And his personal relations with Burdett in particular had had some angry moments.<sup>15</sup> De Lacy Evans had already become known to Francis Place through his rumored willingness to take part, as a Radical with military experience, in the uprising which was planned for May 1832 if the Duke of Wellington formed an anti-reform government.<sup>16</sup> Now, Place was one of the leading Radicals who demanded that Parliamentary candidates accept election pledges. When Evans came forward upon Hobhouse's refusal, Place supported him and organized his campaign.<sup>17</sup>

Evans tried to persuade Burdett to join with him and break

with Hobhouse, but Burdett refused and the correspondence between the two was published in The Times.<sup>18</sup> It was, in short, a dirty campaign. Evans lost by a considerable margin. However, a few months later Hobhouse resigned, upon being appointed Secretary of State for Ireland, and stood for re-election, because he still could not bring himself to support the causes for which he had refused to pledge himself. For this act of conscience, he was defeated by Evans, who of course ran again.<sup>19</sup> Evans thus became a representative of extreme Radical feeling in Westminster; he was to continue to represent Westminster for many years, with the exception of the Tory reaction in the 1841 election.

Burdett, Hobhouse and their supporters (including The Times) thought Evans' manoeuvres shabby. The judgment is perhaps unfair. Undoubtedly, ambition to further his personal career had much to do with his seizing the opportunity to oppose Hobhouse. But the extreme Radicals obviously had a right to ask for pledges, and in the event of refusal to support anyone they wanted. The indignation of Burdett and Hobhouse is the typical reaction of men whose support, prestige and reputation are being undercut by others more radical than they dare or care to be. The reformed Parliament in Britain actually had relatively few Radicals; a handful of extreme voices did not hurt it. Hobhouse found his way back through another constituency. Burdett soon underwent a change of heart and became almost as Tory as the Tories.

Evans' political career was thus advancing rapidly at a time of rapid change in British institutions. His anti-Russian campaign had brought him prominence, and had made him one of the leading Radical commentators on British foreign policy. His campaign against Hobhouse

had brought him to the centre of Radical politics in Britain, and had represented a victory for the idea of pledges. In the new Parliament Evans did not hide his light under any bushels. He spoke on numerous issues with a Radical voice, for example on the inequity of the house and window taxes. For the purpose of this work, however, it is Evans' frequent comments on foreign affairs which are of interest; they led directly to his appointment as commander of the British Legion in Spain.

Civil war broke out in Portugal before it did in Spain. Radicals, extreme Tories, adventurers and opportunists immediately read into this war not just a contest for the Throne of Portugal, but yet another war between Liberal and Autocratic principles. British subjects soon found themselves fighting illegally on both sides. Recruiting was especially active on the liberal side, and several hundred British "Liberty Boys", as well as Frenchmen and Belgians, soon joined the Portuguese forces of Dom Pedro as self-contained units. One British subject who rose to the command of a Scottish regiment was Colonel Charles Shaw, who later found his way to Spain in a similar capacity as a brigade commander.<sup>20</sup> Another was Colonel George Hodges, a mutual friend of Evans and Shaw, who was for a time Shaw's superior, but who eventually returned to England disillusioned with the intriguing that went on. Still another was Captain Charles Napier, later Admiral, one of the vigorous and radical Napier family, who was a mutual friend of Hodges and Evans. Napier in particular made a name for himself in Portugal, by leading an almost entirely British-manned Portuguese fleet to a victory over the ships of Dom Miguel off Cape St. Vincent. Of all the Britons who went to fight in Portugal, none did better for himself, or for the liberal cause than Charles Napier.<sup>21</sup> Although Britain might not be officially engaged in



any European wars, Napier showed that an enterprising and adventurous British officer could, with luck and skill, make quite a reputation for himself by fighting unofficially for the liberal side in a civil war.

Evans followed the fortunes of the Portuguese war with fascination and enthusiasm. He corresponded regularly with his friend Napier. He criticized the campaigns, indicating what he would have done if he had been there. He very nearly went out himself, and would have done so if he could have had the place of the French Marshal Solignac.<sup>22</sup> On June 20, 1833, Napier wrote to Hodges, "had Evans been here, he would have been at the command of the army. Show him this; say I am much obliged to him for what he said of me; and as I do not appear in my own name, they cannot get at me. I have no time to add more, than to beg you to show this to Evans."<sup>23</sup> A month later Napier wrote to William Parker "had my friend, Colonel Evans, commanded that division, we would have been at Lisbon by this time."<sup>24</sup>

Evans could hardly contain his excitement, and his chagrin that all these events were taking place while he was in London. "Now, for myself," he wrote to Napier, "I need not say that I regret deeply that I did not have some share in your successes. Had not Solignac been at Oporto, I should then have gone. But I should have lost Westminster. I should certainly like to have something to do with the remainder of the contest. For affairs in the open field you have not too many officers. In one week hence, Parliament will be up... Adieu, my dear Napier."<sup>25</sup> But Evans did not go. At the time he wrote, the Portuguese war was descending into a stalemate, in which the Liberals could not quite win a complete victory. Only six months were to pass

until the issue was settled in the liberal favor by Palmerston's Quadruple Alliance. Evans' participation was confined to Parliament, where he vigourously defended the liberal side, and the illegal participation in the war of Napier, Hodges and others.<sup>26</sup>

Further, although confined to London, Evans tried to get a piece of legislation through Parliament which was to find fruit on June 10, 1835, when Palmerston had the Order in Council passed suspending the Foreign Enlistment Act. On August 6, 1833, under the guidance of Evans, Mr. John Murray, Member for Leith, moved the repeal of the Foreign Enlistment Act in the House of Commons, so as to make the activities of men like Napier and Hodges legal. The Bill was read a first time and ordered to be printed on that day, was read a second time on August 9, and a third time on August 15.<sup>27</sup>

This quick passage buoyed Evans' hopes that it would become law: he wrote to Napier, explaining why he had not brought in the bill himself, and expressing the hope it would pass the House of Lords:

"The repeal of the Foreign Enlistment Bill has passed the House of Commons, and is now before the Lords, and I am not without hope that their Lordships will let it pass into a law. But the success of every Liberal measure is of course uncertain in an hereditary chamber. I thought it best to leave this Bill to be managed in the Commons by a civilian rather than by a military man, who might be supposed to have some interest or feeling in its success; and, besides, the noble Lords would not have been so well disposed to let it pass had I been the person to carry it up to them. I am very anxious that it may pass, being persuaded that the good government of Portugal, Spain, Italy and even other countries, might be

promoted by the removal of this at least ideal obstacle. A few days will determine."<sup>28</sup>

It is perhaps not too much to read between the lines of this letter that Evans not only foresaw for himself a glorious Liberal career in Portugal, if the war lasted long enough, but wherever else there were restless liberal movements being held down by government repression, as in Spain and Italy.

As Evans expected, a few days determined, but not the way he had hoped. Although Government Ministers in the Commons, such as Palmerston, were prepared to see the Bill pass, the Lords were not.<sup>29</sup> However, Evans did not give up. No attempt was made to renew the Bill during 1834, when the Quadruple Alliance was proving so successful in finishing off the remnants of the Portuguese civil war. But, in 1835, soon after the Whig return to power, when the Spanish civil war was going strongly against the Liberals and in favor of the Carlists, another Bill was brought in, this time by Evans himself. This second Bill to repeal the Foreign Enlistment Act was read a first time, and ordered to be printed, by the House of Commons on May 15; and was read a second time on May 25. A number of postponements followed. It was never read a third time.<sup>30</sup> The entire Bill, and the attention of its originator, was soon overtaken by the suspension of the Foreign Enlistment Act on Palmerston's initiative, and by the permission granted Spain to raise a British Legion of 10,000 troops to fight for the Liberal side in that country's war. This both satisfied, temporarily, the opponents of the Foreign Enlistment Act, and redoubled the suspicions of its supporters by showing them the lengths to which unofficial British support might be carried.

It can be seen, therefore, that Britain's intervention in the Spanish civil war was not just the work of Lord Palmerston, conducting Britain's relations with the other governments of Europe. Although Palmerston was himself an enthusiast for helping other nations to acquire the 'blessings' of free institutions of the British type, and although he might have intervened in Spain anyway, it is important to realize that there was an 'underworld' as well as an official foreign policy, and that at times British Radicals not only had their own policy, but sometimes conducted their own diplomacy and even their own wars. There were ample recent precedents for unofficial, British armed intervention in other countries' affairs -- one of de Lacy Evans' predecessors as Member of Parliament for Westminster, Lord Cochrane, had taken command of the Chilean fleet shortly after the Napoleonic wars,<sup>31</sup> and Evans' two friends, Hodges and Napier, held important commands in the forces of Don Pedro. Further, many hundreds of Britons had made up the rank and file of corps in places like Portugal.<sup>32</sup> Palmerston, unable to send units of the regular British Army to northern Spain, had the alternative of suspending the Foreign Enlistment Act, and helping Spain to recruit an army of volunteers.

By approving the choice of Evans as commander of the British Legion, Palmerston took a crucial decision, for with an army that had to be formed from scratch, even though with experienced men in it, the personality and ability of the leader would be even more important than with units of the regular army. Evans was not the only person envisaged. First, Palmerston considered, but decided against, the appointment of a regular army officer, of orthodox political views, to command the Legion.

For while this might make the formation of the Legion less controversial in Britain, it might hurt its chances in Spain. As Palmerston wrote to William IV, he considered it "essential that the officers who may be employed on the present occasion, should be men of Liberal opinions; because if they should be persons at all favourable to the cause of Don Carlos, or even lukewarm in that of the Queen, they would immediately be exposed to every kind of suspicion on the part of the officers of the Queen's army; and distrust and dissension would inevitably lead to failure."<sup>33</sup>

Even after deciding that a Radical should be appointed, others besides Evans were considered. William Napier, historian of the Peninsular War, was "informed that nothing but my abuse of the Spaniards in my History prevents them from giving me the command-in-chief. I am flattered by being told that I am the only person who can put an end to the war. All this I hold as fudge, but I tell you of it that you may not be surprised if you should suddenly hear of General Napier defeating the Carlists. Alas! I can't go; I have no health, or I do not doubt I might obtain the command, and make a name for ever."<sup>34</sup> However, he did give Evans much advice, and even went out to Northern Spain on a visit in September 1835.<sup>35</sup> Nor is it surprising that Charles Napier, who had been so successful in Portugal, was considered as commander of a fleet off northern Spain that would have 2000 marines. But Napier was too shrewd to go anywhere without firmer promises than he was able to get.<sup>36</sup>

In turning to Evans, however, Palmerston and Alava made a natural choice. They wanted an officer with considerable military ex-

perience, who had Liberal views in politics, who had the necessary connections to form a volunteer, unofficial army, and who would be acceptable to the Spanish Liberals. Although Evans had never commanded an army, he had served bravely and in some important positions during the Napoleonic wars. His military credentials deserved, at the least, to be termed acceptable. His political credentials were, of course, even better; in fact, impeccable. Considering he had only entered Parliament four years before, his rise to prominence as a leading Radical, especially on matters of foreign policy, had been swift and aggressive. And of course, his credentials were excellent as far as his connections with the military underworld of radicals, adventurers and mercenaries were concerned. In particular, he was friendly with the officers who had led the volunteer forces in Portugal. Finally, Evans was ambitious to hold high command in a Radical war in Europe, and confident he could do so with success.

FOOTNOTES TO CHAPTER II

1. Dictionary of National Biography, article on Sir George de Lacy Evans.
2. IDEM.
3. A.J.P. Taylor, The Troublemakers, pp. 43-45.
4. George de Lacy Evans, On the Designs of Russia, London 1828; French translation, Paris 1828.
5. George de Lacy Evans, On the Practicality of an Invasion of British India, London 1829.
6. Hansard's Parliamentary Debates, Third Series, VI, cols 101-106.
7. Ibid, XIV, cols 1209-1214.
8. Taylor, Op Cit, p. 43.
9. Ibid, pp. 43-44.
10. D.N.B., Op Cit.
11. Hansard, Third Series, XII, cols 1138-1139.
12. Ibid, XIX, col 583.
13. The Times, 14 November 1832, p. 2.
14. Ibid, 19 November 1832, p. 2.
15. Graham Wallas, Life of Francis Place. pp. 55, 119.
16. Ibid, p. 304.
17. Ibid, p. 327.
18. The Times, 20 November 1832, p. 5; 21 November 1832, p. 1; 26 November 1832, p. 3; 28 November 1832, p. 2; 29 November 1832, p. 2; extracts of the correspondence are also in M.W. Patterson, Sir Francis Burdett and His Times, London 1831, II, 614-619; The Times also has lengthy reports of election meetings and speeches.

FOOTNOTES TO CHAPTER II - 2

19. M.W. Patterson, op cit, 619.
20. Charles Shaw, Personal Memoirs and Correspondence of Colonel Charles Shaw, 2 volumes, London 1837.
21. Charles Napier, Account of the War in Portugal Between Don Pedro and Don Miguel, 2 volumes, London 1836.
22. Major-General Elers Napier, Life and Correspondence of Admiral Sir Charles Napier, London 1862, I, 456, Evans to Napier, London 17 August 1833.
23. Ibid, I, 191, Napier to Colonel George Hodges, Portugal 20 June 1833.
24. Vice-Admiral Augustus Phillimore, Life of Admiral of the Fleet, Sir William Parker, London 1876-80, II, 252, Napier to William Parker, off Lisbon 20 July 1833.
25. Major-General Elers Napier, op cit, I, 456, Evans to Napier, London 17 August 1833.
26. Hansard, Third Series, XVIII, col 440.
27. Ibid, XX, cols 381ff; Evans speech, col 386ff. Journals of the House of Commons, Session 1833, LXXXVIII, 642, 657, 676.
28. Major-General Elers Napier, op cit, I, 456, Evans to Napier, London 17 August 1833.
29. Journals of the House of Lords, Session 1833, LXV, 586, 607, 613.
30. Journals of the House of Commons, Session 1835, XC, 259, 285, 320, 325, 331, 345, 351, 362, 379, 380, 540.
31. Wallas, Op Cit, p. 128.



FOOTNOTES TO CHAPTER II - 3

32. Charles Shaw, op cit, 2 volumes, *passim*.
33. Sir Charles Webster, op cit, II, 809-810, Palmerston to William IV, Stanhope Street 12 June 1835.
34. H.A. Bruce, Life of General Sir William Napier, London 1864, I, 434-435, William Napier to his wife, June 1835.
35. Charles Shaw, op cit, II, 460, William Napier to Shaw's brother, Bath 25 September 1835.
36. Major-General Elers Napier, op cit, I, 306, Charles Napier to Elers Napier, London 10 June 1835 (misdated January).

CHAPTER III

FORMATION OF THE BRITISH LEGION

Many of the troubles which were to dog Evans and his British Legion to the day it was disbanded were determined by the circumstances under which it was formed. Certain events happened right at the beginning of the Legion's history which ensured that its future would follow certain roads and would be enclosed within a certain framework. As with all historical events, decisions taken deliberately or accidentally had the effect of bending the future in a certain direction.

One of the early decisions Evans had to make was whether to retain or resign his seat in Parliament. If he resigned it, someone else would take his place and he might have difficulty getting back into the House himself. If he retained it, his electors, an active, democratically-minded group might become dissatisfied with a representative who absented himself from Parliament for a long period of time. Evans had worked hard to gain Westminster. He had taken the risk of doing battle with Hobhouse, also a reformer, to obtain the constituency. He decided to hold on to the seat at the same time as he commanded the Legion in Spain, in other words, to have his cake and eat it to. In defence of his decision, he gave way to one of those temptations to tell small lies which corrupt all human activities. When questioned by supporters what he intended to do about his Parliamentary seat he replied that he would not resign because there was no need for him to do so; he would be back in England before the next session of Parliament and his

constituents' interests would not be hurt.<sup>1</sup> He knew he would not be back for the next session; in fact, he did not return for two years. As a result, he was to face much discontent amongst his electors as the months passed; this discontent became one of his many worries in Spain.

Another decision of the utmost importance made by Evans was to accept paper promises from the Spanish Government for the provision of supplies to the Legion in Spain and the regular payment of its officers and men. Although he was warned that Spanish promises were not to be trusted and that he should insist upon an adequate military chest, and although he knew that Spanish finances were in a state of chaos, he allowed himself to be satisfied with the promises. Indeed, he could not otherwise have gotten command of the Legion, for the Spanish Government could not afford to fill a military chest. Possibly Evans believed that the British Government, under Palmerston's prodding, would rescue him if the Legion got into serious financial difficulties, because Palmerston's part in the formation of the Legion could, in a sense, be interpreted as giving the British Government a final responsibility for it. The Spanish Government may also have believed this. But the official arrangement specifically made the Legion a Spanish corps and a Spanish responsibility. And in fact, even if he had wanted to, Palmerston could never have got the Cabinet and Parliament to pay for the Legion. As will be seen, Palmerston went to great lengths to exert pressure upon Madrid whenever the Legion was in difficulty or being treated unfairly. And Palmerston also saw that the Legion received, under the terms of the Additional Articles to the

Quadruple Alliance, all the military arms and stores it required. But he could not, and did not provide money to pay, or supplies<sup>ies</sup> to feed its officers and men. Evans obtained fulsome promises from the Spanish Prime Minister and Minister of War for the strict fulfillment of the Legion's Contract. However, as he was to discover, and as he was warned by friends, promises cost nothing and accordingly the Spanish Government was very generous with them.<sub>2</sub>

By agreeing to go out to Spain with an empty military chest Evans in effect ensured that, when Spain would not pay and Britain would not pay, his officers and men would turn on him and demand that he pay. He then had to plead with the Spanish Government to send him a little money until he was sick with worry and disgust.

The terms of the Contract for which Evans was held by his men to be virtually as responsible as the Madrid Cabinet were generous. This generosity made the Legion a relatively attractive body in which to serve and therefore aided in its formation; however, when it became difficult to fulfill the terms, the generosity became a burden.

The conditions agreed to by the Spanish Government had as their essential purpose to make the Legion a British unit in everything except formal title. They specified that "the pay and allowances to be the same as in the English Service, according to the rank and employment of each individual;" that the Legion was to be "governed in conformity with the British Military Articles of War;" that after the end of their service, which was to be for one or two years, "each officer to receive a compensation equal to the amount of pay of one-half the time of their respective service;" and so forth with provisions for

non-commissioned officers and men, including provision that "wounded, invalids, and widows of those who may be killed in action, or die on actual service shall be to the pensions corresponding to their respective ranks and employments, according to the regulations of the British Army."<sup>3</sup>

Evans was probably deceived, not only by the munificent promises of the Spanish Government, but also by that Government's ability to provide enough money for the recruiting of the Legion, such as the renting of offices, the paying of bounties to the men, and the provision of such supplies as uniforms. But this was done by borrowed money. The Spanish Government, long expert at screwing loans out of moneylenders in Britain and France, got some money on the strength of the likelihood that the Legion would ensure a final Liberal victory in the civil war, and hence ensure that a Government would remain in Madrid which accepted an obligation to pay off earlier loans. For example, a considerable sum was apparently provided by Nathan Rothschild to help in the formation of the Legion. The overall financial details of the Legion's organization were handled by Mendizab<sup>a</sup>el, a Spanish Jew who had organized the expedition to Portugal, and who was shortly to become Prime Minister of Spain.<sup>4</sup>

Still another aspect of the Legion's future was anticipated by the circumstances of its formation. When he threw his support behind a Radical commander for the Legion in order to please the Spanish government and Generals, Palmerston alienated King William IV, the Tory Party, the Horse Guards, and in particular the chief link between the latter two, the Duke of Wellington. To make the Legion a Radical force was at the same time to make it a politically partizan force.<sup>5</sup>

This was perhaps not too important in terms of Parliamentary opposition. The Government need not fear defeat on this issue. But alienating the King and the regular military establishment was a much more serious matter. The King was an important fountain of patronage and prestige. His influence was not unimportant. Worst of all was the alienation of the Horse Guards. Although the Legion was to be a volunteer and unofficial force, it was being counted upon by Palmerston to accomplish results important to British foreign policy. Since it was to consist of about 10,000 men, unusually large for this type of unofficial expedition, it was important to get experience and advice from regular British Army officers and non-commissioned officers. The Horse Guards were bound to look on the Legion as a rival army; it was therefore especially important to win its support. But by giving the Legion a Radical character, Palmerston ensured that the Horse Guards would be hostile. And he made a serious tactical error in neglecting the connection between the British Army and the Conservative Party, of which the Duke of Wellington was the principal example.<sup>6</sup>

The British Legion therefore became a highly partizan body right from the beginning; and it alienated important and influential parts of the British establishment or ruling class. As far as William IV was concerned, Evans was a dangerous republican, and Palmerston had to write him a long reassurance, in which he argued that Evans was not as radical as he claimed to be, and was essentially an opportunist trying to push his way to the front: experience "has frequently shewn that the real and settled opinions of men may often fall short of the speeches which they are led to make...when striving to make themselves prominent, as leaders of the popular party," and "it may well be doubted whether those opinions are

not as much a means as an end."<sup>7</sup> This judgment no doubt contains some truth, but it was meant to convince the King and should be taken as a reflection of the King's opinion, not of Palmerston's. Wellington seems to have thought Evans an out-and-out opportunist, at one point responding to the question "What will all this produce?" with the sarcastic answer, "probably, two volumes in octavo."<sup>8</sup> Then there were those, such as James Graham, who perhaps not unreasonably, expressed "much alarm at the idea of an army being formed which is to act independently of the control and authority of the Government, to be composed of Irish Catholics, supplied by O'Connell... and commanded by Evans, who is a Republican."<sup>9</sup> The Earl of Aberdeen wrote in indignation to Princess Lieven about the Legion being raised by Alava and Evans, "with the means furnished by our London Jews", saying that Alava's "Position here is a false one" (presumably because Alava was no longer following Wellington's opinions) and that "call it what they may, it is disgraceful, and a barbarous thing, that an independent nation should be delivered up to the ravages of foreign mercenaries...it is the most impudent of all pretexts for a tyrannical inference...."<sup>10</sup> The Duke of Cumberland, the King's brother, a moronic and brutal Tory who had not yet been shipped off to Hanover, went out of his way to publicly insult Alava about the British Legion at a party, to which Alava made the not exactly inspired reply: "Monseigneur, Don Carlos peut être roi d'Espagne, mais il ne sera jamais roi du général Alava."<sup>11</sup>

Yet another hazard thrown across the British Legion's path at the very beginning was the Durango Decree, issued by Don Carlos in July, which warned that foreigners would not be given the benefit of the Elliot Convention; any foreigners caught supporting the Christino cause would be immediately put to death. The threat was made good, and many Legionaires

were murdered, at times after horrible tortures, as the result of falling into Carlist hands.

Since the British Legion was to be a sizable army in terms of the post-Napoleonic peace, and since it was to be built up from scratch rather than sent from the regular army, a crucial aspect of its formation was the recruitment of officers. With experienced officers, the problem of training new levies in a hurry would be manageable. Evans, Palmerston and Alava did not at first foresee any great difficulty in finding experienced officers. It was thought that some 500 would be needed; since there were about 13,000 on the records of the British military establishment, since the Legion promised a chance to obtain military service, and since the Order in Council authorized half-pay officers to enroll, 500 did not seem a very large number. It was, in any event, a maximum rather than a minimum figure.<sup>12</sup> But here, even before he had set foot in Spain, Evans had to begin paying the price of his radicalism, and Palmerston the price of encouraging the Legion to be a distinctively radical army. With the King, Wellington, the Horse Guards, the Conservative Party and even some Whigs very dubious about the whole idea, experienced officers were actively discouraged from enrolling. As Evans later complained, "within a few days after the announcement of the Order in Council, an opinion gained circulation that certain high military personages were decidedly adverse to the measure. This had the instantaneous effect of deterring great numbers of officers from engaging in the corps."<sup>13</sup>

Nevertheless, the Legion did not do too badly. Officers were not necessarily good or bad because they bore, or did not bear, the stamp of approval of the Horse Guards, for that approval might be as much a guarantee of social acceptability as of military expertness. If the officers corps



was not quite what Evans, Palmerston and Alava had expected, it was an interesting and colorful group, adequate to permit the formation of the Legion to be completed. A Legion return at the end of July 1835, less than two months after the Order-in-Council, lists 54 officers drawn from the regular, half-pay or retired ranks of the British army and the East India Company's army.<sup>14</sup> An official return presented to the House of Commons in 1836 lists 56 officers as receiving half-pay at the same time as they are serving in the army of the Queen of Spain.<sup>15</sup> There were some 40 officers who had been in the Greek, Columbian, or notably the Portuguese service; this figure involves some duplication with the returns listed above, but much of it represents an addition.<sup>16</sup> Still further, about 40 men who had seen service as Sergeants were given commissions.<sup>17</sup> And there were a large number of young men who had not seen military service before, but who got commissions in the Legion as a result of their families' political connections with Evans; no precise figure can be determined.<sup>18</sup> As a democrat, Evans believed in promotion from the ranks; many enlisted men were given commissions in Spain to fill up gaps in the officer corps.<sup>19</sup> Evans never got the 500 experienced officers he wanted. But by various expedients, and by giving<sup>ing</sup> commissions to inexperienced people, he was able to bring the total up to about 400 by the end of 1835, of whom perhaps half were of doubtful reliability. However, the figure of 500 mentioned by Evans represented an ideal. He was able to make do with less. When he gave this number in his memoir he was trying to convince his readers of the terrible problems he had had to surmount, thus making his record look better. It was not only possible to make do with less; fewer were needed as time passed because the strength of the Legion fell steadily; at the end it was less

than half the desired 10,000 men.

The senior officers of the Legion illustrate the varied background from which the corps as a whole was drawn.

Lieut-Colonel Charles Chichester, a half-pay officer, had considered standing for Parliament at the recent election in the borough of Tiverton. However, one of the sitting members, Mr. Kennedy, sold the borough to Palmerston who was looking for a safe seat. Hearing shortly after that the Foreign Enlistment Act was to be suspended and a Legion formed, Chichester paid a visit to Palmerston to apply for appointment, and was given an introduction to General Alava. Chichester was accused in some circles of "having received part of the price of the borough, and yet I declare upon my honor, that this is all that ever passed between us, nor was there, in any shape or way, directly or indirectly, any agreement or understanding upon the subject."<sup>20</sup> No doubt there was a tacit and unspoken "understanding", but there was probably nothing more since everything about Chichester's service in the Legion confirms his honesty and strictness in anything affecting his reputation. Nor was any "understanding" necessary since "at the time I joined the expedition it was not popular among the higher ranks of the service...and I have no doubt, my services would have been accepted if I had never seen Lord P. in my life."<sup>21</sup> But possibly Palmerston's note helped induce Evans to give Chichester a Brigade, with Spanish rank of Brigadier General, rather than just a regiment. Chichester wrote in high spirits to his elderly father: "I have been appointed a Brigadier General in the expedition about to sail for the North of Spain, and the opportunity of enjoying such a command is one that so very seldom falls to a person of my military rank, or age, (40) that I thought I should be deficient in spirit and energy if I did not at once embrace

it...I believe that I am the first Catholic who has held such a command with English troops, since the reformation...."22

Chichester stands for the type of half-pay officer who was prepared to take his chances in defying the opinion of the Horse Guards; but this sign of independence or rebellion should not obscure the fact that he was a regular army officer type.

An extremely different breed of officer was typified by Colonel Charles Shaw, also 40 years old at this time. Shaw can best be described as a successful Scottish adventurer. Although he was university educated, and had served as a junior officer in the regular army, he was the type who cannot stand an uneventful life. Following a period of knocking about the continent of Europe, he returned to London in 1831 and, after a few idle weeks, joined the illegal and unofficial expedition which was being got up by the Marquess of Palmella, General Sir John Doyle, Sir John Milley Doyle, and George Hodges to accompany Don Pedro on his attempt to force Miguel off the Portuguese throne. Shaw served bravely as Colonel (Portuguese rank) in command of a rather cutthroat Scottish battalion until 1835.<sup>23</sup> Then, just as it became clear that the Portuguese issue was settled and there was no more fighting to be had, news arrived that a British Legion was being formed, with Government approval, to fight in Spain. Shaw began moving heaven and earth to get back to Britain. "If soldiers are wanted," he wrote to Colonel Hodges, "I would undertake in three weeks to have on one spot in England or Scotland a thousand men, <sup>f</sup>of whom upwards of eight hundred should be young fellows, and at the same time old soldiers, and that at a far less expense than could be imagined. Make what use you choose of this offer, not forgetting of course my interest."<sup>24</sup>

Shaw was back in England by the middle of July, and lost no time pressing his own interest. He spent some time with General Evans who "received me very kindly; told me I was to command a brigade of Scotch; that I am to have the sole appointment of the officers to the three Scotch Regiments...."<sup>25</sup> Shaw was given the immediate rank of Colonel in the Spanish service, with a promise of promotion to Brigadier General in the near future. Shaw was the type who suspected that behind every disappointment there lay a personal conspiracy against himself, and he immediately saw a plot behind the delay in his appointment as Brigadier. However, all in all he was pleased enough.<sup>26</sup>

Although there is no evidence of any deep-rooted conspiracy against Shaw, there definitely was bad blood, a sort of inevitable incompatibility, between those like Shaw who had cut their way to the top in the Portuguese war, and those officers who had only served in the regular army. The attitude of the Portuguese veterans can be seen in this letter which Shaw wrote to a fellow-officer still at Lisbon: "This is a much more gentleman-like, lady-like, and genteel service than that of our old friend Donna Maria. I have been to see our war office in Charing Cross. It is not a shabby burking place, such as we had in St. Giles's, but all quite 'in style'. I really could not keep my gravity; and if you had been there with your pencil, you would have sketched to the life the crowd of candidates for glory. They really shame us Portuguese completely; but we shall have our laugh when we see them sleeping in the mud, and eating bacalao with rancid oil, with every now and then a dash of gunpowder for sauce. Still this scene has made me serious, as none of them, from the senior to the junior, has the most distant idea of what they are to suffer."<sup>27</sup> This prediction, based on

Shaw's experience, was to be fulfilled many times over.

A few officers were drawn from still another source -- India -- in particular, Evans own brother, Robert de Lacy Evans, who had served in the Madras Army. He was appointed as a Brigadier General, and, like Chichester and Shaw, was to command a Brigade. He did not prove a successful commander, being far too quarrelsome and prickly for so irregular an expedition, and he did not stay the term.<sup>28</sup>

From one part of the military establishment, de Lacy Evans did succeed in getting some valuable help. The Ordnance department operated as an autonomous section, and the Master-General of the Ordnance, Lieut-General Sir Richard Hussey Vivian was sympathetic, knew Evans and did what he could. Thus, Major William Reid of the Royal Engineers, an old friend of Evans, was placed on temporary half-pay so that he could join the Legion. However, the correspondence authorizing this shift was somehow leaked to The Times and printed, indicating that someone in the Ordnance department was hostile.<sup>29</sup> Reid was also appointed to command a Brigade, with the Spanish rank of Brigadier General. He held a number of other appointments in the Legion, and proved a valuable officer. Another important officer whom the Ordnance department made available was Captain James Colquhoun of the Royal Artillery Regiment; he was made a Colonel and placed in command of the Legion Artillery.<sup>30</sup> Sir Hussey Vivian also wrote Evans a brief on what he should prepare for while in Spain; this was later printed, showing that Vivian did not mind making his sympathy public.<sup>31</sup>

There would be little point, at this stage, in naming all the senior officers; they will, where relevant, become known as the story

proceeds. However, two officers might be mentioned now, since they were of good family, defied Horse Guards opinion and gave good service: Major John Gaspard Le Marchant, who went on half-pay at the end of July and entered the Legion as Adjutant-General with the Spanish rank of Colonel and later of Brigadier General;<sup>32</sup> and Captain Oliver De Lancey, who went on half-pay at the same time and became Le Marchant's Deputy.<sup>33</sup>

The recruitment of men for the Legion was as widespread as the recruitment of officers, and covered the three kingdoms of England, Scotland and Ireland. A breakdown of the Legion gives the approximate proportions. Of the ten regiments of the line, each of which was supposed to comprise about 800 men, four were enlisted in England (numbers 1 to 4), three in Scotland (numbers 5, 6 and 8), and three in Ireland (numbers 7, 9 and 10). A regiment of rifles was recruited largely in England. One regiment of cavalry was formed in England, and a second in Ireland.<sup>34</sup>

It is even more difficult to give an exact analysis of the enlisted men of the Legion than it is of the officers. The decade of the 1830's did not pride itself upon statistics as the modern age does, and the Legion was recruited even more hurriedly and haphazardly than a normal British army unit would have been. The average soldier of the rank and file was important only as a body, as an anonymous and expendable unit who would help to bring the total to the required 10,000. Nor is the rank and file soldier of the time the type who leaves memoirs or histories behind him; he is lucky if he can read or write at all. Still, from scraps of information it is possible to piece together a fair picture of the men of the Legion.

Of the four English regiments, the 1st and the 3rd were recruited in London. The 3rd Regiment in particular was meant to do honor to de Lacy Evans in his capacity as Member of Parliament for Westminster -- it was given the additional name of Westminster Grenadiers.<sup>35</sup> The main recruiting office for the 2nd Regiment was Plymouth, and for the 4th Regiment, also named the Queen's Own Fusiliers, Portsmouth.<sup>36</sup> The two regiments raised in London seem to have been composed, logically enough, of lower-class, down and out Londoners. But the English regiments also included men drawn from cities like Liverpool and Bristol, and some of these may have been enrolled in the London regiments.<sup>37</sup> A substantial number of unemployed agricultural laborers also found their way into the Legion, perhaps largely into the regiments raised in Plymouth and Portsmouth, although this is mere speculation. A deliberate and partially successful attempt was made by the Portsmouth office to induce soldiers from the regular British army to desert and join the Legion. Although the exact number cannot be known, the incidents were serious enough to be raised in the House of Commons, and at the beginning of August, the Government had to order that no more recruiting be carried out in the Portsmouth area.<sup>38</sup> Two further units were raised mostly in England, which had a semi-autonomous nature, due to their function and the prestige of their commanding officers, who raised them: The Regiment of Rifles, raised by the Baron de Rottenburg, who transferred to half-pay from active status with the 89th Regiment of Foot so that he could join the Legion; and the 1st Regiment of Lancers, recruited from headquarters in Westminster by John Kinloch, a cavalry officer with a considerable reputation for advanced cavalry tactics.<sup>39</sup>

The three Scottish regiments were recruited by Colonel Shaw, who was able to make use of his Portuguese experience to attract officers and men. Although two of these regiments, the 5th and 8th were often given the additional title of "Highlanders", there were in fact very few Highland men in any of the three. Recruiting was carried out in Lowland cities and towns, such as Glasgow, Edinburgh and Paisley. Shaw's own headquarters were in Glasgow. Numerous references to "Glasgow weavers" and "handloom weavers" make it clear that a high proportion of the Scots were of a very unfortunate and desperate class -- unemployed and displaced handloom weavers -- whose distress occupied so much public attention at the time.<sup>40</sup>

A description of the recruiting methods is provided by the Greenock Advertiser. "Every exertion is used to induce young men to enter the service, and they receive every encouragement from the officers of the Commissariat Dept. Whenever a recruit goes on board the Crown, he is taken on the quarter-deck, and receives a glass of whisky and immediately after a pound of loaf and one-half a pound of biscuit, with large cut of the best beef or mutton, as much soup as he can use, and a jug of porter. Such is the daily allowance of each man...." This report, whether or not it is factually true, was perhaps meant itself to be an inducement to recruits, holding out as it did the promise of a daily feast.<sup>41</sup>

Shaw's Memoirs include a return of the officers and men he recruited, which not only gives the strength of the original Scottish contribution to the British Legion up to the end of September 1835, but also gives regimental totals which are probably also applicable to the



English and Irish regiments, providing an estimate of the size of each regiment or battalion. The 5th Regiment was originally composed of 22 officers and 675 men; the 6th Regiment of 21 officers and 686 men; and the 8th Regiment of 26 officers and 743 men. Apart from 43 women and 5 children, this constitutes a total of 69 officers and 2,104 men -- a proportion of 1 officer to every 30 men.<sup>42</sup>

The Irish Regiments also had their fancy names: the 7th was also known as the Irish Light Infantry; the 9th had to settle for (Irish) Regiment; while the 10th was able to boast Munster Light Infantry. The 7th Regiment was raised in and around Dublin.<sup>43</sup> Where the other two were mostly recruited is uncertain, but there was a major recruiting office in Cork, which also served as an important embarkation depot.<sup>44</sup> In Cork, as in Portsmouth, there was a deliberate attempt to entice deserters from the regular British Army; this raised tempers at the Horse Guards all the way up to the Commander-in-Chief, Lord Hill, and while it may have gotten the Legion some extra soldiers it was not what a later age would call "good public relations."<sup>45</sup> As might be expected, the Irish regiments are always described as being composed almost entirely from the rural population, apart from some from Dublin and Cork, for Ireland did not have the city populations of England and Lowland Scotland. Possibly because of their rural character, the Irish turned out to be "physically and morally the best adapted for the service." Also recruited in Ireland was the 2nd Regiment of Lancers, formed by Colonel Walter Jacks.

Although Legion statistics are hard to come by, even for an age not known for statistical science, there does exist a valuable contemporary work by Rutherford Alcock, the Deputy Inspector General of

Hospitals for the Legion, who had served in a similar capacity with the Portuguese Legion: Notes on the Medical History and Statistics of the British Legion of Spain. Although this work deals mostly with sickness and injuries, and will in that capacity be discussed later, it also includes a description of the first and only general Medical Board of the Legion. This was not held in England, where few medical examinations were carried out, but in Spain in the autumn of October 1835, by which time most of the Legion had arrived.

The Medical Board showed that "one-eighth at least of the whole force was unfit for service and ought never to have been enlisted. We had in the ranks about 1,000 men tainted, partially or totally disabled by disease...."<sup>46</sup> Put another way, the Board "ascertained that upon an average 100 men in each regiment of infantry were either too young or too old for service, deformed, diseased, or crippled. Between 200 and 300 were invalided, as men absolutely and totally incapable of bearing arms...."<sup>47</sup> Such oddities were found as "a stripling of 14 years", "a hunchback", "an old man with a club foot".<sup>48</sup> This means that some 10 per cent of the men recruited should not, for physical reasons, have been enrolled. But of course it does not mean that the 10 per cent proved entirely useless. An old man with military experience might be valuable; an under-age youngster might prove suitable if in excellent physical condition and large for his age. In general, the Medical Board showed that the Legion had been recruited hurriedly; in many cases, and apparently especially in London, there were few standards of selection other than an ability to stagger on board ship. There was, it may be concluded, a pre-occupation with obtaining large numbers of men in a very short period of

time. Many of the agents who did the recruiting were probably judged, and perhaps paid, according to the totals they could present.

To balance this rather grim picture, it should be noted that Alcock writes "It may be remarked, in addition, that of those classed as fit for service, that is, neither crippled nor diseased, two-thirds only were in the flower of manhood, or such as would be accepted in the British Service; the rest were either youths or elderly men."<sup>49</sup> Therefore, however bad some 10 per cent may have been, there was still a large nucleus of men, about two-thirds, who were quite acceptable, as well as a further number who could get along unless exposed to unusual privations.

The first boatload of the Legion, comprising about half the 1st Regiment, arrived at the port of San Sebastian in northern Spain on July 10, exactly one month after the Order in Council. Evans' headquarters had ordered that all boatloads of men were to be landed properly dressed in uniform and carrying arms, so as to make a favorable impression upon the good people of the ports of San Sebastian and Santander. The experienced and skeptical Colonel Shaw commented: "A mob of this sort, with money in their pockets, to make military appearance!! The thing is absolute folly. Far better to land them in their nakedness, and let them get drunk and spend their money, and when sober give them only a part of their clothing and necessaries... if I am the senior officer at the place where we disembark, I shall take the responsibility of disobeying the order...All this makes me think there is a want of experienced men at head quarters, and, as it is now nearly

twenty years since our Chief (Evans) was a soldier, and as he was then generally on the Staff, it is the more necessary that his superior officers should understand thoroughly the duties of corporals, sergeants and sub-alterns...."50 But the officer in charge of the first boatload was Brigadier Chichester. He tried to follow orders, with the result that the men went on a glorious drunk. "My orders were very positive," he wrote in his diary, "not to leave the walls of St. Sebastian until General Evans came, but the scenes of drunkenness had been so bad, and the men so violent, that I determined at all hazards, as soon as another detachment came, to move the first into the convent, and keep the second in the town to prevent their meeting until all the money was spent...."51

In short, quite apart from their physical condition and suitability, the men of the Legion arrived in the ports of northern Spain as an untrained and undisciplined rabble. Logically, they should have been trained at camps in Britain before their departure. In spite of the suspension of the Foreign Enlistment Act, however, this sort of training could not be carried on without violating the Common Law.

This meant that, during his first few months in Spain, Evans had an untrained, undisciplined rabble on his hands. With the exception of those who had had previous military experience, the average man of the British Legion was no more a satisfactory soldier upon his arrival in Spain than he had been the day after he enlisted in Britain. The training which ought to have been carried out before the expedition left Britain had to be done in the neighborhood of the fortified ports of San Sebastian, Santander, Bilbao and Portugalette, with, in many cases, Carlist troops a stone's throw away.

Evans was not helped in this task by his own impatience. He was anxious to make a good impression upon the Spanish government, and upon

his critics and supporters at home. He probably feared that if he did not take some action soon after his arrival in Spain, he would become bogged down in a winter of non-campaigning. In any event, he underestimated the extent to which his men lacked training and discipline, and allowed them to become involved in a premature engagement on the 29th of August. This consisted of an attempt to advance from the fortified port of San Sebastian upon the Carlist town of Hernani, a stronghold nearby which kept San Sebastian in a state of tension and also helped control the Carlist communications with the French frontier, important for the smuggling of supplies.

In his memoir, Evans gives this first engagement six lines, not in the body of the text, but in a footnote: "On the 29th the remaining part of the force made an advance or reconnaissance, in the direction of Hernani, as a preparation for the possible encounter near Bilbao. Four men of the Legion were killed, and a great victory was celebrated for the Carlists by their English friends."<sup>52</sup> However, there is evidence that Evans was hoping, not just to make a reconnaissance, but actually to capture and to hold Hernani. That was apparently the opinion of Colonel Wylde, the British military commissioner, who reported to Palmerston that "the object of this affair was to drive the Carlists from Hernani and to free the immediate neighborhood of S. Sebastian from their presence...."<sup>53</sup> Brigadier Chichester's diary also bears out this impression, noting at one point that, when the Carlists had temporarily retreated, "Evans seemed to have made up his mind to remain at least upon the ground we then stood on...."<sup>54</sup> But the Carlists, although giving up some ground temporarily, held on to Hernani. Soon it was the Carlists

who were advancing and the Legion beating a hasty retreat to San Sebastian: "it was a touch and go business," Chichester noted, "on the road we formed as well as we could, but the want of discipline showed itself terribly here."<sup>55</sup> In his report to Palmerston, Colonel Wylde, a man given to understatement rather than exaggeration, concluded "I am of opinion that General Evans has allowed himself to be urged on to bring his troops into the field before they are at all fit for it. Many of them, indeed by far the greatest number, had never loaded a musket before, and not a single Battalion has had six days drill. In short they are wanting in everything but courage. I was happy to find them however a much better description of men than I expected and evidently capable of becoming good troops if a fair chance is given them."<sup>56</sup>

Although expressed in cautious terms, this was a severe judgment upon Evans. It not only indicated that his military knowledge had become rusty, but also pointed up a character defect, a tendency to be impetuous and to let unwise advisers talk him into doing things that his own sense of judgment should have caused him to turn down. This tendency of Evans' character had been hinted at in a generally favorable Times editorial back in 1832.<sup>57</sup> It was frequently to be commented upon, often in extreme, exaggerated and unfair terms, in letters and memoirs by men who served in the Legion. Brigadier General Shaw wrote numerous comments to his family and friends on this theme. Alexander Somerville, later to be author of Autobiography of a Working Man, a person of high intelligence, has some telling and rather stiff comments upon Evans' excessive Irish good-nature, to the effect that "...General Evans though not naturally a harsh tempered, or tyrannically disposed man, was so deficient in some

qualities as Commander, that those who had his ear for the passing time, could sway him to any side and overturn any former favorite."<sup>58</sup> Villiers, British ambassador at Madrid, despised Evans, and considerable allowance must be made for his crude exaggeration; he called Evans a "blockhead"<sup>59</sup> and "a conceited, incapable coxcomb, with no real merit beyond personal bravery. A man of magnificent promise and mean performance, equally unable to bear good and adverse fortune, weak of purpose, greedy of flattery, and, like all those with no knowledge of men, led by the people most unfit to guide." In short, a man who "absolutely constrains me to vomit."<sup>60</sup>

It would be a mistake to make too much of these criticisms. Villiers' hatred is too obvious for his comments to be accepted at face-value, except as evidence of a bad relationship between two men whose co-operation was vital to the achievement of British policy. And soldiers, whether of high or low rank, are unlikely to be impartial when criticizing their commander. Still, throughout his command of the Legion, Evans did have a tendency to do things, or fail to do things, which bear out the direction, though not the extent, of these comments upon his character.

Having prematurely exposed the Legion to combat at Hernani, Evans now adopted a more realistic course, even though it meant a long delay before the Legion could see battle again. To begin with, he strengthened his relationship with Colonel Wylde, Palmerston's man on the spot, and with Commodore Lord John Hay, commander of the British naval squadron off the north coast of Spain. Wylde had been ordered by Palmerston in early August to go to the headquarters of the British Legion, and to accompany Evans and give him advice for as long as both thought this useful; further, to arrange efficient channels of communication between Evans and

the Foreign Office, and Evans and Villiers in Madrid. Wylde had not had time to acquire much influence with Evans before Hernani, but after this sobering affair, Wylde seems to have been the principal voice in determining Evans to give first priority to the disciplining and training of his men. With Lord John Hay, Evans did not, at this time, build up a very close working relationship, although that was to come later; but he did make extensive use of Hay's ships for communications.<sup>61</sup>

During September and October, Evans devoted his time to disciplining and training the Legion. Discipline was enforced with harshness, through the introduction of the provost system which, in effect, permitted any officer to order any man to be flogged without the formality of a court-martial. This was, perhaps, the only way to make an army out of a hastily recruited rabble. It nevertheless led to much abuse by officers of inferior character, and it brought Evans under much criticism in Britain since it was so contrary to what was expected from a Radical and a 'man of the people.'<sup>62</sup> The training and drill was equally ruthless. Although it resulted in many Legionnaires of poor physique or poor health having to be invalided, it did shake down the Legion into a fairly efficient army in a relatively short space of time.<sup>63</sup> Wylde was able to report to Palmerston with satisfaction that the regiments of the Legion were making rapid progress.<sup>64</sup>

During these weeks Evans avoided military engagements. By moving most of his troops from San Sebastian and Santander to Bilbao, he did succeed in raising one of the periodical Carlist sieges of that important port-city. But this was achieved simply by the concentration of Evans' men, not by any actual engagement.



There had been many -- and Evans had been one of them -- who had hoped quite unrealistically that the British Legion would, almost from the moment of its landing in northern Spain, transform the military situation, and cast a new and dramatic light on that country's civil war. The British Legion had conspicuously failed to do anything of the sort, and on the one occasion when it had tried to do so, had been forced to scamper back to the safety of San Sebastian. Nevertheless, once this high-spirited episode had passed, Evans had got his Legion down to the hard work of making soldiers out of unemployed, underfed Londoners, distressed Glasgow weavers and Irish farmers. As October 1835 progressed, there was a growing feeling, admitted by experienced as well as assumed by merely enthusiastic observers that the British Legion had made the transition from a newly recruited rabble to a drilled and disciplined army of some 8,000 effectives.

