the men whom the patriots of La Isla had taken out of dungeons, and recalled from exile, to assume the reins of government, thus to raise their sacrilegious hands against the goddess whom they were bound to defend at the very cost of their lives, was, indeed, an act of daring impiety: but, like all other crimes against freedom, they will have their reward: I venture to predict that the ignominy which marked the exit of the first ministry from power will accompany them through life; and that those patriots of 1812 who seconded their views in the Cortes, will participate in their deep, their irremissible disgrace!

While I join in the unqualified disapprobation, so generally expressed against the late ministry, I return, with no less pleasure, to that portion of the measures adopted by the Sovereign Congress, which really deserve every praise that present times and posterity can bestow. The reports or Dictamens of the respective Commissions, as well as the projects of laws founded on them, have been, in almost every instance, models of fine composition, and sound reasoning: that proposing rewards to the heroes and army of La Isla, also the report which accompanied the military constitution, are particularly worthy of panegyric, as disclosing a profound knowledge of human nature, and as having done more towards securing the hearts of the soldiery than if the plunder of Mexico had been once more thrown open to them.

* A collection of the reports made by the fourteen commissions
The recompense in land and money, promised by Quiroga, and confirmed by the Cortes, as also those regulations which enable every individual of the army to aspire to the highest rank, without the fear of being supplanted through the caprice of a minister, or by the mere pecuniary advantages of an

into which the Cortes are divided at the commencement of every season, would, of themselves, furnish excellent materials for describing the state of Spain, as well as estimating the extent of political knowledge possessed by the Congress. They have generally been distinguished for perspicuity and fine composition. That relative to the army of San Fernando is justly considered as a master-piece, and, together with a few more, deserve to be known throughout Europe.

The confirmation of the promises made by Quiroga and Riego, was a sacred obligation and indispensable duty of Cortes; according to these, each of the soldiers forming part of the army