FOOTNOTES TO CHAPTER III

1. The Times, 15 June 1835, p.2.
2. George de Lacy Evans, Memoranda of the Contest in Spain, London 1840, p.23; FO 72/464, "Col. Evans' File," Evans to his officers, San Sebastian 31 October 1836; Evans to the Minister War, General Rodil, San Sebastian 2 November 1836.
3. Charles Shaw, op cit, I, 491, Spanish Appendix B prints the text of the conditions under which British subjects were enlisted.
4. Count Egon Caesar Corti, The Reign of the House of Rothschild, New York 1928, pp. 114-115; Webster, op cit, The Times, 12 June 1835, p. 3, "Money-Market and City Intelligence".
5. Webster, op cit, II, 809-810, Palmerston to William IV, Stanhope Street 12 June 1835.
6. Idem. Evans, op cit, pp. 25-26.
7. Webster, op cit, II, 809-810, Palmerston to William IV Stanhope Street 12 June 1835.
8. George Robert Gleig, Personal Reminiscences of the Duke of Wellington, Edinburgh & London 1904, p. 324.
9. Charles Greville, Memoirs, edited by Henry Reeve, 8 volumes, London 1874-1887, II, p. 398, 21 June 1835.
10. Correspondence of Lord Aberdeen and Princess Lieven, edited E. Jones Parry, Camden Third Series, London 1938, I, p. 31, Aberdeen to Lieven, 16 June 1835.
11. Greville Memoirs, op cit, II, p. 406, 4 July 1835.
12. Evans, op cit, pp. 25-26.
13. Ibid, p. 25.
14. The Times, 30 July 1835, p. 7.
15. Parliamentary Papers, 1836 (67.) XXXVII. 627.

FOOTNOTES TO CHAPTER III - 2

16. Evans, op cit, p. 26 footnote.
17. Idem.
18. The Times, 19 June 1835, p. 3, letter to the editor from Evans. Evans refers to "many hundred letters from friends, acquaintances, and others, desirous of joining in that expedition."
19. The Times, 17 September 1835, p. 3, General Order of the Legion, San Sebastian 4 September 1835, on promotion from the ranks.
20. Papers of Sir Charles Chichester, Item C/2/1, Diary of Brigadier-General Charles Chichester, 1835-1837, p. 1, 17 July 1835.
21. Ibid, p. 2
22. Chichester Papers, Item DDCC/144/32, Chichester to his father, Exeter 29 June 1835.
23. Charles Shaw, op cit, passim.
24. Ibid, II, pp. 398-400, Charles Shaw to Colonel Hodges, Lisbon 20 June 1835.
25. Ibid, II, p. 406, Charles Shaw to Major Bruce Mitchell, London 15 July 1835.
26. Idem.
27. Ibid, pp. 404-405.
28. Ibid, pp. 414-416, Charles Shaw to Brigadier Robert Evans, Glasgow 5 August 1835.
29. The Times, 17 September 1835, p. 2.
30. Parliamentary Papers, 1836 (67.) XXXVII. 627.
31. Shaw, op cit, I, pp. 493-496, Spanish Appendix C prints Memoranda by Sir Hussey Vivian, 5 July 1835.
32. D.N.B. article on John Gaspart le Marchant,

FOOTNOTES TO CHAPTER III - 3

33. D.N.B. article on Oliver de Lancey
34. J.H. Stocqueler, A Familiar History of the British Army, London, 1871, p. 222. Stocqueler wrongly indicates 2 Scottish and 5 English regiments, whereas there were actually 3 of the former, 4 of the latter.
35. The Times, 29 June 1835, p. 5.
36. The Times, 25 July 1835, p. 5.
37. Rutherford Alcock, Notes on the Medical History and Statistics of the British Legion of Spain, London, 1838, p. 4.
38. Hansard, Third Series, XXIX, cols 215-217.
39. The Times, 4 July 1835, p. 4; 3 August 1835, p. 5.
40. Charles Shaw, op cit, II pp. 410-425.
41. The Times, 12 September 1835, p. 2, quotes the Greenock Advertiser.
42. Charles Shaw, op cit, II p. 452.
43. The Times, 7 August 1835, p. 5.
44. Charles Shaw, op cit, II, p. 445.
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46. Alcock, op cit, p. 4.
47. Ibid, p. 6.
48. Ibid, p. 5.
49. Ibid, pp. 6-7
50. Charles Shaw, op cit, II, p. 412, Charles Shaw to T.G. Shaw, Glasgow 31 July 1835.
51. MS Diary of Charles Chichester, p. 8.
52. Evans, op cit, p. 33 footnote.
53. FO 72/447, Wylde to Palmerston, number 44, Portugalette 6 September 1835.

FOOTNOTES TO CHAPTER III - 4

54. MS Diary of Charles Chichester, p.23.
55. Ibid, p. 26.
56. FO 72/447, Wylde to Palmerston, number 44, Portugalette  
6 September 1835.
57. The Times, 19 November 1832, p. 2, editorial.
58. Alexander Somerville, History of the British Legion and  
War in Spain, London 1839, p. 301.
59. Sir Herbert Maxwell, Life and Letters of George William  
Frederick Fourth Earl of Clarendon, London, 1913, I, p. 139 footnote,  
George Villiers to Edward Villiers.
60. Ibid, I, p. 147, George Villiers to Edward Villiers,  
Madrid 21 April 1838.
61. FO 72/447, Wylde to Palmerston, number 149, Bilbao  
25 September 1835.
62. The Times, 4 April 1836, p. 7, Evidence given before the  
Commission on Military Punishments, testimony of Capt. Lothian Dickson,  
former commander of the Legion's 7th Regiment.
63. The Times, 31 October 1835, p. 2, report from Bayonne  
25 October 1835.
64. FO 72/447, Wylde to Palmerston, number 50, Bilbao  
3 October 1835.

CHAPTER IV

WINTER AT VITORIA

The winter was spent carrying out the very logical strategy adopted by the Christino Generals to oppose the Carlists in their mountain fastnesses, and in the very illogical part which the British Legion was assigned to play.

The strategy was essentially negative, a response to Carlist initiative. Its object was not to conquer, but to contain the enemy guerrilla forces within their mountain strongholds. The Christino lines had as their purpose to form a ring around the provinces of Navarre, Guipuzcoa and Biscay which would cut the Carlist areas off from contact with the outside world, so that they would either disintegrate or be rendered ineffective. If the Carlist armies tried to break out of the ring surrounding them, they were to be brought to battle and, it was assumed, defeated, since it was believed the Queen's forces would be superior in any normal, large-scale engagement. The ring drawn about the Carlists consisted, on the south, of the approximate line of the Ebro river, with headquarters at Vitoria; on the southeast, permanent possession would be taken of the Valley of the Borunda, from Vitoria to Pamplona; on the east, the desired line would be the Valley of the Bastan, from Pamplona to Irun on the French frontier. Along the northern sea coast, the line would consist of those ports held by the Queen's troops and of as many more as could be taken from the Carlists; an attempt would be made, in particular, to cut Carlist communications with France in this area. Along the west, there was less of a danger.

This defensive strategy was based on an admission of Carlist strength. The local population of the provinces was hostile to the centralizing government in Madrid, obedient to its priests who eulogized Don Carlos as a true son of the Faith, and loyal to Carlos himself who had come to their area to, as they saw it, identify himself with their struggle against Madrid. (Carlos of course saw it the other way round). The Carlist areas were part of the Cantabrian Mountain chain that runs roughly parallel to the coast of northern Spain; these mountains are considerable in height and rigor, with innumerable peaks and valleys, breath-taking in beauty, and excellently and naturally suited to guerrilla activity. This area had been the centre of an active and effective guerrilla resistance to the French armies during the Napoleonic wars; this precedent both discouraged the Queen's Generals from serious attempts actually to invade the mountainous interior, and gave the Carlists a basis of experience on which to draw.

The Queen's commander during much of the war, General Cordova, liked to point out that during the Napoleonic wars, Mina's 7,000 poorly trained guerrillas had held off 40,000 French soldiers commanded by some of Napoleon's best officers; and that therefore it had to be expected that the 25,000 troops of Don Carlos would be even more effective in resisting the 100,000 troops of the Queen's Army. In addition, Cordova would point out, the French had ample supplies and the guerrillas few; whereas the Carlists were so far in a position to draw ample supplies from France because their communications had not yet been severed. Further, the French forces referred to (40,000 in number) were entirely devoted to putting down the guerrillas, while the Queen's troops had

other areas of the country to hold down. And in addition, the French could be identified as foreign enemies, while the Queen's troops could be <sup>i</sup>nduced to desert to the Carlists. Also, the Carlists had a central position. Due to the support they received from the local population they had excellent intelligence. Movements of the Queen's troops were rapidly conveyed to them. These could be easily countered by shorter lines of communication and a central location.

Although some of this justification of the blockade strategy was an attempt to excuse inaction, the strategy did make sense, and if properly carried out might have ended the war quite quickly. Indeed, it was the eventual accomplishment of the Legion in 1837, in closing one of the main gaps in the blockade that led to a significant reverse in the fortunes of the Carlists and helped anticipate the final result.<sub>1</sub>

Unfortunately, the blockade was incomplete. And the British Legion, instead of being used where it was really needed and might have rendered good service almost immediately, was ordered to an area that could better have been defended and guarded by regular Spanish troops. When the Legion first went to Spain it was based upon the main ports of the northern coast. It was to help garrison these ports that Spain had originally asked British assistance. The British naval force of Commodore Lord John Hay was available, and authorized by the Additional Articles of the Quadruple Alliance, to render help. Co-operating with Lord John Hay, the Legion could have been used to seize final control of the northern coast and to close off the communications between the Carlists and their French-based supporters. Instead, the Legion was



ordered to march inland for the winter of 1835-1836, to place itself in the neighbourhood of the city of Vitoria, and to join the Christino armies in maintaining the blockade of the Carlists along the general line of the Ebro. In marching his Legion into the interior, Evans was acting on the request of the Spanish Government and of General Cordova, to whom he was at least theoretically subordinate. There is no indication that he strongly protested his orders, although in his memoirs he admits the Legion should have been left to operate on the line of the coast.<sup>2</sup>

Evans was instructed by Cordova to march directly from Bilbao to Vitoria by the Durango road. Although this would take him through Carlist territory, the main Carlist forces were reported out of the area, and his strength was considered sufficient to overcome any opposition he might meet. However, the evening before he was to march 18 battalions of Carlists turned up in the neighbourhood, and he therefore reverted to earlier instructions of the Spanish government to march around this main Carlist area by taking the route Bilbao-Portugalette-Castro-Balmaceda-Breviesca, which would place him on the left part of the line of the Ebro. This was a reasonable but cautious decision; it indicated that Evans had learned the lesson of his premature engagement at Hernani. Although surely better than risking heavy losses in engagements on ground favorable to the Carlists, it was to take the Legion over a long, mountainous route, with poor roads, unplanned detours and unscheduled stops. The resulting exhaustion planted the seeds of future trouble, and undid much of the discipline and training which the past few weeks had given to the Legion.<sup>3</sup>

The route actually taken by the Legion, including detours, was round-about indeed: Bilbao-Portugalette-Castro-Ampuero-Limpias-Bercedo-Mi~~an~~da del Pomar-Villarcayo-Ona-Briviesca. This involved bypassing not only the Durango road, but also the Balmaceda road, about which Evans was also uneasy. The Legion was thus marched through extremely mountainous territory, in some places over trails that did not deserve the name of roads, and through some remote areas that can seldom before have seen an army. It escaped any major engagement, although many stragglers were cut off by guerrillas and bandits.<sup>4</sup>

Everyone who wrote about this march was impressed by the rugged beauty of the scenery through which the Legion passed. Even the cynical Shaw is found writing that "the scenery and the road were beautiful," that "such magnificent scenery, and such splendid roads, I never beheld," that "we came on the Ebro, followed it through indescribable scenery, till we crossed a magnificent bridge," and that a halt was made in "the most miserable village, in the most lovely spot I ever beheld."<sup>5</sup> Chichester was not a cynic, but he was also not given to romantic eloquence, yet even he writes hurriedly in his diary that "the view from the top was magnificent it looked down upon a valley watered by the Aquero the sea visible on the right in all other parts a boundary of stupendous mountains I can hardly say I enjoyed the view for my anxiety was so great respecting the getting the men forward", and that "the men lagged very much we passed some most magnificent scenery and upon capital roads but I was so anxious about getting forward that I did not enjoy it as I otherwise should still it was magnificent."<sup>6</sup> Those officers who had literary interests, in the style

of the romantic movement which was just ebbing away in England, really let themselves go -- for example, the Canadian author, Major John Richardson: "It would be difficult to create to the imagination of whomsoever has not beheld it, a true mirror of the realities of the wild scenery through which we moved, and which in itself was sufficient to repay us for all our fatigue. Now the army wound its way through the fertile bosom of some rich valley, whose treasures were enclosed, as with a gigantic wall, by immense masses of mountain crag, the barren white and precipitous sides of which presented a bold and striking contrast with the verdant meadows at their feet: -- now it issued from the heart of that valley, winding its course up the steep sides of some tall mountain... and the wearied and panting soldier asked wonderingly of himself, how he had accomplished the ascent?"<sup>7</sup>

The "wearied and panting soldier" grew increasingly rebellious and undisciplined as the eight-day march progressed. Knapsacks, containing the soldiers' rations, were thrown over the side of the cliff. Shoes of very inferior quality wore out. Plunder was resorted to, both of livestock and in the homes of peasants. The men began to revile their officers; the adjutant of the 5th Regiment was even fired on by three of his soldiers.<sup>8</sup> Brigadier Shaw, never backward in making use of the 'cat' took full advantage of the provost system to flog thieves.<sup>9</sup> Evans himself, normally a firm opponent of flogging, held a number of drumhead courts-martial to make an example of plunderers.<sup>10</sup> Even many of the officers managed to tear their attention away from the magnificent scenery long enough to complain loudly, be-

cause at one point Evans called together as many as he could get from two of the regiments and berated them, in front of their men, saying "it was possible that some had come out with a sincere desire to make themselves acquainted with the service, and the duties required by it; while the object of others might have been to spend a year or two agreeably in the capacity of military tourists... If, he hinted, there were those who thought that service too fatiguing, and too little in accordance with the ideas they had originally entertained of it, nothing could be more simple than to disembarass themselves of their charge." <sup>11</sup> Many of the officers took the hint. From this time forward a steady stream began to return to Britain, only partially to be replaced by new arrivals, some through dissatisfaction others because they were ~~de~~ considered, some for entirely legitimate reasons. Once home, they lost no time engaging in public controversy, and such newspapers as The Times began to print a series of letters.

Although most of the ten regiments, the Rifles, the two cavalry units and the artillery made the journey between October 30 and November 8, many did not and the flow continued for some time. In particular, there was enormous confusion over baggage. Some of the Legion remained behind, especially the sick and decrepit. In Santander, for example, a small unit was left under the command of Colonel Arbuthnott, Evans' brother-in-law. Most of the 5,000 bayonets who left Bilbao at the end of October successfully made it to Brieviesca and neighbouring villages, and more followed later. But the march took a severe toll. A good part of the discipline that had been instilled during September and October was, for a time, lost.

And the exhaustion and starvation of the march resulted in a general physical depletion which weakened the Legion at the onset of winter.

At Briviesca, Evans was met by General Cordova. Cordova had taken Evans' decision not to march on Vitoria by the Durango road as a personal insult, and an ugly incident was prevented only by the intervention of Colonel Wylde. Having become familiar with the suspicious attitude of Spanish Generals, towards foreigners, he anticipated what would happen and went ahead to explain matters to Cordova. But although the incident was smoothed over, Evans and Cordova never really trusted each other.<sup>12</sup>

Upon the completion of the march into the interior, de Lacy Evans not only had to take steps to repair the Legion's exhaustion and lost discipline, he also had to contend with the first serious signs of broken promises by the Spanish Government. Before agreeing to take the Legion inland for the winter, Evans had secured fulsome promises from Cordova, in addition to many Government assurances, that the men of the Legion would be well treated. In fact, immediately upon his arrival at Briviesca, Evans became sufficiently worried over the inadequate accommodations, the short supplies and the small reserves of money in his military chest to send Colonel Wylde to Madrid, to use his influence as Palmerston's representative to remind the Spanish Cabinet of its obligations. The Commissary-General of the Legion, Faxardo, also went to Madrid at this time, taking with him letters from Evans.<sup>13</sup>

Evans was, indeed, so worried that he not only sent Wylde to Madrid to press his case, he also got his officers to agree to

accept only one-third of their pay for the next quarter of a year. Publicly, of course, this was done because the officers sympathized "most sincerely and deeply in the noble feelings so strongly manifested throughout the country in support of this sacred cause," and because they were "unwilling to be behind in evincing whether by privations of otherwise their unlimited devotion to the service of Her Majesty;" privately, officers had to be assured through their brigade commanders that this request was essential, but that it would be "the first and last of its kind that shall be submitted by him to the Legion."<sup>14</sup>

In Madrid, Wylde had difficulty getting the attention of Mendizabel<sup>a</sup>, partly because of the opening of the Cortes, and very likely also because Mendizabel<sup>a</sup> wanted to avoid seeing him. Wylde did, however, manage eventually to hold discussions with Mendizabel, explained to him that Evans had left in his military chest only enough money to pay the troops for eight or ten days, and was gratified to receive "a solemn promise from Mr. Mendizabel that twenty-five thousand dollars a week should be regularly sent to the Legion." Wylde had not yet had much experience in dealing with Spanish Governments over financial details, and did not apparently realize how little a "solemn promise" meant to a Government that was often on the edge of bankruptcy and which had creditors continually upon it. Experience was to make Wylde, and others, more skeptical.<sup>15</sup>

But in spite of the difficulties of the march, and the shortages of money and supplies, the British Legion which took up its position around Briviesca, and a few weeks later around Vitoria was

essentially the army which had been planned on paper in England. It was composed of five brigades: the Light Brigade under Brigadier Reid, the 1st Brigade under Brigadier Evans (the commander's brother), the 2nd under Brigadier Chichester, and the 3rd under Colonel Shaw, and the 4th under Brigadier McDougall. These brigades were subdivided into ten regiments, with two to each brigade. There were also de Rottenburg's Rifle Regiment, Kinloch's and Jack's cavalry regiments, and Colquhoun's artillery, as well as the usual staff, quartermaster, and other services. The total strength of the Legion at this point was a little less than 9,000 officers and men, of whom some 6,000 could probably be termed effectives. Of the total, slightly less than 400 were officers, slightly more than 400 sergeants. An undetermined number of men were in Santander at the depots.<sup>16</sup>

At this stage the Legion impressed a number of observers, such as Colonel Wylde, as being in a much better state than predicted or expected.<sup>17</sup> Although there were signs of future troubles, these did not appear serious enough to justify pessimism. Of course, it would be naive to suppose that, even at this point, the Legion did not have many problems. Even a crack unit from the regular army would have its quotas of discontents and arguments and rivalries. For a recently embodied army like the Legion there were even more than normal. As earlier explained, the men were often of low quality, physically and morally. Rather frequent and sometimes very unfair use had to be made of the lash to impose discipline. There were <sup>g</sup>promotions felt about this and that. Chichester, for example, noted "at present I am sorry to perceive an unpleasant feeling existing in the Legion. I always feared something of the kind would occur, in consequence of seniority

being entirely disregarded. When merit is the road to promotion it becomes an invidious and dangerous task to decide who is the most deserving... The Senior Major of the 7th was sent to Brivieska to take charge of the depot there, and Long who only arrived from England and got his Majority when we left Santo Domingo, is ordered to take charge of the 7th, this appears to have given great offense to some of the Majors, and McCabe being promoted Major in the same has disgusted the Captains of the 7th. Report says that 3 or 4 Majors and 3 Captains of the 7th have handed in their resignations. According to Dixon there is only one Captain of the 7th worth a farthing."<sup>18</sup> These rumblings stemmed from Evans' habit of making promotions according to merit and often from the ranks. He had even, shortly after arriving in Spain, published a General Order eulogizing the principle of promotion from the ranks.<sup>19</sup> Since as a Radical he was rather dogmatic about the matter, since he was not a very good judge of men, there were bound to be numerous mistakes in applying the principle. But if the officers had not argued about this, they would have argued about something else. Too much should not be made of these things.

It would also be exceptionally naive to believe that the men of the Legion were saints in other respects. There were in addition to the troops, many camp followers, including wives, children, nominal wives and women who were no better than they ought to be. Villiers in Madrid wrote to Palmerston on February 13, 1836, that the Legion had "800 baggage mules and 500 whores moving about with them which must be pleasant, but is not cheap."<sup>20</sup> But he never lost a chance to make fun of the Legion and he should not be taken quite literally.



There were women and children from all parts of Britain. These were supposed to have stayed behind when the Legion marched to Briviesca and Vitoria. Some did, and apparently occupied themselves plundering the depots at Santander. But many followed the Legion wherever it went, and endured fantastic privations to be with their men.

There exists a magnificent description of the women of the Legion, in a memoir published by a returned officer in 1836: "The specimens of the British 'fair sex' brought over by the Legion were certainly not calculated to impress the Spaniards with high notions of our female beauty, and their tattered appearance, with dirty straw bonnets and blowsy mob-caps, was enough to astonish the trim senoras... The tribes of shoeless Moll Flaggons from the Green Isle, who came over with our Irish regiments, are past all description; and the figure they cut in the rear of a battalion on the march, with a pyramid of babes on their backs, and a couple trotting on each side, was singularly marvellous in the eyes of the natives, who at last looked on them as a regular and necessary adjunct to the British Legion... as their presence with the troops at that period was contrary to orders, they were allowed no rations; and were totally without money... yet they trudged along through dust and mire, in fair weather and in foul, for many a weary league, with light hearts and red cheeks, bidding defiance alike to the orders of the general and the accumulating hardships of the road..."<sup>21</sup>

This colorful, rather disreputable, somewhat riotous collection of men -- and women and children -- from all parts of Britain and Ireland was not<sup>w</sup> to be struck by tragedy. Mendizabel's promises to Colonel Wylde during his visit to Madrid, and to Evans in writing, that the Legion would

be properly paid and supplied were not carried out. By the middle of January, Wylde was reporting to Palmerston that the men of the Legion had been without pay for almost two months. The accommodation was unhealthy; most of the men were quartered in unheated convents, where they were forced to sleep directly on the stone floors, without bedding and without enough blankets to go around. Soon the men, not a well-disciplined group at best, were selling their clothes and their blankets and their articles of equipment so that they could buy tobacco and liquor and vegetables.<sup>22</sup> They were further cursed by being exposed to an early winter, one of the most severe in memory in the area. Snow and cold rains came early. Many of the officers, and probably most of the men, had never considered the possibility of a severe winter, feeling that Spain was southern and Mediterranean. But Vitoria was inland, at a considerable altitude, and although its winters were not normally ferocious, they were real winters with the temperature around or below freezing. There were frequent comparisons made to Siberia -- which were imaginative -- and to Canada -- which were often based on actual memories.<sup>23</sup>

The consequences of the neglect of the Legion became especially obvious after the bulk of the men were transferred from Briviesca to Vitoria during December. For it was here that winter conditions descended upon the Legion in earnest. Straw paillasses were provided only for about one-quarter of the men; the rest had to sleep directly on the damp, stone floors of their convents and churches. Blankets were made available in the proportion of one to every four men. Fuel was sufficient only for cooking; none was available for heating. The pro-

vision of food deteriorated. The Inspector General of Hospitals complained about meat delivered warm from the slaughter-house, in too small quantities, and at irregular hours; he refers to "bad unhealthy food -- and such is meat reeking with life."<sup>24</sup>

As early as the beginning of January, senior officers were becoming seriously worried, realizing that the problem they were faced with was far worse than anyone had expected. The English troops were the first to show the consequences of privation. Brigadier Chichester notes in his journal for January 1 that he has been to Evans to say that unless the quarters are improved rapidly no improvement will be necessary because it will be too late to do any good. Two-thirds of his brigade, he says, are in hospital. And hospitals were no improvement over the regular quarters, because "Dr. Taylor declared to me, that the state of his hospital was sufficient to generate a fever which would desolate Vitoria."<sup>25</sup> One week later, Major Richardson is writing in his published journal -- a journal slanted to be favorable to the Legion and the Spanish Government -- that there is an epidemic, and that the "general complaint is the unhealthy and uncomfortable state of the hospitals... Instances have occurred of the men creeping into corners of the cold convent, where they were quartered and having actually been drawn out dead. In one of these churches where my regiment is quartered, no less than from thirty to forty men a day have been sent into hospital; these poor fellows had one bed, about the width of a sofa, to every five men."<sup>26</sup> Soon comments of this sort were to become common; this, indeed, was only the beginning of the Legion's travail.

The Legion spent less than five months at Vitoria -- from

early December until the middle of April. But the sickness which prevailed throughout that time was sufficient to inflict upon it the equivalent of several defeats in battle. Since Legion organization was always poor, and was especially so during the epidemic, statistics are difficult to find or to trust. Even Alcock, in his Medical History, cautions the reader that the figures given are only an approximation.<sup>27</sup> On February 30, Major Richardson, having himself just recovered, wrote in his journal that in the City of Vitoria alone, upwards of 700 men and 40 officers had died since Christmas.<sup>28</sup> In a memorandum prepared for the Spanish Government in early March, after he had become Quartermaster General, Brigadier McDougall included a table listing the sick and dead:<sup>29</sup>

	<u>Sick</u>	<u>Dead</u>
On 3 December	100	
On 31 December	701	100
On 31 January	1055	237
On 24 February	949	<u>228</u>
		565

In addition, McDougall says that during January and February, 25 officers, including 10 surgeons, died. At the end of January, Colonel Shaw writes that some 1,200 are in hospital, 800 are convalescent, 300 have died and 400 more are likely to,<sup>30</sup> But the most reliable figures are likely to be those of Alcock, in spite of his caution about statistics. As Deputy Inspector General of Hospitals he was in a position to know if anyone was. He writes in his Medical History that during January, February, March and the first half of April,

4,706 were admitted into the hospitals at Vitoria; in other words, about half the total strength of the Legion, and more than half of those in the Vitoria area. Of these, Alcock says that 819 died. Of those still remaining in hospital at Vitoria on April 14, when the Legion left, a further 187 died, making a total of 1,005. Alcock estimates that a further 200 died during December or in other villages and cantonments in the Vitoria area. Still a further 200 died at Brieviesca and Santander during the winter. Also as many as 500 were incapacitated for further duty. Thus, if Alcock is to be believed, the Legion lost some 1,900 men during the winter, not in battle but to disease; 1,400 deaths and 500 permanently disabled.<sup>31</sup> His figures are, in general, confirmed by those of McDougall, Shaw, Richardson and others, although these cease to give figures later than the end of February. They are confirmed, too, by the fact that the Legion had to be reduced from ten to eight regiments, with the remnants of the 2nd and 5th Regiments, which were especially hard hit, being distributed among the others. These are grim casualties, especially when it is considered that most of this mass of suffering and death occurred amongst the 7,000 men concentrated about Vitoria.

But numbers cannot hope to do justice to the privation and sickness which was experienced. At the end of January, Colonel Shaw was made commandant at Vitoria. He set off on an inspection and wrote home a gruesome account of what he found: "The hospitals were very bad, but this convalescent depot was terrible. I believe no officer had gone through it; and no wonder, as the filth was shocking. All were lying huddled together on the bare stones of a convent without

windows and no blankets. I entered where there were a lot of Scotch; I said, 'Boy, what's the matter wi' you?' -- 'An awfu' sair head;' -- another, 'Unco sair taes,' i.e. death! -- 'And what is the matter wi' you?' -- 'Oh! he is dead, and so is the man near him;' and sure enough there were three poor devils all dead, with their mouths close together to keep each other warm. I picked up in this way about twelve dead or in the act of dying. Entering a small room in a corner, I was nearly knocked down by the effluvia. Here nine men had been for four days without any surgeon to look after them. I suppose they are now all dead. I proceeded to another dark room, and there seventeen men had been for forty-eight hours abandoned, all suffering from severe dysentery."<sup>32</sup>

With Alcock's help, Shaw took severe measures, forcing reluctant officers back to their duty, driving some 500 malingerers back to their regiments, and commandeering supplies for the sick wherever he could find them. But although he managed to turn up such things as stores of blankets that everyone had forgotten about, there were few medical supplies to be found since the Spanish Government had provided few, and most of the doctors were themselves either sick or dead.<sup>33</sup> There was great confusion. In one instance this actually seems to have saved lives, entirely by accident -- a nice commentary on the best laid plans of mice and men. Many sick were marched to Vitoria from surrounding villages, but since there was no room for them in the hospitals they had to hobble back. Convalescent depots were then set up for them at their regiments. But these were soon abolished since they could not be properly cared for, and the sick men once again had to walk to Vitoria. "Strange as it may appear," writes Shaw, "although

the ground was, during this time, covered with snow, the cold intense, and the men in fever, the mortality among those moving 'to and fro' was not half so great as it was in the hospital. How is this to be accounted for? Is it that Nature, with her pure air, is the best doctor?"<sup>34</sup> Better, at any rate than untended hospitals, with sick, dying and dead crowded together.

At first, an attempt was made to uphold proper military traditions. The dead were marched to the burial ground to the melancholy music of a fife and drum band playing the Dead March in Saul. And soon the boys in the streets were marching up and down with sticks on their shoulders, whistling the Dead March. And even the ladies of Vitoria began playing it on their pianos; apparently it was high on what the twentieth century would call the hit parade. But this military refinement had to be abandoned. There were just too many dead. Before long the bodies were simply being hauled to the burial ground in heaps in bullock carts, to be thrown six or seven into a common grave, with just enough earth to cover the corpses.<sup>35</sup> A few times, the burial parties just threw the bodies onto the snow and ran away. Although there were some examples of real human nobility, the other side of the coin was prevalent enough to set Shaw musing about human nature: "I fear I have not that respect for human nature which I ought to have, being apt to consider man, when giving way to selfishness, and not held up by some high motives, as the most brutal and crapulous animal alive."<sup>36</sup> The proof was all around him.

The epidemic was generally described as typhus. The symptoms had several stages; a feeling of lassitude and frequent nausea,

and headache; by the time a patient reported he had "full pulse, flushed face... total prostration of strength; at other times greatly diminished vitality... Delirium very quickly supervened... Dysentery became developed, the rapid decline of the pulse and all the powers of life followed, and from the 10th to the 20th day the patient died. During this period the feet partially or entirely, sometimes including the whole of the legs, would run rapidly through all the stages of gangrene." 37

What was the British Legion doing militarily in this devastating winter? In a positive sense, it did nothing. No doubt it filled a function simply by being stationed along a portion of the line of the Ebro. But it had only one considerable military engagement all winter. This took place during the middle of January, and was generally of the nature of the good Duke of York who marched his men to the top of the hill and marched them down again. This was the affair of Arlaban.

The Carlists were reported to have concentrated their forces on the heights of Arlaban, the range of mountains forming the boundary between Guipuscoa and Alava. A combined attack of three columns, Spanish, British and French (actually mostly Germans from the small French Foreign Legion detachment), was to be made on this supposed enemy concentration. For five days the two sides chased each other up and down various hills, with no significant battle. Cordova's men were the first to decide they had had enough exercise, and retired on Vitoria without properly informing Evans, who for a time thought he was being deliberately betrayed by his ally. Casualties were few, although the cold nights in the mountains may have increased the rate



of sickness in the Legion (on the other hand, it may have done the exact opposite). The affair bore no relation to Cordova's overall strategy, which was to blockade the Carlists rather than to chase them about the mountains. But Cordova was frequently urged by his civilian superiors in Madrid to win victories for political reasons. As Colonel Wylde reported to Lord Palmerston, Cordova had yielded to "the clamours from Madrid to do something for the sake of the eclat it would produce." He reported that such manoeuvres had no good purpose, and even tended to depress the men since no decisive engagement followed from all the preparation.<sup>38</sup>

What was de Lacy Evans doing all this time, while his men were dying like flies in the hospitals of Vitoria? In a despatch to Palmerston on February 28, Colonel Wylde includes one of his very rare, gently critical comments upon Evans' conduct: "General Evans himself has perhaps shown a want of decision and firmness with the S: authorities, but he does not otherwise appear to blame for this state of things, he was decoyed here by the promises of Cordova made in my presence, that his troops should find an ample supply of everything on their arrival, and be well lodged, neither of these conditions have been kept."<sup>39</sup>

There is every reason to believe that Evans was in a genuinely anxious state. Shortly after his arrival in the interior he had taken sick; this was apparently due as much to nerves as to physical illness, for he had quickly realized that Cordova had lied to him (perhaps with good intentions). He had sent Colonel Wylde to Madrid to plead for better treatment for the Legion; because Wylde had Palmerston's confidence he could not just be ignored. The promise made

to him by Mendizabel had not been fulfilled, but this was at least partly due to the Spanish Government's lack of money. Evans himself had urged the Government in writing to take better care of the Legion, warning of the consequences of not doing so.

But Evans was in a trap. If the Spanish Government had commitments to him and his Legion, he had commitments to Spain. He could, if he wished, resign his command of the British Legion and go part to his seat in Parliament, explaining that Madrid had betrayed its promises. Or, he might have ordered the Legion to march back to Santander and had it transported back to Britain, something the Royal Navy would, in an emergency, have done. Still further, he could have seized what he needed from the inhabitants of Vitoria, taking as much food and bedding and lodging as he felt was needed. But if Evans went back to England, what would happen to his career? He would be accused on all sides of deserting his men. Palmerston would be angry because his foreign policy would have been undermined. But perhaps most important, Evans would have had to admit that his Radical beliefs in politics, at least as far as foreign policy was concerned, were built on sand; when exposed to a real test, he had come running back home. To return would be to deny everything he had proclaimed since he entered Parliament. Even if he brought his men back with him, his political career would have suffered a terrible blow. He had, after all, gone out to Spain to win victories, not to return prematurely to the laughter and scorn of the British ruling class. His failure to simply take what he needed seems less justifiable. This too would have exposed him to criticism. But at least he would not have been running home. And by proving in practice that he meant to put his men's welfare first, he

might have got the Spanish Government to be more prompt in future about carrying out its promises. This is perhaps what Colonel Wylde meant when he said that Evans had "perhaps shown a want of decision and firmness with the Spanish authorities."

However, blame was not entirely on one side. Chichester wrote in his journal on February 19: "I met McDougall, & learnt from him what had been reported some days, that the Spanish Government grumbled at the expense caused by the Legion. Mendizabel said that he knew the expense of a regiment and was prepared for it, but for the enormous staff he was not; it had in consequence been determined to reduce the number of Brigadiers. Brig. Evans (the General's brother) was to return home, and he McDougall would take the post of Q.M.G..."<sup>40</sup> There was some justification to this complaint, for Evans had been generous with rank and promotion, and the staff had in many cases been swollen beyond reason. This was taken care of, not only because of Spanish complaints, but because the many deaths made it inevitable. Thus the 2nd and 5th Regiments were eliminated, their men and their officers distributed through the other regiments. The brigades were reduced to three, under Brigadiers Chichester and Reid and Colonel Shaw.<sup>41</sup>

With this re-organization completed, Evans decided to send another delegation to Madrid to bring pressure upon the Spanish Government. He asked Colonel Wylde at the end of February to make another trip to Madrid, with Brigadier McDougall, the new Quartermaster General, to urge the Spanish Government to carry out its promises. Wylde agreed, and he and McDougall left immediately, bearing a letter from Evans.<sup>42</sup> In Madrid they added the British ambassador, George Villiers to their

number, and the three of them badgered Mendizabel<sup>a</sup> in two interviews. At Mendizabel<sup>a</sup>'s request a memorandum of the Legion's condition and needs was drawn up by McDougall and handed over with a strong covering letter by Villiers. This requested full payment of arrears, the payment of advance funds for the men which could be kept in the military chest, the establishment of magazines of provisions with a constant reserve under Evans' control, the setting up of advance depots of field equipment for the Legion, and a large medical supply. Probably because of the intervention of Villiers and Wylde, Mendizabel<sup>a</sup> agreed to all the demands, and McDougall was sent back to Vitoria with a letter from Mendizabel<sup>a</sup> to Evans.<sup>43</sup> It had been decided however, with Villiers' approval, that Wylde should remain in Madrid until the immediate promises were carried out. It was expected that, otherwise, nothing would be done. As expected, nothing was done. However, after harsh and peremptory demands by Villiers and Wylde, (especially, it can be assumed by Villiers, who never minced words), money for the first half of March and orders for the establishment of magazines were sent off on March 21.<sup>44</sup> Five days later most of the money for the second half of March was despatched, and a Madrid banker by the name of O'Shea agreed to accept Government bills dealing with the sending of money for supplies and to see that cash reached the appropriate authorities at Vitoria.<sup>45</sup>

With the coming of Spring, the condition of the British Legion began to improve. Enough was done to pay the officers and men of the Legion, and to provide food and other supplies, to quiet discontent and improve the health of the survivors. By April, those who had not died or been permanently crippled by the Winter epidemic were sub-

stantially restored to health and vigor, and were smart enough on parade to make a good impression on observers. But it was not the same Legion which had marched in from the coast five months before. It was considerably reduced in size. Its effective strength was now probably no more than 6,000 and it was never again to approach the desired number of 10,000 as it had done in the autumn of 1835; more recruits, perhaps totalling 1,000 were sent out over the coming months but these only replaced additional losses. Further, the terror of the winter had left a permanent impression upon the minds of both officers and men, which restored health and renewed discipline concealed but did not erase; the memory of the winter at Vitoria, and the fear of having to undergo another purge on the same scale next year, was to cause outbursts of trouble over the coming months. Nevertheless the British Legion, although decimated by disease and ill-treatment, still existed as a fighting force and still held out the hope that, if past mistakes were avoided, it could contribute to the solution of the civil war.

FOOTNOTES TO CHAPTER IV

1. FO 72/459. Villiers to Palmerston, number 149, Madrid 18 June 1836, FO 72/464, Wylde to Palmerston, number 56, Vitoria 18 January 1836, FO 72/464, Wylde to Palmerston, number 58, Pamplona 9 February 1836.
2. Evans, op cit, 34
3. FO 72/447. Wylde to Palmerston, number 52, Santander 31 October 1835,
4. Major Richardson, Movements of the British Legion, second edition, London 1837, 56-93.
5. Shaw, op cit, II, 440-441, Charles Shaw to T.G. Shaw, Briviesca, 11 November 1835.
6. MS Diary of Charles Chichester, entry for 3 Nov 1835, p. 42; entry for 5 Nov 1835, p 44.
7. Richardson, op cit, 71, entry for Ville Sante 4 Nov 1835.
8. MS Diary of Charles Chichester, entry for 3 Nov 1835, p. 43
9. Shaw op cit II, 453-455 Charles Shaw to \_\_\_\_\_. Vitoria 6 Dec 1835.
10. Richardson op cit 68 entry for Limpias, 3 Nov 1835; Chichester entry 4 Nov 35, p. 44.
11. Richardson op cit 69
12. FO 72/447, Wylde to Palmerston, number 53, Madrid 16 Nov 1835.
13. FO 72/447, Wylde to Palmerston, number 53, Madrid 16 Nov 1835. The Times, 20 Nov 1835, p. 3, despatch from Madrid 15 Nov 1835.
14. Shaw op cit 458-459 Charles Shaw to \_\_\_\_\_ Vitoria 6 Dec 1835; prints Colonel Considine, military secretary, to Colonel Shaw, Briviesca 25 Nov 1835; Declaration of Lieut-General Evans, Briviesca 23 Nov 1835.
15. FO 72/447, Wylde to Palmerston number 54, Logrono 11 Dec 1835.

FOOTNOTES TO CHAPTER IV - 2

16. The Times 1 Oct. 1835, p. 2 Parliamentary Papers Relating to the War in Spain 1834-1838, 1839 (192) L. 191. memorandum by Quartermaster General McDougall.
17. Shaw op cit II 525
18. MS Diary of Charles Chichester, entry for 17 Dec 1835, pp 61-62
19. The Times 17 Sept 1835, p. 3, prints General Order, San Sebastian, 4 Sept 1835.
20. Webster op cit, I 440 footnote
21. An Officer of the 9th Regiment, Twelve Months in the British Legion, London 1836, 114-116. The officer is described as the son of a Liberal member of Parliament in London and Westminster Review, Vol XXVI, Oct 1836 Article IX pages 215-243.
22. FO 72/464 Wylde to Palmerston, number 55, Vitoria 13 Jan 1836.
23. Richardson op cit p. 96 entry for 13 Nov 1835 writes:  
"This morning I arose benumbed with cold, which had kept me awake the greater part of the night...First Russia, and next Switzerland, suggested themselves to my imagination; and finally, the snows of America, amid which I had passed a couple of campaigns in my early youth...the 13th of Nov. only, and in Spain, to find one's self regularly inbedded in snow, and half congealed with cold, with the probability of something worse, was more than the anticipation had been prepared for."
24. Parliamentary Papers op cit pages 7-11, memorandum by Quartermaster General McDougall, Madrid 4 March 1836.
25. MS Diary of Charles Chichester, entry for 1 Jan 1836. Page 64.
26. Richardson op cit, page 162, entry for 8 Jan 1836.
27. Alcock op cit page 5.
28. Richardson op cit page 177, entry for 30 Feb 1836
29. Parliamentary Papers, op cit

FOOTNOTES TO CHAPTER IV - 3

30. Shaw op cit II 491, Charles Shaw to T.G. Shaw, Victoria 30 Jan 1835, and 493, Charles Shaw to T.G. Shaw, Vitoria 18 Feb 1836.
31. Alcock op cit pages 27-28
32. Shaw op cit II page 494, Charles Shaw to T.G. Shaw Vitoria 18 Feb 1836.
33. Ibid II 494-495
34. Ibid II 528, Charles Shaw to James Shaw 1 Apr 1836
35. An Officer of the 9th Regiment, op cit 120-121
36. Shaw op cit II 529
37. Alcock op cit 20-24
38. FO 72/464 Wylde to Palmerston, number 56, Vitoria 18 Jan 1836. The Times, 9th Feb 1836, page 3 prints Evans' General Order of 16 Jan 1836 and his despatches to General Cordova of 19 Jan and 20 Jan 1836.
39. FO 72/464 Wylde to Palmerston number 59, Vitoria 28 Feb 1836 Confidential
40. MS Diary of Charles Chichester entry for 19 Feb 1836, page 79.
41. Shaw op cit II 496-497 Charles Shaw to T.G. Shaw, Vitoria 18 Feb 1836.
42. FO 72/464 Wylde to Palmerston number 60 Vitoria 28 Feb 1836
43. FO 72/464 Wylde to Palmerston number 61 Madrid 12 March 1836. Parliamentary Papers op cit pages 5-13 prints McDougall's memoranda, correspondence with Villiers and Wylde and Mendizabel's letter of agreement.
44. FO 72/464 Wylde to Palmerston, number 62, Madrid 22 March 1836.
45. FO 72/464 Wylde to Palmerston, number 63 Madrid 26 Mar 1836.



CHAPTER V

EVANS UP

1. The 5th of May

Lord Palmerston now intervened, both to save the British Legion and to give the Queen of Spain's forces further British assistance. That he should do so was consistent with his policy, both in a national and personal sense. Under his initiative, British stood committed in the eyes of Europe to the cause of Spanish liberalism. That commitment had been expressed not only in many speeches in and out of Parliament, but in treaty form in the Quadruple Alliance and its Additional Articles, in the supply of vast quantities of arms and ammunition, and in the official encouragement given to the formation of the British Legion. None of these things literally committed Britain to keeping a liberal Queen on the throne of Spain and a liberal government in the council chamber. But the degree of support was sufficiently great that a Carlist victory would not only be a defeat for the Queen of Spain and Spanish liberalism; it would also be a defeat for the aims of British foreign policy. And any defeat would also have considerable domestic repercussions. If Lieut-General de Lacy Evans had to return to England with a beaten army, his own and Palmerston's career, and perhaps the government's, might be swept away in the hostile reaction.

On March 14, 1836, when the Legion was only beginning to recover from the epidemic which had swept some thousand men into anonymous graves, Palmerston sent the Admiralty formal instructions as to how it should carry out the third of the Additional Articles of the Quadruple

Alliance. The instructions said that the officer commanding the British naval squadron on the north coast of Spain, Commodore Lord John Hay, should be ordered <sup>to</sup> co-operate with the Queen of Spain's armies for the purpose of protecting sea ports still held by the Christinos, such as San Sebastian, and for the purpose of recovering seaports which had fallen into the hands of the Carlists, such as Passages. The Admiralty was also instructed that, if this required the landing on shore of Marines or ships' companies, Lord John Hay was authorized to do so, with the single qualification that the men should not be taken so far inland that they would risk being cut off from their ships.<sup>1</sup> Like Nelson Lord John Hay was a one-armed sailor, having lost his left arm in 1807. He was the third son of George, Marquis of Tweeddale. In addition to his naval career, he had sat in the House of Commons as member for Haddington between 1826 and 1830. He was 43 years old, intelligent, vigorous, egotistical and outspoken. Like so many Britons who had to deal with Spaniards, he had a low opinion of them: "We shall now have half a dozen or more Republics in the Peninsula & God only knows what will come out of it - as to Don Carlos were he to succeed it would only be for a day -- but they are a precious set -- the higher you go in society the worse you find them." Nor did Hay have a high opinion of the British Legion, although he sympathized with its difficulties, and was often perplexed as to how he could help since its officers and men, although British subjects and serving with their King's permission and their Foreign Secretary's encouragement, were responsible to the Queen of Spain: "You are well aware of the thousand difficulties in the way of extending British protection and the case of the Officers and men of the B Legion is one of extreme difficulty, in short so long as they

remain in Spain they are under the authority of the Spanish Government -- therefore short of a case of distress I feel that I have no authority to interfere. I fully expected this ending of the Legion. They were got together God -- knows how and left to fight for every sixpence they have received and after all never received a tenth part of what was promised them."

Lord John Hay had, in fact, already been giving some assistance to the Christino forces. He had, in particular, done much to help the Legion and had got to know Evans, during the late summer and fall of 1835 when the Legion had been based on the ports of Northern Spain. By using his ships to transport officers and men along the coast, he had given the Legion a secure line of communications to fall back on if the Carlists made it impossible to march along the coast. Now he was authorized to do even more. He could use his ships as much as he wanted for purposes of transportation. He could use such ships as the Steam Frigates Phoenix and Salamander for bombardment in any actions within range of their guns. Further, he was supplied with several hundred Royal Marines, commanded by Major Owen, and with a detachment of Royal Marine Artillery, later to be supplemented by a detachment of Royal Artillery and other small army units.<sup>2</sup>

These arrangements would make sense only if used in co-operation with a Spanish army that was disposed to co-operate. Accordingly, it was determined to force the hand of the Spanish Government to order the British Legion to return to the coastal ports it had left five months before. The British military commissioner, Colonel Wylde, was entirely in favor of combined operations of the Royal Navy and the British Legion, and recommended the Legion move to the coast where "undoubtedly they may be more

beneficially employed in co-operation with the British Naval force than in any other manner, and will be able to render most essential service to the Queen's cause as they will co-operate much more cordially and there will be less likelihood of jealousy and misunderstandings, arising between the two services, than there would with Spanish troops."<sup>3</sup> As soon as he received his orders, Lord John Hay wrote to the Spanish commander, General Cordova, requesting that the British Legion be moved to the coast. Cordova raised no objection.<sup>4</sup> In Madrid, George Villiers impressed on the Spanish Government the advantages of the move and ensured that it raised no objection.<sup>5</sup> Evans, for his part, was only too happy of a chance to get his Legion away from the graveyards of Vitoria to a location where he would hold a virtually independent command where he could plan and initiate operations, where he could get supplies by sea, and where he would have the support of a first-rate British Naval squadron, including Marines.<sup>6</sup>

The Legion lost no time in carrying out its new orders. It marched from Vitoria on April 12, and after about 10 days reached Santander. Its march was scarcely less onerous than that of the previous November, but organization and discipline were better and the physically weaker members of the Legion had died during the Winter. During the last week of April and the first week of May, the regiments were then moved gradually to the port of San Sebastian, which was to be the Legion's main base from then on.<sup>7</sup> One regiment of cavalry, the 2nd Lancers commanded by Colonel Jacks, remained behind in the Vitoria area; it was never again united with the main body of the Legion. As might be expected, the return

to the coast served temporarily to raise the spirits of both officers and men, as if they were suddenly and unexpectedly being released from captivity and given a second chance.<sup>8</sup> It was in this spirit of liberation and enthusiasm that the Legion was thrown into the first major battle of its existence, one of the most fierce direct engagements of the Carlist war.

The time and place of the Battle of the 5th of May was forced upon Evans and his Legion. During the past Winter the Carlists had pressed San Sebastian closely, holding it in a state of seige. It was entirely cut off <sup>f</sup>rom surrounding territory, and might just as well have been an island off the coast. The Carlists had pressed so near that they could bombard the city at will. Many of the inhabitants, expecting the city to fall to the enemy and fearing they might be butchered according to custom, had fled to France, especially to Bayonne.<sup>9</sup> The Carlists had been allowed to keep undisputed possession of the lines they had seized so near the city, and in their leisure they had fortified these lines with a scientific precision which amazed the British officers who saw them.<sup>10</sup> The British Legion had to break out of the 'island' of San Sebastian for two reasons: first, with no hinterland, the city did not provide enough space to garrison most of the Legion, as well as some Spanish units: secondly, if the Legion did not break out it would be confined in a prison of ever-growing menace and difficulty, as the Carlists further improved their lines, and would find itself leading a completely useless and negative existence.<sup>11</sup>

The question was not whether the Legion should break out of Sebastian; the question was how and when. As they arrived at San Sebastian,

the senior officers of the Legion spent much of their time examining the Carlist works from the ramparts of the Citadel.<sup>12</sup> Virtually all of them seem to have been convinced that an immediate attack was desirable, even though two regiments had not yet arrived from Santander. Shaw's published letters claim that he is the only senior officer who thought an attack should be postponed for a few days. If this is true, he was the most <sup>scient</sup>preisent officer on this occasion; but it is possible, though in the author's opinion, not probable, that he corrected his letters on this important point to make himself look good. Chichester's manuscript diary does not indicate whether there was an argument over the timing of the attack, or whether it would be best to wait until the entire Legion had arrived. It does note on May 2, that "opinions are divided as to the best mode of attack ...," and claims that Reid, McDougall and himself favour an attack upon the right of the enemy lines, whereas Shaw favors an attack upon the left.<sup>14</sup> Regardless of whether the discussion centred about place or timing, both Shaw and Chichester agree that Evans, who had been at San Sebastian since April 20, for some days kept his own counsel. He listened to the opinions of his officers, however, who were almost all spoiling for a fight.

On May 4, Evans decided to attack the Carlist lines the next day, even though by waiting for two or three days at most he could have had at his side two additional regiments, the 4th and 8th, comprising some 1200 men.<sup>15</sup> This would seem an incredible mistake for any General to make, unless moved by very special considerations. If it could be shown that ~~had~~ Evans hastened into battle merely because his senior officers were anxious for a fight, this would reflect severely upon his ability

to make up his own mind on what might well be called a matter of common sense. In his memoir, Evans makes no attempt to answer the question why he decided to attack when he did, or why he did not wait for the 4th and 8th Regiments to reach San Sebastian.

The probably answer is to be found in Colonel Wylde's despatch to Lord Palmerston of May 6. It shows that while Evans did make a mistake in judgment, he did so on more sophisticated grounds than the enthusiasm of his officers, although this may also have influenced him. As his first step to break out of San Sebastian, Evans had not intended to make a direct attack on the Carlist lines at all. On the contrary, he had decided to throw a bridge of boats over the Urumea River which runs into the sea on the Eastern side of San Sebastian. Breaking out to the eastward, along the coast, he had planned to advance a few miles in the direction of the French frontier, to take possession of the small port of Passages, which was in Carlist hands. This would have given him much needed space to manoeuvre, and would perhaps have made it possible for him to outflank the enemy lines around San Sebastian. In any event, he had decided not to attack until the entire Legion had arrived. However, on May 4 it was observed that two Convents which formed part of the Carlist first line had been set on fire. It was also noticed that some guns were being withdrawn. Evans concluded that the Carlists were abandoning their lines, and ordered an attack for the next day. In fact, the Carlists were only abandoning their first line; they even strengthened their third line during the night. Wylde's despatch gives no indication that he disagreed at the time with Evans' interpretation of the Carlist activities, or that he ~~felt~~ Evans had made a blameable decision.

There was probably a general feeling that the abandonment of the first line showed that the Carlists were not going to make a fight of it, and would retreat before an attack in strength.<sup>16</sup>

The Carlists' three lines completely blocked the land approaches to the town of San Sebastian, reaching from the Urumea River on the east of the town, to the Bay of San Sebastian on the west. The town itself lay on a promontory formed by the river and the bay; at its point this promontory rose to a bluff, and this was crowned with the citadel. A main road leading to Hernani and Tolosa ran down the centre of the promontory, wound its way up several hills through the enemy lines and continued inland. The three lines were based upon three hills which ran more or less parallel to each other. The first hill sloped down to the Urumea on one side and extended to the Convent of Antigua on the other; this convent, which was fortified, touched the Bay of San Sebastian. There were a number of barricaded houses on the top of this hill. The second hill was smaller; it also sloped to the Urumea on the east, while at the other end it petered out in a marsh behind the Antigua Convent. This line was also fortified. The third line was the most formidable. It comprised the largest hill, which was strongly fortified according to the scientific military standards of the time. The sides of the hills were steep; in later describing the battle, participants tended naturally to use the expression "down and up" to convey an impression of the difficulty of scrambling down one and up the other, quite apart from enemy fire.<sup>17</sup>

The tactics of the attack were laid down in the Operations Order of May 4. The left part of the lines (the enemy's right) between the Urumea and the main road was to be attacked and carried by the Light



Brigade under Brigadier Reid. This consisted of the 3rd Regiment, or Westminster Grenadiers, under Colonel Churchill, the 6th Regiment, or Scotch Grenadiers, under Colonel Tupper and the Rifle Regiment under de Rottenburg. In addition, Reid had the Oviedo and Saragossa Spanish battalions. The centre, and somewhat to the right of centre, extending from the main road to a detached house on the road leading to the Antigua Convent, was to be attacked by the 2nd Brigade under Colonel Shaw. This was an entirely Irish brigade, formed by the 7th Regiment, or Irish Light Infantry, under Colonel George Swan, the 9th Regiment under Colonel Charles Lionel Fitzgerald, and the 10th Regiment, or Munster Light Infantry, under Colonel Maurice O'Connell. It had attached to it the Spanish battalion of Segovia and 30 of the Spanish National Guard. A Spanish unit, the Volunteers of Guipuscoa, with 3 companies from the 2nd Brigade, was to advance directly down the main road. The sections of Brigadier Chichester's 1st Brigade which had arrived were to advance towards the right (the enemy's left) but were to hold themselves in reserve to support the 2nd Brigade, rather than become involved in heavy fighting. This group consisted of the 1st Regiment under Colonel Ellis, a small detachment from the 8th Regiment which had arrived, as well as a Spanish battalion and a company of Chapelgorris (Spanish). The 4th Regiment, under Colonel Harley, and the bulk of the 8th, under Colonel Godfrey, had not yet arrived at San Sebastian.<sup>18</sup> The missing numbers, the <sup>2nd</sup>~~1st~~ and 5th were, of course, those which had been disbanded at Vitoria as a result of the ravages of the epidemic. In all, Evans had about 6,000 men, three-quarters of them from the British Legion. The Carlists had some 4,000 troops in the lines, commanded by the Commandant-General

of Guipuscoa, Segastibelsa, an important Carlist General.<sup>19</sup>

The men began falling in quietly at half-past two in the morning the next day, May 5. There was a drizzling rain, a bad omen. The brigade commanders called their senior officers about them and gave them the usual instructions to keep calm, to set an example for the men, and to urge that there be no undisciplined haphazard firing. It was known that the enemy would take no prisoners, and indeed the Carlists flew the red flag of no quarter throughout the day; although an attempt was later made to claim the men of the Legion did not follow the Carlist example, it is clear that some officers told their men to make full use of the bayonet. A quarter of an hour before dawn, the order to advance was given, and the three columns soon reached the first line.<sup>20</sup>

Firing immediately broke out all along the line, but the first line was not seriously defended and was soon carried, although not without loss. The second line proved much more difficult. It was necessary to descend a steep bank and then to climb up another no less steep. With Shaw's brigade in the centre, the 9th under Colonel Fitzgerald formed up to move down the embankment; as soon as the men showed themselves they were exposed to a heavy fire and retreated to cover. Casualties began to mount among both officers and men. Shaw tried at first to get through towards the left, where a barricaded lane led to the Hernani Road. Two barricades were seized and torn down and the third was taken, but the firing was too heavy to advance beyond it. An advance by the 9th Regiment was turned back; Fitzgerald had already lost heavily, including 10 officers, and his men would not face the heavy fire. Shaw then made a short speech to the 7th Regiment to try to stir the men, and ordered them to advance in place of the 9th. They did so and were moving steadily forward, but seeing the Carlists ahead they stopped to fire; a tremendous

enemy volley instantly killed or wounded some 4 officers and 60 men. Their advance, too, was broken off. Shaw was now beginning to worry. Daylight had arrived. The rain had become bothersome, turning the clay soil to a heavy mud, impeding the progress of the men and depressing their spirits. The enemy resisted with skill and courage. Shaw's watch had been hit and smashed by a ball, and this had stunned him for a moment. He now decided to attack to the right. Two companies of the 7th, under Major Beckham, were ordered to descend the hill along the line of a dark green hedge that led from top to bottom; since the 7th wore white trousers Shaw rightly believed this advance would occupy the enemy's attention. They were exposed to heavy fire, but continued to descend. Shaw then sent a company of the 10th under Captain Mould, followed by as many of the 7th and 9th as he could collect, directly down and up to take a house on the hill opposite. They succeeded in getting part way, past the dead and wounded, but suffered severely. Shaw slipped on the way down and had a bad fall. Mould was fatally hit. Shaw found him lying in his blood, but still able to speak: "Colonel Shaw, will you get me a glass of water?" "Oh, certainly; get one instantly." But of course he continued on. He managed to get about 50 of the 7th and 9th formed under Colonel Swan, when a friend from Chicester's brigade Major Mitchell of the 8th, ran over from the right to say he had about 120 of the 8th Regiment with him. Shaw gave Swan the order to advance with his Irish group, but they had suffered very heavily and held back. Mitchell's group then advanced, losing many to enemy fire; they too retired but not until they had passed the house. Shaw, who was with them, retreated not to the rear, but

to the right, where he found the 1st Regiment from Chicester's brigade, as well as mixed units of his own command. He ordered up a party to take the house he had been trying to get, and thus gained enough of the Carlists' second line to turn his attention to the third, which contained their main stronghold and some guns. Before moving against this, Shaw joined Brigadier Chicester to discuss the situation.<sup>21</sup>

Chicester's small brigade on Shaw's right had until this point had an easier time of it. He had gained the first hill without difficulty, although he lost some men. He then moved upon the second hill which, as in the case of Shaw's brigade, required his men to climb down one steep embankment and up another. A number of officers and men were lost on the way down, but the brigade continued, dragging itself up by the trunks and boughs of an apple orchard. The top was entrenched, but the Carlists abandoned it after some firing. It was at this point that Shaw joined Chicester.<sup>22</sup>

Battles seldom go according to plan, and the battle of the 5th of May was no exception. By the time Brigade Commanders Shaw and Chicester had joined to discuss how to carry the stronghold on the remaining enemy line, their brigades had become so jumbled and intermixed that even companies of the same regiment might be widely separated. In fact, as Chicester saw it, the two brigades had changed places: ".... we had changed places so curiously, that instead of being on the right of all, I found the 2nd Brigade on my right, and so far from being in reserve, I was actually in advance of the whole."<sup>23</sup>

Shaw's 7th and 9th had suffered so heavily that he decided to get as many of them as he could collect across the next valley to a

place where they could shelter from enemy fire. There he was joined by Quartermaster General McDougall, and the two of them watched Chichester organizing, as agreed with Shaw, a direct attack on the Carlists' last, and main stronghold.<sup>24</sup> He got his men across and under the outer defence of this redoubt, where, seeing a spot he thought some men could get inside, he asked his friend and aide-de-camp, Captain Knight, if he wanted to lead a charge. Knight was anxious to try, "which to my everlasting regret I allowed him to do," and "in an evil moment gave the word."<sup>25</sup> There were only 80 men in the advance, the Carlists were neither surprised nor worried, and the result was a massacre. The enemy fixed bayonets, and slaughtered the attackers, beginning with Captain Knight. Shaw, watching from a short distance, was horrified: it was "frightful to see the cruel manner with which the enemy drove their bayonets into the poor wounded, and the coolness with which they plundered the dead and stripped them, (although under a heavy fire) was still more horrid." This caused a panic in Chichester's men, who began to retreat. With difficulty, they were rallied and got back to the outer defence of the Carlist redoubt.<sup>26</sup>

De Lacy Evans now came up and ordered Chichester from one direction, and Shaw and McDougall from his right, to organize new charges. Colonel Ellis of the 1st Regiment volunteered to lead another attack. This made some progress, but again the men were turned back, although this time there was less panic and no general attempt to retreat. Shaw tried to advance, first with elements of two of the Spanish regiments and immediately after with some of the 1st and 9th. The attempts were repulsed. At this point, the situation was grim. Chichester's men had done their most and now "the scene was horrid, the dead lying in all

directions inside the breastwork, the wounded getting away as they best could...I confess I now doubted the result, particularly having been informed that Shaw's men would not follow their officers, and no advance at all was made any where else." Chichester's men were also almost out of ammunition. Shaw's men were indeed refusing to advance: "We again tried the charge, but the men were now so completely exhausted, that it was necessary to them sometime to refresh themselves." Shaw was infuriated at this time to have Adjutant-General Le Marchant ride up and say "the Lieutenant-General orders you to charge that battery and take it," galloping away before Shaw could reply. Shaw let loose a string of frank remarks about Evans and Le Marchant.<sup>27</sup>

To the left of the attack, Brigadier Reid's Light Brigade had encountered equally fierce opposition. As soon as they came within view of the enemy lines, the regiments were exposed to a heavy fire of musketry and artillery. The brigade was held at the first line for some hours, and advanced only at the cost of heavy casualties. A number of charges were made upon the Carlists' second line; all were turned back. One of these was led by Evans himself, who mounted a parapet and, recklessly exposing himself to the heavy fire, called on the Light Brigade to charge. They did not charge; they uncovered themselves briefly, but would not face the Carlist fire again.<sup>28</sup>

But the day was not lost, as Shaw put it, "Thank God! there, the old Portuguese Providence is come again!"<sup>29</sup> Or, as Chichester wrote, there seemed to be what "looked like a visible interposition of Providence."<sup>30</sup> For during the morning two of Lord John Hay's steamers,

the Phoenix and Salamander, had arrived at San Sebastian with the 4th and 8th Regiments. The 10 inch gun of the Phoenix opened an accurate <sup>fire</sup> on the Carlist redoubt, and made a breach in it. The 4th and 8th Regiments had been landed immediately and were marched directly up to Chichester's location. Evans joined Shaw while the fresh regiments were marching up, and "I will not tell you how pleased I was with the cool, determined, sensible view he took of matters. He gave orders, that as the men were greatly exhausted, and now with very few officers, that they should remain quiet..."<sup>31</sup> Within an hour the two fresh units, led by Colonel Harley of the 4th, arrived, charged the breach made by the Phoenix, and carried the redoubt at the point of the bayonet. A general advance was now made by all the regiments, with Evans leading the Light Brigade in attack on the left (enemy's right). Some of the enemy still resisted and took a toll of the Legion. For example, Colonel Tupper commanding the 6th Regiment was shot in the head and, at the last moment of the battle, fell mortally wounded.<sup>32</sup>

The Carlists now began to run from all points, and Evans ordered an immediate pursuit, "and away we went after them helter skelter."<sup>33</sup> Many Carlists now paid the price for flying the red flag of no quarter and murdering so many Legionaires in sight of their fellows: "Numbers fell beneath the steel of the enraged assailants, burning for revenge; and not a Carlist who could be reached, lived to recount to his comrades, that the English Auxiliaries, in imitation of the example set by themselves, gave no quarter."<sup>34</sup> The pursuit was carried on, largely by the 4th and 8th Regiments, for about two miles along the road to Hernani, where the

Carlists were left to themselves. A wave of euphoria swept over the Legion as the Carlists fled from their last line. Shaw led his men down the last hill "arm in arm with two old Portuguese sergeants cheering; and just as the enemy started, I tripped and went head foremost into a muddy pool, and there ended my fight that day."<sup>35</sup> As Evans came to take a look at the main enemy redoubt, the men from all regiments crowded around him shouting and cheering; never at a loss for a speech, Evans said the appropriate things.<sup>36</sup> Quartermaster General McDougall and Adjutant-General Le Marchant galloped up with him. Chichester found Le Marchant "perfectly frantic. He seized me by the hand exclaiming, 'Chichester, you have done this nobly.' I told him the men were quite mad enough and begged he would keep himself cool."<sup>37</sup>

By about 2 in the afternoon, the Legion had begun throwing down the enemy's works. The Carlists had set all buildings on fire before they fled and flames were all about. Also, there "now began all the disgusting scenes of war; dead bodies lying about in all directions."<sup>38</sup> The loss was very severe. The British Legion had 11 officers and 120 men killed; and 64 officers and 645 men wounded. Many of the wounded subsequently died. The Christino units attached to the Legion, less heavily engaged, had 1 officer and 11 men killed; and 9 officers and 84 men wounded. Combining killed and wounded of both nationalities, this gives a total of 85 officers and 860 men, the equivalent of more than an entire regiment of the Legion. One out of every six men who went into battle that day was killed or wounded.<sup>39</sup> The Carlists also lost heavily - perhaps 300 killed and 700 wounded.<sup>40</sup>

Evans had at last won a brilliant victory. He had, it is true, almost lost it by attacking without his last two regiments from



Santander. There was general agreement that, without the timely arrival of these units, the Carlists would have won. Still, the result was a victory, and the things that might have been held against Evans in the event of a loss were forgotten in the satisfaction of triumph. "Reid and McDougall both state," wrote Chichester to his wife, "that during the Peninsular war they never saw so strong a position attacked."<sup>41</sup> The Legion had shown it could fight bravely and endure heavy losses; for the moment, there was nothing in its conduct to suggest it was composed of other than first-class British soldiers. The relief this brought to Evans' mind can be imagined; if it could not erase his torments and doubts during the Winter at Vitoria, it seemed to show that those days were all over, and that he could not<sup>w</sup> do what he had come to Spain for. Palmerston was satisfied, happy and commendatory. Villiers in Madrid, no friend of Evans, had to report to Palmerston that "the effect which the news of this victory produced in Madrid, was magical...and the public fully appreciated the benefits of British co-operation and the valor of the British Legion."<sup>42</sup>

## 2. Extending the Lines

Evans moved as rapidly as he felt wise to exploit his victory. The Legion was put to work destroying the enemy's lines, and constructing lines of its own to protect what it had won; these, known as the ~~Ayette~~<sup>Ayete</sup> lines, stretched from the Urumea River to the Convent of Antigua. The Legion did not attempt to break out from the Ayette lines into the interior for about a year. Evans could probably have followed up his victory to

take the enemy town and stronghold of Hernani. But he would have to have done so within a couple of days. In view of his heavy losses, and the likelihood of enemy reinforcements, it is not surprising that he decided to leave Hernani alone.<sup>43</sup> Instead, his strategy called for the Legion to advance, not inland, but along the coast to the French frontier. This would mean taking the enemy-held port of Passages, about half-way between San Sebastian and the border, needed in any event for Lord John Hay's squadron, and then the enemy-held towns of Fuentarabia and Irun directly on the <sup>f</sup>rontier with France. If these three places could be taken, a major contribution would be made to the blockade strategy of the Christino armies, since the main routes by which the Carlists received their important supplies from France, chiefly from the city of Bayonne, would be cut off. Other crossings of the French frontier would remain, but none so useful or convenient to the Carlists. According to the Additional Articles of the Quadruple Alliance, France was supposed to prohibit traffic across the border with the Carlists. But Louis Philippe was trying to maintain an opening to the Eastern powers, trying to avoid too final a commitment to policies and principles on which the eastern states would not compromise; nor was he anxious to see a result in Spain which would essentially benefit Britain. In any event, smuggling in the area was not difficult. By closing off this small part of the frontier, Evans would be able substantially to reduce the Carlist supply lines.<sup>44</sup>

To do this Evans needed more troops, and he immediately urged Cordova to send him more Spanish units. This request was emphatically endorsed by Villiers from Madrid. Cordova replied to Villiers "that I had anticipated your wishes and that I yesterday sent off officers by post in order to conduct two most brilliant Battalions to Evans. Your

eagerness, and your letter, together with my own anxiety to gratify you in every thing would make me do any folly, and I am now scheming how to send Evans two more Battalions as good or better than those already assigned to him."<sup>45</sup> The prissy tone of this reply may be due to translation and to Spanish customs. Is it too much to read into this a temperament that would soon feel itself jealous at being badgered by foreigners who were getting all the glory?

Cordova did, however, do his best. On May 19, two Christino battalions arrived, under General Jauregui, a well-known Spanish General often called 'El Pastor', the only Spanish General the British ever trusted and liked. Within a week a third battalion arrived. In addition, Lord John Hay<sup>Y</sup> landed a battalion of British Royal Marines on May 18. This gave Evans a force of some 9,000 men, of which about half was British.<sup>46</sup>

With this reinforcement, and the advice and support of Lord John Hay and Colonel Wylde, Evans moved on May 28 to cross the Urumea and take the port of Passages. At 6 in the morning a heavy fire of artillery was opened on the Carlist trenches guarding two fords of the river. This accurate fire of round shot, grape and shell caused numerous casualties. Even before the ebbing tide permitted Evans' force to cross the river, the Carlists had retreated. The Urumea was then crossed by two columns, mostly Spanish, under Jauregui; these were supported by the Legion Brigades of Chichester and Fitzgerald (replacing McDougall who had resigned) and by the battalion of Royal Marines. Brigadier Shaw was left behind with a brigade composed of the 6th, 7th and 10th Regiments and some Spaniards to guard the ~~Ayete~~<sup>Ayete</sup> lines, a force he felt inadequate,

but which Evans told him he would have to do his best with. Led by a group of Legion cavalry, these columns easily reached Passages and took the heights on the western shore of the harbour. The squadron of Lord John Hay, more or less helped by the Spanish ships of Commodore Henry (British, but in the Queen of Spain's service) and of Admiral Riveira, took the castle on the eastern shore of the harbour.

The operation was really little more than a parade. Carlist resistance was surprisingly feeble. Evans' troops suffered only some 30 killed and wounded.<sup>47</sup>

The taking of Passages more than doubled Evans' lines, which were now nine or ten miles in length, including the ~~Ayete~~ <sup>Ayete</sup> lines from the Convent of Antigua to the Urumea, and the new Ametza lines from the Urumea to the eastern side of the harbour of Passages. Although a bridge of boats was thrown across the Urumea on May 28, this remained insecure for some time, so that communications between the two parts of the lines were not entirely trustworthy. Nevertheless, considering the Carlist forces had not yet been strengthened, Evans had enough men not only to secure his new lines, but to begin preparations to advance on Fuentarabia and Irun on the French border. Events seemed to be moving entirely in Evans' favor. Villiers once again reported to Palmerston that Madrid society was ecstatic; Britain and Evans were in high repute.<sup>48</sup>

From May 22 to 24, far inland around Vitoria, General Cordova had been conducting some operations of his own. Similar to the affair of Arlaban the previous January, the Christinos and the Carlists had chased ~~themselves~~ <sup>each other</sup> about the mountains, without either side gaining any strategic

victory. Again, the entire operation made no contribution to Cordova's overall blockade strategy, and in the end depressed his men since they had to retreat back to Vitoria. Cordova was probably trying to make a good impression upon Madrid where a new Prime Minister, Isturiz, had replaced Mendizabel in the middle of the month. If nothing else, Cordova's operations probably helped prevent the Carlists from sending reinforcements to their troops opposing Evans on the coast.<sup>49</sup> But on May 27, the day before Evans took Passages, Cordova made another decision which was to have a very different effect on Evans, a decision probably taken for political reasons, because of the new Madrid government, but possibly also out of jealousy of Evans' success. Cordova announced his decision in a grandiloquent general order, which must have been read as attentively by the Carlists as by his own soldiers: "Comrades! Whilst you repose from the great and glorious fatigues of the last days, the good of the Army and my anxiety to render more effective our endeavors in favour of the great national cause which we defend, compel me to absent myself for a few days from you and to present myself to the Government of Her Majesty with a view to receive its orders upon several interesting points, and to lay before it in detail the state of the war and the means which I consider to be necessary for bringing it to a happy and speedy termination...."

50

This decision was an open invitation to the Carlists to concentrate their army against the British Legion, without any need to worry about an offensive by Cordova's forces at Vitoria. Evans did not regard it as a coincidence when the Carlists opposite him immediately received

sufficient reinforcements to make three attacks upon his lines within ten days - in May 31, June 6, and June 9.

The Carlist attack of May 31 was delivered against the <sup>Ayete</sup>~~Ayette~~ lines, held by Shaw, promoted to Brigadier since the battle of May 5, with his brigade consisting of the 6th, 7th and 10th Regiments, as well as some Spaniards. Shaw had sensibly enough, been expecting an attack since most of ~~the~~ Evans' forces moved against Passages three days earlier. He was further warned on the afternoon of the 30th, when one of his picquet houses was seized and held by the Carlists. He formed up the 7th and 10th Regiments at 2 in the morning, and, as he expected, an attack by five or six enemy battalions was launched under cover of night. The Carlist advance was made on Shaw's left, centre and right. The attack on the left made no penetration. That on the centre was more serious. The Carlists advanced screaming at the top of their voices, while their drums and bugles made a terrific noise. Shaw's men broke for a moment, but he got them back into position, moved up his reserve, and broke the enemy attack. At this point it was still not daylight, which added to the general confusion. As dawn was breaking, the Carlists managed to make an advance on the right, a battalion getting almost down to the beach of the Bay of San Sebastian. But Shaw organized a charge, and this, together with fire from "The Tweed", one of Lord John Hay's ships, drove the Carlists back. The enemy now made a general retreat to their lines on the Oriamendi Hill in the direction of Hernani, and were pursued by the Legion which levelled a number of barricades before returning. Legion casualties were negligible; those of the Carlists about 60. Shaw

wrote that "I tell you the thing was well done by officers and men. Being prepared at such a moment, makes me proud. I considered it a feather in my cap to have been able, with two regiments at that hour, to withstand such an attack." Evans agreed, referring to Shaw in his official despatch as "one of the best officers I have ever known".<sup>51</sup>

The attack of June 6 was more serious, the Carlists having been reinforced by a number of battalions. It involved charges along all parts of the 9 or 10 miles of Evans' lines. Evans attributed the ferocity of the Carlist attack to their reinforcements; and these in turn he attributed to Cordova's departure for Madrid. He felt so strongly on this matter that he allowed his anger to be made public in his official despatch: "The main body of Her Majesty's Army at Vitoria being understood to be stationary and likely to remain so, for some short time longer, and thus affording the Enemy an opportunity of directly directing their whole force against this quarter...."<sup>52</sup>

The attack began before daylight. Only one charge was made against the ~~Ayette~~<sup>Ayete</sup> lines where Shaw commanded; when this was repulsed, Shaw was left in peace.

The attack was more sustained and the fighting more serious in the centre of Evans' position, especially at the lines in advance of the fortified village of Alsa where Chichester was in command. Here the Carlists made a determined attempt to break through to the coast. The first attack was turned back, but it was immediately followed by another which caused the Spanish Chapelgorris on Chichester's right to panic. This panic spread to the Legion. Soon the entire line was

running to the rear, in spite of heroic efforts by the officers to rally the men. It was only when they reached Alsa that the troops got control of themselves and turned to man the walls and houses; Chichester had been afraid for a moment they would not rally even there, but would go running down the hill. When the charging Carlists reached the Alsa defences, they were greeted with a hail of fire on the left which stopped some of them. But the Chapelgorri~~s~~ again gave way, abandoning a number of houses; some houses were also given up by the 4th Regiment. Chichester's position was now one of some danger. However, at the beginning of the attack he had ordered the 8th Regiment under Godfrey up from the rear; it was now instructed to take back the houses which had been abandoned. General Evans took the further step of ordering the 6th Regiment to move to Chichester's support. Advancing together, the 6th and 8th drove the Carlists from the houses and reoccupied the front line. A very heavy loss, in places amounting almost to a slaughter was inflicted on the enemy.<sup>53</sup>

An equally severe attack was made against the positions commanded by Brigadier Jauregui in the centre, composed of some Spanish battalions and some Royal Marines under Major Owen. Here, too, the Queen's forces gave way at first and the Carlists made a successful advance. But this part of the line also rallied and also took a heavy toll of the enemy. By 11 o'clock the Carlists had given up their attempt to break through to the sea between San Sebastian and Passages, although they kept up a harrassing fire until the evening.

<sup>54</sup>

The casualties suffered by the soldiers of Don Carlos were enormous, greater even than in the battle of the 5th May. "I have never known them to have so many dead on the field since I have <sup>been</sup> in this country" wrote Colonel Wylde.<sup>55</sup> Their killed and wounded was believed to number



in the neighbourhood of a thousand. Legion and Christino losses were light, roughly one hundred. Six men of the Legion were taken prisoner by the Carlists in a picquet house.<sup>56</sup> These were killed the next morning carrying out the threat made by Don Carlos in the Durango Decree of 1835. But they had a comparatively easy end; they were merely shot in the knees then in the stomach, and left to die.<sup>57</sup> Other Legionnaires were to be less fortunate; favorite methods of execution were to burn Legion soldiers at the stake, using green wood that burned slowly, with cartridges being tossed into the flames for added merriment; and, of course, there was the less imaginative practice of cutting off various limbs and leaving the prisoner to die a slow death.<sup>58</sup> Historians are supposed to be wary of passing judgments, but the Spanish nation does seem to have a remarkable talent for cruelty, and not only towards foreigners. Until the Elliot convention was negotiated under Wellington's initiative in early 1835, the Carlists and Christinos had been murdering each other's prisoners as a matter of course; and even the convention was very imperfectly carried out.

The third and final attack on Evans' lines at this time was delivered against the extreme left, a position consisting of an elevated ridge just to the east of the harbour of Passages, commanded by Lord John Hay. The Carlists, attacking before daylight, managed to surround a picquet house with 60 Spaniards inside. Hay quickly brought up some Marines and other troops and forced the enemy to fall back; when daylight came he discouraged any further assaults with heavy and accurate artillery fire.<sup>59</sup>

Thus ended the Carlist attempt to take back their lost positions at San Sebastian and Passages by driving the British Legion into the sea. Their attacks had been well thought out and had been pressed with courage amounting at times to fanaticism. When Evans had moved most of his force

across the Urumea and just taken Passages, the Carlists had immediately attacked the weakened ~~Ayete~~<sup>Ayete</sup> lines at San Sebastian. Failing here, they had attacked ~~the~~ new Ametza lines between San Sebastian and Passages while the defences were still only partly completed. Failing again, they had tried the heights to the east of Passages, a position cut off by water from the rest of the lines. But, in spite of the reinforcements the Carlists received, the British Legion had held its lines and inflicted heavy casualties <sup>o</sup> in the enemy.

FOOTNOTES TO CHAPTER V

1. FO 72/35 72/459 Villiers to Palmerston, number 114, 7 May 1836; enclosure Foreign Office to Admiralty 14 March 1836.
2. The Times 14 May 1836 p. 5 report from Santander, 26 Apr 1836
3. FO 72/464 Wylde to Palmerston, number 64, Madrid, 5 Apr 1836
4. FO 72/464 Wylde to Palmerston number 65 Madrid 9 Apr 1836
5. Evans op cit p. 42
6. Ibid p. 41
7. Shaw op cit p. 546 Charles Shaw to T.G. Shaw, 24 Apr 1836; MS Diary of Charles Chichester, entries 13 Apr to 1 May 1836 pp 85-90
8. Shaw op cit p. 547, Charles Shaw to T.G. Shaw 24 Apr 1836 pp. 550-551 Charles Shaw to his mother 28 April 1836
9. MS Diary of Charles Chichester 1 May 1836 p. 90. Shaw op cit p. 550 Charles Shaw to his mother 28 April 1836.
10. Shaw op cit p. 573, Charles Shaw to T.G. Shaw San Sebastian 9 May 1836
11. Shaw op cit p. 547, Charles Shaw to T.G. Shaw San Sebastian 24 April 1836
12. MS Diary of Charles Chichester 2 May 1836 p. 90 Shaw op cit p. 550 Charles Shaw to his mother San Sebastian 28 April 1836
13. Shaw op cit pp. 555-557 Charles Shaw to T.G. Shaw, San Sebastian 3 May 1836. Ibid pp. 559-560 Charles Shaw to T.G. Shaw, San Sebastian 9 May 1836
14. MS Diary of Charles Chichester 2 May 1836 pp. 90-91
15. FO 72/464 Wylde to Palmerston, number 66, San Sebastian, 5 May 1836; Shaw op cit p. 556, Charles Shaw to T.G. Shaw, San Sebastian 3 May 1836.

16. FO 72/464 Wylde to Palmerston, number 67, San Sebastian  
6 May 1836.

17. MS Diary of Charles Chichester 2 May 1836 pp. 90-91; Shaw  
op cit pp. 552-554 Charles Shaw to T.G. Shaw 3 May 1836

18. Chichester Papers item C/2/3 Operations Order for attack on  
Carlist position on 5 May 1836, San Sebastian 4 May 1836

19. FO 72/464 Wylde to Palmerston number 66, San Sebastian  
5 May 1836

20. Shaw op cit II 561, Charles Shaw to T.G. Shaw, San Sebastian  
9 May 1836; FO 72/459 Villiers to Palmerston, number 120, 20 May 1836  
enclosures: Evans to Minister of War San Sebastian 5 May 1836; Richardson  
op cit p. 248

21. ~~Shaw op cit II~~, 561-567, Charles Shaw to T.G. Shaw, San  
Sebastian 9 May 1836; Shaw's account of his brigade's actions is confirmed  
by others, notably, though on a more parochial level, by An Officer of the  
Ninth Regiment op cit whose account of the battle is reprinted in London  
and Westminster Review XXVI October 1826 1836 "The War In Spain p. 215 ff.

22. Chichester Papers Item C/2/4 MS letter Charles Chichester  
to his wife Mary, San Sebastian 6 May 1836

23. Idem

24. Shaw op cit II 568 Charles Shaw to T.G. Shaw 9 May 1836

25. MS letter Charles Chichester to his wife 6 May 1836

26. Shaw op cit II 568-569 Charles Shaw to T.G. Shaw 9 May 1836

27. MS letter Charles Chichester to his wife 6 May 1836; Shaw  
op cit II 569-571, Charles Shaw to T.G. Shaw 9 May 1836.

28. Richardson op cit 249-250 Major Richardson, Personal Memoirs  
of Major Richardson, Montreal 1838 p. 9ff FO 72/459 Villiers to Palmerston  
number 120, 20 May 1836 enclosure: Evans to Minister of War, 5 May 1836.

FOOTNOTES TO CHAPTER V - 3

29. Shaw op cit II 572, Charles Shaw to T.G. Shaw 9 May 1836
30. MS letter Charles Chichester to his wife 6 May 1836
31. Shaw op cit II 572, Charles Shaw to T.G. Shaw 9 May 1836
32. Richardson Movements of the British Legion 251-252
33. MS letter Charles Chichester to his wife 6 May 1836
34. Richardson op cit 251
35. Shaw op cit II 573 Charles Shaw to T.G. Shaw 9 May 1836
36. Richardson op cit 252-253
37. MS letter Charles Chichester to his wife 6 May 1836
38. Idem
39. FO 72/464 Wylde to Palmerston, number 68, 12 May 1836
40. FO 72/464 Wylde to Palmerston number 67, 6 May 1836
41. MS letter Charles Chichester to his wife 6 May 1836 on the doubtful issue of the battle until the arrival of the Phoenix see also FO 72/464 Wylde to Palmerston, number 67 6 May 1836 Evans of course makes no such admission but he does refer to the arrival of the 4th and 8th Regiments in unusually notable terms: "It is impossible for me to describe the efficacious and opportune co-operation afforded to Her Majesty's Troops by the British Naval Squadron under the command of Lord John Hay." FO 72/459 Villiers to Palmerston, number 120, 20 May 1836 enclosure Evans to Minister of War 5 May 1836
42. FO 72/359 Villiers to Palmerston, number 120 15 May 1836
43. Evans op cit p. 47
44. Ibid p. 48 Shaw op cit II 576-577 Charles Shaw to T.G. Shaw San Sebastian 19 May 1836 FO 72/464 Wylde to Palmerston number 72 5 June 1836
45. FO 72/459 Villiers to Palmerston number 120 15 May 1836, enclosure letter from Cordova 11 May 1836
46. Shaw op cit II 577 Charles Shaw to T.G. Shaw 19 May 1836

FOOTNOTES TO CHAPTER V - 4

47. FO 72/459 Villiers to Palmerston number 140 4 June 1836, enclosure Evans to the Minister of War, San Sebastian 28 May 1836; FO 72/464 Wylde to Palmerston number 71 San Sebastian 28 May 1836; Shaw op cit II 585; Charles Shaw to T.G. Shaw San Sebastian 2 June 1836.
48. Evans op cit 49; FO 72/464 Wylde to Palmerston number 72, San Sebastian 5 June 1836; FO 72/459 Villiers to Palmerston, number 140 Madrid 4 June 1836
49. FO 72/464 Wylde to Palmerston, number 72 5 June 1836
50. FO 72/459 Villiers to Palmerston, number 141 4 June 1836, enclosure Cordova's address to his army 27 May 1836
51. Shaw op cit II 587-589 Charles Shaw to T.G. Shaw San Sebastian 2 June 1836; FO 72/459 Villiers to Palmerston number 146, enclosure Evans to the Minister of War 31 May 1836
52. FO 72/459 Villiers to Palmerston number 146, enclosure Evans to the Minister of War 6 June 1836
53. Ibid MS Diary of Charles Chichester 6 June 1836 pp. 93-94
54. Ibid pp. 94-95 FO 72/459 Villiers to Palmerston number 146, enclosure Evans to Minister of War 6 June 1836.
55. FO 72/464 Wylde to Palmerston number 73 6 June 1836
56. Ibid FO 72/464 Wylde to Palmerston number 74 9 June 1836
57. Shaw op cit II 592, Charles Shaw to T.G. Shaw 15 June 1836
58. Evans op cit 108-109
59. FO 72/459 Villiers to Palmerston, number 151 18 June 1836, enclosure Evans to Minister of War, San Sebastian 9 June 1836; FO 72/464 Wylde to Palmerston number 74, San Sebastian 9 June 1836.

CHAPTER VI

EVANS DOWN

1. Problems with Madrid

Evans had every reason to be proud of the British Legion. But he was not a happy man. For one thing, he was angry with the conduct of his ally, General Cordova. When Cordova went to Madrid on May 27, announcing that his troops would "repose from the great and glorious fatigues of the last days," he as good as told the Carlists they need expect no trouble from him in the near future.

Evans had other worries. Being on the coast was better than being inland at Vitoria, but it was not turning out to be any bed of roses. Only three months had passed since the Spanish Prime Minister, Mendizabel<sup>a</sup> had made generous promises to Brigadier McDougall and Colonel Wylde in Madrid, assuring these officers that the Legion would be regularly paid and would have reserve funds for the military chest; that there would be ample supplies and that magazines of provisions would be built up. The promises had not been kept. Although the situation was by no means as bad as it had been at Vitoria, the Legion had only a few days supply of provisions at a time, and the supply of funds was so irregular that both officers and men were in arrears. Now there were signs that even this unsatisfactory situation would worsen. Mendizabel was replaced by Isturiz in the middle of May. The new Prime Minister was unfamiliar with the affairs of the Legion and could not hope to have the knowledge of Mendizabel<sup>a</sup> who had helped recruit the Legion in London.

Furthermore, the Spanish Treasury was empty, the ordinary revenues were not sufficient to finance the civil war, many Government

departments were short of funds, and the dissolution of the Cortes made it impossible for the time being to raise extra-ordinary revenues: the Cortes did not, in fact, assemble until August.

On May 17, the day after Isturiz took office, George Villiers held discussions with him, and received a promise that "the British Legion might entirely reckon upon his support the same as if Mr. Mendizabel was at the head of affairs, as he looked to it quite as much as to the Spanish Army for putting down the war."<sup>1</sup> Villiers informed both Evans and Palmerston of this promise. On the strength of Villiers' letters Evans published a General Order to the Legion, to try to set to rest doubts that had arisen over the change of Government at Madrid. The General Order was written in the high flying bombastic style that Evans used in both speech and writing, and which he seems to have thought a pre-requisite of statemanship: ".it is most gratifying to him, in touching on this subject, to be enabled to inform the Legion, from the highest authority, that it is the full determination of Her Majesty's present Ministers to do everything in their power to provide for the wants of the Legion, and to fulfill in the most just and religious spirit the conditions of contracts entered into with us, recognized and sanctioned as they have been.."

And so on at tiresome length.<sup>2</sup>

But Evans was far less confident in the private letter he wrote to Villiers at the same time; promises were fine, but his military chest was empty and signs of discontent were beginning to appear. Villiers immediately made an appointment with Prime Minister Isturiz to urge that attention be paid to the Legion's needs and complaints: "...I waited upon M. Isturiz, and informed him that he must expect the Legion to dissolve unless money immediately was found to pay the men and supply their wants.



I afterwards repeated this in still stronger language in a private letter..." Villiers' badgering had some effect. An arrangement was made with the House of Vasquez and Company at Bayonne to send 12,000 pounds Sterling to the British Legion.<sup>3</sup>

But before he knew of this arrangement, Evans' temper snapped. On the same day that Villiers wrote of his success in getting 12,000 pounds for the Legion, Evans wrote an ultimatum to Isturiz, and sent a copy of it to Palmerston. First, he said that unless the Legion were paid up he would place the entire body under the protection of the British Government and would himself resign. Second, he objected strongly to Cordova's decision to let his men "repose" while he went to Madrid, at the very moment when the Legion was conducting its operations; he particularly stressed Cordova's failure to inform him in advance. He also took as an insult Cordova's appointment of General Espartero, junior to himself, to command the entire army in Cordova's absence. Finally, he complained bitterly of the failure of the Spanish Government to take any notice of his recommendations for the promotion of officers or the granting of decorations, especially for the action of the 5th May; to stress the point, he returned a high decoration which had been presented to him, the Grand Cross of San Fernando, and said he would not accept it until his recommendations had been approved.<sup>4</sup>

As a result, on June 18, Villiers was again badgering Isturiz to pay urgent attention to the wants of the Legion. At Villiers' request, the Minister of Finance was present. Villiers' basic demand was that "some arrangement must absolutely be made for the punctual fulfillment now and hereafter of the engagements by which the Government was bound towards the Legion."<sup>5</sup> Villiers reminded the ministers of the promises which

Mendizabel had made to Brigadier McDougall and Colonel Wylde and gave them details of the state of destitution to which the Legion was reduced because of shortage of money and provisions. Isturiz gave the usual fullsome promises, assuring Villiers that the needs of the Legion would have priority over all other claims upon his Government. But he went on to complain that Mendizabel had left fantastic confusion behind him as far as documents and records were concerned, that his Government was ignorant of many of the details of its obligation towards the Legion, and that until he had received Evans' letter that morning, he had not been informed of the state of the Legion by anyone connected with it. He further made the point that "...since the Legion landed in Spain the Government had never been able to procure a single account of the manner in which the money furnished by the Treasury had been expended or of the use which had been made of the supplies of clothing, stores and provisions advanced..."<sup>6</sup> As Villiers had to admit to Palmerston, this complaint of Isturiz had merit. Legion logistics and accounts tended to be chaotic at worst and confused at best. But Isturiz' complaint was really just an attempt to ease his embarrassment. In reality, his Treasury was empty. That was the basis of his trouble. He did not need to know exactly how the Legion had distributed money sent in the past to know how much money should be sent, each month, in the future. Villiers was always outspoken and sometimes extremely blunt. He refused to give up his demands, until something had been done, and in the end got Isturiz to inform the House of Vasquez to send the Legion another 12,000 pounds Sterling. In view of the virtual state of bankruptcy of the Spanish Government, this was a considerable achievement on Villiers' part. The total of 24,000 pounds Sterling was far from meeting all the needs of the Legion, but it did help to ease Evans' predicament.<sup>7</sup>

Villiers' exertions on behalf of the Legion were remarkable; they were especially remarkable since he personally detested de Lacy Evans and had nothing but scorn and contempt for the Legion as a whole: "... of this you may rest assured, that since that cursed Legion set foot in Spain... nothing has been done for it - not a want supplied or a complaint attended to...If you could but know the flagitious job that that Legion has been, and the number of scoundrels and ignorami that are among its officers, you would not wonder at the annoyance which awaits everyone who has to do with it." 8 Villiers was sick when he wrote this, and his comments were unfair to the Legion and to Evans. They did, however, contain a certain measure of truth, as could be deduced from the mere fact that the Legion was recruited overnight, had no existence previous to the Order in Council and had trouble getting experienced officers. But in spite of abuses and exaggerations, Evans' complaints were largely justified.

Palmerston had also received a copy of Evans' ultimatum of June 12. He was particularly angered by Cordova's decision to go to Madrid while the Legion was conducting its operations, and seems to have been incensed by the word "repose" which stood out in Cordova's General Order. He expressed these feelings in a despatch to Villiers which has lost none of its vigor, anger, sarcasm or contempt in the intervening 130 years. "It certainly appears strange that Genl Cordova should not have given Genl Evans any previous notice of his intention to quit his army & place it in a state of repose at a moment when Genl Evans was engaged with a small force in a detached operation, cut off from the main body of the Spanish Army, and left, by the publicly avowed repose of the army, to the risk of being attacked by the Bulk of the Carlist Force. It is to be hoped that General Cordova, if not succeeded by some other General, has long before this time returned to his Post, and that he will make amends for his former inactivity by

an energetic employment of the ample force which he now has under his command. But you will impress upon the Spanish Minister, that His Majesty having afforded to the Queen of Spain the active cooperation of a British Naval force in pursuance of the engagements of the Quadruple Treaty, His Majesty's Government has a right to expect that the Spanish Government shall, on its part, do everything within its power to make that cooperation effectual.

"His Majesty's Squadron has already rendered most important services to the Queen's cause, and is prepared to continue to do so.

"The Port of Passages, a place which by some extraordinary neglect, the Spanish Government has allowed the Carlists to retain during the greater part of the Civil War, has now been taken possession of by the Queen's Troops ....

"If the division of the Queen's Troops, with which Lord John Hay is cooperating, had been strong enough to advance further, Irun and the road leading into France would before this time have been also occupied by them; and the Carlists would thus have been deprived of the principal means, both by Sea and by land, by which they have hitherto obtained supplies from France. But while General Cordova has by his own account 95,000 men under arms, it seems he can only allot 8 or 9,000 including the Legion, for this important operation, and he publishes to the Carlists that the main body of his army is going to enjoy repose, at the time when active operations ought to have begun, and while he goes himself to spend a fortnight or three weeks at Madrid, he intimates to the Carlists that his army will not prevent them taking advantage of his absence, to come down with their whole force upon the division commanded by Genl Evans and drive

it into the Sea. Fortunately for the cause of the Queen, the gallantry of the British Legion and the effective services of His Majesty's Squadron, have hitherto defeated all the attacks of the Carlists; but those attacks and the hazardous situation in which the Legion has been left, have prevented the capture of Irun, and the occupation of the road into France.

"You will represent these matters strongly to M. Isturiz, and impress upon him the necessity of sending more troops to the Coast without any further delay."<sup>9</sup>

This despatch shows that Palmerston could always be relied upon to support Evans and the British Legion. The despatch was read to Isturiz by Villiers in its entirety. Villiers was, of course, already familiar with Evans' ultimatum and had discussed the needs of the Legion several times with Isturiz. He again reported to Palmerston the arrangements he had been able to make, adding that he had also seen that steps were taken to improve the supply of provisions, by seeing that the Contractors were paid for supplies already sent, a condition for the sending of future shipments.<sup>10</sup>

Evans had been under accumulating pressures for 12 months. Towards the end of June, weighed down by his worries and problems he collapsed. For almost two months he was barely able to leave his sick bed. A few times he seemed to be recovering, but with exertion relapsed again. His sufferings were both physical and mental. Whether he had a 'nervous breakdown' it is impossible to say; the medical guesses of laymen and doctors were presumably even more unreliable in that day than in this. But the accounts of Evans' prolonged illness do concur in saying that it was a question of nerves as much as strictly physical distress. For example, Colonel Wylde reported to Palmerston that Evans was "...very unwell with a bilious attack and fever, brought on by over fatigue, but I fear, still

more by vexation, in consequence of the treatment he has received from the Spanish Government...."<sup>11</sup> It seems likely that his exertions and worries proved too much for him to endure and that, in a basically healthy or preservative reaction, his mind and body rebelled, forcing him to take the rest he needed and compelling him to give up many of the burdens which had become too much for him.

But Evans could not give up all his burdens; nor did he wish to. He had no intention of giving up of the Legion entirely, and this meant there were things he must attend to himself though sick. Furthermore, there were things he much wanted to do. In particular, he wanted to carry his recent military operations to their natural conclusion by advancing to the French frontier, and cutting the Carlist communications. Evans therefore kept the threads of command in his hands, while trusting his friend, Brigadier Reid, to take care of most of the details.

## 2. Fuentarabia

The frontier with France at the coast is formed by the Bidasoa River. Two fortified towns secured the Carlist position on this river; Fuentarabia, slightly inland from the mouth of the Bidasoa, and Irun, still further inland. Fuentarabia could be easily and safely approached by the Legion from its Ametza lines. For these lines included the heights just to the east of the harbour of Passages; and the heights formed the beginning of a ridge of hills which ran parallel to the coast from Passages to the Bidasoa. By moving along this ridge, the Legion would have an elevated position relative to any Carlists who might try to concentrate against its right. Its left would be secured not only by the sea, but also

by Lord John Hay's naval squadron. Fuentarabia lay just to the end of this ridge of hills. Therefore, for the ten miles or so it would need to march, the Legion would be fairly well protected against Carlist attacks.<sup>12</sup>

Evans also knew that, if he ever intended to attack Fuentarabia, it would probably be useless for him to postpone this in the hope of getting more reinforcements. Unless Cordova personally decided to launch a major campaign from San Sebastian it was not likely that he would detach further Spanish units from his own army to fight under Evans. Evans' forces were by no means strong. Indeed even Villiers, who despised Evans and the Legion, wrote that "I have arranged that he would have 11,000 (men). I know that is not enough for active operations...."<sup>13</sup> The total was actually closer to 10,000. There were nine, rather weak regiments of the British Legion, including the Rifles, which comprised about 4,500 men. There were also some 400 or 500 Royal Marines under Lord John Hay. Only about half the force, therefore, or some 5,000 troops, was British. The remaining units were Spanish, some good, some poor; they had a tendency to be unpredictable, now fighting bravely, now running away. Close to half the total would have to remain behind to defend the lines during any advances on Fuentarabia.<sup>14</sup>

The situation was rather nicely balanced; Evans had a secure line of advance to the heights above Fuentarabia, but he was short of troops. His judgment was swayed, not by either of these factors, but by two additional considerations. First, he received a letter from Cordova, stating in a tone of alarm that part of his line had been forced, and that he hoped Evans could arrange a diversion without delay.<sup>15</sup> Probably more

important than Cordova's letter was the intelligence which reached Evans from a number of sources during early July that "the rebels had withdrawn their guns and given direction to their small garrison at Fontarabia to abandon the place, if attacked...."<sup>16</sup> In addition, there had been a slight improvement in Evans' health. Although he was still a sick man, he had recovered to a point where he would be able to leave his bed and ride a horse, personally directing any assault.

Instructions were given for the movement on Fuentarabia to begin on July 10. The Quartermaster General, Brigadier Reid, was placed in charge of most of the preparations. The Legion was to move from its lines to the eastern heights above Passages on the evening of Sunday, the 10th. Early the next morning it was to march along the ridge to Fuentarabia, and immediately undertake the occupation of that fortress. Brigade commanders were not given much advance warning. Chichester was informed by Reid after mass on Sunday;<sup>17</sup> Shaw knew of the operation, but was only told by Evans that evening that he was to lead the advance with the 6th and 10th regiments.<sup>18</sup>

The movement of the Legion, the Royal Marines, and some Spaniards to Passages, across the harbour by boat, and up the heights on the eastern side was made without incident, beginning at eleven o'clock Sunday night. Day broke as the Legion was formed up, ready to advance, at the top of the ridge; down to their right, the troops could see the Bay of Passages, and to their left, the open sea, with many boats and steamers. Daylight had not yet reached into the valleys, and the bright flashes of the enemy firing wildly upward could be seen against the dark.<sup>19</sup> Shaw was now given the order to advance, and moved his men forward along the top



of the ridge. After an hour or so, the Carlists began moving troops of their own in the direction of Fuentarabia and Irun, parallel to the Legion, along roads at the bottom of the ridge.<sup>20</sup> Shaw was considerably in advance of these Carlists, and knew that before they could reach Fuentarabia, they would have to cross a bridge. He felt he could take possession of the bridge first, and hurried his men ahead. However, he was ordered to halt, apparently until the rest of the Legion could catch up. The Carlists had just time to take up a position flanking Fuentarabia and supported by Irun.<sup>21</sup> But they were only about 2,500 in number; no match for the Legion.<sup>22</sup>

As unit after unit of the Legion reached the highest point of the ridge, and began descending towards Fuentarabia, a discovery was made which changed everything: "...the information upon which we had acted was in every particular false. The General had received from all quarters the intelligence that they did not intend to defend it, and that it would be abandoned at once; everyone said the same."<sup>23</sup> Far from the Carlists preparing to abandon the position, the Legion found "to our great surprise the old fortifications repaired...."<sup>24</sup> The shock was a terrible one, especially for a sick man like Evans; he had been so deceived that "it was only that morning on the hills that the Lt. General was informed of the true state of the case, and that they had been engaged upon it for 3 months."<sup>25</sup>

Although Evans has not recorded what he thought in any detail, he can scarcely have failed to remember that this was the second time that he had acted upon false information. At the Battle of the 5th of May, he had attacked when he did because he believed the enemy was going to abandon the lines about San Sebastian. He had on that occasion been

fortunate enough to win, in spite of his mistake. Now he had made a similar mistake. And it is really difficult to understand why Evans could not have found out exactly what was happening at Fuentarabia, perhaps by sending a reconnaissance by land or by sea, perhaps by inquiries made from the French side of the frontier. But the entire day could not be spent admiring the view of the Valley of the Bidasoa which could be seen from the heights. He had either to attack or withdraw.

Shaw thought Fuentarabia could be carried. Being in advance, he moved units down to the foot of the heights. When Evans appeared "in great suffering, and absolutely exhausted,"<sup>26</sup> Shaw asked permission to attack the enemy at the bridge, which was now in Carlist hands, and this was given. At the same time, Lord John Hay's ships were throwing shells at Fuentarabia, but not doing much damage since they could not get close enough. Shaw's men headed for the bridge, with a troop of cavalry going ahead to charge across. Ross commanding the 6th, and Beatson commanding the 10th, were both wounded. However, the Carlists who were out in the open did not make much resistance, but fell back. Shaw with two companies behind him got to within 150 yards of Fuentarabia. At this point there was no one on the ramparts, all taking cover from the fire from the ships, and Shaw believed he could easily have taken the town if reinforcements had been sent, to supplement his brigade which was now rather scattered and knocked about. But the Carlists who had been moving parallel to the Legion all day were now in position. Firing was getting heavy and casualties were rising.<sup>27</sup> Brigadier Reid, an experienced engineer, advised Evans that Fuentarabia could not be taken

without a battery, and to bring one up would take three days.<sup>28</sup> Accordingly, Evans gave the order to retire.

Most of the Legion had not descended the hill. Retirement proved no difficulty for them. Shaw's men, however, were exposed, and could now hope for no reinforcements. However, one attack by screaming Carlists was firmly repulsed, and Shaw was able to bring his brigade away. He ascended the mountain and found Evans at the top "looking excessively ill, the very picture of death."<sup>29</sup> Indeed, Evans could not ride back to Passages and had to be taken back by Steamer.<sup>30</sup> By dusk the entire Legion was reformed on the heights of the ridge. A thick, heavy fog and mist now descended. No attempt was made to retreat that night. The Legion simply stayed where it was until daybreak. Many soldiers lost themselves in the fog. Eleven were captured and, of course immediately executed. Chichester lost his way and rode about for some time before coming upon the 8th regiment. The general retreat upon Passages was begun at about four in the morning (July 12). The Carlists did not attempt to harry the Legion, the march was carried out without difficulty, and after about five hours the exhausted Legion reached Passages.<sup>31</sup>

Evans had been sick when he ordered, and led, the attack. He was sicker still when he returned; and it was to his sick bed that he went.<sup>32</sup>

In his official dispatch, Evans passed off his failure as a trifling matter. His advance was made "with the view of occupying the place if the intelligence I received proved correct." The withdrawal was made "not deeming it expedient to undertake an operation of the nature of a siege....This was executed in the steadiest and most perfect order...." He expressed "the high satisfaction I felt at the steadiness and zeal displayed on this occasion by all the troops Spanish and English, both

Officers and men." And he pointed out that casualties were negligible.<sup>33</sup>

This was largely true, although there is no indication Evans had ever seriously considered that his intelligence might prove false. However, he could not prevent the inevitable conclusions being drawn from the fact that he had advanced, and then withdrawn, without attacking or taking any enemy position. Even some of his own officers, such as Brigadier Shaw, thought Fuentarabia could have been stormed and taken, in spite of the lack of artillery. Enemies and far-away observers were bound to be less charitable. Although he defended Evans' decision, Colonel Wylde reported to Palmerston that "this is an unfortunate affair just now, and I have no doubt will produce a bad effect."<sup>34</sup> Villiers informed Palmerston that the advance on Fuentarabia had failed "solely as it would appear, of the alarming state of illness of General Evans. The intelligence of this event has been received here with the most lively feelings of regret."<sup>35</sup>

Villiers' comment may be the closest to the truth. A man who is sick, weak and suffering; so tormented that he can barely sit on his horse, is in no fit state to make important decisions. Perhaps if he had been well Evans would have decided to attack Fuentarabia without artillery, or would have obtained better intelligence; no one can tell. But what was clear was that, having failed to take Fuentarabia on July 11, the Legion would not be able to take it later on, unless reinforcements arrived, for the Carlists would now strengthen its defences even more. This meant that Evans' Spring and Summer campaign was over. For the time being, the French frontier would remain in Carlist hands.

In London, Palmerston characteristically defended Evans and the Legion. Indeed, he sent off one of his stiff dispatches to Villiers, instructing the ambassador to work on the Spanish government to send

adequate reinforcements to the coast: "The Spanish Government has for more than a twelve month been loudly complaining that supplies of all kinds reached the Carlists from Bayonne and the frontier of France....But the feeling of the Government at Madrid seems suddenly to have altered on this matter; and though they profess to intend to convert the War into a system of blockade; and although it is well known that such blockade cannot be effectual as long as supplies are sent from France; and although the division of the Queen's army on the Coast has, by the aid of His Majesty's Squadron, all but cut off the communications between the Carlists and the French frontier; and although a reinforcement of a few thousand men would probably enable that division to complete the operation and to maintain its ground; yet it now seems that the Spanish Government no longer considers this part of the blockade as a matter of first rate importance, and cannot find the small additional force which would suffice for its accomplishment."<sup>36</sup>

Villiers read the dispatch to Isturiz, warning the Spanish premier that "His Majesty's Government was not to be trifled with."<sup>37</sup> He proposed that General Espartero's force be moved from Santander to San Sebastian to co-operate with Evans, and Isturiz agreed, promising to discuss the matter with his colleagues. Villiers also communicated this proposal and Isturiz' reply to Evans. Nothing came of the idea at the time, although it was to find fruit later on. If it had been possible to build up the Legion to its original strength through new recruiting this would also have been a help; the recruits could no doubt have been found in the streets of London, Glasgow and Dublin, but there was not enough money to pay even the present number, let alone double the present number.

3. Mutiny

The British Legion now reached another turning point in its history. In the past it had survived an epidemic, a long succession of broken Government promises, and a number of battles, some of them fierce and bloody. Yet it had so far escaped a tragedy that had often been predicted by de Lacy Evans, Colonel Wylde, and others -- mutiny. It could escape no longer.

The contract under which the Legion was recruited had been signed on behalf of the Spanish Government by General Alava, then his country's ambassador in London and later a Government Minister; it had been made public, over Evans' signature, on 22 June 1835. The article of this contract governing the time of service of officers and men was the first of eleven. It was deceptively short and simple:

"1st. The time of Service to be for either one or two years, as may be preferred by the individual engaging to enter Her Majesty's Service."<sup>38</sup> The article is actually quite ambiguous. No doubt it was written in a hurry amidst the excitement of the suspension of the Foreign Enlistment Act and the formation of the Legion, with no thought given to the trouble it might cause later on. For while the article says that service can be for one or two years, as preferred by the individual, it does not say how or when the individual must make his preference known. It does not say whether the individual must get a signed document from the officer recruiting him, whether it is enough for him to state his choice verbally, with or without witnesses, or whether he can wait until one year has passed and then leave if he wishes or stay for another year if he prefers. Nor was the lack of clarity of the document made good by the actual practice of the recruiting officers. The Legion was recruited in a hurry. Officers recruiting in different parts of the British Isles acted

on their own initiative. There was virtually no central organization and virtually no instructions. The only objective was to collect 10,000 men as quickly as possible and ship them off to Spain. As earlier explained, recruiting standards were so lax that some hundreds of physically inferior men were admitted without examination or question. The entire matter of whether a soldier would serve one or two years was left in abeyance.

As the summer of 1836 approached, the day drew closer when the Contract would have to be interpreted, when its ambiguity could no longer be ignored. As early as May 26, Brigadier Shaw was aware of the problem. Writing to his brother about the replacement of Mendizabel<sup>a</sup> by Isturiz he noted: "I have no doubt that Mendizabel<sup>a</sup> will re-enter; if he does, I would give him a puzzler. You know the contract may be read as for one or two years; I believe the General wishes it for two years, but I suspect he means to say...that he has been so badly treated as to money he is now to finish; he therefore calls upon government to fulfill their promises, and get transports to carry the Legion home."<sup>39</sup> In other words, Evans might use the ambiguity to his advantage, telling the Spanish Government that unless it fulfilled its promises, he would disband the Legion quite legally at the end of one year. But as Shaw hinted, this was really bluff, or perhaps blackmail. At the time, things were going well militarily and Evans was making a name for himself; he did not want to go home just yet. In his ultimatum to Isturiz of June 12, he actually did make use of the threat, saying "the contract was for one or two years, and that unless the Legion were paid up he would end its service."

In other words, when it was to his advantage, Evans himself was prepared to interpret the contract as providing an option to retire after one year's service. This point is relevant to his later conduct.

Towards the end of June and the beginning of July, many officers applied to Evans for permission to retire at the end of a year's service, claiming their gratuities of course. They can scarcely be blamed. Any intelligent officer could tell that there was not much chance of further fighting that summer. Most of them had already got decorations and promotions. All had been badly treated by the Spanish Government, were months behind in their pay, and owed no one any favors. Evans was alarmed at the prospect of a mass exodus of his officer corps. He published a General Order on July 4 saying he could not himself interpret the contract, but would have to write to the Spanish Government for its view.<sup>40</sup> This was playing for time; he knew the Government would obviously reply that the contract was for two years. Evans used Villiers as an intermediary, asking him to discuss the matter with Isturiz. Villiers did so and replied to Evans on July 16 with the expected answer: the desire of officers to resign was a surprise to the Government; it never realized the contract could be interpreted this way; it was quite unprepared to provide any transports for the Legion; surely British officers would uphold the glory of British traditions and not leave at such a critical time.<sup>41</sup>

On the basis of this letter, Evans published another General Order on July 23, giving the Spanish Government's answer. He again claimed to be neutral in the controversy: "The Lieutenant-General has himself no more interest in the matter than any other individual of the Legion, excepting that, as senior officer of it for the time being, he feels more anxious for the honour,



respectability, and prosperity of the corps generally than other persons do...." Even from a sick bed, Evans could not keep himself from making five words do the work of one. He went on to say that Madrid would only agree to release officers under the contract who had specifically arranged at the time of enlisting that they would only serve one year. All others who left the Legion would forfeit their arrears of pay and gratuities.<sup>42</sup>

Evans' role in this controversy was hardly that of a great liberal or a man of high principle. He had himself taken the contract to mean one year when this suited his purpose; now that it did not suit his purpose he took it to mean two years, while at the same time pushing the responsibility off on the Spanish Government. But of course a person in Evans' position could not afford the luxury of high principles. Giving the contract a shady interpretation was the lesser evil from Evans' viewpoint; the alternative was the disintegration of the Legion.

That the Legion was threatened with chaos was clear before Evans published his General Order. Officers who wanted to leave, but recognized that Evans was trying to keep them, began to speak in the most insubordinate language within hearing of their men. Soon the entire Legion knew that many officers were discontented. Further, the abortive advance on Fuentarabia had a bad effect on morale. The men returned from this exhausting and unsuccessful operation to wither in the lines, under a boiling sun at day and heavy thunderstorms at night.

On July 15 the 8th Scotch Regiment mutinied. It was ordered to relieve the 1st Regiment on the heights above Passages. When the drum beat the men fell into formation, but when Colonel Godfrey ordered 'shoulder arms' not a man in the battalion moved.<sup>43</sup> Brigadier Chichester was informed at once,

and "I immediately ordered a horse to be saddled and my pistols put in the holsters: as I had to pass the Lt. Generals I called to tell him what had happened and also to know whether I should be supported in the event of having to adopt violent measures. I found him most decidedly opposed to anything like coercion, what he wished to do was to ascertain their grievances."<sup>44</sup> Chichester never really got used to the fact that he was not serving in the regular British army; he had the strictest standards of honour and uprightness in the British sense, and could not bring himself to realize that different standards sometimes had to prevail in a makeshift unit like the Legion. "I wish they had been decimated...I felt for the Lt. General who was ill in bed and bothered (?) to death," was his comment.<sup>45</sup> But Evans, although neither a first-rate general nor a first-rate politician, was probably wiser than Chichester in this crisis. A few atrocities might scare the other regiments into a remembrance of their duty. But it might also have the opposite result. He knew the men had genuine grievances. What, then, would be said in England, and especially in Westminster, if he started shooting, or flogging or otherwise punishing men who had cause to be angry and whose anger would appeal to liberals at home?

The men of the 8th gave Chichester a paper complaining of lack of pay, short rations and the system of provosting (flogging on the spot without court martial). They also asked permission to retire at the end of a year.<sup>46</sup> Evans appeased them. From the scant funds in his military chest he issued <sup>£</sup>200 to every 500 bayonets. This brought the pay for all regiments up to the middle of June;<sup>47</sup> in other words, Evans did not have enough money to bring their pay up to date. He denied that rations were short. He made no answer to the provosting complaint. The demand to

retire after one year was, at first, referred to Madrid as with the officers,<sup>48</sup> then answered in the same General Order of July 23 already referred to; those who could prove they had only enlisted for one year would be released, and committees of enquiry were established in each regiment for the purpose; those who could not offer proof but still refused to serve would be punished.<sup>49</sup>

However, reluctantly, the 8th Regiment returned to its duty. There had also been rumblings in the 6th Scotch Regiment, but these too subsided. The English and Irish Regiments remained quiet.<sup>50</sup> Twelve of the best men of the 1st Regiment of Lancers deserted with their horses and arms when their request to retire after one year was denied; 60 more demanded their release and got it.<sup>51</sup> Beyond this the situation remained tense, but under control.

Ten days after the first mutiny, the next outburst took place. On July 26 the 6th Scotch Regiment refused to serve beyond August 1, claiming it had the right to choose to be discharged. Brigadier Shaw, who had been responsible for recruiting these men in the first place, tried to get them to return to duty, but he was howled down and told by the men they would get back to England by throwing themselves on the mercy of the British Consul. Colonel Wylde, the British military commissioner, now intervened. He interviewed the ringleader of the mutiny, Corporal Mitchell. Mitchell's principal demand was that he, and the other men, should have the right to return home after August 1. If this right were granted, and if the arrears were paid, many of the men would enlist for another year, although "he for one was determined at the risk of his life even, not to pass another winter such as the one at Vitoria, where they were starved and ill-treated

in every way by the Spanish Government."<sup>52</sup> Wylde thought that Mitchell was "one of those dogged obstinate fellows, possessed of a great deal of that cunning and shrewdness so frequently found amongst the lower orders of Scotch, and having great influence with the men...."<sup>53</sup> He tried to threaten Mitchell, something which was surely far beyond his duties as British military commissioner. "I told him, that I had sent for him for the purpose of undeceiving him and his comrades with regard to the support they might expect from the British Government or British Authorities, that I had John Hay and myself were the only British Authorities here...and that I had J. Hay and myself put a different construction upon the 1st Article from that put upon it by him..."<sup>54</sup>

But the men of the 6th refused to be intimidated, insisting that the officers who had enlisted them in Scotland had said they could resign after one year. Hundreds went before the board of officers of the Regiment and demanded release. Evans gave in. He could do nothing else. He could not afford the blood and publicity that would be involved in putting down several hundred armed and determined men. Some 400 were struck off the strength of the Legion and informed they would be sent to England when the Spanish Government could arrange transport; but they would get no arrears or gratuities until those still serving had been paid. To await transport, about half were sent to Santona and half to Corunna.<sup>55</sup> Their wait was not a pleasant one. The Spaniards treated them like convicts; they were kept in Spanish jails and fed Spanish jail rations. Many were not returned to England until the following April, nine months later. They reached London completely destitute, and had to throw themselves on the mercy of the Lord Mayor to get enough money to

make their way back to Scotland.<sup>56</sup>

The result of this rebellion was to reduce the strength of the 6th Regiment by about two-thirds; in other words, it ceased to exist as a regiment.

There was much fear that the 8th Regiment, which had been the first to refuse to do duty, would now follow the example of the 6th and demand to be sent home. The fear was quite justified. The 8th was also a Scottish regiment, had been recruited at the same time, and was formed by the same type of officers and men. Evans circumvented this danger by sending the rebellious 8th and the still loyal 9th Irish regiments to Santander a good distance along the coast, ostensibly to garrison the place in case of an attack by the Carlist guerrilla leader, Gomez, who had led a wide-ranging expedition of terror and pillage through the Asturias. The 8th apparently did not realize the consequences of their orders until they were about to go on board ship; they then refused to go on board, but were forced to do so by the bayonets of the 9th, which was right behind them. In Santander, they continued in a rather riotous state for some time, but were effectively isolated from the rest of the Legion.<sup>57</sup>

There was trouble with still other regiments of the Legion. On August 12 a company of the 10th Irish mutinied and demanded more of its back pay; Evans granted their demand, to the annoyance of Chichester, who thought the use of appeasement had been carried quite far enough. No sooner was this settled than another company mutinied. "I thought we had again an opportunity of adopting something like coercive measures, and that we might begin by stopping their pay and rations until 2 men who had been particularly active were given up. He approved of the advice, and

desired me to go and tell them such should be the consequences."<sup>58</sup>  
The men returned to their duty but, upon being given pay and rations the next morning, they again refused to do duty "and they were drunk" for a week. They have now returned to their duty but what can be expected from men hereafter who by mutiny have gained everything they want. With some difficulty I got all the ringleaders in prison...."<sup>59</sup> But trouble with the 10th was not over. Eventually some 70 men, who insisted on having their discharge after one year, were tried by court-martial and sentenced to spend one year working on the fortifications of Bilbao, where they arrived in October, dressed in rags and looking like scarecrows.<sup>60</sup>

#### 4. Stagnation

All the unrest in the Legion did not proceed as far as mutiny; the mutinies were only the high point. The entire Legion was a more or less useless body of troops for many weeks, either untrustworthy or rebellious. Indeed, although it bravely repulsed a Carlist attack on one occasion, the 1st of October, the Legion otherwise remained inactive for the rest of 1836, even during the weeks towards the end of the year, when the city of Bilbao was besieged and in danger of falling. Although these uprisings were untimely, and from Evans' point of view exceedingly unfortunate, there was nothing surprising about them. The blame lay partly with Evans, even more with the Spanish Government.

Evans was not only having trouble with his men, he was losing officers right and left. Brigadier McDougall, the Quartermaster General, had been one of his soundest advisers, and had done an excellent job when he accompanied Colonel Wylde on the mission to Madrid in the Spring. He

had a disagreement with Evans after the battle of the 5th of May and left the Legion.<sup>61</sup> Brigadier Reid of the Royal Engineers was on loan from the Ordinance department for one year; he received his letter of recall ordering him home by August 4.<sup>62</sup> Colonel Kinloch had trouble with his regiment of Lancers, which he had recruited; he was replaced by Major Wakefield, being himself "kicked upstairs" by being sent to inspect the 2nd Lancers at Vitoria.<sup>63</sup> Brigadier Shaw, whose letters have often been quoted in this work, had a quarrel with Evans over the failure to take Fuentarabia. A letter had appeared in the London newspaper, the Courier, which praised Shaw to the skies and gave Evans scant glory. Rumour swept the Legion that Shaw had himself written the letter, and Evans for a while shared the suspicion, even demanding a formal denial from Shaw. The letter in fact seems to have been written by an enemy of Evans on his own personal staff. Although the affair was not so serious that Shaw had to resign, he seized upon it as a convenient pretext to quit the Legion; he thought it was pretty well finished as a fighting body and had for some time been thinking of leaving. He was replaced by Colonel Godfrey.<sup>64</sup>

No less serious was the loss of many junior and middle rank officers. Some of these had got all they wanted in the way of decorations and promotions. Evans had been so generous to some that he eventually had to publish a General Order to prevent discrimination against the officers of the Royal Marines, by declaring that Marine officers "should be considered as holding two steps of rank above that" which they held as British officers.<sup>65</sup> Indeed, many Lieutenants in the British service, ended up as Majors or even Colonels in the Spanish service. They were

now often anxious to get home. Still others had become disgusted with the burdens of the service, with the petty quarrels and fights and duels with which many Legion officers passed their time, and with the failure of the Spanish Government to make good its promises.<sup>66</sup> Some, indeed, were suffering great hardship because their pay was so many months in arrears, they not having sufficient private means. As early as August 8 Wylde was writing to Palmerston that the "Legion begins now to feel the want of Officers, there being now very few more than one per company on an average doing duty, and many of these are inexperienced boys; nor do I see how this evil can be remedied."<sup>67</sup>

In only one case was this trend reversed. This was due to the efforts of Palmerston. Colonel Colquhoun of the Legion Artillery was, like Brigadier Reid, on loan from the Ordnance department. He was sent out to Spain again in November, with two subaltern officers and 36 non-commissioned officers and men of the Royal Artillery Regiment. As part of the regular British army, this detachment was responsible not to Evans but to Lord John Hay; mostly a distinction without a difference. The Royal Artillery contingent was further strengthened a few months later, in January 1837, by two more officers and 60 non-commissioned officers and men, giving a total of about 100. There were already about 100 men of the Royal Marine Artillery serving under Lord John Hay. These were also placed under Colonel Colquhoun's command, giving a British artillery force of some 200 officers and men. Colonel Claudius Shaw (no relation of Brigadier Charles Shaw) was placed in charge of the Legion artillery. Palmerston also sent out a few officers of the Royal Engineers to supervise such things as the construction of fortifications. This



was stretching the meaning of the Additional Articles of the Quadruple Alliance, to put it mildly. Palmerston did not care, as long as he could get away with it; he would have sent Evans and Hay even more help if he could.<sup>68</sup>

The remainder of 1836 was spent in virtual inactivity. Strenuous efforts were made to secure better and more regular treatment by the Spanish Government. In the first place, it was felt that only better pay and rations would prevent new outbreaks of rebellion and mutiny. In the second place, the uprising that had taken place throughout Spain and led to the acceptance of the Constitution of 1812 by the Queen Regent in August, had once again paralyzed the Spanish Government, threatening the Legion with worse, rather than better pay. It had now become the time-honoured practice at such times to send a mission to Madrid to make demands on the government, and to co-ordinate the campaign with Villiers and Palmerston.

Towards the end of August, Colonel Olliver de Lancey, the deputy Adjutant-General, was dispatched in to Madrid to demand 60,000 pounds as arrears. He saw Villiers on his arrival, who went to the Minister of War and made his usual demand for "some immediate action being taken by the Government either at once to disband the Legion, or to render it fit to take the field, and thereby prevent the occurrence of events which might bring discredit...."<sup>69</sup> To deal with the matter, the Queen Regent appointed Mendizab<sup>a</sup>el as a Royal Commissioner, to settle the Legion's claims. A number of meetings were held by Mendizab<sup>a</sup>el, de Lancey and Villiers. Villiers reported to Palmerston that agreement was likely to be "a matter of some difficulty, for Colonel de Lancey claims Sixty Thousand pounds sterling as already due to the Legion, whereas M. Mendizabel

contends, from the data which he has been able to collect that the sum already owing by the Government to the Legion does not amount to Twenty Thousand pounds Sterling."<sup>70</sup>

It must have been with a weary shake of his head that Palmerston made the obvious answer: "Mr. Villiers should suggest to the Spanish Government that it would be expedient for them to begin by paying the Legion the twenty thousand pounds which is admitted to be due and they can afterwards pursue the Investigation as to any, and what further sum is owing."<sup>71</sup>

Villiers and de Lancey were able to get even better promises from Madrid. As Villiers wrote to Palmerston on September 21, the Government had agreed to make immediate payment of 25,000 pounds to settle some of the arrears of the Legion. The Legion was further guaranteed 16,000 pounds for each of the months of September and October. And on the 15th of November, 15,000 pounds was to be turned over to be used to pay arrears, not prejudicing future claims. As a result, "Colonel de Lancey yesterday left Madrid to join the Legion well satisfied with the result of his mission."<sup>72</sup>

Naturally the promises were not kept. Only a fraction of the money, some 14,000 pounds was sent. "The situation of the Legion is bad enough," lamented Chichester, "no money, soldiers 4 months in arrears, officers 8, and the Commissary doubtful whether he can get provisions. Le Marchant sailed for England...to state plainly to the British Government, that unless we have their guarantee for pay, arrears, gratuity, and above all for the pensions for the wounded men, it will be necessary to withdraw

the Legion."<sup>73</sup> Le Marchant took with him a number of letters to deliver to Palmerston, written at the end of October by the six senior officers of the Legion -- Brigadiers Chichester, Le Marchant, Godfrey, Fitzgerald, and Colonels de Lancey and Jochmus -- setting out in detail the destitution of the force. The letters were coordinated, and all made the same point; the Spanish Government should either carry out its promises or arrange transports to send the Legion home, or Britain should take over responsibility for the Legion. At the same time, yet another mission was sent to Madrid, with Brigadier Godfrey this time cast in the role of suppliant.<sup>74</sup>

Le Marchant also took Palmerston a covering letter written by Evans on November 1, a rather pitiful and anguished communication. "If His Majesty's Government does not interpose decisively, I am afraid the Legion must immediately dissolve -- as, I am sorry to say, no reliance whatever is now placed on the intentions, integrity or ability of the Spanish Government by the Officers or men of this force. For a long time I believe the Soldiers have relied exclusively upon me. In the event of the British Government not feeling themselves justified in receiving favorably this appeal for assistance, I believe it will be expected of me to apply at once to the nearest British authority for the return to England of those who desire it. This is an act of protection I am afraid will be decisively expected of me. I am unable to discover any alternative."<sup>75</sup>

Ironically, it was for precisely this same threat to throw themselves on the mercy of "the nearest British authority" that hundreds of the Legion had earlier been sent back to England, starving and in rags, or else handed over to the tender mercies of Spanish jailers. Whether

deliberately or not, Evans was aping the tone, terms and threats of the mutineers of three months ago.

It is interesting to note that, in his published memoir, Evans makes no mention of any threat to disband the Legion. On the contrary, he refers to a suggestion to this effect made by a Member of Parliament. "Had General Evans done any such thing," Evans wrote, referring to himself in the third person, a practice followed throughout his memoir, "He would have been guilty of desertion, and justly liable to the penalty a court-martial might impose. The gallant member, to have entertained this idea, must have been under the impression...that he had entered into a contract with the Spanish Government...with the power, at least, of withdrawing them, in the case of non-fulfillment. --But nothing of the sort existed." <sup>76</sup> He had, Evans admitted, offered to resign, but his offers had all been rejected. All memoirs must be regarded as suspect; most of them, like Evans', justify the suspicion.

Evans also wrote to Palmerston of his personal plight. "As for myself -- I have struggled with these annoyances until my patience is thoroughly worn out and have now at length, made up my mind to retire from Her Majesty's Service. This determination I have come to most reluctantly but decidedly. It is not one but various reasons (each of them in itself sufficient) which impels me to this determination. My health has suffered and I absolutely require some repose. My family have for a long time been entreating me to retire. I have accomplished I venture to think, a task of some difficulty -- that of forming without adequate elements a considerable force of different arms, in a short time, and have gained with it, some successes not without brilliancy. Had adequate means been afforded us still more signal results perhaps might have followed. There is a species of responsibility imposed on me quite peculiar -- as appears in the

accompanying letters - which is becoming heavier every day, and of which the conduct of the operations forms but a small part. And as to any personal advantages<sup>X</sup> to which your Lordship was good enough to allude in one of your letters - I find myself still a Battalion Lieutenant Colonel in my own service, as is often stated very naturally in the adverse newspapers, and I believe with very little appreciation of my exertions in the Queen's Service - if I may judge by a letter I yesterday received from Mr. Mendizabel written with much levity and little consideration, and in which he does not appear to consider the action of the 1st of October as worthy even of notice." The reference to "personal advantages" contains a marginal note by Palmerston, "These were Reputation and Personal Considerations."<sup>77</sup> There were many rumours about this time that one, and only one officer of the Legion had succeeded in getting every pound of pay due to him, including all arrears - Evans himself; these rumours cannot be substantiated, and were probably false, but they may be the reason Palmerston felt it necessary to write the marginal note.

The letter is not a happy one. Even the stilted, formal and verbose style that Evans cultivated with such success cannot hide an impression of weariness, confusion and despair. And the impression is reinforced, rather than weakened by the incongruous final paragraph, in which Evans dutifully assured Palmerston that he had not lost faith in the virtues of liberalism: "And I venture even also to anticipate that legal and liberal institutions in this country, will, notwithstanding the disorders which have taken place, <sup>e</sup>are long take root and be established."<sup>78</sup>

Evans wrote Palmerston another letter a few days later, in which he once again spoke of the plight of the Legion, and in particular referred with heavy-handed sarcasm to the Spanish Government's neglect

of the Legion: "In the meantime Mr. Mendizabel is so accustomed to difficulties that he makes very light of them - at least I must suppose so - as I have received two letters from him within the last week - in which he makes not the least allusion to our distress or wants here - and talks of nothing but our advancing on the Enemy - making vigorous attacks etc without appearing to have the least idea of our position = or relative means - or of the position or force of the Enemy."<sup>79</sup>

All these appeals, the most forceful yet made, did little good. Palmerston was always sympathetic to Evans' problems, but there was no chance the British Government and Parliament would agree to pick up the bill for the Legion. The financial responsibility rested upon Spain, and while Palmerston would use his influence to urge that Government to do what it had promised, he would not take its responsibility upon himself. It was at this time, however, that Palmerston sent out the Royal Artillery contingent under Colquhoun, stretching the Additional Articles to their limit. "letters have been received from Le Marchant," wrote Chichester, "saying that the British Government will do nothing for us; but Colquhoun is coming out again...and says that a favorable feeling exists towards us in England."<sup>80</sup> This was, Chichester concluded, "the way England goes on, & ever has; little dribblets which are not felt, & yet equally compromise her. I certainly do not see how this can be called naval co-operation..."<sup>81</sup>

Brigadier Godfrey's mission to Madrid did not prosper either. He wrote in early December from Madrid that Mendizabel<sup>a</sup> was disinterested and did not believe the Legion's claims.<sup>82</sup> Two tense meetings of all the senior officers of the Legion were held in Evans' quarters. A resolution was proposed by Colonel Churchill that unless Madrid carried out its promises the officers should all resign on January 10. But no general decision was reached. A number of officers nevertheless

resigned, including Colonel Churchill.<sup>83</sup> To make matters worse, new mutinies broke out, this time in two of the English regiments, the 3rd and 4th. The rebellion in the 4th was especially serious. The entire regiment had to be dissolved, with half its men being placed in the 1st Regiment, the other half in the 3rd. Presumably to mitigate the disgrace, the 3rd was then renamed the 4th or Westminster Grenadiers.

This was probably the lowest point the Legion ever reached, with the exception of the Winter at Vitoria. Yet even as it was reached, things were beginning to improve. Towards the end of December, Brigadier Godfrey returned from Madrid with some money for the officers and men; not enough to pay their arrears but enough to put something in their pockets.<sup>85</sup> Further, General Espartero, now commander of the Christino armies, following the successive resignations of Cordova and Saarsfield, had raised the seige of Bilbao which had begun in early November. Espartero had urged Evans to take some action to raise the seige but the Legion was in no state to undertake any operations. Evans had, however, detached some Spanish units, and Lord John Hay's squadron also gave excellent help. The best British service of all was provided by Colonel Wylde. It was his urging and advice that stirred Espartero from one of his periodic fits of inactivity, and led to the Christino advance which lifted the siege of Bilbao at the end of December.<sup>86</sup>

The partial relief of the Legion's misery, the defeat of the Carlists at Bilbao and a promise of reinforcement had the effect of stanching the Legion's misery and discontent. The bitter railery suddenly ended, and was replaced by a stirring of hope and optimism such as the Legion had not felt for about seven months: "I suppose our movement would be upon Oyarzun, wheel to the left, take Irun & Fontarabia, then secure Ernani, and we are ready to donner la main to Saarsfield, or

any one who may cooperate from Pampeluna, Bilbao, or elsewhere." This sudden kicking up of the heels is almost laughable, coming after so many months of dreary complaint.



FOOTNOTES TO CHAPTER VI

1. FO 72/459 Villiers to Palmerston, number 128, Madrid  
17 May 1836.
2. FO 72/459 Villiers to Palmerston, number 146, 12 June  
1836, enclosure: General Order, San Sebastian, 5 June 1836.
3. FO 72/459 Villiers to Palmerston, number 146, Madrid  
12 June 1836.
4. Shaw, op cit, II, 591; Charles Shaw to T.G. Shaw, San  
Sebastian, 15 June 1836.
5. FO 72/459 Villiers to Palmerston, number 151, Madrid,  
18 June 1836.
6. Idem
7. Idem
8. Maxwell, op cit, I, 108-109; George Villiers to Edward  
Villiers, Madrid 11 July 1836.
9. FO 72/456 Draft to Villiers, number 51, Foreign Office  
20 June 1836.
10. FO 72/459 Villiers to Palmerston, number 162, Madrid  
29 June 1836.
11. FO 72/464 Wylde to Palmerston, number 76, San Sebastian  
30 June 1836. The Times, 17 August 1836, p. 3; despatch from San Sebastian  
8 August 1836 discusses Evans' illness. There are several references in  
Shaw, op cit, and in other sources.
12. FO 72/464 Wylde to Palmerston, number 79, 13 July 1836,  
enclosure: Evans to Cordova, Passages 12 July 1836.
13. Maxwell, op cit, I, 108-109: George Villiers to Edward  
Villiers, Madrid 11 July 1836.

FOOTNOTES TO CHAPTER VI -2

14. FO 72/464 Wylde to Palmerston, number 76, 30 June 1836, enclosure, "Statement of the Force under General Cordova June 1836".

15. FO 72/464 Wylde to Palmerston, number 78, San Sebastian 10 July 1836.

16. FO 72/464 Wylde to Palmerston, number 79, 13 July 1836, enclosure: Evans to Cordova, Passages 12 July 1836.

17. MS Diary of Charles Chichester, entry 12 July 1836, p. 96.

18. Shaw, op cit, II, 598, Charles Shaw to T.G. Shaw, San Sebastian, 14 July 1836.

19. Ibid, 599.

20. FO 72/464 Wylde to Palmerston, number 79, 13 July, 1836, enclosure: Evans to Cordova, Passages, 12 July 1836. Shaw, op cit, II, 599, Charles Shaw to T.G. Shaw, 14 July 1836.

21. Ibid, 599-560.

22. FO 72/464 Wylde to Palmerston, number 79, 13 July 1836.

23. MS Diary of Charles Chichester, entry for 12 July 1836, p. 96.

24. Idem

25. Idem

26. Shaw, op cit, II, 600, Charles Shaw to T.G. Shaw, 14 July 1836.

27. Ibid, 601-602.

28. MS Diary of Charles Chichester, 12 July 1836, p. 97.

29. Shaw, op cit, II, 604, Charles Shaw to T.G. Shaw, 14 July 1836.

30. Idem

31. MS Diary of Charles Chichester, 12 July 1836, pp. 97-98.

FOOTNOTES TO CHAPTER VI - 3

32. FO 72/464 Wylde to Palmerston, number 79, 13 July 1836.
33. Ibid, enclosure Evans to Cordova, 12 July 1836
34. FO 72/464 Wylde to Palmerston, number 79, 13 July 1836.
35. FO 72/460 Villiers to Palmerston, number 183, 24 July 1836.
36. FO 72/456 Draft Palmerston to Villiers, number 63, Foreign Office 19 July 1836.
37. FO 72/460 Villiers to Palmerston, number 190, St. Ildefonso 31 July 1836.
38. Shaw, op cit, I, 491, Spanish Appendix B.
39. Shaw, op cit, II, 583, Charles Shaw to T.G. Shaw, San Sebastian 26 May 1836.
40. The Times, 2 August 1836, p. 5.
41. FO 72/460 Villiers to Palmerston, number 179, 16 July 1836, enclosure; Villiers to Evans, 16 July 1836.
42. The Times, 1 August 1836, p. 3, General Order, San Sebastian 23 July 1836.
43. FO 72/464 Wylde to Palmerston, number 80, 16 July 1836.
44. MS Diary of Charles Chichester, 16 July 1836, p. 98.
45. Idem
46. Idem
47. FO 72/464 Wylde to Palmerston, number 80, 16 July 1836.
48. MS Diary of Charles Chichester, 16 July 1836, p. 98.
49. The Times, 1 August 1836, p. 3, General Order, San Sebastian 23 July 1836.
50. FO 72/464 Wylde to Palmerston, number 80, 16 July 1836.
51. Idem; Shaw, op cit, II, 611, Charles Shaw to T.G. Shaw, San Sebastian 21 July 1836.

52. FO 72/464 Wylde to Palmerston, number 81, 28 July 1836.
53. Idem.
54. Idem.
55. FO 72/464 Wylde to Palmerston, number 82, 8 August 1836;  
The Times, 10 August 1836, p. 5, General Order, 30 July 1836.
56. The Times, 4 April 1837, p. 6.
57. FO 72/464 Wylde to Palmerston, number 82, 8 August 1836.
58. MS Diary of Charles Chichester, 22 August 1836, p. 102.
59. Idem
60. The Times, 28 October 1836, p. 3, report from Bilbao,  
18 October 1836.
61. Richardson, op cit, 276-277.
62. Shaw, op cit, II, 607, Charles Shaw to T.G. Shaw, 17  
July 1836.
63. Shaw, op cit, II, 611, Charles Shaw to T.G. Shaw, 21  
July 1836.
64. Shaw, op cit, II, 613-636; the exchange of letters between Shaw and Evans concerning the resignation are on pp. 628-632.
65. Shaw, op cit, II, 644, Charles Shaw to A.V. Kirwan,  
Bayonne September 1836.
66. Richardson, op cit, 280-284.
67. FO 72/464 Wylde to Palmerston, number 82, 8 August 1836.
68. Duncan, op cit, 79-82.
69. FO 72/461 Villiers to Palmerston, number 209, Madrid  
31 August 1836.
70. Idem
71. FO 72/461 Draft by Palmerston, 12 September 1836 bound  
with Villier's number 209; final draft in FO 72/456, unnumbered, 13 September  
1836.

FOOTNOTES TO CHAPTER VI - 5

72. FO 72/461 Villiers to Palmerston, number 238, Madrid  
21 September 1836.
73. MS Diary of Charles Chichester, 6 November 1836, p. 108.
74. FO 72/464 The letters are bound together at the end of the  
volume in a section marked "Col. Evans' file".
75. FO 72/464 Evans to Palmerston, San Sebastian 1 November  
1836, found in "Col. Evans' File".
76. Evans, op cit, 125.
77. FO 72/464 "Col. Evans' File", Evans to Palmerston, San  
Sebastian 1 November 1836.
78. Idem
79. FO 72/464 "Col. Evans' File", Evans to Palmerston, San  
Sebastian, 1 No 5 November 1836.
80. MS Diary of Charles Chichester, 26 November 1836, p. 111.
81. Ibid, 30 November 1836, p. 111.
82. The Times, 12 December 1836, p. 3, report from San Sebastian,  
4 December 1836.
83. Ibid, 19 December 1836, p. 5, report from San Sebastian,  
8 December 1836.
84. MS Diary of Charles Chichester, 22 January 1837, p. 113.
85. The Times, 31 December 1836, p. 3.
86. Duncan, op cit, 96-108 gives an adequate account with  
emphasis on the part played by Colonel Wylde; the account is based on  
Wylde's reports to Palmerston.
87. MS Diary of Charles Chichester, 22 January 1837, p. 113.

CHAPTER VII

OPINION IN ENGLAND - I - 1836

When Adjutant-General Le Marchant wrote from England that there was a favorable feeling towards the Legion, his testing of the wind must have been perfunctory. For while the Legion did not lack enthusiasts and defenders in Britain, it also did not lack enemies. There was a trouble-spot in Evans' own constituency of Westminster, among some of his radical Electors.

Westminster had a proud radical tradition. And it had an important body of organized reformers; people who not only expressed their radicalism at election time, but who regularly followed up political events and kept an eye on what their representatives were doing. It was a group of these electors who had demanded that their members accept the principle of pledges -- agree to be delegates rather than representatives -- and it was because he was willing to accept pledges that Evans had got elected.

At this time, the Westminster radicals had, in theory, two members in Parliament who were their men -- Sir Francis Burdett and de Lacy Evans. But in practice they had none. Burdett had undergone some sort of 'change of heart' after the 1835 election, and had virtually gone over to the conservatives. He was no longer regarded as being in the ranks of the reformers. And Evans, of course, was out of the country; he could not fight for liberalism in both Spain and

England at the same time.

Evans' manipulation of his double career was shrewd, although rather shady, and in the opinion of some of his electors, downright shabby. Before going to Spain he decided that he would not resign his seat in Parliament. To electors who inquired about his intentions he explained that there was no need for him to resign because he would not be away for long, and would probably be back for the next Session.<sup>1</sup> But as the 1836 Session drew near, some of the radical Electors began to have doubts. On January 8, one of the leading reformers, Thomas De Vear, wrote to Evans to find out his intentions. He explained that if the Government were to succeed in carrying new reform measures, it would need the support and prodding of every liberal member. But because of Burdett's mischievous behavior, there was no reformer present to represent Westminster. De Vear assured Evans that he had the highest opinion of him. But he delicately suggested that, if Evans could not himself return to take his seat in Parliament, he should resign so that another member could be elected.<sup>2</sup>

Evans did not reply to the letter; there was no satisfactory answer he could make. Being tied down around Vitoria, he was not in a position to return, and he had no intention of resigning. And of course he still had many friends and supporters in Westminster who did not agree with the Poor Man's Guardian, that "if Colonel Evans would draw the sword against despotism, he need not leave England."<sup>3</sup>

When Evans did decide to make extensive comment to the people

of his unrepresented constituency, he did so in public, through an "Address to the Electors of Westminster" written from Vitoria two months later on April 8.<sup>4</sup> It was a long, verbose document which covered three topics: his seat in Parliament, the war in Spain, and recent events in Britain. Without bothering to mention his promises to return for the 1836 Session, Evans opened his Address with the statement that, in missing several weeks of Parliament, he had felt he could count on the indulgence of his electors. He had, he admitted, received a number of letters on the subject; but these had been so kind that he felt he could interpret them to mean that he was "practically contending here for the same great principles of amelioration and reform ... of which you, the electors of Westminster ... have ever been the foremost, warmest, and most powerful advocates ..." This "favorable view of the cause of my absence" not only excused the absence of the past few weeks; it encouraged him to believe that "a further indulgence would be granted me, on the condition of being able to promise my attendance during a remaining portion of the Session." Individual critics like De Veau were ignored. The electors were treated as a group who unitedly approved of his work in Spain, who felt that the Spanish struggle was simply a projection of English political struggle, who would forget his promise to be back for the start of the 1836 Session, but who would accept his new promise to be back before the end of the Session.

Evans' comments upon the civil war were no more objective than his comments upon his constituency. The war was described as a clear-cut struggle between Despotism, represented by Don Carlos and the Basque



provinces, and Enlightenment, represented by the Queen Regent's government and all other parts of Spain. A picture was drawn of the Carlists in the mountains of the northeast as the last, doomed remnant of superstition and the inquisition. Their defeat, of course, was inevitable. Things were getting worse for them, and better for the Christinos, all the time. The Carlists were good at fighting from behind rocks and trees, he admitted, but were otherwise inferior and vastly outnumbered by the Christino armies. Evans also discussed the operations of the British Legion, and the charges which had been made against it: "There is no part of the Queen's army, or, I believe, of any army that ever existed, which appears to have excited so constant, so bitter, so apparently exasperated a feeling of political hostility as the British Legion." This was largely true. But it was the inevitable result of Palmerston's choice of an extreme radical like Evans to command the Legion. The very tone in which Evans' Address was written, its arrogance, its distortion and its spirit of contempt for everything conservative, was an example of tactics that were bound to inflame Tory hostility. Evans wanted the best of both worlds; he wanted the Legion to have a distinctly Radical character, but he also thought it should be supported in England on a non-partizan basis. Over long and weary paragraphs, he refutes the criticisms made of the Legion in Parliament and the press; with every paragraph he ensures that the criticism will be continued, if not increased. The most serious event he had to explain away was the epidemic which had decimated the Legion during the Winter. He obviously could not deny that there had been a

serious epidemic. There had been too many, fairly accurate reports in the press for that. But he claimed the privations which had led to the sickness would not recur, that the Duke of Wellington's army had suffered similar calamities during the Peninsular War, and that the Legion was still an effective fighting force. He gave statistics of the strength of the Legion, and of the number who were sick and invalided; he conveniently neglected to mention the number who had died.

An example of the general tone of Evans' Address, and of the antagonism it was likely to arouse amongst conservatives, can be seen in this purple passage: "Here then, in the midst of gorges, and behind rugged barriers, the odious principle of Absolutism has taken its last stand; here is its battle-field for various states; these are its agonized and expiring struggles; and well does it become England thus to follow up her ancient practice of cherishing freedom, whenever and wherever it calls on her for her aid. And above all is this course most for her interest and renown, when that appeal is from her most assured and most natural allies, the communities of the Peninsula."

But as the months passed, and Evans did not return to England, a current of discontent continued in Westminster. At the end of June, De Veau made public his letter to Evans of the previous January, adding in a covering letter that he had never received an answer.<sup>5</sup>

On November 1, the same day he wrote his anguished appeal to Palmerston, Evans wrote another Address to his electors.<sup>6</sup> This was a much shorter protocol. Its main purpose was to inform his electors that, contrary to his promise of last April (which in turn was contrary to his

promise of the previous year) he would not be returning to England just yet. However, he did not say that he had actually promised anything in April, except in a very conditional sense: "In my letter to you of the early part of the present year I stated, that if the military operations could possibly permit of a temporary absence, it was my full intention and wish to be present in the execution of my duty in Parliament during some part of the past Session ..." Thus passing over his failure to get home for any part of the 1836 Session he went on to promise that he would be back in England for the next Session: "I have now, then, the pleasure to inform you that I have determined not to trespass again in the same degree on your kind indulgence, and that nothing whatever shall prevent my attendance amongst you, at furthest, at the opening of the ensuing Session, in February next; nor shall I be absent from you so long, if any public event require it." Needless to say, this promise too was to be broken in its turn. Evans was not fair to his electors, and he certainly was not honest. But too much should not be made of this. Some degree of 'trimming' was implicit in his decision to be at the same time a General in Spain and a Member of Parliament. Further, his principal electors must have known what he was up to, but although they were uneasy only a minority were actually complaining at this time; the rest were still prepared to go along. No doubt many of them were proud, in a rather uncritical but well-meaning way, to have their representative fighting for liberty in Spain. If enough of them had been hostile to Evans' absence, they would publicly have demanded his resignation. The trouble in Evans' constituency was more

a future warning than a present threat.

Discontent amongst some of his liberal and radical electors was only part of Evans' political worries. The 1836 Session of Parliament saw a stream of attacks upon his character, his military abilities, his British Legion, and his conduct in general. Of course, for every critic he had a defender. But this merely emphasized that he had become one of the year's most controversial figures. He had made a mark in Parliament while actually sitting in the Commons; he made an even larger mark while absent in Spain. He seems to have hoped, naturally enough, that his career in Biscay would be one of triumph, and, less naturally, that he would be regarded in England in a non-partizan sense as a sort of latter-day Wellington. But the radicalism of Palmerston's policy and of Evans' politics made the Tories determined to attack; and the mixed record of the British Legion gave them plenty of ammunition.

The Earl of Aberdeen had written to Princess Lieven in 1835 that the House of Lords could carry any vote it wanted on the matter, but could not risk a collision with the House of Commons. However, "if a good occasion should offer, the Session may not end without some word of Spain."<sup>7</sup> Since the Legion did little during 1835, it provided little ground for attack. But things had changed when Parliament reassembled. The epidemic at Vitoria was at its height, and many details of its horrors were being reported in Britain. This provided "a good occasion" for attack, and throughout the Session, from February to August, there were motions and questions. There were two principal critics in each House -- the Marquis of Londonderry and the Earl of

Aberdeen in the Lords; Lord Mahon and Mr. Donald Maclean in the Commons. Evans' main defenders were Palmerston, Melbourne, Joseph Hume and Daniel O'Connell. Sir Robert Peel also joined in the attack from time to time, as did some less important figures like the eccentric Grove Price, Arthur Trevor, and John Minet Fector. Others who occasionally defended the Legion included Sir John Elley, Henry Ward, Colonel Thompson and Thomas Duncombe. Needless to say, Evans and the Legion found more defenders in the Commons, where there were many liberal members, than in the Lords where Melbourne, no enthusiast himself for intervention in Spain, had to undertake most of the defence. Wellington kept surprisingly quiet in light of his known disapproval of the Legion; but the Marquis of Londonderry seems to have been his puppet.

The most extensive attacks were made during February; there were debates in the House of Commons on February 5<sup>8</sup> and February 26<sup>9</sup> and in the Lords on February 12.<sup>10</sup> The debate of February 5 was not conducted on a high level. Part of the exchange on the Report on the Address, it degenerated into a discussion of Evans' character. Grove Price appears to have said something about Evans which was not reported in Hansard; Joseph Hume rose to say this "characterized the honourable and gallant Member for Westminster in a manner and in language that could not be borne in any civilized country. There were no epithets in the English language worse than those which the honourable Gentleman had applied to his honourable and gallant Friend, and to the British troops which were serving under him."<sup>11</sup> Not to be outdone, Arthur Trevor

denied that Price had said anything objectionable about Evans, but "he acquiesced in the opinion that those whom he commanded were the refuse of the rabble of London, and he thought it a disgrace to the British Army to find an officer like General Evans, of some distinction, and the possession of considerable reputation, engaged in a species of warfare such as had been alluded to."<sup>12</sup> Palmerston ended the debate with a rather tepid defence of Evans.<sup>13</sup>

The Lords' debate of February 12 was brought on by a motion for papers by Londonderry. He made a number of ass<sup>a</sup>ults upon the Legion, accusing it in particular of massacring 130 Carlist prisoners on one occasion at Vitoria; there is no indication this atrocity ever happened.<sup>14</sup> Aberdeen also criticized the Legion but was rather more civilized about it; he concentrated his attack on the principle of sending British soldiers to fight in a Spanish civil war.<sup>15</sup>

The longest debate was that in the Commons on February 26, on a motion for papers by Maclean. The discussion revolved about the idea of British military intervention in Spain; the sickness of the Legion was also used as a justification of criticism. Evans had many defenders on this occasion; their main theme, in the words of Daniel O'Connell, was that "the real difference was that between the principle of absolutism and that of constitutional liberty ... the cause of Don Carlos was that of absolutism, and that of Christina was the cause of constitutional liberty."<sup>16</sup>

The most important point of all was raised by Sir Robert Peel, voicing a fear that was in the back of many Tory minds. It stemmed from the fact that while the Legion was British and an army, it was not the British Army. Although no one could impugn the loyalty of the British

Army to any government likely to come into power in Britain, this does not mean the officer corps was without political bias; the Horse Guards was essentially a Tory institution, a bastion of the ruling class, or of what to-day would be called the "establishment". And the Duke of Wellington was in practice, and at times in actual name, the leading figure of the Tory party and the Horse Guards. This was very significant in the atmosphere of the 1830's. Revolution had seemed possible over the struggle to pass the Reform Bill; many feared that the Reform Bill had not appeased but whetted the appetite for Revolution, and the beginnings of Chartism seemed to confirm their fears. If Revolution broke out, or threatened to break out, it was vital for all to know that the British Army was on the side of law and order, that is to say, on the side of the ruling class. But, wondered Peel, what would happen if it was necessary to raise the strength of the British Legion to 20,000 men to ensure it succeeded in Spain? Then, "if upon that increase its exertions become triumphant, and it returns to England flushed with feelings of victory, I will not conceal from you the apprehensions of danger which I entertain from your having two different armies in your dominions, both belonging to the same country, but connected with their officers by different ties."<sup>17</sup> Although Peel did not define the threat in detail, the House assumed, as Hobhouse put it, that Peel was referring to the return of Evans' army as dangerous, "the right honourable Baronet did not say to the liberties of the country, but dangerous in some mode which the right honourable Baronet did not explain ... which would prove very embarrassing to the domestic

tranquility of the country ..."<sup>18</sup>

None of these discussions were any real threat to the survival of the Melbourne Government; they were an opportunity to express opinion and to try to cause embarrassment. During the rest of the Session mentions of the British Legion and of the Government's Spanish policy were shorter in length, often arising as the result of questions. During March, the subject was raised twice in the Lords, once in the Commons; during April, four times in the Lords; during May, once in the Commons; during July, once in each House; and during August, five times in the Commons.

Newspaper opinion was wholly predictable, with dogmatic papers on both sides. The principal defender of Palmerston and Evans was the Morning Chronicle. In so far as there was a ministerial paper, this was it. Palmerston cultivated it with care and success. He could not order anything kept out of it, but he could insert anything he wanted, and frequently wrote articles for it himself.<sup>19</sup> Equally dogmatic on the other side was the Times, which had switched its support from Whigs to Tories. Although its reports from Spain were usually fair, honest and accurate, its editorial comment could be vicious. It had a particular hatred of Palmerston. For example, within the space of just one editorial, published on 8 August 1836, all of the following words or phrases are found used in reference to Palmerston -- "frivolity", "silly dandyism", "feeble facetiousness", "merest mediocrity", "prettily simpered forth", "vain man", "effeminate management", "silly affectations and shallow puerilities".<sup>20</sup> Evans did not get off much better. The



Times spoke of his "manifest incapacity, his reckless severity, his vulgar haughtiness towards his officers, and his unprecedented cruelty towards his men ..." <sup>21</sup> It felt that "Colonel Evans is unequal to the exigency in which he finds himself. His inexperience is known to every man in the army. He never commanded a company, but served principally on the staff and distinguished himself as a neat draughtsman and, it is said, as a clever writer of despatches ..." <sup>22</sup> During June, Evans made the mistake of issuing a General Order in which he threatened to put to death any British subject found fighting for Don Carlos. He apparently meant this only as a deterrent to desertion from the Legion, but the Times wrote that "the Commander-in-Chief will do well to look to himself if he ventures to carry his threat into execution, for, in that case, he will most assuredly have to give an account of his campaign at the Old Bailey, and his exploits will be handed down to posterity, not in the annals of war, but in the Newgate Calendar." <sup>23</sup> If Evans had had a sense of humour, the Times editorials would no doubt have lightened his burdens considerably. But, far from having a sense of humour, he read the newspapers anxiously. Because he took such criticism seriously, he was vulnerable to it. This added to his many other worries.

A more sophisticated level of comment was maintained in the three major quarterlies -- the liberal London and Westminster Review, the Whig Edinburgh Review, and the conservative Quarterly Review. Memoirs written by participants in the Carlist war were now beginning to appear. The quarterlies chose three of these for extensive examination during 1836 -- C.F. Henningsen's The Most Striking Events of a Twelve Months' Campaign with Zumalacarregui in the Basque Provinces and Navarre,

Michael Burke Honan's Court and Camp of Don Carlos, and An Officer of the Ninth Regiment's Twelve Months in the British Legion. The first two had a Carlist bias, the third a Legion and Christino prejudice. The Edinburgh reviewed all three; Henningsen in July,<sup>24</sup> Honan and Officer of the Ninth Regiment in October.<sup>25</sup> The London and Westminster reviewed two; Honan and Officer of the Ninth Regiment.<sup>26</sup> During 1836 the Quarterly only reviewed Henningsen.<sup>27</sup> As usual, the practice was to print long extracts from the books under review, and when extracts are combined it is sometimes found that almost the entire book has been reprinted: this is true of Twelve Months in the British Legion.

The lengthy extracts and descriptions were fitted into a general framework giving the magazine's interpretation or bias, what might be called its 'party line'. All the quarterlies agreed that the Spanish civil war was a sad and savage conflict. None showed any enthusiasm for it. Implicit or avowed in all the articles is the conviction that, for whatever reason, the Spanish people are not civilized and show themselves basically Carlist in temperament; it is quite correctly realized that the Christino or 'Liberal' armies were just as guilty of atrocities as the troops of Don Carlos. The liberal London and Westminster writes in a tone of rather arrogant superiority "we must bear in mind, that in treating of the Spaniards, we are treating of men in a state of at least more than semi-barbarism. Mr. Honan, then, and others who do so, are wrong in making an outcry against savages ... The privileged classes of Spain, the kings, the nobles, and the priests, have kept the mass of the population in a state of the most miserable poverty

and ignorance ... what can Mr. Honan and his friends mean by inveighing against the animals, and not their keepers, whose business it is to see them properly fed and instructed." <sup>28</sup> The verdict of the Quarterly, a periodical of opposed political convictions, was the same; the civil war was "a contest carried on in the face of the European civilization of the nineteenth century with all the ferocity, the cruelty, the utterly savage ruthlessness of the wildest barbarians of the dark ages ..."<sup>29</sup>

The Whig Edinburgh approved Palmerston's policy of supporting the Liberal cause in the war; it saw a Liberal triumph as Spain's best hope. In its July issue, it wrote that the "success of the Queen's cause we cannot avoid regarding as of the highest importance to the interests of liberty and good government in every part of Europe, -- an importance proportioned to the countless evils which would ensue from the Pretender's gaining his crown."<sup>30</sup> But at the same time the Edinburgh sounded the high-minded warning that the Liberals must make sure their success "should be sullied by none of those crimes, so revolting to every feeling of our nature, which have but too often been mixed with the actions of its champions, and which must speedily turn all good men away from it, unless they are ... stopped ..."<sup>31</sup> The Edinburgh also gave its support to Evans and the Legion -- the only one of the three major periodicals to do so -- in its October article "Recent Publications on the War in Spain." It thought the part played by the British Legion was honourable, provided it served "out of affection for the cause in which a foreign prince or people happen to be engaged. We regard the Legion as having originally been raised in support of the cause of liberal principles, against the

efforts of an arbitrary monarch to crush the freedom of his country, and help on by his success in Spain the like arbitrary system in the other parts of Europe."<sup>32</sup> But it repeated its high-minded warning of the previous July that "no reflecting and right-minded person can wish the Legion and its General any success, save on one condition only -- that the contest shall be carried on according to the strict rules of civilized warfare, by the army to which they are acting as auxiliaries."<sup>33</sup> Otherwise, the men of the Legion would "become accessories to murder."

Unlike the Edinburgh, the London and Westminster opposed intervention by any foreign power on either side in the civil war. It thought the savages of Spain should be left to settle their own barbaric quarrels, while the rest of Europe looked on or looked away with contemptuous disdain. Foreign intervention would not help the Spaniards, would only make matters worse. It might enable one side to win, but once it was withdrawn the result would probably be "another civil war breaking out on the first opportunity, with the proportions of havoc and massacre usual on those occasions among people who are more than semi-barbarous ..."<sup>34</sup> Nevertheless, the periodical did not actually condemn either Evans or the Legion, and in quoting long extracts from Twelve Months in the British Legion, it commented favorably upon the author.

The Quarterly's comment had a good deal in common with the London and Westminster. It regarded "neither of the two parties in this Spanish conflict with much interest of a political nature."<sup>35</sup> And just as

the London and Westminster referred to Spaniards as a people "who have had nothing even of the forms of free institutions to act as a safety valve,"<sup>36</sup> the Quarterly thought that for "anything like what we call freedom, the country is wholly unfit --what 'liberal institutions' mean, the one side do not in the smallest degree, comprehend -- and the other side attach notions the most fantastically absurd ..."<sup>37</sup> As far as the Quarterly's reviewer was concerned, Spain would continue to be much the same for a long period of time, regardless of whether the Carlists or the Christinos won, regardless of whether the uncle or the niece sat on the throne. It favored a general European intervention "not by one power but by some general congress, to arrest this system of murder."<sup>38</sup>

The three periodicals showed the same mixture of horror and contempt for the way in which the Spanish people were murdering each other with the utmost cruelty and brutality. They differed in their opinions of how the nations of Europe should act in the face of such atrocity, although the London and Westminster and the Quarterly had the most in common, with the first favoring non-intervention, the second a general European intervention; both put forward their policies for the purpose of getting Spain off Europe's mind as quickly as possible. These were unrealistic solutions, however ideal they may have been in the abstract. Non-intervention would have been a difficult policy to achieve from a Europe divided into two camps, and, by 1836, an impossible policy. Also because of the division of Europe into two camps, the holding of a general European congress to force peace upon

Spain was not possible. Where the Quarterly did show wisdom was in predicting that there would not be much real change in the Spanish people and their institutions for a long time, regardless of who won. From the point of view of choosing a policy that recognized the divided state of Europe as a datum, the Edinburgh was probably the most realistic in giving its support to Palmerston and Evans. The Britain of the 1830's could not have given its support to the Carlist cause, and to remain uninvolved with the savagery would have been to give indirect support to the Eastern powers who were helping Carlos. But where the Edinburgh fell from realism was in supposing that a Liberal victory would work a fundamental change in the Spanish character.

It cannot be said that there was much popular enthusiasm in Britain for Palmerston's Spanish policy in general, or for the British Legion's role in particular. Although there were those who, like Evans himself, presented the Spanish civil war simply as an extension of the struggle between Liberals and Conservatives in Britain, and who claimed a Liberal victory in Spain would aid the Liberal cause at home, there is no evidence that this view won a wide circle of supporters. English radicals were mainly interested in England, not in Spain. Whether they were middle class or working class, their grievances and resentments sprang from English conditions and naturally enough it was English conditions they wanted to change. It might be that a Liberal victory in Spain would help; but a Liberal victory in England would help a lot more. In many cases, it is probably those who did not have current grievances about Britain who turned their attention to Spain. People

who feel deep grievances are likely to turn against the nearest target, the nearest thing they can identify as a cause. The great popular movements of the 1830's were the struggles for a Reform Bill, for a radical program in Parliament, and the Chartist movement. Foreign affairs never aroused the same emotions.

There was a good deal of interest in Spain, as shown in Parliament, the press and the periodicals. But this was an interest on the part of what might be called educated people, or thinking people or the ruling class, rather than the people or the masses. The opinion which was expressed was pretty evenly divided. Evans had nothing to fear from it. But, for one who sought popular approval and who claimed to represent the people, he had nothing to hope from it either.

FOOTNOTES TO CHAPTER VII

1. The Times, 15 June 1835, p.2.
2. Ibid, 8 July 1836, p.4, Thomas De Veear to de Lacy Evans  
London, 8 January 1836.
3. S. Maccoby, English Radicalism 1832-1852, London, 1935,  
p.368
4. The Times, 22 April 1836, p.6.
5. Ibid, 8 July 1836, p.4, the covering letter is dated  
30 June 1836.
6. Ibid, 11 November 1836, p.3.
7. Correspondence of Lord Aberdeen and Princess Lieven, edited  
by E. Jones Parry, Camden Third Series, Volume LX, London 1938, I, p.35.
8. Hansard's Parliamentary Debates, Third Series, XXXI, cols  
116-137.
9. Ibid, XXXI, cols 952-1017.
10. Ibid, XXXI, cols 312-325.
11. Ibid, XXXI, col. 126.
12. Ibid, XXXI, col. 129.
13. Ibid, XXXI, col. 137.
14. Ibid, XXXI, col. 312.
15. Ibid, XXXI, col. 323.
16. Ibid, XXXI, col. 974.
17. Ibid, XXXI, col. 1013.
18. Ibid, XXXI, col. 1014.
19. Webster, op cit, I, p.50.
20. The Times, 8 August 1836, p.4.
21. Ibid, 25 April 1836, p.4.



FOOTNOTES TO CHAPTER VII - 2

22. Ibid, 30 April 1836, p.4.
23. Ibid, 6 July 1836, p.4.
24. Edinburgh Review, LXIII, July 1836, "The War in Spain".
25. Ibid, LXIV, October 1836, "Recent Publications on the War in Spain."
26. London and Westminster Review, XXVI, July-October 1836, October 1836, Article IX, "The War in Spain."
27. Quarterly Review, LV, February 1836, Article IX.
28. London and Westminster, op cit, 218.
29. Quarterly, op cit, 514-515.
30. Edinburgh, LXIII, 484.
31. Idem.
32. Edinburgh, LXIV, 197.
33. Ibid, p.196
34. London and Westminster, op cit, p.216.
35. Quarterly, op cit, p.531.
36. London and Westminster, op cit, p.216.
37. Quarterly, op cit, 531.
38. Idem.

CHAPTER VIII

THE BATTLE OF HERNANI

In the Spring of 1840, when the British Legion was long gone, Lord John Hay was still Commodore of the British naval squadron on the north coast of Spain. There he received a copy of de Lacy Evans' memoir of the war, which had been published in England in January. Always outspoken, and sometimes rude in speech and writing, Hay scrawled a note to the British Consul at Bayonne giving his opinion of Evans' description of the battle of Hernani:

"I don't know if you have seen Sir G. Evans' s late Pamphlett his statements respecting the British are in my opinion the most ungenerous I could have expected from our worst enemy -- he must be ignorant of documents I hold in my possession in his own hand writing; one letter dated the 24<sup>th</sup> of march 1837 - eight days after the affair of Hernani - that absolutely does not resemble the spirit in which his Pamphlet is written, I really had formed a better opinion of that Officer than to suppose him capable of ingratitude - towards us - the time will come when I shall answer him -- and I hope it is not far distant." 1

The battle of Hernani was the most controversial and most debated action in which the British Legion ever took part. Hay's note, although written three years and a day after the battle, has an immediacy which suggests a living quarrel over events still fresh in the memory and still capable of causing anger. The same is true of the description in

Evans' memoir to which Hay refers. Evans' account of the battle of Hernani is one of the very few parts of his pamphlet which has a little life to it. Further, of his 151 pages of text, 23 or about 15 per cent are given to the battle, compared to four pages given to the important victory of the 5th of May of the previous year. And if allowance is made for the many pages which Evans gives to events in which the Legion was not directly concerned -- previous history, the civil war elsewhere in Spain, the politics of Madrid -- the proportion devoted to Hernani becomes even more striking.<sup>2</sup>

Hernani was a battle to which the officers of the Legion looked forward. As the new year of 1837 began, those who had not gone home had now been without action since the previous 1st of October; and that action, although it had inflicted casualties of over 1,000 on the Carlists, had been entirely defensive. The last advance of the Legion had been the attempt to take Fuentarabia the previous July, and it had failed. The last victorious advance had been the taking of Passages at the end of May, and it had not been much of an engagement. There had not been an action which was both hard-fought and victorious since the 5th of May, eight months ago. Furthermore, the Legion's inactivity during November and December had been much criticized. These were the months when the important city of Bilbao was besieged by the Carlists and seemed likely to fall. The Christino army under Espartero had eventually raised the siege, but the only British who played a significant part were Colonel Wylde, Palmerston's military commissioner, and the squadron of Lord John Hay, including the Royal Artillery. There had been good reason

for the Legion's inactivity; the mutiny and discontent brought on by lack of pay, difficulties over supplies and dissension over the men's term of service, made Evans' troops an unreliable force. However strained its finances, the Madrid government really had no reason to complain; if it had treated the Legion better, it would have gotten better service out of it. Still, Evans and his officers were not interested in spiting the Spanish government. They wanted the Legion to win a few important actions before their two years were up in June, so that, if possible, they could return to England with more laurels similar to the battle of the 5th of May and the taking of Passages.

The Legion was a smaller army than it had been the previous Spring. Indeed, it had been shrinking in size ever since the Autumn of 1835. This had been slowed, but never stopped, let alone reversed, by the sending out of new recruits. When Evans had marched to Vitoria for the Winter of 1835-36 he had had some 8 or 9 thousand men; when he returned to the coast after the epidemic he had perhaps 6,000 effectives; after the casualties and mutinies of the Spring and Summer he had less than 5,000; after further fighting, mutiny, sickness and desertion during the Fall and Winter of 1836, he had no more than 4,000 officers and men of the Legion which he could bring into action. In addition, he had the battalion of Royal Marines, responsible to Lord John Hay, and a number of Spanish battalions directly or indirectly under his command.<sup>4</sup> The Legion was still short of pay, and its officers and men were still owed many months' arrears. The Spanish government still complained of the expense

of the Legion, in some cases perhaps justifiably, but more likely to conceal the fact that it had no money. Supplies were also unpredictable, and although there is no indication the Legion ever faced real hunger at this time, there were occasions when it was living virtually from hand to mouth. Nevertheless, the mutinies were now at an end, discontent was no longer so serious, and the men had reconciled themselves to finishing a second year of service before going home.

As a result, operations were again practical, and Evans was determined to do what he could to make up for the months of inactivity. This would be his last campaign. His Parliamentary duties meant he could not stay away much longer without losing his seat. Further, the Legion could not be kept as <sup>a</sup> complete ~~a~~ body beyond the 10th of June. And there was no indication that, even if part of it agreed to remain, the Spanish government would be any more generous with pay and food than in the past.

The strategic plan was ambitious. It involved a joint campaign, by the three major armies in northeastern Spain serving under the Queen Regent, to take the entire province of Guipuscoa from the Carlists. The western-most army was that of Espartero, the Christino commander-in-chief. It was centred upon the city of Bilbao, now freed from all threat of being taken by the Carlists. Espartero was to advance from Bilbao to Durango; and if practical he was then to advance to Bergara, and possibly even further along the road to Tolosa. This was not to be the main operation; its purpose was to force the Carlists to keep troops in the neighbourhood of Durango and Bergara, troops which otherwise could be rapidly moved to other fronts, due to the Carlists' central lines of communication.<sup>5</sup> The eastern-most army was that of General Saarsfield, and was based on the city of Pamplona. Its line of advance was to be the

Valley of the Bastan and the Bidasoa river as far as the town of Oyarzun, near the French frontier and the coast, and not far from de Lacy Evans' Ametza lines; Saarsfield's right flank would be fairly secure during this march since it would be parallel to the French frontier.<sup>6</sup> The northern-most army was, of course, Evans' based on San Sebastian and Passages. His corps was reinforced by <sup>a</sup>Additional Spanish units, including the almost 3,000 strong Vanguard division and about 1,000 Spanish Marines; his force available for operations was brought up to about 10,000 of which less than half was British - the Legion and the Royal Marines. Once Saarsfield advanced down the Bastan, and Espartero along the Durango road, Evans was to break out of the Carlist lines opposite his front and march on Oyarzun where he would join his army with Saarsfield's. This combined army would then take the important Carlist fortresses around the town of Hernani and advance along the main road to take Tolosa.<sup>7</sup>

This was in theory an intelligent plan. By advancing at the same time, the three Christino armies would prevent the Carlists from concentrating their forces on one front. The Carlists' central position and swift communications would be nullified. If successful, the plan would probably make Guipuscoa untenable for the Carlists, and thus take away the main stronghold of Don Carlos. But to be successful the plan assumed that all three armies would actually move at the same time; and in view of the general incapacity of Christino Generals, this was a large assumption to make. Espartero was brave, often reckless as soon as he was in action; but his procrastination before sending his men into action was legendary. Only recently, he had long delayed lifting the siege of Bilbao, and if it had not been for the firm intervention of Colonel Wylde might have delayed so long that the city would have fallen.

Saarsfield was a sick man; he was also irresolute and fearful, and his ability to find excuses for doing nothing was amazing. He spoke and wrote English; he knew the language well enough to use it to confuse any issue. As far as Evans was concerned, there was no problem in getting him to do what he had promised. Of the three Generals he was the most trustworthy and aggressive, and the best strategist. But he too had his weaknesses; in particular, despite all the evidence to the contrary, he believed that Espartero and Saarsfield could in the last resort be counted upon to do the right thing and to do it right.

Evans was ready to advance by the middle of February; he would even have moved back in January although he had not received all his reinforcements. He announced his intentions as early as February 14, in a grandiloquent proclamation to the people of Guipuscoa.<sup>8</sup> But according to agreement, he was not to go on the offensive until Saarsfield began his advance into the Bastan. And Saarsfield did not move. On January 18 he wrote from Pamplona that he was "full of trouble. Not a sixpence wherewith to pay the troops, nor even to attend to the sick in the hospitals!"<sup>9</sup> After some money and provisions had been provided, he wrote that the small French Legion was in a disorganized state, and that unless reinforcements were sent he would be unable to move. When three battalions were sent by Espartero, he pleaded he had only 5,000 men available for active operations, whereas he actually had a good 8,000.<sup>10</sup> It should have been clear to Evans, as it was clear to Wylde, that this "destroys all hope of his cooperation." In view of the expectation of a combined movement, Wylde thought that "in my opinion Genl Evans was justified in not commencing operations immediately the first reinforcements arrived..." Nevertheless, it is implicit in what he writes that he never expected much of Saarsfield, and that he thought Evans should not have counted so much

upon him. Now, "I fear he will be reduced to act alone at last, and with much greater difficulties to contend against than if he had done so at first."<sup>11</sup> But for some inexplicable reason, Evans still felt he could in the end, get Saarsfield to move if the British Legion took the initiative; perhaps he felt that he could shame Saarsfield into advancing by advancing himself. He certainly left Saarsfield in no doubt as to his intentions: he wrote him letters on March 3, 4, 6, 8 and 9 informing him that the Legion would advance far enough on the 10th to put itself in a position to march on Oyarzun, the planned meeting point, and he entreated Saarsfield to make a similar movement from Pamplona, as agreed and promised.<sup>12</sup> Probably Evans had decided he must take the offensive whether Saarsfield and Espartero did so or not, and decided to make his first movement according to plan in the hope that the others would do the same. If they did not, the Legion would then be in a position either to advance to its left upon Irun and Fuentarabia at the French frontier, or else directly inland from San Sebastian upon Hernani, taking the risk that the Carlists would receive large reinforcements.

Evans' perplexity as to the real intentions of his allies, and his desire to have the Legion in a position to advance upon either Irun or Hernani, was not clear to his senior officers. As Chichester wrote in his diary days later, "what the General's precise object was I confess I don't know, I took it for granted it was Astigarraga and acted accordingly."<sup>13</sup> Chichester guessed approximately right. Astigarraga was a fortress on the main road between Hernani and Oyarzun on the left bank of the Urumea river. It was in the direction of this main road that Evans wanted to move in case Saarsfield actually began his promised advance into the Bastan Valley.

A general offensive was therefore begun from the Ametza lines



on the left of the Urumea by both Legion and Spanish troops on the morning of the 10th. The advance was made with a number of columns: Chichester's regiments nearest the left of the Urumea, with Godfrey's brigade on his left and Fitzgerald's still further to the left. The Spanish generals Jauregui and Rindon, and the 5th and Vanguard divisions followed Fitzgerald and then inclined to the left. The advance was delayed a while because the Spaniards were not ready. When it began it proved to be little more than a walk for the Legion. Although there were some 8,000 Carlists opposite, little resistance was offered to the Legion, the Carlists retreated from their lines, and the Legion's columns moved to within a short distance of the main road running between Hernani and Oyarzun. The Spanish troops on the far left were not so fortunate. They were put under a heavy fire by Carlists on a hill extending from the fortified position of San Marcos and suffered heavy casualties. The Spanish battalion of Chapelgorries also got badly cut up when they reached the main road without any support and turned along it in the direction of Astigarraga; a superior force of Carlists made short work of them. The Spanish units suffered close to 600 casualties; the British about 40.<sup>14</sup>

Although Evans withdrew slightly from his forward positions for the night, he remained in good position to attack Astigarraga the following day. Indeed Chichester, who was usually discreet when commenting upon Evans in his diary, wrote that "it certainly appears to me that greater results might have been obtained, I know of no reason why we should not have occupied Astigarraga, which would have cut off their communication with the high road, the enemy had not many in front, and every minute of time was precious, doubtless there were good reasons."<sup>15</sup> But although the enemy received reinforcements of about two battalions during the day, their force was still only some 9 or 10 thousand men, and was still

inferior to that of Evans. The officers and men bivouacked upon the ground they held, to await the next day's advance.

But Evans was in a quandry as to where he should advance; it did not seem as obvious to him as it did to Chichester that Astigarraga was the best target. He learned that General Espartero had begun his advance, according to the agreed plan, from Bilbao down the Durango road.<sup>16</sup> But he did not know yet whether General Saarsfield had moved from Pamplona into the Bastan. If Saarsfield was advancing, Evans' logical movement would be to take Astigarraga, and then turn left along the main road to meet the Pamplona army at the rendezvous of Oyarzun, preparatory to closing off the French frontier and making a combined advance on Hernani and Tolosa. But if Saarsfield had not advanced, Evans thought his best move might be to act in co-ordination with Espartero, forgetting for the moment about Saarsfield and the French frontier and marching directly on Hernani; this movement would mean he would need to cross the Urumea river, for Hernani was on the other side.

The next morning, the 11th, Colonel Wylde received a letter from his assistant, Lieutenant Turner, who was stationed at Pamplona with Saarsfield's army. Dated March 6 Turner's letter said he had been asked by Saarsfield to inform Wylde that the Pamplona army would advance on the 8th, provided it could get eight or ten days rations.<sup>17</sup> This was an indication that Saarsfield might have moved, in which case he would be well on his way to Oyarzun; but, in view of Saarsfield's unreliable character, Evans could not take an indication for a promise. Throughout the 11th he waited for further word, while his troops rested.

That evening, the good weather of the past two days broke. By the time darkness fell a heavy constant rain was falling, soaking the

men bivouacked on the hill sides in the open, without the shelter of tents or huts.<sup>18</sup>

The same night, Evans received a letter from Saarsfield, dated March 9. It acknowledged the many letters sent by Evans, <sup>and</sup> declared "I am determined to advance immediately, laying aside every other consideration. You shall see that I am as good as my word." It must have been with a sense of relief, a sudden lifting of doubts and worries, that Evans read those words. And then just as suddenly, an even bleaker mood must have descended. With what he later called "utmost astonishment," Evans read that Saarsfield's movement was to be "towards the enemy's lines in my front..." and that this would "I hope place me near the enemy's centre of operations, and as close to you as possible."<sup>19</sup> This could have only one meaning. Saarsfield was not advancing into the Bastan circumventing the Carlists' main force, and joining Evans at Oyarzun. He was advancing down the main road from Pamplona to Tolosa and Hernani in the heart of Guip<sup>u</sup>ascoa, a road that <sup>would</sup> take him into the very centre of the Carlist stronghold, where he would be outnumbered and outmanoeuvred.<sup>20</sup>

Did Evans really think that Saarsfield would try to take Tolosa and reach Hernani? Probably not, although he makes no firm statement one way or the other in his memoir. For he could not possibly have believed that Saarsfield was advancing down the Tolosa road out of ignorance or misunderstanding of the agreed plan. There could be only one explanation. Saarsfield had been reluctant to move at all. He had made every possible excuse to stay in Pamplona. But badgered by Evans in numerous letters, and having originally agreed to move in combination with Evans and Espartero, he had to do something. If he advanced in

the Bastan as agreed, he would have to go all the way to Oyarzun, and carry out the official plan. There would not be enough Carlists or other obstacles in his way to justify his turning around and going home after a token march. But by advancing down the main road instead he was making sure that he would have no alternative but to turn around; for he was taking a route that was impossible for his army.

Nevertheless, his advance might prevent the Carlists from sending reinforcements to oppose Evans, at least for a few days. Further, Espartero had, as agreed, marched from Bilbao to Durango. And in any event, Evans meant to continue his operations, even if he had to do so alone. But his two allies were now advancing on routes that would converge on Hernani, on the right bank of the Urumea river, whereas the Legion and the Spanish units attached to it were now mostly on the left bank, in position for the originally agreed movement upon Oyarzun. If Evans moved to his left on Oyarzun, Irun and Fuentarabia, he would be acting on his own. He felt it better to abandon the plan, cross the Urumea, and attack Hernani. This was what he had originally planned to do if Saarsfield had not advanced at all, for it would mean he would be operating in some degree of combination with Espartero's army. It might be even more important now; Saarsfield might, by accident, get drawn into battle with the Carlists, and an attack on Hernani would help to draw off Carlist attention and forces. Whether Evans made the best decision could no doubt be argued interminably; it was, in any event, a decision made for logical reasons.<sup>21</sup> Another consideration was the heavy rain, against which the troops on the hills had no protection. By crossing the Urumea they would be able to take possession of a number of houses and other buildings and at least get a roof over their heads.<sup>22</sup>

The next morning, March 12, Chichester was ordered at about 9 o'clock to take his brigade across the Urumea and seize the village of Loyola, as well as some country houses on the hill overlooking it. The crossing was made in the rain with the Rifles under Colonel Fortescue in the lead. Loyola was found completely abandoned and occupied without any difficulty. Fortescue's men were immediately formed up in the village and ordered to take the houses on the hill advancing without firing. Resistance was feeble, and the Rifles lost only five or six wounded. Some casks of wine were found in the country houses and the Rifles celebrated their victory by getting drunk losing "no time in reducing themselves to the condition of brutes." They can hardly be blamed. It was still raining hard, they had spent the previous night in the rain on the hills, had marched that day in the rain, and were only now finding shelter.

23

During the 13th the weather continued bad. The day was spent strengthening a pontoon bridge across the Urumea at Loyola, and in getting Legion and Christino units into new positions. The 14th was also wasted, probably inevitably, in making minor adjustments in the positions of the various units, and awaiting word from Saarsfield. For example, Chichester was ordered to advance with the Rifles and the 4th and 8th Regiments, with the Royal Marines in reserve, to take two more houses from the Carlists. Another letter was also received from Lieutenant Turner in Pamplona dated March 11th informing Colonel Wylde that Saarsfield was beginning his march. Evans decided to make his main advance the next day.

25

The British Legion was now fighting a different battle, in a different location, for a different objective than that which it had begun on March 10. Then, it had been on the left of the Urumea, between that river and Passages, ready to advance along the main road from Astigarraga

to Oyarzun and Irun, in a movement to the left. Now it was on the right of the Urumea, with San Sebastian behind it and Hernani in front. The general line which the Legion would have to take and secure was formed approximately by the main road from Hernani leading across the Urumea to Astigarraga; this was the same main road which led from Astigarraga to Oyarzun. The entire road crossed the Urumea at roughly a right angle, over a long, narrow wooden bridge. The left-half of any attack would have to cross a deep ravine, both sides of which were covered with trees. On the top of the far ridge there ran a lane with a couple of houses on it, occupied by the Carlists. Beyond this lay a few more Carlist positions before the main road was reached, including a ridge with a bank thrown up on it forming a ledge which led down to the left reaching the Urumea where the main road crossed to Astigarraga. There were a number of formidable obstacles, since the Carlists had taken advantage of time to turn buildings and natural features into fortifications.

The right-half of any attack would encounter far worse problems. It would have to be made along the high road leading from San Sebastian to Hernani and Tolosa. About one-third of the way along the high road from the Legion's position to Hernani lay the Venta hill and the fort of Oriamendi; this heavily fortified obstacle had long worried the officers of the Legion, and none felt it would be taken without heavy fighting and casualties. Once the Venta, and a few hills branching out from it had been taken, the road to Hernani would be open. But Hernani itself was overlooked by the high ridge of Santa Barbara; the Carlists would have to be driven from it as well. In general, the coming battlefield might be described as a square, with the left side formed by the Urumea River, the top by the main road leading from Hernani over the Urumea to Astigarraga,

the right side by the high road leading from San Sebastian past the fort of Oriamendi to Hernani, and the bottom side by the Legion and Christino lines inland from and parallel to the coast.

The left-half of the advance formed up at one of the houses Chichester's men had taken the day before. It consisted of Chichester with the Rifles and the 4th Regiment on the right, Fitzgerald's Irish brigade in the centre, and the 1st Regiment under de Lancey, formerly the Deputy Adjutant General, by itself on the left. In reserve was Rindon's Spanish division of three battalions. Chichester was the senior officer in this sector. The right-half of the advance consisted of Godfrey's brigade, Jauregui's Spanish battalions, the Royal Artillery, and the Royal Marines formed up in reserve on the high road.

26

Around noon, Chichester had not received any word to advance, but decided too much time was being wasted, and ordered de Lancey's 1st Regiment to start, since it had an easier way across the ravine; once this had made some progress, Chichester's and Fitzgerald's regiments were to charge down and across to a house strategically placed on the opposite ridge. As this arrangement was being made, Colonel Jochmus came up with orders for precisely the same movement. But suddenly, Evans sent for Chichester, "and finding I was going to move flew into a great passion, of course I halted, and 2 precious hours were fruitlessly thrown away." Evans' anger was caused not by anything Chichester had done, but because for some unaccountable reason General Jauregui went in "to change his dress, and remained there upwards of 2 hours, in fact until le Marchant sent to tell him that if he did not come out he would give his division to somebody else." 27 At last, in the early afternoon, Chichester received the order to advance. De Lancey's men crossed the ravine first, and then

Fitzgerald and Chichester charged down with their men. As they climbed the opposite ridge they were placed under a heavy fire from the house they regarded as the key to the position, but managed to secure it nevertheless. However there remained a heavy fire from a parapet situated 100 yards further in front, and also from a position to the left of the house. Casualties had been considerable, and were continuing from the heavy fire. Colonel De Lancey was fatally wounded in the head. Chichester got the Rifles and the 1st and 4th formed around the house, but decided they were too exhausted to attack the parapet. Evans galloped up to see what was happening and immediately ordered up Rindon's brigade to support the 9th and 10th regiments in an attack on the parapet. In spite of heavy fire it was soon carried. As a result, all the essential positions on the left-half of the advance had been taken, and the way was open there for a final attack the next day.<sup>28</sup>

Evans immediately galloped off to the right to lead an attack on fort Oriamendi and the Venta hill. It was expected that fierce fighting and heavy casualties would be exacted before this excellent defensive position fell. However, the Carlists manning it lost heart as soon as they realized the other part of the attack had succeeded, and in half an hour an advance upon the high road carried the Venta hill.<sup>29</sup>

No further advance was made. The Legion and the Christinos bivouacked where they were. No one worried about the next day. The bulk of the fighting had already been done, and the worst of the positions had already been carried. It was believed that Hernani would fall, probably without serious resistance, on the following day. If the Legion could go so far, in spite of <sup>the</sup> weather, there seemed no doubt it could go the rest of the way. As Colonel Wylde hurriedly wrote in a short despatch to Palmerston,



"Genl Evans attacked and carried the whole of the Carlists entrenched positions in front of Hernani today, and tomorrow morning will, I have not the least doubt, enter that place...the dreadful state of the weather for the last three days has rendered this achievement one of extreme difficulty, but the gallantry of the troops overcame all obstacles, and their success was complete."<sup>30</sup>

On the morning of the 16th there seemed less cause for worry than on any other day since the operations had begun. Only the enemy's last positions remained to be taken - notably the town of Hernani itself and the fortified heights of Santa Barbara on the right, and the bridge over the Urumea and the main road on the left. The Carlists had received no reinforcements; having been beaten several days in a row, they were unlikely to put up much resistance. Although the Legion and Christino troops were tired and weary and somewhat rebellious after several days of fighting in the rain, this was probably true of the Carlists as well.

At about 10 o'clock the Carlist outposts on the right were taken, their men being forced to retreat into Hernani. The Royal, Royal Marine, and Legion Artillery was brought up and began to bombard Hernani. Preparations and dispositions for the general attack were made, with the principal burden to be carried by General Jauregui's Spanish division and part of the Legion, with the artillery and the Royal Marines in reserve. Less attention was given to organizing the attack on the left, which was to be made with the Legion brigades of Chichester and the Spanish division of Rindon, <sup>w</sup>With Fitzgerald's Irish Regiments in reserve.<sup>31</sup> Chichester was left for some time without instructions, but eventually Evans himself showed up, after having organized matters on the right. There remained one ridge before the main road, and the bridge over

the Urumea to be taken. There were some Carlists behind this ridge and Rindon's Spaniards were ordered to drive them away. They attacked in half-hearted fashion and then retreated. Chichester then ordered the Rifles and the 4th Regiment to take the ridge. These units, too, advanced without enthusiasm, in particular "the 4th had changed from what they were yesterday, and I could not get them forward."<sup>32</sup> The Rifles eventually took the ridge; the 4th then joined them in lining it. The Spanish regiment of Castille was ordered up to line the ridge to the left of these regiments, and the Legion's 1st Regiment to move down to the bridge. Evans ordered the 1st to capture the bridge, including a few houses on the far side, but this regiment followed the example of the 4th and refused to obey. "The General did not seem to attach much importance to what was going on here, and after a remark or two upon their cowardice went back to the right, I with him."<sup>33</sup>

Evans had more serious matters on his mind. Around 11 o'clock a long column of enemy reinforcements had been seen advancing rapidly down the Hernani road from Tolosa. These had split into two columns, one of which advanced along the main road towards the bridge over the Urumea at the left of Evans' position, the other of which marched behind the heights of Santa Barbara, and put itself in position to attack Evans' right. This caused worry but not panic. The Legion held strong positions. The attack on the last defences of Hernani might have to be postponed. But there did not seem any reason to fear worse. Even when it appeared that the reinforcements were large enough to give the Carlists numerical superiority, it was remembered that the Legion had beaten back heavy attacks before. The left now held good defensive positions, and some rearrangements were hurriedly made on the right to put the troops in less exposed positions.<sup>34</sup>

The Carlist column marching in front of Evans' left, along the main road to the bridge, made good progress. Chichester watched them halt and mill around for a while, as if they did not know what they were going to do next. Colonel Tompson, who had replaced de Lancey in command of the 1st Regiment, came galloping up: "General the Spaniards on our right are running away."<sup>35</sup> Chichester swung around and saw the Regiment of Castille falling back, but believed they were only going for ammunition. Tompson was ordered to send some of the 1st to line the ridge, and the Regiment of Castille was also stopped and sent back. Chichester did not worry about the incident, since the Carlists were not attacking. He returned to his brigade. There, "casting my eyes towards the bridge I saw the first Regt and that of Castille in full retreat. I was thunderstruck. I galloped to head and stop them, but it was impossible; if I halted a few in one spot they passed by 20's and 30's on my right and left. I saw very few officers and they seemed to have no control over them, it was like trying to catch water in yr hand."<sup>36</sup> The rest of Rindon's division then fled to the rear. Chichester sent for support from Fitzgerald's brigade, but almost immediately the 4th Regiment abandoned its line and joined the rush to the rear. Only the Rifles were left, and they were now faced with swarms of Carlists who were taking advantage of the unexpected opportunity. The Rifles were therefore ordered to retire.<sup>37</sup>

The 9th and 10th Regiments from Fitzgerald's brigade marched up. They were entirely on their own. Although Chichester tried to rally some of the units that had run away this proved impossible; many companies were not seen again until that night. The 9th and 10th were forced to retreat from position to position, moving under control, both to the

rear and to the right. They were heavily outnumbered and also had to prevent Carlists from coming between them and the Venta hill some distance to their right. By 3 or 4 o'clock in the afternoon Fitzgerald's men had fallen back to the hill next to the Venta. There, at last, the retreat was stopped.<sup>38</sup>

Evans' left had retreated although never actually attacked. His right held although heavily attacked. This part was dominated by the Venta hill and fort Oriamendi. It had the artillery, some Spaniards, the Royal Marines and the 6th Regiment of the Legion. When the Carlist column prepared to attack, the Royal Marines under Colonel Owen moved out in advance of the guns to occupy a breast-work. The Carlists retreated. When the Marines stopped at the breast-work the Carlists once again advanced, but a heavy fire sent them hurrying back. No further attempt was made by the enemy to attack Evans' right, and once the attack on the left had also been stopped after a considerable retreat, the position was stabilized.<sup>39</sup>

Any advance on Hernani was now out of the question. It was afternoon. Most of the Regiments from the left were in confusion and disorder. Between 2 and 3 o'clock, after beating off the Carlist attack on the right, the Royal Marines, the Royal Artillery and the Royal Marine Artillery were all ordered back to San Sebastian by Lord John Hay. Although Evans asked Hay to leave these units in the front, he felt that he had stretched his instructions far enough; there was obviously going to be no attack on the Carlists, and the Carlists themselves had done their worst.<sup>40</sup> To add insult to injury, at 3 o'clock a letter arrived from Saarsfield, dated March 14, explaining that he had advanced as promised "and the division reached Irursun the same day at five o'clock.

"I had in contemplation to proceed the following day to Lecumberi, but the heavy fall of snow which suddenly came upon us during the night prevented the intended movement from taking place..."<sup>41</sup> Therefore, after a token march along the wrong road, Saarsfield went back to Pamplona. As Evans writes in one of the shortest sentences in his memoir: "Co-operation with Saarsfield was at an end."<sup>42</sup> This letter explained where the Carlist reinforcements had come from.

Two groups that had been watching the movements of Saarsfield, one under Villa Real and the other under <sup>Prince</sup> Don Sebastian, made a forced march to Hernani as soon as Saarsfield was seen returning to Pamplona. The Carlists had received 12 battalions of reinforcements, and now had 15 or 16 thousand men opposite Evans' 9 thousand.<sup>43</sup>

This meant Evans had two choices: He could keep the Venta hill, and try to hold it against any attack, or he could retire to his ~~Ayette~~ <sup>Ayete</sup> lines, keeping only what he had taken on March 10 on the other side of the Urumea river. Chichester assumed the Legion would keep what it could, but "I met an Officer of the artillery who told me that he was going to dismantle the fort on the Venta, and that the whole were to retire! I thought I should have fallen from my horse..I instantly rode up to the Lt. General, and in the most urgent manner exhorted him not to fall back, I assured him that we could still hold the Venta..however he said Jauregui & Rindon both said that it was impossible, they could not answer for their troops. I then turned to Jauregui who was the General's evil genius, and told him that we were disgraced for ever if we retired. All to no purpose."<sup>44</sup> Chichester made another attempt to change Evans' mind ten minutes later, but Evans' mind was made up. He knew more details of the situation than Chichester did, and felt the best thing to do was to

get the Legion and the Christino units back into familiar positions where they could be reformed and reorganized.

The Legion had not been seriously hurt. Casualties, including those of the Christino troops, were some 200 killed and 600 wounded; these were estimated to be rather lower than those of the Carlists. For all the actions from the 10th to the 16th, Evans' men had about 1,300 killed or wounded; the Carlists about 2,000.<sup>45</sup> Further, the regiments were reorganized without difficulty; and some had actually behaved extremely well throughout the 16th. Above all, the enemy's reinforcements, and the betrayal of Saarsfield, had put the Legion in a very delicate position.

But no excuse could conceal the fact that the Legion had suffered a humiliating setback. Or that the match which lit the fire was struck by two of Evans' regiments, the Spanish battalion of Castille and the Legion's 1st, who broke and ran at mere sight of the Carlist column, before they had even been attacked. Worst of all, there was widespread feeling that the Legion would never get another chance; the term of service would be up on June 10; the return to England would be a return in disgrace. As is usual at such times, everyone blamed someone else, and most blamed Evans.

"The 16th was a sad business," wrote Lord John Hay, "and disappointed me very much. I feel convinced with three Batt<sup>ns</sup> of Marines I could have driven the Carlists to Tolosa and cut them to pieces however bad the Queens troops behaved the Carlists had little to brag of - the first sight of my marines was quite enough for them - notwithstanding the London Papers make a victory of it all I can say is I never walked more leisurely into St. Sebastians in my life - in truth there was no reason whatever for giving way."<sup>46</sup>

Brigadier Chichester felt so disgraced he wrote to his wife the next day: "I wish to God I could resign in fact I had determined to do so but after talking to Wylde and Henderson who commanded the Phoenix man of war they both were of opinion it could not be done with honor and I say nothing. If I have an opportunity offered me for it I will. At all events nothing shall keep me after the 10th of June....The General told me this morning I was the only one who advised him to stay. Thank God I did."<sup>47</sup>

In his reports to Lord Palmerston, Colonel Wylde was able to praise the conduct only of Hay's Royal Marines. "The conduct of the Legion on the 16th has disappointed me, by proving their inefficiency when placed in anything like trying circumstances." Although he placed most of the blame on Saarsfield's treachery, he did note "the error committed by General Evans in mixing the English and Spanish Battalions, instead of keeping the two corps separate, which I am sure tended to create the confusion that ensued."<sup>48</sup>

Villiers in Madrid was temperate in his official despatches to Palmerston, but privately he gave vent to his remarkable hatred for Evans: "I will say nothing about the Evans disaster.... You know my opinion of that worthy, and of the canaille he commands. I have always been prepared for a catastrophe, but the blockhead may thank himself for half that will be said in England about it."<sup>49</sup>

Evans did not accept the blame which many ascribed to him. With must justification, he passed it off on Saarsfield, whose treachery had wrecked the plans for the combined campaign. But he did not stop there. Always sensitive to criticism of himself or the Legion in England, Evans was deeply hurt and angered by one opinion which was repeated so

frequently that it became a sort of incantation, especially on the part of his most determined enemies; that the British Legion had only been saved from disaster by the bravery of the Royal Marines, who had held off the charging Carlists while the Legion retreated in confusion to San Sebastian. This opinion had a grain of truth. The Marines had held the most exposed position on the right of Evans' line, at the Venta hill. They had borne the brunt of the Carlist attack upon the right and easily turned it back. But it would be sheer speculation to say that the Legion would have been slaughtered if the Marines had not been there. And certainly, the Marines did not cover the Legion's retreat; on the contrary, as Evans pointed out in his memoir, the Legion covered the Marines' retreat. For after turning back the Carlist charge, Lord John Hay decided that the Royal Marines, Royal Artillery and Royal Marine Artillery could do no more to help, and marched them back to their usual positions in and around San Sebastian. It was only some four hours later that the Legion withdrew from the Venta; and it withdrew, not to San Sebastian, but to its <sup>Ayete</sup>~~Ayette~~ lines. The exaggeration of the Marines' role was probably by <sup>r</sup>~~e~~rroneous press reports, by the fact that some of the Legion had indeed run away in confusion, whereas the Marines had turned back a determined Carlist attack, and by the desire of many Tories to have a stick they could use to beat Evans with.<sup>50</sup>

But the most remarkable aspect of Evans' attempt in his memoir to tell the truth about the Marines is the tone in which he tells it. Although written almost three years after the event, Evans' sentences betray a rage that will not die. Although Evans' version of what the Marines did is true, it is presented with a heavy sarcasm, bad taste and unfair turn of words that open a window into his mind. He writes that the worst of the



Carlist attacks were over by two in the afternoon, at which time "Lord John Hay then intimated his intention of withdrawing the Marines, and royal and marine artillery to San Sebastian. As the marines were the only fresh and unfatigued corps we had, not having marched above one or 200 yards during the day (every other part of the force having had harrassing exertions, and severe losses throughout the week), -- their removal, while in the immediate presence of the enemy, could not but be inconvenient."<sup>51</sup> Evans claims he asked Hay to allow the Marines to remain, but that the most he could obtain was a quarter of an hour while he brought up a Spanish regiment to take their place. Nevertheless, in England the Marines got the credit for saving the day. "And this seemed the more gratuitous, as the excellent conduct of the Marines ... had been most fully appreciated. But the reiterated assertions in Parliament and the press...did not contain a word of truth - the fact being that the battalion mentioned was the only one, which went into San Sebastian at all - towards which it had commenced its movement some three hours or so, before the rest of the troops had left the position in front of the enemy. And as to the Artillery of the Legion having been thus saved or 'covered in its flight' it was actually cannonading the Carlists from the original position of Oriamendi when the Marines were already returning into the fortress, and perhaps preparing to enter their billets. That this corps therefore could have borne, as stated, the whole brunt of a (defensive) action, with so small a loss - as one man killed and some 20 wounded, without an officer being hurt - is not very probable!"<sup>52</sup> Nor did Evans stop there. He noted that the "Marines were also present in the successful and rather sanguinary affairs of the 10th and 15th March, but were fortunate enough not to have sustained on these occasions any casualty whatever. Now

considering on the other hand that the Spanish and Legionary troops, at whose expense these exaggerations were put forth, had in their various combats about 5000 killed and wounded (including 400 officers), inflicting a far greater loss on the enemy, besides enduring many fierce struggles and privations, which did not fall to the lot of their distinguished comrades..."

53

Lord John Hay, commander of all official British forces on the north coast of Spain, and Colonel Owen, commanding officer of the Royal Marine battalion, can hardly be blamed for taking Evans' remarks as an accusation of cowardice and laziness. Their fury not only showed itself in private letters, as in that of Hay quoted at the beginning of the chapter, but also in a public exchange of letters with Evans in the press.

In all the attempts to pass blame on to others, who was right? As is usually the case, no single person was to blame. Saarsfield was treacherous; but his character was well-known, and Evans should have known better than to expect anything from him. Chichester felt disgraced by the decision to abandon the Venta hill and blamed Evans and his advisers for doing so, even to the extent of wanting to resign. But Chichester had been in command of the left; it was his brigade which had run away, as Evans reminded him when he remonstrated with him. Was not Chichester perhaps trying to suppress, or compensate for, a personal feeling of responsibility for the setback? Evans no doubt made mistakes; but they stemmed largely from too great a willingness on his part to co-operate with Spanish Generals, and too great honesty in doing so. Yet how much real choice had he? He was a Spanish General himself, responsible not to the British Government but to that of Spain: It was to Madrid he had to look for all his money and supplies. Was Lord John Hay wrong, as Evans

certainly indicates in his memoir, in withdrawing the Marines to San Sebastian? Probably not. The Carlist attacks had virtually ended, there was no further danger, and Hay had to be careful how far he stretched his official instructions. As for Colonel Wylde, he held no command, but was only an adviser, in a position as much diplomatic as military. And the opinion of Villiers in Madrid cannot be relied upon; he was at a distance, and was strongly prejudiced against Evans.

The campaign was a failure because it was too complex, because it counted upon too many things to go right which could easily go wrong. No one person can be blamed. If Wellington himself had been in Evans' place, something would probably have gone wrong. The plan for a combined advance by three armies was too ambitious; good in theory, but unrealistic in terms of the commanders and armies available. The British Legion was exposed to too many engagements, in the worst conceivable weather, during too short a time, as a result of the failure of the overall plan. The failure of the plan brought large reinforcements to the Carlists. The excessive campaigning of the Legion pushed some of its units beyond their limit and they refused to fight. The natural geographical strength of the Venta hill gave the Legion a chance to rally after its setback; and it would probably have rallied even if the Royal Marines had not been there. The fault lay in the overall situation; not in the character or decisions of any one man.

FOOTNOTES TO CHAPTER VIII

1. Lord John Hay letters, in the possession of the author  
Lord John Hay to J.V. Harvey, British Consul at Bayonne, 17 March 1840.
2. Evans, op cit, pp. 71-94.
3. The Times, 17 Jan. 1837, p. 6 report from Madrid 8 Jan. 1837.
4. Evans, op cit, p. 71.
5. Ibid, p. 72.
6. Ibid, pp. 72-73 FO 72/486, Wylde to Palmerston, number  
102, San Sebastian, 27 Feb. 1837.
7. Evans, op cit, pp. 72-73; FO 72/486, Wylde to Palmerston,  
number 102, San Sebastian, 27 February 1837.
8. The Times, 28 February 1837, p. 5, Proclamation from  
General Evans, San Sebastian, 14 February 1837.
9. Evans, op cit, p. 72.
10. FO 72/486, Wylde to Palmerston, number 102, San Sebastian  
27 February 1837.
11. Idem.
12. Evans, op cit, p. 73, footnote.
13. MS Diary of Charles Chichester, 23 March 1837, p. 116.
14. Evans, op cit, pp. 73-74, MS Diary of Charles Chichester,  
23 March 1837, pp. 116-117; FO 72/486, Wylde to Palmerston, number 104,  
San Sebastian, 11 March 1837.
15. MS Diary of Charles Chichester, 23 March 1837, p. 117.
16. FO 72/486, Wylde to Palmerston, number 104, San Sebastian,  
11 March 1837.
17. Idem

FOOTNOTES TO CHAPTER VIII - 2

18. The Times, 20 March 1837, p. 5, report from San Sebastian, 12 March 1837.
19. Evans, op cit, p. 75.
20. Ibid, p. 76.
21. Ibid, pp. 76-77.
22. The Times, 20 March 1837, p. 5, report from San Sebastian, 12 March 1837.
23. MS Diary of Charles Chichester, 23 March 1837, pp. 117-118, Evans, op cit, p. 76.
24. MS Diary of Charles Chichester, 23 March 1837, p. 118.
25. Evans, op cit, pp. 76-77.
26. MS Diary of Charles Chichester, 23 March 1837, p. 119.
27. Idem.
28. Ibid, pp. 119-120.
29. Ibid, p. 120, Evans, op cit, p. 77.
30. FO 72/486, Wylde to Palmerston, number 105, San Sebastian 15 March 1837.
31. MS Diary of Charles Chichester, 23 March 1837, p. 121.
32. Ibid, p. 121.
33. Ibid, p. 122.
34. FO 72/486, Wylde to Palmerston, number 106, San Sebastian 16 March 1837, Evans, op cit, p. 79; FO 72/479, Villiers to Palmerston, number 80, 1 April 1837, enclosure: Evans to the Minister of War, San Sebastian, 17 March 1837.
35. MS Diary of Charles Chichester, 23 March 1837, p. 123.
36. Idem

FOOTNOTES TO CHAPTER VIII - 3

37. Idem.
38. Ibid, pp. 123-124.
39. Evans, op cit, pp. 79-80, FO 72/486, Wylde to Palmerston, number 106, 16 March 1837, FO 72/479, Villiers to Palmerston, number 80, 1 April 1837, enclosure: Evans to Minister of War, 17 March 1837.
40. Evans, op cit, p. 81.
41. Ibid, p. 82.
42. Idem.
43. FO 72/486, Wylde to Palmerston, number 107, San Sebastian, 21 March 1837.
44. Chichester Papers, Chichester to his wife, 17 March 1837.
45. Evans, op cit, pp. 83-85.
46. Lord John Hay; letters; Lord John Hay to J.V. Harvey, Passages, 20 April 1837.
47. Chichester Papers, Chichester to his wife, 17 March 1837.
48. FO 72/486, Wylde to Palmerston, number 108, San Sebastian, 23 March 1837.
49. Maxwell, op cit, p. 139, footnote, Villiers to Edward Villiers.
50. Evans, op cit, pp. 80-88.
51. Ibid, p. 80-81.
52. Ibid, pp. 86-87.
53. Ibid, pp. 87-88.

CHAPTER IX

VICTORY AT IRUN

The defeat of Hernani occurred on March 16. On June 10, the term of service of the British Legion, as specified by the Order in Council, would come to an end. The Legion would then have no legal status, and the men would no longer be under military discipline; further, for about two weeks prior to this date it would be useless to expect much spirit from the men. This meant that the Legion had two-and-a-half months to live under its old contract. It would seem natural to assume that nothing much could be done in so short a time. If Hernani had been a victory two-and-a half months would have been just enough time to exploit and consolidate the achievement. But now the Legion had nothing to exploit and demoralization to overcome. Pessimism was shared by Colonel Wylde and Lord John Hay. "The recent events," wrote the former, "have considerably shaken my confidence in the favorable result of this Campaign, from it being evidently hopeless to expect any thing like combinations in the movements of the Spanish Generals, and the consequent distrust it has created in each other."<sup>1</sup> Lord John Hay wrote briefly, "They say we are to have a reinforcement that may be without our being able to do much as the time of the Legion is at hand."<sup>2</sup>

Yet 'if hopes were dupes, fears may be liars,' and in its last two-and-a half months, Evans' Legion was probably more effective than at any other time of its existence. This was so for perhaps three reasons: first, the Generals did manage to co-operate after all; second, enough reinforcements came to San Sebastian to give the Christino side decisive superiority in numbers; third, the intangibles -- luck, fate, the margin

of error -- were this time on the side of the Legion.

The first step was a tightening up of the Legion. Several re-organizations had taken place as its strength had declined. At the beginning, there had been 11 infantry regiments, including the crack Rifles; now there were 6 -- the 1st under Colonel Samuel Shaw, the 4th Westminster Grenadiers under Colonel Campbell, the 6th Scotch Grenadiers under Colonel Ross, the 8th Highlanders under Colonel Hogg, the Royal Irish under Colonel Cannon, and the Rifles under Colonel Fortescue. The Royal Irish was formed by merging the 9th and 10th regiments; the 7th Irish were joined with the Rifles. These 6 battalions had a strength of about 3,300 men; the Royal Irish and the Rifles had 800 to 900 men each, the others about 400 each. In addition there were the 1st Lancers at San Sebastian under Colonel Wakefield, the 2nd Lancers at Vitoria under Colonel Jacks, and the Artillery under Colonel Claudius Shaw. Responsible not to Evans but to Lord John Hay was the 400-strong Royal Marine battalion under Colonel Owen, the Royal Artillery under Colonel Colquhoun, and the small Royal Marine Artillery unit, as well as a few sappers and miners, etc. The total British force available to Evans and Hay was approximately 4,000. Although this figure, even including the Marines, was less than half the 10,000 originally projected, it should be remembered that these were now all experienced soldiers, who had been tested and selected by the torments of battle, disease, exhaustion, short pay, short rations and other privations.<sup>3</sup>

The number of Spanish reinforcements which could be sent to San Sebastian to fight alongside the Legion depended on the battle plan; and the battle plan depended on negotiations between Evans and the Spanish commander, General Espartero in Bilbao. These negotiations were not carried out personally, but in writing and with the use of intermediaries -- Colonel



Wylde acting for Evans, General Seoane acting for Espartero. Evans and Wylde favored a large concentration at San Sebastian, leading to a probable trial of arms with the main Carlist forces, and ending with the fall of Hernani, Irun and perhaps Tolosa and Vera. At best, it was hoped Espartero would come himself with his headquarters and most of his field force, at worst that he would send 10,000 reinforcements. If Espartero came to San Sebastian he would naturally outcrank Evans, but the latter was quite prepared to sacrifice ~~this~~ pride, no doubt for the sake of the cause, but perhaps also out of a realization that this was the last chance to win a victory before he had to return to England.<sup>4</sup>

With this plan in mind, Colonel Wylde spent the last week of March at Espartero's headquarters at Bilbao, being "fully in possession of General Evans' opinions and wishes on the subject." He had a temporary success, persuading Espartero to send reinforcements of 10,000 men by sea to San Sebastian. But Espartero urged him to return to Evans' headquarters, taking along General Seoane, to arrange final details. This gave Espartero time to change his mind, and he changed it.<sup>5</sup> Evans was sent a plan suggesting that, while reinforcements should be sent to co-operate with the Legion, Espartero should march his field troops from Bilbao to Pamplona via Vitoria, leaving garrisons along the way where necessary; he would then take charge of the army at Pamplona, march his troops into the Bastan, and join Evans near the French frontier. Evans seems at first to have accepted this plan, perhaps because he had given up any hope of getting Spanish Generals to act logically. The plan was, indeed, illogical, for as Villiers wrote sarcastically from Madrid, "if it really was the intention of General Espartero to co-operate with General Evans in the manner suggested...it

would be more quickly and effectively done by sending his troops by sea to San Sebastian...than by arriving at those same points by a harrasing and circuitous march to Vitoria, and thence to Pamplona."6

Evans soon came to the same conclusion, perhaps on his own, perhaps at the urging of Colonel Wylde. For it was clear that if Espartero began his long march around the Carlist perimeter he would either never finish it, or would finish it too late to be of any use to the British Legion. On April 13 he wrote to Espartero a long letter containing a carefully and diplomatically worded alternative plan. Evans began with seven paragraphs explaining why Espartero's plan was impractical; not normally given to tactful writing, Evans did a splendid job of ascribing the impracticality of the plan, not to its essence, but to extraneous factors, such as the approaching end of the Legion's term of service. He concluded this introduction "I really can see no present salvation for the cause, except that of your transferring the main body of your Forces to San Sebastian...." As to who should hold the command, Evans wrote that it was "a matter of course that where the main body of the Army is, there would be the General in Chief. Your delicacy has suggested that this might be an injury to me, or to the military fame of England. But I am totally unable to concur with Your Excellency's generous feelings on those points..."  
~~General in Chief."~~ The second part of his letter he devoted to showing how Espartero could safely and wisely afford to send most of his army by sea to San Sebastian. Six battalions could be sent from Pamplona to Vitoria. Two or even four could be sent from Bilbao to Vitoria. With the units already there, this would render that part of the line of the Ebro fairly safe against any Carlist threat. Other dispositions would secure

other parts of the line against attack. This would leave 35 battalions at Bilbao. Evans suggested that 22 should move immediately to San Sebastian, with five more to follow shortly, leaving for a time a garrison of eight at that city; these eight battalions at Bilbao, he explained, could if necessary be reinforced quickly by sea. This would place some 40 battalions at San Sebastian, enough to defeat any likely Carlist concentration. Evans concluded by expounding the general virtues of his plan. It would leave sufficient troops on the perimeter of the blockade to prevent the Carlists striking suddenly in some unexpected spot. The Carlists would probably send most of their men to defend Hernani and Tolosa, but Espartero's army would be large enough to win any engagement. In a space of a few weeks, Espartero could count on taking Hernani, closing the French frontier, and possibly defeating the Carlists in Guipuscoa altogether. The ships of Lord John Hay were promised for the transportation of the men along the coast.<sup>7</sup>

This plan was carried to Espartero in Bilbao by Colonel Wylde, who added his own, considerable influence to its arguments. Arriving on April 14, he with some difficulty secured the complete agreement of Espartero. Knowing that Espartero had a habit of changing his mind, Wylde immediately returned to San Sebastian to inform Lord John Hay to put his ships to work carrying troops. But in San Sebastian, Wylde learned that the Carlists were, according to rumour, about to send another expedition into Castille. He turned around again and went back to Bilbao fearing that this news, coming at the worst possible time, would definitely have caused a change in Espartero's intentions. But all his fears were this time groundless. Espartero did not change his mind. And the first

contingent of men for San Sebastian were carried on the ship in which Wylde, yet again, travelled along the coast, arriving at Passages on April 23.<sup>8</sup>

The concentration at San Sebastian was not carried out as rapidly as Evans and Wylde had hoped. The north coast of Spain is subject to sudden spells of very bad weather which make any movement along the coast a risky undertaking. A number of these delayed and interrupted the movement of troops during the last week of April and the first half of May. But by May 10 the operation was almost finished and Espartero himself had arrived at San Sebastian to take command.<sup>9</sup> As the days passed and the troops arrived, the pessimism which had been the natural result of the defeat at Hernani gave way to optimism. Lord John Hay, who was in charge of the movement along the coast, had written in a skeptical mood as recently as April 20. But with the arrival of the first shipload on the 23rd he wrote; "The first batch of troops have arrived 2,000 very fine men and we are to have 5,000 more this week, so we may expect some life in this quarter. General Seonia (Espartero's envoy) has arrived, I like him better than any Spanish General I have met with -- at present the weather is much against any movement."<sup>10</sup> Four days later he noted in similar vein that "my steamers are hard at work transporting troops from Bilbao we shall have 10,000 landed by tomorrow so the Carlists may look out."<sup>11</sup> And again on May 5: "I will thank you to send the accompanying dispatch for the Admiralty under cover to Lord Granville -- we have about 24,000 men here and the Carlists are collecting a large force so that something will be done shortly -- the report is they intend to attack the Lines -- I doubt them

being such fools...we expect the remainder of the troops tomorrow."<sup>12</sup>

De Lacy Evans had understandably been in low spirits after the defeat in March. Now he was understandably in high spirits. As he wrote to his friend, Admiral Charles Napier, "I trust for a slashing affair before winding up matters. Espartero and his whole corps will be here at my earnest request; it is victory, the triumph of the good cause, that I desire, and I care not a straw who may command."<sup>13</sup> In his memoir, Evans states the number of troops gathered under the command of Espartero and himself at 24,000, adding that the often quoted figure of 30,000 is wrong.<sup>14</sup> But a military return in the papers of Brigadier Chichester shows 43 battalions of Royal Marines, British Legion and Christinos, amounting to 30,480.<sup>15</sup> But the discrepancy is easily cleared away.. Evans' figure does not include the men needed to hold the lines, for as Colonel Wylde writes in a despatch to Palmerston, "after garrisoning the lines I believe we shall have 24,000 men to take the field with." The Carlists for their part had collected about 14,000 men, thus leaving Evans and Espartero with a large superiority in numbers.<sup>16</sup>

Evans did not wait for the arrival of all the reinforcements before beginning operations. On May 4 he advanced his lines on the left opposite Hernani, taking the village of Loyola and the heights of Aquirre above the village. This small advance was carried out with negligible casualties; it placed the Legion and Christino troops in the same positions they had held the previous March 12. It was on the day after this movement, May 5, that Lord John Hay noted in the letter already mentioned "the report is they intend to attack the Lines -- I doubt their being such fools." But an attack was not necessarily a foolish thing. The Carlists

knew by this time that Espartero was coming to San Sebastian with most of his army. A spoiling attack before Espartero's concentration was completed was a logical manoeuvre; and the Carlists picked a logical time and place to launch it -- on the two Spanish Christino battalions posted on the newly retaken heights of Aguirre, on May 6, before the position was properly fortified. They attacked with 2,000 picked troops, supported by a larger number of reserves and some heavy artillery. But although the Carlists at one point got upon the height, they were driven back by the 2nd Spanish Light Infantry and some Legion guns; their casualties were heavy, over 200 killed and wounded, as against less than a hundred Christinos.<sup>17</sup>

The Carlists made one of the really significant decisions of their rebellion. Although they continued to throw up intrenchments after the failure of May 6, their commander, Don Sebastian, had seen the writing on the wall. On the morning of May 13, it was noticed that the heavy artillery had been withdrawn during the night from the strong Carlist lines in advance of Hernani. Intelligence was also received from various sources that Don Sebastian had retired with most of his force to Tolosa. Although it was not known at the time, the Carlists made an even more fundamental decision than to avoid a decisive engagement: at their council of war they decided that they could no longer count on victory in Guipuscoa, and that their main effort, including the court of Don Carlos, should be transferred to Aragon, or Castille, or Catalonia, wherever the most support could be found.<sup>18</sup>

Contradicting his reputation for indecision, Espartero ordered a general advance the next day, even though the weather was

extremely bad. At daylight the main part of his army marched down the main road and carried the formidable Venta hill and Fort Oriamendi without loss; the Carlist units still remaining abandoned their entire first line with only feeble, token resistance. The Christino forces then advanced into two columns. On the left, a column under General Gurrea crossed the Urumea river at Loyola and advanced up the left bank to the fortified village of Astigarraga; the village fell without opposition. The main column was on the right. It was led by the Legion and a Spanish division under Evans' command. It encountered the only serious resistance of the day, for the only positions the Carlists made a real attempt to defend were Hernani and the heights of Santa Barbara. But both positions were carried by the Legion with only moderate casualties. With scarcely a halt, the 6th regiment of the Legion and two Christino battalions marched down the high road in the direction of Tolosa, taking the next village beyond Hernani, Urnieta. Urnieta was also defended and had to be stormed. Although it was only about two o'clock in the afternoon, the advance was stopped at this point. If he had waited longer to prepare, if the weather had not been so bad, and if the men had not been so exhausted, Espartero might have pressed even further. He was probably wise to stop where he did.<sup>19</sup>

There is a sense of anti-climax about the operations of May 14. The positions taken so easily that day had been coveted by the British Legion for almost two years, ever since it arrived in Spain. Two attempts had been made to take Hernani, the first in August 1835, the second only a few weeks ago on March 15 and 16, and both had failed. Both failures had especially rankled because neither had been decisive. The first, ~~passed~~

passed off as a reconnaissance, might have succeeded if the Legion had been better trained and the attack better planned. The second might have succeeded if carried out a day or two earlier, or if General Saarsfield had done what he had promised. If there were any superstitious officers in the British Legion they must have wondered what strange fate controlled the destiny of Hernani, and may even have had a twinge of doubt while they scoffed at the divine mission of Don Carlos. Even the most sober, just because they were practical, expected a hard and long-fought battle for this Carlist stronghold, symbol of Carlist strength and Legion weakness. Now it had fallen with little resistance or blood, not because of Legion or Christino bravery, but because of Carlist cunning and refusal to risk their army against a superior foe. A near-bloodless advance of this sort may be a tribute to high strategy, and indeed the concentration of troops at San Sebastian showed some of the best strategy of the campaign; but what is high in strategy may be low in prestige, and the very ease of the advance reflected unfavorably upon the earlier setbacks of the Legion. Nevertheless, this was victory. And hopefully, it was only the beginning.

During the following day no further advance was made; the Christino forces remained with their advance at Urnieta, their right upon the heights of Santa Barbara and their left at Astigarraga. But on March 16 Evans was given command of a force ordered to take Oyarzun, Irun and Fuentarabia; in other words, to take all the territory lying between the Urumea river and the French frontier. To occupy these places had been an objective of the Christino command, and especially of the British Legion, at least since April 1836, and an abortive attempt to



take Fuentarabia had actually been made the previous July, For if these places could be taken the Carlist supply routes from France would be substantially reduced, and their position in Guipuscoa made increasingly insecure.<sup>20</sup>

Evans' army of 9,000 men consisted of a Spanish division of 9 battalions, the British Legion organized as a division of two brigades, under the command of Brigadier Chichester, and, of course, a force of artillery. This army advanced at daybreak on the 16th and met with no opposition at all until it reached Oyarzun, lying about half-way along the road from Astigarraga to Irun; this was to have been the famous meeting place of Evans and Saarsfield last March. It was fortified and defended by two Carlist battalions, but these evacuated it after a few bursts of firing, and retreated into the mountains. They were pursued some distance by Christino troops, who occupied the heights of San Marcial.<sup>21</sup>

By 11 o'clock Evans' army had arrived before Irun. The town was immediately invested, with the Spanish troops forming the centre of the investing line, the two Legion brigades on the left and right. Chichester, although in command of both Legion battalions, took up his position with his usual brigade on the right. Communications between Irun and Fuentarabia were cut. Although Irun was only defended by a battalion, it had strong fortifications. The town itself was surrounded by a wall, had inner defences of loopholed and otherwise fortified houses, and a central position of a strongly built, three-storey town hall. Close by was a detached fort, del Parque, which commanded the whole town. Some buildings, including the church, were outside both fortifications. Artillery fire was soon being exchanged between Fort del Parque and the Legion. Little

was accomplished until about 4 o'clock in the afternoon, when Chichester ordered the Rifles to get close to the wall on the side of Irun facing towards France. Although under considerable fire, the Rifles were able to take those houses, and the church, which lay outside the wall of the town, since these were not defended. By allowing these buildings to be occupied the Carlists made a serious tactical error, for it gave the Legion secure positions close to the wall, and only 20 yards from the gate on the French side. Two 12-pounders were brought up to batter the gate.<sup>22</sup>

At this point, the commandant of the Fort del Parque was invited to surrender. He was allowed to communicate with the Governor of the town, and the offer was refused. A heavy fire was then opened on the gate on the French side, and this was breached, but it was immediately found that there was a second barrier inside, no less strong than the outer defences. Some officers were beginning to worry that the task would not be done without formidable casualties; this was true of Evans himself, who was rapidly slipping into one of his moods of despair and despondency. When Chichester saw him about 7 o'clock "he was ill, out of spirits, and I really thought was half inclined to give it up. I spoke to him very confidently, and desired Wylde also to keep him up to the collar." Chichester spent the entire night directing the placing of guns for a heavy bombardment of the town, and a heavy fire was begun at daybreak. It was still not clear, however, that the town was near to falling.<sup>23</sup>

Chichester decided to examine the wall and buildings on the Fuentarabia side of the town. Taking with him Colonel Arbuthnot, Evans'

brother-in-law, and some men of the 1st regiment, he found a house joining the gate, and forming part of the wall. Using the house for cover, he thought he would be able to get some powder up to the gate and blow it open. But it was noticed that the Carlists had forgotten to wall up a window of the house. A ladder was brought up, 50 men of the 1st regiment rushed to the house, the window was escalated and the building seized. Chichester and the men descended into the street. The men were now hot-blooded and excited, and a frantic attempt was made to open the gate from the inside. At first they did not succeed, and the heavy fire was causing casualties. To urge on the men Chichester and the other officers promised them the plunder of the town for five hours. Thus encouraged, the already savage men went at the gate with a vengeance and got it open. Legion troops poured into the town. The Carlists dropped their weapons and fled down the streets, abandoning house after house, the Legion soldiers tearing after them, stabbing and shooting. A further barrier held up progress for more than a quarter of an hour, during which time the Legion was exposed to a heavy fire from the town hall, the last and central position. The barrier was taken and Chichester got up on a ladder with a white flag on the point of his sword. He waved this to let the Carlists concentrated in the town hall know their lives would be spared. But all the time his own men were trying to pull him down "because they did not want quarter to be granted." For some time firing continued from both sides. Chichester was now getting worried about his men. He had promised them plunder and they had wasted no time. Many were already roaring drunk, and they were dressed in all forms of weird clothing and blankets they had stolen from the houses. Making his way to the gate on the French side, he found the 9th regiment

had just battered its way in. He led them to the square, which "was filled with the Legion, perfectly frantic with rage."<sup>24</sup>

At 10 o'clock in the morning the Fort del Parque had surrendered -- its commandant had not been anxious to resist, and had done so only at the insistence of the Governor of the town. The defenders of the town hall were now summoned to surrender, and were promised their lives would be spared. It is doubtful if they expected this promise to be kept, in view of the fate which they had dealt any soldier of the Legion who ever fell into their hands. But after great exertions by Evans and other officers to control the men, the promise was kept. Women and children had already been allowed to pass out of the town and across the French frontier the night before. Prisoners numbered 36 officers and 449 men. Denied a bloody revenge, the men of the Legion plundered every house in the town. Casualties of the Legion were 4 officers and 30 men killed, 13 officers and some 100 men wounded; Carlist casualties were heavier, some 100 being killed in the first assault, and before the offer of quarter had been made and accepted. The Carlist prisoners were so astounded by their good fortune at being alive that they wrote a memorial to Don Carlos, praising the chivalry of the British Legion, and urging that any future Legion prisoners should have their lives spared; the urging had no effect.<sup>25</sup>

At daybreak on the next day, May 18, the Legion marched on Fuentarabia. It was necessary to cross a bridge on the way -- the bridge which had caused Brigadier Shaw's men some trouble the previous July -- and when this was found to be broken the river was forded higher up. This was a minor delay and the Legion soon reached Fuentarabia. Above

the town, in the position where most of the Legion had halted last July, were the Royal Marines, who had marched along the heights from Passages on the 16th. In the bay were Lord John Hay's ships, the Salamander and the Phoenix, as well as some Spanish gunboats. A summons to surrender was sent in as soon as the Legion arrived. But the garrison believed that the defenders of Irun had been put to death and refused. However they were permitted to send an officer to speak to the prisoners at Irun and, finding that their lives really had been spared, agreed to capitulate. Articles of surrender were signed at 11 o'clock, and an hour-and-half<sup>a</sup> later the Legion and a Spanish battalion took possession. The prisoners numbered 350.<sup>26</sup>

No time remained for the Legion to engage in any significant operations before the end of its original contract. The three weeks between the fall of Fuentarabia and June 10 were largely spent in placing the new conquests in an adequate state of defence, in trying to make arrangements to end the old Legion's service without mutiny or delay, and in trying to re-enlist a substantial number of the men in a new Legion. Evans himself, under heavy pressure to resume his seat in Parliament, left Spain in early June.<sup>27</sup>

Nor did Espartero's Christino divisions take any important steps to expand the area they occupied between Hernani and the French frontier. They might have done so at ease, since the Carlist main force had withdrawn. But it would have been a matter of some difficulty to place additional conquests in a condition to be defended without taking away too many men for garrison duty from Espartero's field force. The Christino position on the north coast remained approximately the same

until the end of the war. It had achieved its principal objective -- to close much of the French frontier and cut off the communications routes by which the Carlists in the Basque provinces nourished their rebellion.<sup>28</sup>

The end of the old Legion's service, coinciding with the capture of Irun and Fuentarabia and the closing of the frontier, coincided also with the end of a definite phase of the Spanish civil war. During this phase, the main seat of war had been the Basque provinces. It was to this area that Don Carlos had come in 1834; it was there that he had remained with his best army, his best generals and his most loyal supporters. But with the concentration of Espartero's and Evans' armies at San Sebastian and the closing of the frontier, the Carlist chiefs decided that they must change their strategy. This changed strategy lay behind the decision not to defend Hernani or any of the other towns with large forces. It had already shown itself in a number of marches and counter-marches of the Carlist army along the interior line of blockade. It was symbolized on May 20, two days after the surrender of Fuentarabia, when Don Carlos accompanied by 12,000 men, left the Basque provinces and crossed into northern Aragon. This began a new phase of the war, a phase to be marked by numerous, far-reaching Carlist expeditions into the heart of Spain, and even to the gates of Madrid, expeditions which were to cause terror and destruction, but which were to be unsuccessful, and lead ultimately to defeat.<sup>29</sup>

The operations of May were neither very fierce nor very brilliant; but they were based on sound strategy and they accomplished with few casualties results important enough to alter the character of the civil war. The old British Legion therefore ended its service with success and

honour, and more than merited the special Iron medal which the Queen Regent awarded to de Lacy Evans and the officers and men who were under his command on May 16, 17 and 18. Evans himself was able to return to England, not in the blaze of glory he had once anticipated, but free from disgrace, and with enough victories to offset his defeats.

FOOTNOTES TO CHAPTER IX

1. FO 72/486, Wylde to Palmerston, number 108, San Sebastian 23 March 1837.
2. MS letter Lord John Hay to J.V. Harvey, British consul at Bayonne, Passages 20 April 1837; Lord John Hay letters in the possession of the author.
3. The Times, 19 May 1837, p. 4, despatch San Sebastian 12 May 1837; 29 May 1837, p. 4, despatch San Sebastian 19 May 1837.
4. FO 72/486, Wylde to Palmerston, number 109, San Sebastian 2 April 1837.
5. Idem.
6. FO 72/479, Villiers to Palmerston, number 84, Madrid, 8 April 1837.
7. FO 72/479, Evans to Espartero, San Sebastian, 13 April 1837; enclosure in Villiers to Palmerston, number 103, 29 April 1837.
8. FO 72/486, Wylde to Palmerston, number 110, San Sebastian, 24 April 1837.
9. FO 72/486, Wylde to Palmerston, number 111, San Sebastian, 12 May 1837.
10. MS letter Lord John Hay to J.V. Harvey, Passages, 23 April 1837, Lord John Hay letters in the possession of the author.
11. Ibid., MS letter Lord John Hay to J.V. Harvey, San Sebastian 27 April 1837.
12. Ibid., MS letter Lord John Hay to J.V. Harvey, 5 May 1837.
13. Major-General Elers Napier, Life and Correspondence of Admiral Sir Charles Napier, London 1862, I, 326; Evans to Napier, no date.



FOOTNOTES TO CHAPTER IX - 2

14. Evans, op cit, 96.
15. Papers of Charles Chichester, item C/2/9, "Approximate State of the Infantry Commanded by and Co-operating with the Count de Luchana 14 May 1837."
16. FO 72/486, Wylde to Palmerston, number 111, San Sebastian 12 May 1837.
17. Idem; Evans, op cit, 95-96.
18. FO 72/486, Wylde to Palmerston, no number, Hernani 14 May 1837; Evans, op cit, 97; FO 72/479, Villiers to Palmerston, Number 124, Madrid 20 May 1837.
19. FO/72 FO 72/486, Wylde to Palmerston, no number, Hernani 14 May 1837; Evans, op cit, 98.
20. FO 72/486, Wylde to Palmerston, number 113, Irun 18 May 1837.
21. Idem. Evans, op cit, 98-99.
22. Papers of Charles Chichester, Chichester to his wife, Irun, Fontarabia 18 May 1837; FO 72/486, Wylde to Palmerston, number 113, Irun 18 May 1837; Evans, op cit, 99.
23. Papers of Charles Chichester, Chichester to his wife, Irun, Fontarabia 18 May 1837.
24. Idem. FO 72/486, Wylde to Palmerston, number 113, Irun 18 May 1837.
25. Papers of Charles Chichester, Chichester to his wife, Irun, Fontarabia 18 May 1837; FO 72/486, Wylde to Palmerston, number 113 Irun 18 May 1837; Evans, op cit, 100-103.

FOOTNOTES TO CHAPTER IX - 3

26. FO 72/486, Wylde to Palmerston, number 113, Irun 18 May 1837; Evans, op cit, 103-104; Papers of Charles Chichester, Chichester to his wife, Irun, Fontarabia 18 May 1837.

27. FO 72/486, Wylde to Palmerston, number 118, San Sebastian 27 May 1837.

28. Idem.

29. Idem. Evans, op cit, 104-105.

CHAPTER X

END OF THE LEGION

The Spanish government did not want the Legion to return to Britain when its term of service expired on June 10; it hoped to re-enlist as many of the men as possible. Lord Palmerston did not want the Legion to end its service either; he, too, hoped it would stay in northern Spain until the tide had turned decisively in the Liberal favor. Yet Madrid had done little during the past two years to encourage any officer or man of the Legion to remain. Food had been unreliable, pay had been short, medical services had been terrible; due to Spanish neglect, there had been some unnecessary privation and misery at every turn of the road. Palmerston had not been able to do much either. He had of course used his influence to bring pressure upon Madrid to treat the Legion more fairly, and he had been prompt in sending arms, ammunition and other supplies authorized by the Quadruple Alliance. But an army, especially a mercenary army, marches on its stomach and fights for its pay. The Spanish government, never far from bankruptcy, could do little to carry out its obligations even when the will to do so was there. And Palmerston, no matter how willing, could not commit Britain to pay for the Legion.

As early as April, de Lacy Evans and Colonel Wylde wrote letters to Villiers in Madrid and to Palmerston in London, urging that preparations be made to disband or reorganize the Legion, and warning of what would happen if arrangements were not made before June 10. If the

men were released from military discipline without being paid up, there was a serious risk that they would plunder the town of San Sebastian, causing grave embarrassment to both the British and Spanish governments. Furthermore, unless Madrid showed that it could carry out its past promises, there would be no hope of persuading any part of the Legion to agree to a new term of service. Villiers pressed these considerations upon the Spanish Prime Minister with his usual vehemence, and the Spanish council of ministers responded with its usual tactic of appointing the old organizer, Mendizabel, to settle the Legion's claims.<sup>1</sup> But this time Madrid gave more than promises. It was perhaps genuinely alarmed at the prospect of enraged soldiers, under no military discipline or obligation, sacking San Sebastian. And it was certainly anxious to keep at least part of the Legion in the Spanish service, as a token of British support for the Christino cause. In either case, it would have to settle at least the more urgent claims of the Legion's rank-and-file. Villiers informed Evans on April 20, and Palmerston two days later, of the arrangements he had been able to make. Using various expedients, the Spanish government promised to send the Legion eighty thousand pounds sterling. Villiers also urged Evans to do what he could to ensure that "at the expiration of the period for which the Legion is engaged to serve, the greater part of that Force may be induced to remain for some time longer in this Country ..."<sup>2</sup> Although it was not explicitly said that the money was being provided in exchange for an undertaking to retain as much of the Legion as possible, this seems to have been the essence of the matter. If the Spanish government had thought the entire Legion was determined to quit Spain at the earliest

possible moment, it is not likely it would have made such exertions to find money. Although it is doubtful if Spain made the entire 80,000 pounds available, it probably gave at least half; Colonel Wylde wrote to Palmerston on May 12 that 10,000 pounds had arrived and that 30,000 more was on the way; on May 27 he reported that enough money had arrived to pay the non-commissioned officers and men.<sup>3</sup>

As April was devoted mostly to the financial measures needed to end the old Legion, May was devoted mostly to the diplomatic and other measures to recruit some of the men into a new Legion. Villiers sent a despatch to Palmerston on April 29 enclosing the formal request of the Spanish government that the Foreign Enlistment Act be suspended beyond June 10 for some further period. Calatrava, the Spanish Prime Minister, impressed upon Villiers that the British Legion, although in the Spanish service, had been considered by all sides to represent the support of Great Britain; to withdraw it at this moment could have disastrous consequences. He also seems to have made explicit the connection between settling the old Legion's claims and the enlisting of a new Legion, for Villiers wrote that "should the petition of the Spanish Government be granted, His Excellency assured me that no exertion should be spared in order to satisfy the present claims of the Legion, and to guard against every just cause of complaint for the future."<sup>4</sup>

No objection to renewing the Foreign Enlistment Act was raised by Palmerston. He was as anxious to have the Legion continue in Spain as was the Spanish government. King William IV did not easily agree, however. He had been hostile to the Legion from the beginning. He had especially

opposed the appointment of Evans, who he considered a Republican. The events of the past two years had not changed his mind. " ... his Majesty does not deny that he contemplates with concern and impatience the manner in which the honour and the credit of this country are committed by the services and proceedings of a band of mercenaries whom it is impossible to divest of the denomination and character of British subjects and British soldiers, while their conduct has been in many respects disreputable and unworthy of that name and character." <sup>5</sup>

Palmerston insisted on renewing the Order in Council and William reluctantly gave way, while stressing that "he cannot say that any remarks made or arguments produced have succeeded in removing the objections which he had stated, and which he continues to feel ..." <sup>6</sup> Even so, he tried to introduce a special condition, by specifying that the Order in Council would be renewed for a year on the understanding that any new recruiting would be confined to Ireland, and as much as possible to Roman Catholics. He gave way on this point too on May 21, after Lord Melbourne objected. <sup>7</sup>

Palmerston informed Villiers on June 1 of the extension of the Order in Council for one year, adding that although it was limited to a year, further permission would be granted if in 1838 there still remained a brigade anxious to serve. He also mentioned the King's suggestion that any new recruiting should be confined to Ireland, and indicated that this would be advisable, although it was not made an absolute requirement. This was a reasonable concession for Palmerston to make, since, as he pointed out, the three Irish regiments of the

Legion had given the best service, being the most resistant to disease and the most immune from dissatisfaction and mutiny.<sup>8</sup>

But for Villiers in Madrid to obtain some money for the Legion, and for Palmerston in London to renew the Order in Council, were only part of the problem. Before permission could be turned into achievement a new commander had to be found to replace de Lacy Evans, the officers and men of the old Legion had to be returned to Britain, and a substantial number of officers and men had to be bribed or persuaded into joining a new Legion. The real problem lay in San Sebastian, and it had to be solved there. Palmerston was too far away to do more than approve or suggest generalities, and was in any event too busy. Villiers was able to do a great deal in Madrid; his active mind and tireless energy were a valuable help. But the essential burden fell on the shoulders of Colonel Wylde, Palmerston's military commissioner, largely by a process of elimination.

It might logically have been expected that de Lacy Evans would have remained in Spain long enough to oversee the death of the old, and the birth of the new Legion, out of support for the Liberal cause and loyalty to the men who had served him for two years. But Evans had long been disgusted with the Spanish government, enough money had arrived for him to be sure that at least his men would be paid off, he had little faith in the prospects of a new Legion, and he was anxious to resume his seat in Parliament. At the end of May he handed over command of his army, which was now more Spanish than British, to Count Mirasol, and in early June left for England.<sup>9</sup>

The re-organization of the Legion might also have been carried out by Spanish authorities; but there were no Spanish authorities available who understood all the complications and details of the Legion's history; for example, the Legion always served according to British customs and regulations, but these were a mystery to Spaniards. Without Evans around to help, the logical thing to do was to appoint a successor, who would be responsible to Count Mirasol. But this was not easy to do. If possible, Palmerston wanted to get a first-rate man to command the new Legion, someone who would at least be the equivalent of Evans. A number of people seem to have been considered, notably Captain Charles Napier, Evans' friend, who had been so successful while serving as an Admiral in the Portuguese service, and who had been considered to command the British Legion in 1835. "Evans comes home," he wrote to his wife at the end of April, "and arrangements are making for me to take the command of his Army and the Spanish Navy on the north coast of Spain. I have been this morning with Lord Palmerston ... it must be ascertained whether the monied men will come forward with £100,000 for a military chest, that being a sine qua non with me ... I have not written before because it was only this morning that the Ministers have taken it up; this must not be mentioned."<sup>10</sup> Palmerston wrote to Evans and Madrid immediately, but while Evans would have been happy to have Napier as his replacement, Madrid could not meet the Admiral's financial demands. And Napier, unlike Evans, would not rely on paper promises.<sup>11</sup>

As a result, June 10 loomed as an even more critical date



than had been feared, for not only would the men's contracts expire, but Evans would be home in England, and there would be no commander other than a Spanish General. With so many claims still unsatisfied, with so many officers and men bitterly resentful of the treatment they had received, and with no commander about whom they trusted, the chances of recruiting a new Legion would be few, and the risks of rioting and plundering would be many. The natural person to fill this void was Colonel Wylde. As Palmerston's representative, he knew as much about the Legion as any man, and was everywhere respected as a steady and honest, occasionally even brilliant officer. He was a man everyone trusted. On May 27 General Espartero wrote to Wylde asking him to help to settle the claims of the old, and the formation of a new Legion. He accepted, although with some anxiety, writing Palmerston that he did so "as a private individual and not in any official capacity."<sup>12</sup>

The formation of a new Legion from the remnants of the old would have been very difficult, perhaps impossible without the appointment of a commander. With no General having been announced by Madrid or London, and with Evans about to return to England, Wylde and Evans felt it best for them to nominate, though they could not appoint, a new commander. They chose Colonel Maurice Charles O'Connell, who had gone on half-pay from the 73rd regiment of foot in 1835 and had personally raised the 10th Irish regiment of the British Legion.<sup>13</sup> O'Connell was only 25 years old at this time. He was the eldest son of General Sir Maurice O'Connell, and was not an Irishman, but an Australian, having

been born in Sydney. His education had taken place in England and Scotland, however, and although he returned to Australia in 1838 and spent the rest of his life there, he probably had little memory of it at this time. He had joined the army as an Ensign in 1828, and had become a Lieutenant in 1834. He was held in much affection by the Irishmen of the Legion, to whom he was known as "Old Maurish". When the 10th Irish mutinied in August 1836, this was partly due to the absence, at that period, of O'Connell; his return was welcomed with enthusiasm. He was trusted by the men, and he put their interests first. The bond of trust between O'Connell and his men was an asset up to a point. But it also had drawbacks. Evans had been more remote, he had maintained a point of balance between his duty to Madrid, his duty to Palmerston and his duty to his men. There could be no question where O'Connell conceived his over-riding duty to be: to see that his men got what they were promised and to accept no excuses if there were hardship for the Legion. 14

The enlistment of the new Legion depended on the settlement of the claims of the old. And to accomplish this a Commission was set up, consisting of two Spaniards appointed by Madrid, neither of whom understood the British regulations of the Legion, and only one of whom spoke any English. Wylde worked with them, and it was due to him that anything was accomplished. Paying off the men was not a great problem. Enough money arrived from Madrid to do that. But the officers of the Legion were in a different position. Their rate of pay was, of course, much higher than that of the men. Most of them were owed arrears of more than a year, and also bonuses on completion

of service. There was no prospect of the Spanish Government finding the money to settle such fabulous claims. This placed Wylde in a state of deep anxiety. He had agreed to oversee the re-organization of the Legion because he knew Palmerston was anxious to have part of it remain. But his position was one of the utmost difficulty, and ✓ every step he took placed him in deeper water. It needs little imagination to understand the state of temper of the officers of the old Legion, when June 10 arrived and they had received no pay. They could not turn upon Evans, since he had left. O'Connell's responsibility was limited to the new Legion. In their fury, they turned upon Wylde. And he could do no more than urge them to be patient, assure them that Palmerston was working on their behalf, and read them letters from Villiers in Madrid describing the pressure he was placing on the Spanish Government. "Under these circumstances," he wrote on June 17, "it has been with the greatest difficulty that I could prevent their taking some intemperate & violent measures which must have annoyed the Sp<sup>sh</sup> Gov<sup>mt</sup> exceedingly, & have produced a great scandal at home, which it is my most anxious endeavour to avoid, & the danger is by no means over."<sup>15</sup> The worst of the problem was eventually solved by transporting the old Legion back to Britain. Although the Spanish Government was lax in arranging transport, enough ships were collected by June 28 to embark 800 men.<sup>16</sup> By July 18 most of the old Legion had sailed. They were landed at Portsmouth, Cork and other ports in a state of some destitution.<sup>17</sup>

Although a large number of officers of the old Legion went

home as well, many stayed behind, warning they would not stir until their claims were settled in full. And many of those who went were only persuaded to do so because of an agreement that Brigadier Fitzgerald was able to get Colonel Wylde to sign, along with the two Spanish commissioners, an agreement that the Spanish Government would continue to pay the officers until the date on which it finally settled their claims. Wylde further had to state at a general meeting of the officers that he was authorized by Villiers in Madrid to pledge himself that all claims would be settled by bills negotiable in London.<sup>18</sup> In one way or another, Wylde got rid of most of the officers. But some stayed behind, determined to make trouble until they were paid. And his problem was horribly complicated by the arrival, in the middle of July, of the 2nd Regiment of Lancers from Vitoria. This regiment had remained behind when the rest of the Legion returned to the coast in April 1836. Everyone had forgotten about it. By June 10 it had received no orders. On June 18 it actually took part in an engagement. Finally its commander, Colonel Jacks, set off with his officers and men for Santander on the north coast. Here the regiment arrived in what Wylde called "a most disgraceful state of mutiny and disorder ..."<sup>19</sup> With the exception of the New Legion, the officers of the old who had dug in their heels, and some wounded men and invalids, the men of the old Legion had been paid off and shipped away by the time the 2nd Lancers arrived. The Spanish commissioners very soon after left for Madrid. There was no money left in the military chest for the old Legion, and money for the new could not be appropriated. In short, there was nothing for the

2nd Lancers. They filled the air with complaints, sent memorials to Palmerston, and were in some cases reduced to begging in the streets. They were eventually embarked by force at the end of the year and returned to Ireland in the most pitiful state.<sup>20</sup>

It was in the midst of this discontent that Colonel Wylde and the newly promoted Brigadier O'Connell had to organize the new Legion. Wylde had hoped to get between 1,000 and 2,000 men to re-enlist, but progress was slow because of a lack of money. By June 28 Wylde was reporting that the formation of the new Legion was at a standstill because there was no money.<sup>21</sup> By July 6 he was reporting that there had already been a mutiny in one of the new regiments.<sup>22</sup> But by July 19 a small fighting force had taken shape, consisting of 900 infantry, 200 cavalry for whom there were only 80 horses, and 200 artillery. More would have enlisted if money had been available to pay them bounties, but there was no hope of this so they were embarked with the rest of the old Legion.<sup>23</sup> The new Legion would have fared badly even if the entire old Legion had been removed. But unfortunately for O'Connell, the officers and men of the old Legion who remained, or were left behind, had a corrupting influence on the new Legion; the officers in particular stirred up much discontent. And the Spanish army added its voice to the general air of complaint by undertaking some strikes and mutinies of its own.<sup>24</sup> Even with all these bad examples, the new Legion might have been a successful force if the Spanish Government had seen that it was properly paid. In fact, it was worse paid even than the old Legion had been. Nor was there

any influential person left in the neighbourhood of San Sebastian to whom O'Connell could turn for support, apart from Lord John Hay, who could do relatively little. By the end of July the Spanish commissioners had left, and Colonel Wylde had gone to join Espartero's headquarters in the interior. Since the capture of Irun, the closing of the frontier with France, and the Carlist decision to leave Guipuscoa and Navarre for the time being, the northern coast had been a backwater. As long as it was a backwater, no one would pay it much attention.<sup>25</sup>

After weeks of frustration O'Connell decided to take drastic steps. He was a very different type from Evans, and was not prepared to make much allowance for the difficulties of the Spanish Government. Nor did he have any deep loyalty to the Liberal cause in Spain; he was, indeed, a man of quite conservative opinions. On August 2, Lord John Hay wrote to the British Consul at Bayonne that "you will have seen O'Connell who no doubt told you his reasons for going to Madrid, I wish him success but I doubt it."<sup>26</sup> Rather than send an intermediary to Madrid as Evans had frequently done, O'Connell went himself. But as Hay forecast, he was not successful in getting money from Madrid, although he had no difficulty getting promises. He returned prepared to give the Spanish Government a few months to carry out its part of the contract and then, if necessary, to disband the Legion and demand its transportation back to England.<sup>27</sup> He managed to keep the Legion in being for a while, but could never be sure from one day to the next whether his men would obey him or lay down their arms. Lord John Hay

wrote sarcastically at the end of August that "Calatrava & C<sup>o</sup> seem to have made a sad mess of it. I quite expected the Army would upset the Govern<sup>mt</sup> the Legion has taught them how to dictate & strike for pay, the Spanish Army have long been in a bad state consequently the bad example of the For Aux<sup>lry</sup>s Troops was sure to produce the effect of a total demoralization."<sup>28</sup>

The new Legion did nothing of importance in a military way. Throughout 1837, the war in the Basque provinces was in a state of suspension as Don Carlos tried his luck in the interior of the country. The Legion's most notable engagement was marked with tragedy. Helping to repulse a Carlist attack in September at Andoain, on the Tolosa road south of Hernani, part of the Legion was cut off due to the cowardice of the Christino units. Lord John Hay fumed at "the disgraceful affair of the 14th. In my life I never witnessed any thing half so disgusting the Carlist attack was badly arranged in every way and 500 men or rather old women might have defended the position that 2500 of the Queens troops abandoned without firing a shot. the Legion has suffered great loss 13 Officers & 120 men and all this occasioned by the cowardice of the Infanta Regm<sup>t</sup> in short nothing could be worse."<sup>29</sup> In spite of the chivalry shown by the Legion the previous May in allowing the garrisons of Irun and Fuentarabia to surrender, the Legionaires at Andoain were refused quarter; some were put to the sword on the spot, others were murdered the next day.<sup>30</sup>

Throughout the autumn of 1837 the new Legion lingered on,

unpaid and often unfed. O'Connell became increasingly belligerent. Although he realized that the Spanish government was in grave difficulties, with the expedition of Don Carlos for a time almost at the gates of Madrid, his sympathy and loyalty was with his men. With the onset of winter, the point of crisis arrived. In early December, O'Connell's demands became so blunt, and the discontent of the infantry so serious, that the Spanish general O'Donnell ordered most of the Legion to lay down its arms.<sup>31</sup> On December 10, Lord John Hay wrote that "I have been so much occupied for some days past with the affairs of the Legion that I really have not been able to think of anything else ... The Legion are now disarmed so we have 1,000 men without any control whatever, these people (the Spanish) seem to me to seek every possible way of embarrassing themselves instead of becoming rioters they might have been kept as good fighting men as ever they were."<sup>32</sup> The next day he wrote: "O'Connell will I conclude give you an account of the sudden death of the Legion."<sup>33</sup> For O'Connell had indeed decided to wash his hands of Spanish Liberals. As he explained his decision to his men in a General Order dissolving the Legion, "I undertake to demand redress for an injustice offered to you -- I am met with an arbitrary order that a part of the force should lay down its arms." He summed up his indictment of the Spanish authorities in words that were harsh, but accurate: "To their eternal infamy be it recorded that they allowed you to meet the inclemency of this season, exposed in the lines, most of you barefooted, and many without other covering to their nakedness than their



great coats. This cruelty I repeat was inflicted on you when the slightest exertion or good feeling might have remedied the evil."<sup>34</sup>

Much of the burden of returning the unfortunate men to Britain fell on the shoulders of Lord John Hay. He was now the only senior British official in the area, since Colonel Wylde had long since moved inland with the headquarters of General Espartero. He summed up his difficulties: "No event since I have had to do with Spanish affairs has given me so much annoyance as this late act the disarmament of the Legion - right or wrong it is calculated to do immense mischief - I hope vessels will shortly be sent to transport these men to England -- You are well aware of the thousand difficulties in the way of extending British protection and the case of the Officers & men of the B Legion is one of extreme difficulty, in short so long as they rem<sup>n</sup> in Spain they are under the authority of the Spanish government -- therefore short of a case of distress I feel that I have no authority to interfere. I fully expected this ending of the Legion they were got together God - knows how and left to fight for every sixpence they have rec<sup>d</sup> and after all never rec<sup>d</sup> a tenth part of what was promised them."<sup>35</sup> Since this plaint was scribbled hurriedly in a covering letter to the British Consul at Bayonne, forwarding a despatch to Villiers in Madrid, and not in an official despatch, it probably reflects Hay's anxieties quite accurately.

His task proved even more arduous than he had expected. There was not only the new Legion to be got rid of, but also many officers of the old, who had refused to leave San Sebastian until

their arrears were paid. These latter were ordered out of the country by the Spanish government in December, without their claims having been settled.<sup>36</sup> The officers and men of the new Legion also refused to leave until they were paid, although the British government sent transports to Lord John Hay to bring them home.<sup>37</sup>

Their condition became increasingly desperate. Several hundred had to be given the equivalent of poor relief from the stores of the Royal Navy, by order of Hay. Their demand that they be paid before they left got them no more than a fraction of what was owed them, and they would have been better off if they had returned to Britain in December or January. In the end it was not until March 4 that Hay was able to write "I hope to get 500 of the Legion away on the 6th the Lancers, Artillery & 200 Inf<sup>try</sup> rem<sup>n</sup>." <sup>38</sup> Those who were still willing to serve comprised about 500 officers and men, principally cavalry and artillery, and were organized in a British Brigade. This third Legion served to the end of the war and gave quite good service; since it was a small group, it was within the capacities of the Spanish government to keep its pay up to date.<sup>39</sup> However, the majority who insisted on returning home in March were landed at the ports of Britain and Ireland in a state of pitiful distress. Their condition gave much ammunition to the Conservative party in the Commons and the Lords, and caused embarrassment to both the Spanish and British governments. Since the small brigade which agreed to remain was too insignificant to count for anything in the overall context of the civil war, it can be said that March 1838 marks the end of the British Legion.

FOOTNOTES TO CHAPTER X

1. FO 72/486, Wylde to Palmerston, number 110, San Sebastian 24 April 1837; FO 72/479, Villiers to Palmerston, no number, Madrid 22 April 1837.
2. FO 72/479, Villiers to Evans, private and confidential, Madrid 20 April 1837, enclosure in Villiers to Palmerston, no number, Madrid 22 April 1837.
3. FO 72/486, Wylde to Palmerston, number 111, San Sebastian 12 May 1837.
4. FO 72/479, Villiers to Palmerston, number 102, Madrid 29 April 1837.
5. Lord Melbourne's Papers, edited by Lloyd C. Sanders, London, 1889, p. 362-364; to Lord Melbourne, Windsor Castle 19 May 1837.
6. Idem.
7. Ibid., p. 364 footnote.
8. FO 72/475, Palmerston to Villiers, number 67, F.O. 1 June 1837.
9. FO 72/486, Wylde to Palmerston, number 119, San Sebastian 30 May 1837.
10. Major-General Elers Napier, Life and Correspondence of Admiral Sir Charles Napier, London 1862, I, 341; Napier to Mrs. Napier, London 28 April 1837 (wrongly dated in book as 1838).
11. Ibid., I, 327-328, Palmerston to Evans, 1 May 1837.
12. FO 72/486, Wylde to Palmerston, number 117, San Sebastian 27 May 1837.
13. FO 72/486, Wylde to Palmerston, private, San Sebastian 17 June 1837.
14. Dictionary of National Biography, article on Sir Maurice Charles O'Connell.

FOOTNOTES TO CHAPTER X - 3

26. Lord John Hay letters in the possession of the author, Lord John Hay to J.V. Harvey, San Sebastian 2 August 1837; Parliamentary Papers, op cit, pp. 243-244, Brigadier O'Connell to Palmerston, San Sebastian 30 July 1837.

27. Duncan, op cit, pp. 46-48, General Order, San Sebastian 10 December 1837.

28. Lord John Hay letters, Lord John Hay to J.V. Harvey, 28 August 1837.

29. Ibid, Lord John Hay to J.V. Harvey, 16 September 1837.

30. FO 72/486, Lieutenant Turner to Palmerston, number 2, Pamplona 14 December 1837.

31. The Times, 15 December 1837, p. 4 despatch Bayonne 9 December 1837 includes "Letter and Royal Order from the Minister of War to the General commanding the Army of Operations on the Coast of Cantarabia."

32. Lord John Hay letters, Lord John Hay to J.V. Harvey 10 December 1837.

33. Ibid, Lord John Hay to J.V. Harvey, 11 December 1837.

34. Duncan, op cit, pp. 46-48, General Order, San Sebastian 10 December 1837.

35. Lord John Hay letters, Lord John Hay to J.V. Harvey 28 January 1838.

36. The Times, 15 December 1837, p. 4, despatch Bayonne 9 December 1837, op cit.

37. Lord John Hay letters, op cit, Lord John Hay to J.V. Harvey, 5 January 1838.

FOOTNOTES TO CHAPTER X - 4

38. Ibid, Lord John Hay to J.V. Harvey, 4 March 1838.
39. Duncan, op cit, pp. 49-50.

CHAPTER XI

OPINION IN ENGLAND - II - 1837-38

During 1836 discontent had spread among the Radical electors of Westminster constituency. With de Lacy Evans away in Spain, and Sir Francis Burdett having gone over to conservatism, these Radicals did not have a single Member of Parliament responsive to their wishes, whereas they had counted upon having two. During 1837 the political temperature rose still higher. In the end, Burdett had to leave Westminster and move to another constituency; it was only with some difficulty that Evans escaped a similar fate.

Evans had determined from the first to keep his seat in Parliament at the same time as he commanded the British Legion in Spain. He had both justified this, and lied about it. His justification was that in fighting for Liberalism in Spain he was helping the struggle for Liberalism in Britain. To use the language of a later age, he claimed that Liberalism was indivisible. His lies had consisted of promises which he had known he could not keep, promises that he would soon be back in Parliament: at first he had said he would be back for the initial part of the 1836 Session; then that he would be back before the end of the 1836 Session; most recently, he had promised to be back "at furthest, at the opening of the ensuing session, in February next ..." <sup>1</sup> This promise, too, was broken, and all that February brought was another "Letter to the Electors of Westminster." As in his previous epistles, Evans claimed that the cause for which he was fighting in Spain was the same as the one he

had been elected to represent in Parliament, and hoped that he could count on his constituents' indulgence for a short time longer.<sup>2</sup>

But the patience of the Westminster Radicals was running short, and it was running shorter than Evans expected. He could not have anticipated the extent to which Burdett would become a traitor to the Liberal cause, and hence he could not have anticipated that his electors would be angered, at the same time, by the behavior of both their representatives. The electors were far more angry at Burdett than they were at Evans. But while they were expressing their indignation with Burdett, it was natural that they should also question the prolonged absence of Evans. For a time their discontent was expressed in private, for they were afraid that public debate would split the reformers and open the way for a Tory victory. Even in 1836, however, there had been some public discussion; in 1837 this public debate swelled to a torrent.

On Friday, March 3, 1837, a large number of Westminster Radicals gathered at the British Hotel in Cockspur Street, under the leadership of such prominent electors as De Veau, Pouncey, Fearon, Prout and Colonel Jones. The meeting was under the chairmanship of Pouncey, who opened the proceedings by hoping that the electors would not allow the problems of Westminster to lead to dissension in their ranks, and that all would unite behind the cause of securing spokesmen in Parliament who would represent the Radical viewpoint. The malcontents' case was explained by Mr. Fearon. He said that Burdett's conduct was surprising, but should be attributed to perversion of mind rather than corrupt motives, and he suggested that Evans' two

careers of Member of Parliament for Westminster and commander of the British Legion were incompatible. He then moved the resolution:

"That the absence of the representatives of Westminster from their duty in Parliament, at a time when a violent struggle is made to obstruct the progress of reform, is highly injurious to the best interests of the country, and unsatisfactory to the constituency of this important section of the metropolis." The resolution was seconded by Moyes, and was approved after some further comments by Prout, De Veau and Colonel Jones. After still further discussion, it was agreed that the resolution should be sent to Evans and Burdett, with a request that Evans state when he could resume his Parliamentary duties, and that Burdett state his opinion of current measures before Parliament.<sup>3</sup>

Evans received his letter at a time of difficulty and anguish, immediately after his defeat at Hernani. Having just lost a battle, he was now in danger of losing his seat in Parliament as well. He wrote a humble reply on March 24. "I fully admit," he stated, "the principle that my two appointments are incompatible; but I persuade myself, and it is the extenuation I rely on, that the electors have thus far extended their kindness to me, not expecting, no more than I did myself, that the period would have been so prolonged." He gave his electors a promise, this time a truthful one: "I beg leave to assure you that my absence cannot now be prolonged beyond a very short time, and at the utmost not beyond the 10th of June, as that is the final period of the service..."<sup>4</sup>

A second meeting of the Westminster Radicals was now held, to discuss Evans' letter, and also to consider a reply sent by Burdett,



to the effect that he would not resign. It assembled at the British Coffee House, on April 10, and was again under the chairmanship of Pouncey. Evans' and Burdett's letters were read. A number of people rose to denounce Burdett's refusal to resign. Evans was not treated so harshly. Although Colonel Jones said he did not believe Evans could get back to England by June 10, because new military operations could not be completed before that date, Mr. Prout announced he had received a letter from Evans explaining that there was to be a joint campaign, a Spanish General was to be in overall command, and Evans would therefore be free to leave. A resolution was moved by Ellis "that in consequence of the letters which have been received from Sir Francis Burdett and Lieutenant-Colonel Evans, in reply to the communications made to them by the committee appointed for the purpose, a general meeting of the electors of Westminster be called for the expression of their opinion upon the correspondence, and the general conduct of their representatives." A general meeting would, of course, virtually settle the fate of Evans and Burdett, as far as their connections with the Radicals of Westminster were concerned. There was some opposition to the resolution, voiced by two supporters of Evans named Walker and West; they thought the electors should wait until Evans came home before taking any action. By the narrowest margin possible, 26 to 25, the resolution was passed.<sup>5</sup>

The general meeting was held in Covent Garden on April 23. It was well attended, with prominent people including not only the organizers of the agitation, such as Colonel Jones and De Vear, but

other well-known Radicals like the Canadian John Arthur Roebuck, Colonel Thompson and Admiral Napier, the close friend of Evans. Jones moved and De Vear seconded resolutions that Burdett should be called upon to resign, and that Evans should also be asked to resign if he did not return by June 10. Both resolutions were approved. Jones then called for a committee to arrange for new representation. But Roebuck, Wakley and others had come prepared with a candidate -- John Temple Leader -- who was allowed to speak in spite of resistance by Jones and De Vear; the majority of the meeting voted him a fit person to represent Westminster. He did not win Westminster on his first try; when Burdett resigned, and submitted to a by-election in May, Leader was defeated; but in the general election after William IV's death, Burdett moved to another constituency and Leader was returned.<sup>6</sup> After the meeting approved Leader as a candidate, speeches were made by the more prominent Radicals. In particular, Napier made a notable defence of Evans' conduct, and of the cause for which he was fighting in Spain. Because of Napier's reputation, and the success he had achieved while in the Portuguese service, his speech made quite an impression. When Evans learned of it he responded with a grateful letter: "I beg of you to be assured that I feel most sensibly your generous and most kind advocacy at the Westminster meeting. To be defended by Admiral Napier, must be a source of pride to any man connected with the profession of arms, and is even in itself a counterbalance and vindication against many of the attacks which have been heaped so lavishly on me and the Legion."<sup>7</sup>

Evans was thus given a chance to save the Westminster seat

which meant so much to him, and for which he had battled so hard in the early 1830's. But it was a last chance. He was put on warning that he would have to keep his promise to be back in London by the middle of June. No further shuffling would be tolerated. And, of course, he did get back in time, handing over command of his corps d'armée to Count Mirasol at the end of May, arranging with Colonel Wylde that Colonel O'Connell should be nominated as commander of the new Legion, and leaving Wylde to oversee the disbanding of the old Legion and the enlistment of any who wished to renew their service. Evans' decision to return when he did, and not to oversee the re-organization of the Legion himself, was much criticized. The criticism was a fair one. It is probable that, if Evans could have soothed his electors, he would have remained in Spain for another month. Knowing that his Spanish career was over, give or take a few weeks, he determined to preserve his Parliamentary career by getting back to England. But the decision to return was not nearly as serious as Evans' enemies pretended. In the first place, it was the Spanish government which was responsible for the Legion, Evans' contract expired on June 10 with those of the other Legionaires, and he had given both Palmerston and Madrid ample warning that it was essential he be back in Parliament by the middle of June. In the second place, he saw that satisfactory arrangements were made before he left, through the responsibilities given to Count Mirasol, Colonel Wylde and Colonel O'Connell. The horrible confusion which accompanied the end of the Legion was the result of the failure of the Spanish government to have enough money and transport ready on time. For that Evans cannot be

blamed; his presence would have made no difference in that respect. Still, it is difficult to escape an impression that Evans did not quite do his duty, that however excellent the arrangements he made, he made them to free his own hands, and that his purpose in making the arrangements was not to serve his men, but to serve himself.

Yet after all, Evans had to work to save his seat. At the same time as he returned to England, William IV died, and the accession to the throne of the young Victoria required a general election. There was no need to search for an election issue in Westminster constituency -- the issue was Evans. In the past, Evans had been on the attack in British politics, as in his campaign to defeat Hobhouse in Westminster five years earlier. But this time he was given a taste of his own medicine. Throughout the campaign he was on the defensive, trying to justify his conduct as commander of the British Legion. Since Burdett had decided to wash his hands of Westminster, Evans' fellow Radical candidate was John Temple Leader. The Tories ran only one candidate -- Sir George Murray, a distinguished soldier, under whom Evans had served for a time in the Peninsular war. The Tories knew they could not hope to defeat both Radicals in Westminster; but they believed that if they avoided splitting the Conservative vote, they would have a good chance of coming at least number two in the poll, thereby seizing one of the Westminster seats.

Evans had to ward off Radical as well as Tory enemies. At a Radical election meeting on July 5, which passed resolutions declaring him and Leader to be fit candidates, Evans had to defend himself against

charges that he had left his constituency unrepresented.<sup>8</sup> Two nights later, at a rather drunken assembly at the Sign of the Red Lion in Houghton Street, Clare Market, an even more insulting point was raised: that in approving the provost system of discipline of the Legion, he had not only permitted arbitrary and unfair use of flogging, but had violated his pledge as a liberal to work to abolish flogging in the armed services. Evans spoke at considerable length at this meeting, trying to justify both his prolonged absence in Spain and his methods of discipline. Although he probably satisfied most of the meeting, there seems to have been some dissent.<sup>9</sup> Such gatherings may well have been infiltrated by Tories, but they were organized by Radicals and were under radical chairmanship, indicating that even in the midst of an election, and faced with a Tory offensive, some liberals were not prepared to whitewash Evans' conduct.

These issues had originally been voiced by Radicals, while Evans was still in Spain. During the election they were exploited by the Tories and, of course, grotesquely exaggerated. Sir George Murray himself seems to have been discreet and fair in what he said.<sup>10</sup> Others were more unscrupulous. The Times, for example, did not so much thunder as foam at the mouth. The subject which most naturally lent itself to demagoguery and slander was the system of flogging in the Legion. The seriousness of Evans' absence from Westminster was arguable, as was the extent to which he had been defeated or victorious. Flogging made a more direct appeal to the emotions. If the flogging was, as claimed, arbitrary and unfair, then everyone could imagine himself in the place of some poor Legionaire, pulled out of the ranks and beaten at the will of a brutal officer.<sup>11</sup> To fortify the impression of Evans as a brute,

his enemies referred to him as "Cat-o'-nine-tail Evans,"<sup>12</sup> or more simply as the "cat":

'Twas by the drumhead's dreaded side  
Where many a well-whacked Pat had dyed  
The thongs at every blow,  
Severest of the soldier kind,  
The well-paid Evans there reclined,  
And watched the scene of wo.

A conscious smile his joy declared,  
His plump case showed how well he fared  
(His soldiers had no food),  
And still his coat, though sorely turned,  
Showed how the mercenary burned  
For glory, gold and blood.

Cold cruel chief -- with looks intent,  
Unsated O'er the scene he bent --  
Nor thought each blow that fell  
In Westminster (so loved of old,  
So long betrayed for thirst of gold)  
Would be remembered.

Deserted by the votes he had,  
He calls to every gin-flushed Rad  
Some speedy aid to send.  
No Burdett came, nor came Sir John,  
Save Ellice and big Pattison,  
The "cat" shall find no friend.<sup>13</sup>

Always a moody person, Evans lamented his situation in a letter of July 11 to Brigadier Chichester, who was in Pau, France: "I thought to have had quiet here in comparison at least to what I was subject to - But the contrary is the case - a hotly contested Election & Eternal applications & some of a bullying nature, regarding arrears of pay, gratuities, etc. etc. ... I shall have no comfort or tranquillity till the Elections are over in about three weeks."<sup>14</sup> For Evans was not only resented by some Radicals, and hated by all Tories, he was also being badgered by former officers of the Legion, to do something to make the Spanish government pay their arrears. Furthermore, he found himself a man of little influence in England. Chichester hoped that Evans would intercede for him at the Horse Guards. But Evans had to write that there had been no change of attitude there: "as for my power of assisting you - I regret to say that it is absolutely nothing - Especially in that quarter - Whither however I have been received most politely... Our services under the Queen of Spain are not acknowledged here."<sup>15</sup> Evans did, of course, have his supporters. He still had good friends amongst the Radical electors of Westminster. And the Melbourne government had to support him, whether its heart was entirely in the support or not. For he was their man, or at any rate Palmerston's man, and had been carrying out their policy. But it was all far from the triumph Evans had dreamed of two years ago. He had not returned as a conquering hero, but as a main target in a bitter and partizan election campaign. In the end, he kept his seat in Parliament, along with John Temple Leader, and Sir George Murray was left out in the cold.<sup>16</sup> But in spite of his victory,

he emerged from the campaign with bruises. And his troubles were not at an end. He still had to face the House of Commons.

The year 1836 had seen mounting criticism in Parliament of Palmerston's foreign policy and of de Lacy Evans' British Legion. The debates had not been very serious, or on a very high level. But they were a sign of gathering clouds, and a hint of the storm to come. When the storm broke it came in two crescendos: one in 1837 before Evans returned to London, another in 1838 after he had resumed his seat in the new Parliament of Victoria. The leading critics of Palmerston and Evans during 1836 had been Lord Mahon, Donald Maclean and Sir Robert Peel in the Commons, the Marquess of Londonderry and the Earl of Aberdeen in the Lords. They continued to play a prominent role in 1837, but were overshadowed by two big guns of the Conservative Party-Horse Guards nexus -- in the House of Commons, Major-General Sir Henry Hardinge, Peninsular veteran, Waterloo veteran and a former Secretary at War; in the House of Lords the biggest gun of them all, Field Marshal the Duke of Wellington. A big gun of diplomacy was also found - Sir Stratford Canning. Hardinge's reason for keeping silent in 1836 is uncertain; perhaps he preferred to wait for a golden opportunity. There may have been something of the same motive in Wellington's case, but there was also the fact that, like other generals before and since, he prided himself on being above politics. The main defenders of government policy were, as in the previous year, ministers like Palmerston, Melbourne, the Earl of Minto, and Charles Wood. There were, in addition, staunch advocates of a liberal foreign policy, or



supporters of Evans, such as Daniel O'Connell, Otway Cave, R. Cutler Ferguson, Henry Lytton Bulwer and others. The main Tory speakers also had their lesser lights, with most of the 1836 names coming up again. A notable addition to the ranks of Palmerston's opponents was the Radical, John Arthur Roebuck, who voiced the non-intervention viewpoint of the London and Westminster Review.

The first debate of 1837 took place on March 10, and was brought on by Lord Mahon. It was a transition debate. It had echoes of 1836 in that the big guns did not choose this occasion for a barrage; but it also had echoes of the more serious debates to come in that its quality was somewhat higher, and its direction somewhat more pointed, than the debates of the year before.<sup>17</sup>

But the most significant discussions took place in the House of Commons during the three nights of April 17, 18 and 19,<sup>18</sup> and in the House of Lords on April 21.<sup>19</sup> The key to their importance lies in their timing; it determined the content, the eminence of the speakers, and the determination with which the opposition pressed the government. For these debates followed upon the most serious defeat the British Legion ever suffered, that of Hernani on March 16. No doubt there would have been a debate anyway on some occasion during April or May. June 10 marked the end of the Order in Council which suspended the Foreign Enlistment Act and authorized the Legion, and the Tories would have protested against its renewal in any event. But it was the defeat of the Legion which gave the Tories the stick they wanted, and they used it with scant mercy.

The Commons debate was begun by Sir Henry Hardinge with a motion

against the renewal of the Order in Council, and also against the use of Lord John Hay's Royal Marines in military operations in Spain. His speech was carefully prepared. He used not only the usual newspaper accounts and information given him in conversation; he also studied the memoirs which were beginning to be published, especially Major Richardson's Movements of the British Legion which appeared in first edition in 1836 and second edition in 1837. Hardinge also corresponded with Richardson to seek further details on some points. He further made some use of the letters published in the United Service Journal by Major Byng Hall, one of Evans' aides, and of accounts in The Monthly Repository.<sup>20</sup>

Hardinge's speech had something of the flavor of an historical lecture. It was more than just a string of high-principled denunciations, or even than an analysis of Palmerston's foreign policy. It was an attempt to give an account of the Legion's career, from 1835 to the time of the debate, based not on rumour but on verified evidence. Of course, it was in no sense impartial. Hardinge was out to make a case against the Legion. And that was not a difficult thing to do; all that was necessary was to pass quickly over the good things and linger long over the bad things in the Legion's story. This is a technique which can be used to deal with any military campaign, or for that matter any other series of events. But at least his prejudice was displayed on a fairly sophisticated level; he had done his homework.<sup>21</sup>

Hardinge argued that the Order in Council did not originate in the treaty of the Quadruple Alliance; it was an additional policy of the government, and deserved to be considered as such, as well as in the

light of its effect on the national character and honour. He maintained that it had made the civil war worse, not better, that the Carlists were more numerous now than in 1835, and that the efforts to end atrocities which Wellington had made through the agency of Lord Eliot, and which had been successful, had been considerably undone by the use of British Legion troops in the war. He felt that the Legion had made the civil war more inhumane, even if through no fault of its own, and had lowered the standards expected of British soldiers. Hardinge devoted considerable sections of his speech to the sufferings of the Legion at Vitoria, and to the mutinies which took place in the Legion during 1836. He laid the responsibility for these tragedies partly at the door of the government, partly at that of the Spanish government, which had been guilty of gross neglect. He objected, too, to the use of the Royal Marines, as in the battle of Hernani, because this could not be defined as naval co-operation as specified in the Quadruple treaty.<sup>22</sup>

The basic purpose of Hardinge's detailed exposition was to prove that Britain's intervention had made the civil war worse, rather than better, and that therefore it should cease to interfere. If it wished to use its influence in Spain it should do so in the direction indicated by the Duke of Wellington when he was Foreign Secretary during the short Tory rule in 1834-35, by trying to mediate between the two parties. Other Tory speakers echoed this opinion that Britain should not interfere beyond the strict limits of the Additional Articles of the Quadruple Alliance, a treaty which, having been signed, had to be upheld. As Sir Robert Peel expressed it, "I believe that the safe principle for this country to adhere to is that of non-interference in the internal affairs of other

countries, unless some great and overwhelming necessity should establish and justify an exception; but the treaty having been signed, there cannot be a question, whoever may constitute the Government, that it must be adhered to."<sup>23</sup> But the Order in Council and the use of the Royal Marines, were not part of the treaty; hence the motion.

It was no more difficult to refute, than it was to support, the arguments of Hardinge. Virtually all the government speakers, from Palmerston on down, pointed out that the British Legion was not the first British army to suffer great illness or other hardships; the Peninsular army was another example. Nor, with perhaps some isolated cases, had the Legion joined in the atrocities of the civil war. They had maintained the character expected of British soldiers. It could not be said their serving under a foreign monarch was unprecedented; this had often happened before. Nor was the use made of the Royal Marines without precedent; this was a logical use of a naval force meant to co-operate with a land army. And of course it was as easy for government speakers to argue that the Legion had performed valuable services, as it was for the opposition to argue that it had been a waste of time and a stain on British military honour. But even beyond all this, supporters of the Ministry sought to place the debate in a European context, thereby trying to make the detailed exposition of Hardinge seem rather parochial. An argument that had often been used before was repeated, with some variation in wording, by many speakers. "The opinion which this House will tonight pronounce," said Palmerston, "will decide not simply between conflicting parties in England, but between antagonist principles struggling

for ascendancy in the other countries of Europe; and on that decision may depend the peace, the welfare, and the happiness of nations."<sup>24</sup> Daniel O'Connell thought "that the contest now going on in Spain was one between freedom and unmixed tyranny; it was the same contest which was at this moment going on upon this very floor...The question was, whether the power of the one or the many should prevail -- whether despotism or free institutions should exist; this, and this only, was the question in contention between the Carlists and the Christinos of Spain."<sup>25</sup> The same opinion was expressed by Lord Leveson who "hoped it would be shown by the vote of the House that night that the people of England were not indifferent to the issue of the Spanish contest -- a contest of absolutism against constitutional government -- of fanaticism against religious toleration."<sup>26</sup> And Henry Lytton Bulwer maintained that "if there could be a wise and extensive policy, favorable to the peace of the world, and favorable to those principles which make peace prosper, it was the policy of uniting the great Western powers of Europe in an alliance of which the solid basis was constitutional and liberal opinions."<sup>27</sup>

During the three nights of the debate, 24 Members spoke on the motion, 12 in favor of the Government and 12 against. The House divided with 278 supporting Palmerston's policy and 242 opposing; a majority for the Government of 36 votes.

The Commons debate ended on April 19; the Lords debate began only two days later on a motion by Lord Alvanley for Lord John Hay's despatches. It was a much shorter affair, with only three speakers on each side: Lord Alvanley, the Duke of Wellington and the Earl of Aberdeen against the Government; Lord Melbourne, Lord Holland

and the Earl of Minto defending their policy. The general pattern was similar to the discussions in the lower House. The Tories spoke in favor of non-intervention, with the exception of treaty obligations and offered the sufferings of the British Legion, and its defeat at Hernani, as evidence of the failure and folly of Palmerston's policy of interference. The Whigs echoed the defence which had been made in the Commons, though they did not echo the paeans to liberalism around the world.

The main interest of the Lords discussion lies in Wellington's speech,<sup>28</sup> not because it was more brilliant than the others, but simply because it was made at all. It was his first formal speech on the subject, and he explained that he had not wanted to interfere with the Executive Government because of the constitutional state of the country, and because of relations between the Lords and the Commons. He explained that when he had been Foreign Secretary during the short Tory rule in 1834-35 he had carried out the Quadruple treaty, as a national obligation, even though he disapproved of it. But his main hope had been to stop the atrocities on both sides, as in his decision to send Lord Elliot's mission to Spain. He viewed the origin of the British Legion, shortly after he left office, as a financiers' conspiracy, a theory which Donald Maclean had already voiced in the Commons: "But, my Lords, it did unfortunately happen that certain parties in this country had been connected with the Spanish finances; and it was important to those parties that red coats should make their appearance in Spain, and that the name of 'Great Britain' and of the British Legion should be mixed up in the operations of the war."<sup>29</sup> Wellington ridiculed the military

operations of the Legion. For example, its return to the coast of Spain in the Spring of 1836 was to make "Great Britain appear to take an active part in the war, -- that, in fact, something else should be done to produce a particular sensation in a place called the Stock Exchange."<sup>30</sup> And as for the great victory of the 5th of May, "what was the result? The Carlist lines were removed a little further off, just beyond the reach of the fire of the sixty-eight pounders of the steamboats of the British fleet; and there the blockade of St. Sebastian has remained and been maintained from the 6th of May, 1836, up to the present moment."<sup>31</sup> Commenting on the defeat at Hernani, he wondered "that General Evans...having had experience of the difficulties of carrying on communication in that country...should have omitted to put himself in communication to a certainty with that corps in whose co-operation he was to act...."<sup>32</sup> Wellington concluded by saying he did not know "what can be effected by our mediation; but it will be, at least, as much as can be attained by our petty warfare. Let us resume, in reality, the neutral position that becomes us, which we occupied before the Order in Council was issued; and we shall have a chance, at least, of restoring tranquillity."<sup>33</sup>

Apart from some questions and short remarks, almost a year lapsed between these debates and the next great series of Parliamentary discussions, which began with Evans' defence of his conduct on March 13, 1838. Changes took place in this interval, and these hurt rather than helped the reputation of the Legion and of Palmerston's Spanish policy. The Parliamentary speeches of Hardinge and Wellington, especially the latter, carried great weight. Further, Evans' return to England in June coincided with the general election,

and his conduct was an important issue. Scarcely was the election out of the way than the new British Legion began to decline to its unfortunate end; at the same time, the unpaid officers of the old British Legion by their agitation kept the public aware of the meaning of Spanish promises. And although with hindsight it can be seen that the fortunes of Don Carlos were failing this seemed far from evident at the time.

From the personal viewpoint of de Lacy Evans, therefore, these months were tormenting. One bright spot was his re-election in Westminster; yet even there, he knew his conduct was not entirely approved of. What hurt him most was ~~the~~ not the attacks of Tories, but the criticisms of some fellow Radicals. During the month of July, 1837, there was a spectacular example of Radical disenchantment which made such an impression on Evans that, months later, he was to refer to it bitterly when defending his Spanish career in the House of Commons. This attack was launched in the important journal of Radical opinion, the London and Westminster Review, edited by Sir William Molesworth.<sup>34</sup> Unlike the previous year, there was little comment in the three major reviews. But the London and Westminster's onslaught was a sensational exception. During 1836 this periodical had favored non-intervention by Britain in the Spanish war, but had spared de Lacy Evans any personal criticism. It followed a very different line in its 1837 article, which nominally reviewed some new books and pamphlets, of which the most important were the anonymous Policy of England Towards Spain, actually written by Palmerston's ambassador in Madrid, George Villiers, and Brigadier Charles Shaw's memoirs and letters.



After dissociating himself from general Tory opinion, the writer of the review turned to the conduct of Evans and the Legion. He first listed the difficulties Evans had to face. "But, after having made every fair allowance for the difficulties of the position in which General Evans was placed, the disappointments he experienced, and the frequent failure of the promises on which he relied, we must reluctantly confess that his strategic skill seems far inferior to his perseverance, fortitude and spirit."<sup>35</sup> He then did perhaps the most wounding thing possible, from Evans' viewpoint, embracing the opinions of the Duke of Wellington. "The Duke of Wellington's criticisms on the movements of the Legion appear to be too well founded...."<sup>36</sup> And a long quotation from Wellington's speech in the House of Lords was set down, after which the reviewer continued: "Indeed the best tacticians disapprove of his entire plan of operations...and his recent success scarcely atones for his error. He appears indeed to have made every attack, and fought every action, till within the last three months, without any object in view except the immediate battle."<sup>37</sup> For his final gibe, the writer chose Evans' farewell speech at San Sebastian. "General Evans has now quitted the Legion, and in a farewell address has given a summary of its history, to which we know of no parallel, but that of the celebrated King of France, who, 'With fifty thousand men, marched up the hill, and then marched down again.' The strictures of Richardson, Shaw and Hall, on the conduct of the Legion, are not half so severe as the implied censures of the commander himself; his enumeration of its services merely recites battles without an object, and victories without a result; the logical blunder of argument in a vicious circle; nothing is proved by the one, nothing accomplished

by the other."<sup>38</sup>

Apart from his re-election in Westminster, Evans had only one other bit of good fortune to show the public during the interval between the 1837 and 1838 Parliamentary debates on Spain. Early in the new year, Palmerston got the young Victoria to appoint Evans to the second rank of the Order of the Bath. But even Evans' Knighthood turned sour. The appointment was arranged among Palmerston, Melbourne and the Queen; the Horse Guards was not consulted. The result was fury in the ranks of the army, where it was claimed there were many officers senior to Evans who were equally deserving of reward. If Evans had been given only the third rank of the Order the indignation would not have been so great. But for a mere Brevet Lieutenant-Colonel in the British Army to be so honoured, without the Horse Guards being consulted, was considered an intolerable insult. The bitterness boiled over in the House of Commons on two occasions, on both of which Evans lost his temper. What really angered the Horse Guards, of course, was that their virtually autonomous preserve had been violated. They reacted as if Evans had been a poacher who had invaded their estate and carried off some prize game.<sup>39</sup>

There were three major discussions of Spanish affairs in Parliament during 1838; two in the House of Commons -- one on March 13 brought on by Evans,<sup>40</sup> the other on March 27 brought on by Lord Eliot,<sup>41</sup> a close supporter of Wellington; and one in the House of Lords -- on June 18,<sup>42</sup> brought on by the Marquess of Londonderry, in which Wellington spoke. There was much repetition of what was said in 1837, although there was an added tension in the Commons because Evans himself was present, and

inclined to see an insult even when there was none.

Although nine members spoke during the debate on March 13, only three did so at length; Evans, Sir Henry Hardinge and Sir Hussey Vivian, the Master General of the Ordnance. This was essentially a verbal duel between Evans and Hardinge, with Evans replying to Hardinge's 1837 speech, and Hardinge justifying what he had then said. Vivian was a friend of Evans, and was brought up to try to neutralize the big gun of Hardinge.

Evans was severely restricted in what he could say. It was evident to everyone that the Spanish Government had treated the British Legion badly. But Evans could not emphasize this, without throwing doubt on the sincerity of that government to make constitutional liberty work. He could not afford to embarrass both Palmerston and himself. Nor could he take the path of self-criticism. Quite apart from the fact that he obviously believed he had been a good General, if he pleaded guilty to bad generalship he would turn everything he had said for months upside down, and would ruin any hopes of future greatness. Yet at the same time could not deny that the Legion's record was a mixed one. The obvious way out was to blame the Legion he had commanded; not for doing anything reprehensible, but simply for being what it was, a hastily recruited army of non-soldiers, who had performed wonders considering their lack of experience. And he also claimed that most of the accusations made against the Legion, such as the sickness, the mutinies and the other misfortunes, had parallels in other armies, including that of Wellington. As Evans put it when comparing and contrasting his army with Wellington's: "It would have been a great injustice towards them to compare them with so great an army, even

had they been well trained, which, however, he was quite ready to admit to have been far from the case. Nearly all the persons constituting the force, officers as well as men, were utterly inexperienced in military service, and the only wonder was that, that considering the materials of which it was composed, the Legion had distinguished itself as it had done."<sup>43</sup> However: "All great armies, during military operations, were subject to very considerable loss by disease, and, indeed, so far from its affording matter of astonishment that so many of the Legion had died during this expedition, the wonder was that so few had died."<sup>44</sup> Another way out for Evans, was to blame the opponents of the Legion in Britain for throwing obstacles in its way because they were enemies of Liberty. He spoke, for example, of the baneful influence of Wellington, and of Lord Hill, the commander in chief. Evans concluded with the usual rhetoric about liberty, saying he felt "most grateful for having rendered assistance, however humble it might have been, to the cause of constitutional government; he was happy to have this opportunity of saying, that he continued to feel the deepest sympathy for their cause; and he lamented much that in a British House of Commons, among the representatives of a free people, persons should be found who did not sympathize with a cause in which that people had a common interest -- the cause of constitutional liberty throughout the world."<sup>45</sup>

Hardinge's reply was essentially<sup>a</sup> defence of his speech of the previous year, of which he had "nothing to withdraw, -- nothing to retract." He did, however, jump on Evans' attempt to protect the Spanish Government, insisting that it, not the officers and men of the Legion, was to blame for the severe losses.<sup>46</sup>

Of the remaining speeches in the debate, only Sir Hussey Vivian's was of real note. He was a friend of Evans, and had been a supporter of the British Legion from the beginning. Now he answered Hardinge by arguing that "out of sixteen occasions on which they had been engaged with the Carlists, they had only experienced defeat twice."<sup>47</sup> And that "however party spirit might depreciate their conduct for the present, the time would come when the men, and his honorable and gallant Friend who led them, would be universally considered not to have acted in any way unworthy of the country to which they belonged."<sup>48</sup>

The motion brought forward by Lord Eliot in the Commons two weeks later, condemning the employment of British Subjects in the service of Spain, was not so much a new debate as a continuation of that which Evans had precipitated. Eliot himself, who had negotiated the convention of 1835 by which Carlists and Christinos mitigated their atrocities, made quite an able speech, appealing to Palmerston to use British influence and power to mediate between the parties. Rather than attacking Evans or the Legion, he criticized Palmerston's interventionist policy, demanding where "was the noble Lord's array of Liberal Government<sup>s</sup>? Did he rely on Spain or on Portugal? Could he look to America? Could he reckon upon France? No; it was clear that France was not prepared to go hand in hand with the noble Lord in the Quixotic expedition which the fervour of his imagination had conceived."<sup>49</sup> But this able speech, including its shrewd strike at Palmerston's lack of real liberal allies in Spain, was not followed up with other remarks of

similar calibre. It was easier to knock the reputation of Evans and the Legion back and forth across the floor of the House. R. Cutlar Ferguson thought "that every individual of the British Legion, from General Evans to the meanest soldier, with the exception of a few worthless men who have no heed to the matter, was convinced that he was fighting for a rightful cause."<sup>50</sup> Sir Adolphus Dalrymple felt "that the Legion supplied the first instance in the history of this country in which an army was ever raised by beat of drum in this country for a foreign nation, and to be in foreign pay."<sup>51</sup> Captain Pechell "could not help condemning the insinuations" which the Tories "had indulged against the honorable and gallant member for Westminster."<sup>52</sup> And so on it went.

Nor was the Marquess of Londonderry's motion in the House of Lords on June 18 of a particularly brilliant character. His attacks on Palmerston's policy and the Legion's operations had all been heard before. Probably more effect was had by the much shorter<sup>r</sup> speech of Wellington who, as in the previous year, thought that "without meaning to assert that that expedition was a dire catastrophe, he must be permitted to say, that the Legion was, in his opinion and conviction, a complete failure...."<sup>53</sup> The only Government speaker, was the Prime Minister, Lord Melbourne; his remarks were dutiful, rather than inspired.

Throughout these debates, as in the general election which interrupted them, de Lacy Evans and Palmerston were on the defensive, facing severe criticism by some of the most influential institutions and figures in Britain. This did not worry Palmerston very much. He was used to criticism, realized the passing nature of most of it, and had

his eye on bigger objectives. But this was not so in Evans' case. He was disappointed by the results his Legion had achieved and hence very sensitive to any criticism. The Legion was only one string in Palmerston's bow; with Evans it was much more. Palmerston did not suffer from the criticism of 1837 and 1838, but Evans was damaged by it. Although he retained his seat in Parliament, and received a Knighthood for his services, his reception in England was far worse than he expected.

FOOTNOTES TO CHAPTER XI

1. The Times, 11 November 1836, p. 3, "Address to the Electors of Westminster," San Sebastian 1 November 1836.

2. Ibid, 10 February 1837, p. 4.

3. Ibid, 4 March 1837, p. 6.

4. Ibid, 11 April 1837, p. 6 letter from Evans, San Sebastian 24 March 1837.

5. Ibid, 11 April 1837, p. 6.

6. Ibid, 25 April 1837, p. 5.

7. Major-General Elers Napier, Ibid, I, 326, Evans to Napier, no date.

8. The Times, 6 July 1837, p. 3. The Times Westminster reports during the campaign period are extremely hostile to Evans, and to the radical cause in general.

9. Ibid, 8 July 1837, p. 6.

10. Ibid, 15 July 1837, p. 4 text of an election speech by Sir George Murray.

11. Ibid, 11 July 1837, p. 6, letter to the editor signed B.T. attacks Evans' Spanish Service on a number of counts, including flogging, absence from Parliament and neglect of officers and men. Ibid, 12 July 1837, p. 4, Times editorial on the same theme, with quotes from B.T.'s letter printed the previous day.

12. Ibid, 21 July 1837, p. 4; the unflattering adjective is included in a Times editorial.

13. Ibid, 22 July 1837, p. 4; the poem has seven verses, of which numbers 1, 2, 5 and 6 are reproduced in the text. The title of the poem is: "Westminster Lyrics, or a parody on Grey's lines on the loss of



FOOTNOTES TO CHAPTER XI - 2

a 'favorite cat'. Ibid, 24 July 1837, p. 5 contains another insulting poem called "The New Major Long Bow" signed C.C.

14. Papers of Charles Chichester, Chichester's Writing Case, Evans to Chichester, postmarked London 11 July 1837; the upper right-hand corner of the letter has been torn off, so date and parts of some sentences are missing.

15. Idem.

16. The Times, 27 July 1837, p. 2; Leader got 3,813 votes, Evans 3,740 and Murray 2,619.

17. Hansard's Parliamentary Debates, 3rd Series, XXXVII, cols 223-286.

18. Ibid, XXXVII, cols 1329-1388, 1394-1460, XXXVIII, cols 2-120.

19. Ibid, XXXVIII, cols 125-168.

20. Ibid, XXXVII, cols 1329-1352, speech of Sir Henry Hardinge.

21. Idem.

22. Idem.

23. Ibid, XXXVIII, cols 96-114, speech of Sir Robert Peel.

23. Ibid, XXXVIII, col 100.

24. Ibid, XXXVIII, col 96.

25. Ibid, XXXVII, col 1385

26. Ibid. XXXVII, col 1367

27. Ibid, XXXVII, col 1416

28. Ibid, XXXVIII, cols 137-150, speech of the Duke of Wellington.

FOOTNOTES TO CHAPTER XI - 3

29. Ibid, XXXVIII, col 143.
30. Ibid, XXXVIII, col 144.
31. Ibid. XXXVIII, col 144.
32. Ibid, XXXVIII, col 146.
33. Ibid, XXXVIII, col 150.
34. London and Westminster Review, April-~~XI~~ July 1837, XXVII; July 1837, Article 7, pp. 165-194.
35. Ibid, p. 174.
36. Ibid, pp. 174-175.
37. Ibid, p. 175.
38. Ibid, p. 178.
39. Hansard's Parliamentary Debates, 3rd Series, XII, cols 56-57 and 1282-1289.
40. Ibid, XII, cols 823-875.
41. Ibid, XII, cols 1320-1383.
42. Ibid, XLIII, cols 818-868.
43. Ibid, XII, col 828.
44. Ibid, XII, col 830.
45. Ibid. XII, cols 843-844.
46. Ibid. XII, cols 844-862.
47. Ibid, XII, col 864.
48. Ibid, XII, col 866.
49. Ibid, XII, col 1332.
50. Ibid, XII, cols 1342-1343.
51. Ibid, XII, col 1345.
52. Ibid, XII, col 1347.
53. Ibid, XLIII, col 866.

CHAPTER XII

AFTERMATH

1. End of the War

Although 1838 marked the end of the Legion, it did not mark the end of the civil war. Nevertheless, four British officials played an important part in the denouement -- Palmerston in London, Villiers in Madrid, Colonel Wylde and Lord John Hay in northern Spain. The ending was a compromise, arranged by negotiation, partly through British mediation. Although not settled until 1839, it had been in the making since 1837. When Evans and Espartero combined their armies and closed the frontier with France in May 1837, Don Carlos left the Basque provinces with a substantial army to rally support in other parts of Spain. Although a sufficient number of Carlists remained behind to keep the mountainous interior of the northern provinces, this was a holding operation while the main effort lay elsewhere. As Villiers correctly predicted to Palmerston as soon as he heard that Don Carlos was planning to cross the Ebro, "they may doubtless cause much damage in the country through which the enemy marches, and consequently be embarrassing to the Government, but the ultimate result it is generally thought must be ruinous to the Pretender's cause, for if a force of four or five thousand men succeeds in crossing the Ebro, it will be pursued by the Queen's Troops, and can hope for no greater success in raising the people in favour of Don Carlos than that which Gomez met with."<sup>1</sup>

The previous year, the Carlist General Gomez had marched through the length of Spain, killing and plundering. Always managing to keep a

step ahead of the Christino armies, his daring and fantastic forays were followed with delight or indignation in Britain and Europe. But the most important thing Gomez revealed, was not the incapacity of the Christino Generals, but the lack of any widespread, popular enthusiasm for Carlos. In 1837, Carlos' own expedition showed much the same result. Even though, in September, he was able to march to the gates of Madrid, the gates did not open for him there, or anywhere of significance that he went. After he had retreated from Madrid, Carlos himself wanted to proceed to Aragon where there was a guerrilla movement in being under the ferocious Cabrera, but his Navarrese and Basque soldiers insisted on returning to their home provinces. By the end of the month all, including Don Carlos, had re-crossed the Ebro.<sup>2</sup>

Hemmed in the northern provinces, unable to succeed in the interior, the Basques were now ready to turn against Carlos, if they could secure a decent compromise which would allow them to retain much of their traditional autonomy, the bundle of liberties known as the Fueros. Palmerston, for his part, was now anxious to settle the war in any manner which would be compatible with at least the forms of constitutional institutions. The real authorities in Spain had for some time been not the politicians, but the generals. Carlos, especially after the failure of his expedition, could no longer depend on the loyalty of his chiefs. And the rapid succession of regimes at Madrid, and the general instability which plagued them, had given the real power to the Christino generals, especially to Espartero, the most talented of them. Villiers, who was soon to leave Spain, first on leave and then to enter politics as Earl of Clarendon, suggested in early 1838 that the best hope lay in an agreement with the Carlist chiefs, based on a promise to respect the Fueros of

the northern provinces. Both Palmerston and the Spanish government agreed, in principle, and Lord John Hay and Colonel Wylde were encouraged to assist any attempt that seemed worthwhile.

The first significant attempt to bring about a reconciliation between Madrid and the Basques, and to attempt to distinguish between their cause and the cause of Don Carlos, was precipitated by a Basque lawyer named Munagorri, who proclaimed the slogan "Peace and the Fueros." It was his hope that the Basques would rally to his standard and that he would be able to persuade Madrid to grant the Fueros, in exchange for abandonment of Don Carlos. His attempt was encouraged by Palmerston, Villiers, Wylde and especially by Lord John Hay.<sup>4</sup> But from the beginning in the Spring of 1838, he had little success in rallying Basque support, and even had to flee across the border to Bayonne in France. Here he tried to organize his movement, with the support of Lord John Hay, who remained optimistic.<sup>5</sup> "Although Munigorri & Co. are slow at starting," he wrote on June 10, "I think they will succeed in the end the Carlists are very shakey just now - quite ready for change."<sup>6</sup> A week later he wrote that "you will no doubt hear of my visit to or off Socoa to meet Munigorri - I think him a intelligent man & he perfectly understands his business. You may rest assured the insurrection will be the means of finishing the war."<sup>7</sup> But by the end of June, Hay was having doubts: "I wish Munigorri would make a start. He appears to be losing time, at this moment half of the Carlist Army would join him. They are in a bad state and I doubt if they ever recover their confidence."<sup>8</sup> Since he could give no evidence of much popular support, Munigorri was looked upon with scorn by both Espartero and Madrid. His attempts to

recross the frontier and set up a headquarters on Spanish soil were frustrated, not by the Carlists, but by the Christinos. He eventually got across the Bidassoa with the assistance of Lord John Hay, but he might just as well have stayed in France. However dispirited the Basques were, they were not prepared to desert their generals for Munagorri. The Christino generals continued to pay him no heed whatever.<sup>9</sup> Hay was slow to realize that this attempt to arrange a compromise, however hopeful as a precedent, would have to be abandoned. And he allowed himself to be reduced to a state of fury at the refusal of Spanish generals and politicians to follow his initiative, as when he wrote that "every spring in motion for the advantage of the Q Cause is so paralyzed by intrigue - even the cause of the Fuerists was not spared - the lying and double dealing which has been displayed about Munagorri's entrance and the false information sent forth to the Government and the General in Chief is truly disgusting - it is really a pity men in authority could not be induced by the interest of their Country to act in a more straight forward manner - after Munagorri was prevented entering Spain by Valcarlos - the report sent to St. Sebastians was that 500 of his men had gone over to the Carlists and that few remained with him, at this moment notwithstanding the low intrigues of some ~~Christians~~<sup>NCS</sup> and the limited hostility of the Carlists Munagorri has now 800 men - Spanish. Credit is low at present - a few more broken promises will finish it altogether - let the Government destroy the Cause of the Fuerists - and they will commit as outrageous a breach of faith as ever disgraced a Nation and all this because it does not please a few who really care little how long the war may last - I always have and do at this moment consider the enterprise of Munagorri calculated to render very important results, the war never can finish without a compromise not

of principal - that is not involved in the question of Fueros - in short the Standard of Munagorri is a point to which all those disposed for peace may come to saving their honor." <sup>10</sup>

During 1839 a better opportunity presented itself. One of the shrewdest and most treacherous of the Carlist Generals -- Maroto -- succeeded in eliminating most of his rivals, and in making a virtual prisoner of Don Carlos. Over a period of several months, he began to send out peace feelers, particularly in the direction of Espartero, to see what sort of terms he and his men would be given if they laid down their arms. In July Lord John Hay had two interviews with Maroto, as a result of which he journeyed through the lines carrying a verbal communication to Espartero, proposing a suspension of hostilities until an end of the conflict in the Basque provinces could be brought about by British mediation. Espartero rejected these suggestions as too vague, and Hay returned to inform Maroto that he must first prove his sincerity by renouncing his loyalty to Carlos and acknowledging the Queen and the Constitution; in return, Espartero would do his best to persuade the Government and the Cortes to grant the Fueros. <sup>11</sup> Palmerston informed Wylde that he agreed Maroto must first take decisive steps to prove his sincerity before a suspension of arms should be considered. He authorized Wylde, Hay and Villiers to offer their good offices to bring about a settlement, and suggested four principal terms: first, an end of all hostilities against the Queen in the Basque provinces, and the expulsion of Don Carlos; second, Basque recognition of the sovereignty of the Queen and of the Constitution of 1837; third, continuation of rank and pay for Carlist generals and officers; fourth, the local privileges should be preserved as long as they were compatible with the unity of the Spanish

monarchy and a representative system. Britain would mediate such terms, but would not guarantee them.<sup>12</sup>

On August 19 Maroto again asked for terms, and was again informed of the steps he must take as a pre-condition for a convention. A few days later Espartero and Maroto held a meeting, but were unable to agree about the details of the Fueros. But Maroto, whose military position was deteriorating, and who had already cut his ties with Don Carlos, had no real alternative but to compromise on Espartero's terms, which were essentially those outlined in Palmerston's despatch to Colonel Wylde.<sup>13</sup> Finally, on August 29 the Convention of Bergara was signed by Espartero and Maroto. It took a few days to execute the agreements, especially in the case of some Carlist battalions, who balked at laying down their arms. But this difficulty was solved, and in the middle of September the job was finished when Espartero's army forced Don Carlos and his train of followers over the border into France.<sup>14</sup>

The Convention of Bergara did not bring peace to all of Spain, for there were guerrilla movements elsewhere which took some time to subdue. But with the pacification of the Basque provinces, the authority of the Queen was no longer seriously challenged. Bergara therefore symbolizes the liberal victory.

## 2. Financial Claims of the Legion

When Evans said farewell to the British Legion at San Sebastian, on June 10, 1837, he promised his officers that as soon as he reached London he would do everything he could to see that their claims upon the Spanish Government were justly settled; if necessary, he would even bring the matter before Parliament. Yet shortly after he arrived home, Evans



wrote to Brigadier Chichester, complaining that he was being pestered with "Eternal applications & some of a bullying nature, regarding arrears of pay, gratuities, etc. etc."<sup>15</sup> The main pre-occupation of Evans, in taking leave of his officers at San Sebastian, had been to get back to England to save his seat in Parliament; in promising he would help to settle their claims he could not have realized how literally he would be taken, how determined his officers would be to press their claims to the last farthing, or how many years would pass before justice was, in some measure, finally done. The pestering and badgering about which he wrote to Chichester was only the merest beginning of his troubles.

The non-commissioned officers and privates of the Legion had been paid off before they were sent back to Britain, though they had not got their gratuities. There were, of course, some exceptions. For example, the men of the 2nd Regiment of Lancers, which arrived at Santander from Vitoria only after the military chest had been emptied, were very unfairly treated. And the men of the new Legion, who served under Brigadier O'Connell from June to December 1837, formed a separate category. But, by and large, the men of the old Legion were paid up to date before they left Spain.

This was not true of the officers. Although the officers of the old Legion were generally given a small amount of money at the end of their service, this was only a fraction of what was due to them. Many, perhaps nearly all of them, were a year behind in their pay, quite apart from the gratuities due to them after their two years in the force. The Commissariat at San Sebastian eventually arrived at the figure 220,000 pounds for the amount of pay and gratuities still owed to officers and men of the old Legion. This figure was accepted, at least as an approxi-

mation, by de Lacy Evans, and was stated by him in Parliament as the amount due the force he had commanded.<sup>16</sup> Brigadier McDougall, who had been Quarter Master General of the Legion until May 1836, thought the figure a little on the high side.<sup>17</sup> This sum did not include the amount owed officers and men of the new Legion, although its claims were eventually combined with those of the old Legion, in spite of its having served under a different commander.

The claims of the Legion gave rise to bitterness of a most aggravated nature. Everyone blamed everyone else. The officers appealed to de Lacy Evans to lead them in seeking justice from the British and Spanish Governments. But Evans resisted. He no doubt had personal reasons for wishing to avoid any angry exchange which would lead to a breach of relations between himself and Palmerston and Madrid; but he may also have felt, and with reason, that in the long run he could do more to obtain justice for the Legion by not pressing its demands in too insulting a manner. The officers not only bullied Evans; they also badgered Palmerston unmercifully. They claimed that the British Government had incurred an ultimate responsibility for the Legion, by the encouragement it had given to the Legion's formation, and by the part which Colonel Wylde had played in the disbanding of the old, and the enlisting of the new Legion. This argument had considerable moral, but no legal validity. Accordingly, Palmerston passed the responsibility on to the Spanish Government, through his ambassador Villiers in Madrid; he pestered Madrid almost as frequently as the officers of the Legion pestered him. But the Spanish Government was also an expert at extenuation. In the first place it said, with justice, that it was in a state of poverty. Secondly it said that it had never been able to get satisfactory accounts from the Legion Commissaries

Faxardo, Grindlay, Black, Llanos and Ximenes. This was true, but not very relevant, since Madrid had a fairly good knowledge of what was owed; and in any event, the officers and men had certificates for their claims. The problem arose, at basis, from the never-ending financial crisis of the Spanish Government; it wanted to avoid paying as long as it could, and no one else was prepared to pay in its place.<sup>18</sup>

The question remained alive through the public and private agitation of the officers of the Legion. Much of their correspondence with Palmerston was laid before Parliament in 1839; its quantity and its detail is remarkable.<sup>19</sup> It came from four main sources. Colonel Jacks, commander of the 2nd Regiment of Lancers, which was dealt with so unfairly and most of whose officers refused to leave Spain until they were paid, formed a committee at San Sebastian. Jack's committee included not only officers of the 2nd Lancers, but other ex-Legion officers who refused to go home until they were paid; they numbered about 200.<sup>20</sup> Another who wrote to Palmerston over and over again in 1837 and 1838 was Brigadier McDougall, who had been Quarter Master General, and who on one occasion in 1836 had gone to Madrid to negotiate with the Spanish Government on behalf of the Legion. He also acted as a sort of London agent for other dissatisfied officers, including Colonel Jacks in San Sebastian.<sup>21</sup> A third source of agitation was Brigadier O'Connell, commander of the new or second Legion, which was disbanded in December 1837. He considered himself responsible for his officers and men, and urged Palmerston to see that they received justice.<sup>22</sup> But even more influential and adamant than these officers was Colonel Claudius Shaw, former commander of the Legion Artillery, who became Chairman of the Committee of Officers of

the Legion in London.<sup>23</sup> It was to this Committee, formed on September 14, 1837, that ex-officers gravitated when seeking an outlet for their grievances. It eventually comprised the majority of former officers of the Legion, and it became the principal source of agitation, both in private correspondence with Palmerston and the Spanish Ambassador, and in public manifestations, such as meetings, articles in the press and letters to editors. One of its first steps was publicly to ask de Lacy Evans to put himself at the head of the Committee, and lead his former officers in their campaign for justice. Evans refused, and this, combined <sup>with</sup> his silence on the subject since his return to London, alienated him from his former followers.<sup>24</sup>

Shaw's Committee brought pressure on both the Spanish and British Governments to pay the Legion's claims. Madrid agreed in the fall of 1837 to appoint a Commission to calculate and settle the Legion's claims, similar to the one which had sat at San Sebastian during the re-organization of the force in the summer. But for many months nothing was accomplished. Just because the Commission had been appointed did not mean it was sitting. Spain wavered between whether it should sit in London or Madrid, and it doubted whether it should sit at all until the ex-Commissaries of the Legion delivered up their accounts. Since these accounts did not exist, Legion organization having been chaotic, Spain was able to delay the proceedings of the Commission as long as it wished.<sup>25</sup> Nor, for a very long time, did it really embrace the alternative of honouring the Certificates which, for better or for worse, had been handed out as promise of payment. Evans might have helped in this controversy, but does not seem to have done anything. The correspondence made public by the Government includes two letters from the Foreign Office to Evans, asking

for, or providing information; no replies by Evans are printed.<sup>26</sup>

Shaw's Committee of Officers finally lost patience -- with Evans, Palmerston and Spain -- and decided to increase the agitation by presenting a petition to Parliament. This decision was taken at a public meeting at the Crown and Anchor on May 14, 1838. A number of officers spoke during the meeting, and the conduct of Palmerston and Evans was denounced many times. Those instrumental in drawing up the petition were Colonels Shaw, Churchill, Cannon and Hicks. It was signed by most of the field officers, as well as 200 other officers and about 400 non-commissioned officers and privates. It was presented in the House of Lords by the Marquess of Londonderry, one of the principal critics of Palmerston's Spanish policy. The meeting at the Crown and Anchor concluded with three cheers for the chairman, three cheers for the newspapers, and three hearty groans for de Lacy Evans.<sup>27</sup>

But, as Evans had written to Chichester a year earlier, "nothing immediate can Ever be Expected from the Spanish Government".<sup>28</sup> Incredible as it might seem, the Commission appointed by the Spanish Government does not seem to have completed its work of investigating claims until March 1840, two-and-a-half years after it was announced, and about two years after it actually got to work.<sup>29</sup> But even this did not lead to any automatic recognition of claims, let alone prompt payment. It was at this point that Evans agreed to intervene, and although it could be argued that earlier intervention by him would have been effective, his relative neutrality on the subject, his having leant over backwards to avoid embarrassing or insulting either Palmerston or Madrid, now proved highly useful. Towards the end of April 1840, he travelled

to Madrid to negotiate in person a final settlement of the affairs of the Legion. The British Ambassador at Madrid, Arthur Aston, (Villiers' successor), was instructed to give Evans whatever assistance he could. Evans remained in Madrid for about six weeks.<sup>30</sup>

A settlement was reached surprisingly fast, on paper at any rate. After a number of conferences of Evans, Aston and the Spanish Ministers, the figure of 300,000 pounds was arrived at; 50,000 pounds to be sent to London immediately, and the remainder to be sent at six-month intervals. Although there was some doubt that this would cover all the claims of the old and the new Legions, Evans and Aston decided to accept it, believing that a refusal could mean indefinite postponement.<sup>31</sup> Even so, there was some delay. It was only in June, after further badgering by Aston, that orders to pay the first installment of 50,000 pounds was sent to Rothschilds in London.<sup>32</sup> And it was not until July 25 that Aston could write Palmerston that he had been given the treasury obligations for the other five installments.<sup>33</sup> Whether the entire amount was paid, or whether all claims were eventually settled, it is impossible to say. However, a memorandum prepared by the Foreign Office for the House of Commons in 1848 states that the British Legion's claims are understood to have been settled. It adds that Spain prolonged the life of its Commission on the subject for the purpose of hearing additional claims. Most claims were not entertained beyond June 1842, but for some special cases an exception was made, and the Commission was not finally ended until March, 1846. However, the memorandum does not give any financial details. In view of the poverty of the Spanish Government, and considering its behavior towards the Legion in the past, many claims probably

remained unsatisfied, and in general the Legion probably received only a rough measure of justice.<sup>34</sup>

### 3. Future Careers of Some Old Legionaires

The most prominent of the Legion officers was de Lacy Evans, and his future career was the most notable, although he never reached the very first rank. He was held back by a number of handicaps. The mixed record of the British Legion, and the storm of criticism which Evans had to endure as its commander, were an important check to his ambition. No less significant was his failure to win re-election to Parliament in the election of 1841; there was a general Conservative trend in the election, and Evans was defeated in Westminster by Admiral Rous. Although he returned to the Commons in 1846 and continued to represent Westminster until he finally retired in 1865, the break in his career came at an unfortunate time for him.<sup>35</sup> Since he left England for Spain in 1835, and was a defensive figure for some time after he returned in 1837, he had little time before his 1841 defeat to try to regain the momentum of his early years in Parliament. In fact, it is probably fair to say that the period 1835 to 1846, about ten years, was a check, if not a net loss, in his public life. Further, when he took command of the British Legion he was already 48 years old; in 1846 he was almost sixty years old. Evans therefore failed to advance during a crucial decade in the life of any public figure. To these disadvantages must be added his quarrelsome character, his rather emotional nature, and his habit of saying the wrong thing at the wrong time. He was an Irishman, and he lacked the talent to get along with many English types. He did not have the degree of self-control needed to play a proper

part in that most English of English institutions, the House of Commons. As Queen Victoria wrote to Palmerston on one occasion in 1856: "But to be sure with two such men as Sir de Lacy Evans and Sir C. Napier -- one cannot expect any right feeling or high tone."<sup>36</sup> Evans continued to support and urge liberal measures in Parliament, and showed a special, and understandable interest in the reform of the army. One policy that he urged which got him into trouble with the Queen and the Prince Consort was a campaign to abolish the system of purchase in the army; on this, history has certainly proved him right.<sup>37</sup>

Evans did win further eminence, but this was achieved through the army rather than politics, a strange consummation in the life of a man who had bucked so hard against army opinion, and who had faced so much hostility from the Horse Guards. Shortly after he made his way back to Parliament in 1846, Evans was promoted Major-General in the army. In 1854, at the age of 67, he was promoted Lieutenant-General and appointed to command the 2nd Division in the country's Crimean army. The British army was in a bad state in these years. Capable divisional commanders were difficult to find. Strange as it may seem, Evans was perhaps the most experienced; it was at this time, late in his life, that his experience as commander of the British Legion, in addition to his Peninsular service, paid dividends. He might be disliked as a radical, but with a paucity of experienced general officers he was a natural and necessary choice. He did not serve for the entire war, and was sick some of the time. But he fought with particular distinction in the Battle of the Alma, and was considered by the French commander-in-chief to be the best of the British commanders of divisions.<sup>38</sup>



Back in England at the beginning of 1855, he received the notable honour of the thanks of Parliament on February 2. But even on such an occasion, Evans could not be anything but himself. In replying to the Speaker, he had to mention how unusual it was for his military services to be appreciated by Parliament, showing how deeply felt had been the criticism of his British Legion almost two decades before. And he had to complain of a recent speech by Lord John Russell, moving thanks to the army, in which he said the services of his 2nd Division should have been acknowledged. "The effect was painful," wrote John Bright in his diary. "Everybody felt it, and Lord Palmerston, in moving that the Speaker's Address and Evans' reply should be entered on the journals of the House, moved that 'so much of the reply' as conveyed the thanks and gratitude of General Evans should be so entered, thus marking for exclusion such parts of it as commented on Lord John Russell's alleged omissions. A somewhat interesting ceremony was thus marred, and the impression was unpleasant."<sup>39</sup> Evans was further hurt a short time later when it was learned that he had advised Raglan to abandon the Crimea after the Battle of Inkerman. This unleashed the patriotic criticism usual over such matters.<sup>40</sup>

Evans lived on until 1870, dying in the year in which Prussia changed the balance of power in Europe.<sup>41</sup> His lifetime had coincided with the century of great British power, when military triumph over France, early industrialization, rapid population growth and the somewhat slower progress of democratization had made his country the first in the world. He was part of this century of change, perhaps more one of the symptoms than one of the doctors, but still a person of some achievement, who agitated early for a number of things which were accomplished before his death, and for still others that came about during the century which followed.

Other Legion officers achieved prominence in various fields. The commander of the second Legion, Colonel Maurice O'Connell, returned to Australia the land of his birth, in 1838, going to New South Wales as a Captain in the 28th Regiment under the command of his father. He remained behind when his regiment was recalled, and became a highly successful cattle breeder. O'Connell eventually went into Australian politics. In 1859, he became a member of the first legislative council of Queensland, and was for a few months in that year a member without portfolio of the Herbert ministry. From 1861 until his death in 1879 he was president of the council, administering the colony on four occasions between Governorships. His political views were extremely conservative.<sup>42</sup>

Brigadier Chichester died young, at the age of 52. After leaving the Legion, he went to Canada after an interval, in 1838, serving in Montreal as a Lieutenant-Colonel under Sir John Colborne and Colonel Wetherall. Two years later he was knighted and took command of the 81st Regiment of foot in the West Indies and America. For about nine months in 1842 and 1843 he was Lieutenant-Governor of Trinidad. He died in Toronto in 1847.<sup>43</sup> Brigadier Charles Shaw, another of the Legion's senior officers, also got himself a knighthood, and for several years was Commissioner of Police in Manchester. He lived on until 1871.<sup>44</sup> The Legion's Adjutant-General, Brigadier <sup>l</sup>Le Marchant, went on to a colonial career. He was Lieutenant-Governor of Newfoundland from 1847 to 1852, then Lieutenant-Governor of Nova Scotia until 1857, moving on to become Governor of Malta from 1859 to 1864 and Commander-in-Chief at Madras from 1865 to 1868. He died in 1874.<sup>45</sup> William Reid, who had also served as one of the Legion's Brigadiers, while on leave from the Ordnance Department for a year, also

went on to a prominent career as a colonial official and as an engineer. He was made Governor of Bermuda in 1839 and Governor of the Windward Islands in 1846. In 1848 he returned to England and resumed a military career as commanding Royal Engineer at Woolwich. He was Chairman of the Executive Committee of the Great Exhibition of 1851. After this he received a knighthood and was made Governor and Commander-in-Chief of Malta, an office in which he was succeeded by <sup>l</sup>Le Marchant. He died in England in 1858. He was also an author, publishing a large number of books and pamphlets on engineering subjects.<sup>46</sup>

The officers of the British Legion did not go on to the highest triumphs, or to the most notable of careers. But many of them did quite well, reaching substantial positions in the military-colonial field of British life.

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19. Idem.
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22. Ibid. pp. 243-249.
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27. The Times, 15 May 1838, p. 6; Hansard, Third Series, XLIII, 22 May 1837, col 81.
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43. D.N.B., article on Sir Charles Chichester.
44. D.N.B., article on Sir Charles Shaw.
45. D.N.B., article on Sir John Gaspard <sup>le</sup> Marchant.
46. D.N.B., article on Sir William Reid.

CHAPTER XIII

THE LEGION IN PERSPECTIVE

The history of the British Legion is the history of an improvisation. From beginning to end, its career reveals the makeshift, the expedient, the frantic attempt to cope with emergency. It is usually said it did not enjoy much success. Yet the real wonder is not that it did so poorly, but that it did so well. There were a few basic circumstances surrounding its existence that deserve to be called deterministic; circumstances which placed it in a box, and severely restricted its possibilities.

First, while it was a British army, it was not the British Army. Although modelled on British practice, almost everything had to be done from the beginning, even to such details as the renting of recruiting offices. The routine which a regular army takes for granted, and which forms the basis for a normal expeditionary force, had to be copied or created.

Secondly, the Legion could not even count on the support and encouragement of the British Army and the Horse Guards. From the start, it was not only denied that area of help, but was even treated with active hostility, based on a fear that it could form the nucleus of a rival, radical army. The Legion's only real friend in government was the Foreign Office under Lord Palmerston. This shows up in the available source materials; there is much in the files of the Foreign Office, but practically nothing in the files of the War Office, and what little there is deals with the problem of soldiers who have deserted the regular army to join the Legion. When he approved its formation, Palmerston hoped the regular army would be a source of experienced officers and non-commis-

sioned officers. Instead, such persons were actively discouraged from joining.

Thirdly, although Britain supplied the Legion with arms and ammunition, under the terms of the additional articles of the Quadruple Alliance, it depended for practically everything else on the Spanish Government. And that government was in the worst possible condition to support an army of British standard. Spain was always at the point of bankruptcy, and hence could not even give the officers and men of the Legion regular pay; again and again, money was obtained only by a combination of pleas and threats. Nor, in the chaos of civil war, could the Spanish Government and the Spanish Generals offer the Legion coherent strategy. It was not only abused; it was also misused. De Lacy Evans was frequently persuaded or forced to do things that were in the real interest neither of the Legion nor of Spain.

Still, it would be a mistake to see only one side of the coin, or to dwell on the problems which the Legion faced. Even a regular, expeditionary army has to cope with enormous difficulties. For example, many of the problems and shortcomings of the British Legion showed up twenty<sup>years</sup> later in the regular, expeditionary force sent to the Crimea. Inherent problems affect the shape and strength of the foundation; they do not determine the exact form of the superstructure. The real historical interest lies in seeing what can be done with a force like the British Legion, in spite of its terrible problems. It might well have been that, because of these problems, no superstructure would have arisen at all, that nothing would ever have been built on the foundation. This did not happen. The first British Legion, which lasted from June 1835 to June 1837, did not

collapse. Even the second Legion, which disintegrated in December 1837, and was only a remnant of the first, showed surprising powers of endurance for several months. A Legion was actually formed, sent to Spain, trained and disciplined, used in four campaigns in two years, and then brought back to Britain. Though ravaged by disease and death, it remained in existence as an organized force from beginning to end. That, in itself, was a remarkable achievement.

How successful, then, was the British Legion in terms of what was expected of it? It was meant to have both a moral and a military influence. By bringing, as Wellington put it, the "red coats" of England into the field, and keeping them there for two years, Palmerston and de Lacy Evans succeeded in giving Britain and the cause of constitutional liberty, a direct presence in Spanish affairs. Europeans might laugh at some of the things the Legion did, might take comfort in its difficulties and defeats, but they still knew it was there. It is impossible to say that, if the Legion had not been there, the autocratic countries of Europe would have sent volunteers to help the Carlists, or would have sent more money to Don Carlos, or would have given diplomatic recognition to the Carlist movement. But they might have done so. To the extent that Britain remained indifferent or uncommitted, they would have been tempted to become more arrogant. In this respect, Britain's part became especially important during 1836 and 1837, when the French Government became increasingly conservative, and tried to win acceptance in the East by refusing to join in crusades for liberalism in such places as Spain. Still in a moral sense, Britain's presence had a more direct effect. Its commitment, as clear as Palmerston could make it, did some-



thing to help the Spanish Government arrange loans, and aided its popularity and its confidence. The morale of the Christino armies was also helped, although this should not be exaggerated.

Militarily, the British Legion rendered better service than its critics, and even many of its friends, were willing to allow. Its first eight months in Spain were a waste and a tragedy. During the autumn of 1835, when it was based on the northern coast, it did practically nothing of military value, although there was no doubt some value in simply having it there. The winter of 1835-1836 came close to destroying the Legion. Apart from imperfectly guarding part of the line of the Ebro, it did nothing. And the epidemic which scythed its ranks reduced its strength by about one-third. But the service it gave during the spring and early summer of 1836, and again during the spring of 1837, laid the basis for the eventual containment of the Carlist rebellion. By lifting the seige of San Sebastian in the battle of the 5th of May, 1836, by taking the port of Passages shortly after, and by beating off several major attacks on their lines, Evans' men created a firm beachhead on the northern coast. This was never again really threatened by the Carlists. Its loss to them was a severe blow, since it meant the failure of an attempt to break out of the mountainous interior and win a centre of some commercial importance. To have won San Sebastian would have been worth it to the Carlists to have lost a dozen mountains. This was recognized and appreciated at the time, especially in Madrid.

Further, it won an area which could be used for expansion along the coast, to close the French frontier and curtail the smuggling of supplies to the Carlists. This was not done during 1836. The one attempt failed at Fuentarabia. For the rest of the year the Legion was

wracked with mutinies, stemming from the neglect of the Spanish Government. However, it was finally done during the spring of 1837. The campaign opened with the defeat at Hernani, but strategically this was not serious, since it was followed by victory, including the taking of Irun, Fuentarabia, and Hernani. That campaign, the Legion's last, ended by forcing Don Carlos to take a desperate measure -- his futile expedition into the centre of Spain to seek another area of popular support. From that time onward, his failure was a matter of time. It is impossible to say with certainty that things would have been different if the British Legion had not been there. Indeed, it could well be argued that the eventual result would have been the same. But it does seem likely that the Legion, in combination with other British support, shortened the course of the war.

Could the British Legion have done still more, in spite of its unalterable problems? If de Lacy Evans had been a less moody and emotional person, if he had been a better organizer and a better judge of men, could the Legion have acted at a higher level of efficiency, over a longer period? Or if it had been given a different commander, perhaps someone like Sir Charles Napier, or a General nominated by the Horse Guards, would the results have been more satisfying?

These are all "ifs" of history, and hence incapable of definite answer. But since they were alternatives, they are worth considering. In the author's opinion, it would indeed have been possible to have done things that Palmerston did not do, and to have achieved things that Evans did not achieve. But the corollary would have been true. It could not have been expected that any other commander would

have had none of Evans' failings, yet all of his advantages. It is unlikely, for example, that a more dynamic organizer would have tolerated the conditions under which the Spanish Government forced the Legion to live. He would have found intolerable the lack of pay, the broken promises, the short rations, the inadequate supplies, and the hit-and-miss strategy. The result would quite likely have been a head-on clash between the commander and Madrid, with the paralysis or disintegration of the Legion. This is precisely what happened in the case of Evans' successor, Brigadier Maurice O'Connell, who took charge of the second Legion. He had orthodox political views, in contrast to Evans' radicalism, he was fiercely loyal to his men, compared to Evans' tendency to sympathize with the Spanish Government's financial embarrassments, and he was certainly closer in type to the normal British senior officer than Evans was. But these very things, this inability to compromise with Spanish conditions, meant that O'Connell did not do as good a job as Evans. Probably the same would have been true of any officer nominated by the Horse Guards. The British Legion was an unorthodox force, serving under unorthodox conditions, and it needed an unorthodox hand at the helm.

It can never be assumed in history that if one thing is changed, all other things will remain equal. The Legion, under a more daring commander, might have seized the Carlist stronghold of Hernani immediately after the victory of the 5th of May 1836, at San Sebastian. But it would probably still have been shaken by mutinies later in the summer, and might then, in an exposed position, have suffered catastrophic defeat. It is often said that, in the winter of 1836-37, the Legion should have taken part in the relief of the city of Bilbao, under seige by the Carlists.

But, quite apart from the fact that the Christino armies of Espartero relieved it anyway, a major campaign by the Legion at that time might have incapacitated it during the spring of 1837, when it took Hernani, Irun and Fuentarabia.

It is the author's opinion, that given the basic problems with which it had to live, the Legion did as well as could be expected. With the value of hindsight, some judgments can, of course, be made. For example, the disastrous winter at Vitoria in 1835-36, could have been avoided. On a few other occasions, Evans could have made more forceful decisions. But in general, he did as well as could be expected, working within limits he could not change. It was easy for someone at a distance, such as George Villiers, Palmerston's ambassador in Madrid, to speak with venom of de Lacy Evans' incapacity and the British Legion's ineffectiveness. It is difficult to believe that, in Evans' place, he would have done any better. A sounder judgment would be that of Colonel Wylde, Palmerston's military commissioner, who was with Evans throughout most of the Legion's existence. In his reports he points out errors made by Evans from time to time. He does not suggest things could have been different in any fundamental sense. Palmerston himself, in spite of his high hopes and his impatient temperament, seems to have accepted this opinion. In the end, he got what he wanted, though not as soon as he expected it -- a Christino victory and at least a nominally liberal regime in Madrid.

Of course, in a larger sense, British intervention was only partially successful. It helped to keep the Carlists out of Madrid, and helped to keep the Christinos in power. But it could not make Spain a

liberal country against its will; that is to say, against its history. The war ended in the virtual dictatorship of General Espartero, the most talented of the Christino military leaders. And while he did much to maintain at least the outward forms of liberalism, it cannot be said that his Regency marked the striking down of deep roots of liberalism in Spanish soil.

In fact, the Spanish civil war of 1835-1840 can be seen as merely a battle in a longer war. During the hundred years that followed, the fortunes of Spanish liberalism ebbed and flowed, and then died or went far underground. In the 1930's General Franco had the last, mocking laugh over the enthusiasm for Spanish liberalism of Palmerston, de Lacy Evans, and others. No one can say that the pendulum will not swing yet again, and this time perhaps find some stable resting point, but for the time being, the Peninsula remains outside the liberal community in Europe. It is possible that the Britain of the 1830s was, in a sense, responsible for the triumph of Franco in the 1930s. For if Britain had intervened sooner, and with greater strength, the Carlist rebellion could have been suppressed sooner, before the liberal cause had been worn down by the wear and tear of war, and before the Christino Generals had been raised high by military power. Palmerston himself wanted to intervene in strength, but could not get even his colleagues to agree.

Perhaps if a regular British Army had been sent, rather than the volunteer British Legion, the liberal cause would have won a more solid victory. All is speculation. Palmerston did what he could. It was enough in the short run, but not over the longer term. Probably there would have been a reaction in any case. Spanish liberalism was relatively weak, and its opponents relatively strong. The masses of the

people outside the cities seem to have been basically indifferent, or Carlist; George Villiers, Palmerston's ambassador at Madrid, thought the Spanish people Carlist to the core. This essential weakness might very well have overwhelmed liberalism no matter how firmly it had been established in the 1830's.

Beyond everything else, the British Legion stands as the most unusual and interesting monument to Britain's commitment to European liberalism during the 1830s. It was not the most enduring monument -- Britain's role in protecting the independence of Belgium obviously has greater claims. But it holds more fascination because of the extent to which it involved the British public, quite apart from the British Government. Many of the officers and most of the men of the British Legion can probably be dismissed as mercenaries, or perhaps even as fools. But it is impossible to escape the implications of the fact that it proved possible to recruit a volunteer army of 10,000 men, not merely outside the regular military establishment, but even in spite of the hostility of that establishment. Nor can the implications of that fact be escaped by an admission that most of the British public was quite indifferent to the fate of Spanish liberalism. The indifference was predictable; the successful formation of the Legion was not. Of course, the Legionaires had more on their minds than some abstract love of liberty. Even de Lacy Evans had his own political advancement in view. Nevertheless, they went, and fought, and suffered. Why? Just for money? Political ambition? Career advancement? It is easy to be skeptical about idealism, or to dismiss it as unconscious justification of lower motives. But if it had not been there, the British Legion would not have been there.

There was nobility mixed with dross in both the career, and the achievement of the British Legion.

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ENGLAND:

Chichester-Constable Papers -- Papers of Sir Charles Chichester:

The Papers of Sir Charles Chichester, part of the Chichester -  
Constable collection, are owned by Mrs. Bonaparte Wyse, 13,  
Lichfield Road, Kew, Pichmond, Surrey:

C/2/1 -- 1835-37: Diary of Brigadier General Chichester,  
serving with the British Legion during the  
Carlist war in Spain.

C/2/2 -- 1836: Satirical poem on the Spanish Carlist war.

C/2/3 -- 1836, May 4: Operations Order for attack on  
Carlist positions on 5th May.

C/2/6 -- 1837-40: Printed letters and newspaper cuttings  
relating to Carlist war.

C/2/7 -- 1836, May: General Order relating to victory of  
5th May.

C/2/9 -- Approximate state of infantry commanded by, and  
co-operating with the Count of Luchana (Espartero),  
14 May 1837.

DDCC/144 -- 1835-39: Writing Case with material on  
Carlist war, etc.

- (3) IN THE POSSESSION OF THE AUTHOR:

Lord John Hay Letters:

Letters from Lord John Hay, commanding British naval squadron  
on north coast of Spain, to J.V. Harvey, British consul at  
Bayonne. All are covering letters that accompanied Hay's  
formal despatches to London, Madrid, etc., and which were

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forwarded by Harvey. The letters were purchased from Goodspeed's Book Shop, Boston, Massachusetts. They span the years 1837, 1838, 1840.

(b) Published Primary Sources

(1) PARLIAMENTARY PAPERS:

Quadruple Alliance, 22 April 1834; 1834. LI. 299.

Additional Articles to Quadruple Alliance; 1835. LI. 307.

Order in Council relative to the exemption of British Subjects who may serve Spain from Foreign Enlistment Act; 1835 (323) XXXVII. 629.

Papers Relative to the services rendered by the British Auxiliary Legion to Spain or to the Spanish Army, 1836-37; 1837-38 (116.) LII. 245.

Papers Relating to the war in Spain; 1839 (186.) L. 97.

Papers Relating to the war in Spain, 1834 to 1838; 1839 (192.) L. 191.

Letter from Lord John Hay to C. Wood, Esq., dated St. Sebastian, May 1836; 1836 (284) XXXVIII. 213.

Despatches received by the government relating to the taking of Passages, and attack on Fuentarabia; 1836 (520) XXXVIII. 215.

Letter from Lord John Hay re co-operation...to troops of Queen of Spain, on 15 and 16 March 1837; 1837 (192) XXXIX. 425.

Reports as to casualties in the Royal Artillery, etc., now employed on the north coast of Spain, etc.; 1837 (253.) XL. 305.

Papers relating to the Convention of Bergara; 1840 (233.) XLVIII. 103.

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Stores, Arms and ammunition furnished to the Queen of Spain, and guarantee for payment of the same; officers serving in Spain receiving pay or pensions; 1836 (67.) XXXVII. 623.

Naval slops and provisions issued to Lord John Hay's Squadron, 1 September 1834 to 1 January 1838; 1837-38 (404) XXXVII. 319.

Amount of military and naval stores, arms and ammunition furnished to the Queen of Spain; 1837-38 (324.) XXXVII. 317.

Correspondence respecting the measures taken by the Spanish government to pay the claims of the British Auxiliary Legion which served in Spain; 1840 (264) XXX. 267.

Amount of unsatisfied claims of the British Legion for services in the cause of Her Catholic Majesty; 1847-48 (417.) XXXIX. 517.

Amount and value of the arms and munitions supplied to the Queen of Spain by the British Government, specifying the amount for which payment is still due this country; and the amount of the unsatisfied claims of the British Legion; 1847-48 (417-II) XXXIX. 519.

(2) HANSARD'S PARLIAMENTARY DEBATES:

Third Series, for the years 1830-1840

(3) BRITISH AND FOREIGN STATE PAPERS:

Volume XXVII, 1838-39, Foreign Office, London 1856.

Volume XXVIII, 1839-40, Foreign Office, London 1857.

(4) MEMOIRS, and other CONTEMPORARY BOOKS:

Alcock, Rutherford, Notes on the Medical History and Statistics of the British Legion of Spain, London 1838.

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Carnarvon, Earl of, Portugal and Galicia, with a Review of the Social and Political state of the Basque Provinces, 3rd edition, London 1848.

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Evans, George de Lacy, On The Designs of Russia, London 1828, French translation, Paris 1828.

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Gleig, George Robert, Reminiscences of the Duke of Wellington, Edinburgh and London 1904.

Hall, H.B., Spain, and the Seat of War in Spain, London 1837.

Henningsen, C.F., The Most Striking Events of a Twelve Months' Campaign with Zumalacarrequi in the Basque Provinces and Navarre, 2 vols. London 1836.

Honan, Michael Burke, Court and Camp of Don Carlos, London 1836.

Humfrey, Lieut-Colonel J.H., Concise Review of the Campaigns of the British Legion in Spain, London 1838.

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(5) PUBLISHED CORRESPONDENCE, including that printed in otherwise secondary works:

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Sanders, Lloyd C. (edited by), Lord Melbourne's Papers, London 1889.

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Webster, Sir Charles, Foreign Policy of Palmerston 1830-1841, 2 vols. London 1951.

(6) PERIODICALS:

Blackwood's Edinburgh Magazine.

Edinburgh Review.

Fraser's Magazine.

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(7) NEWSPAPERS:

The Times of London, issues from 1830 to 1840.

II. SECONDARY SOURCES

(including some works containing both secondary and primary sources, which have already been listed)

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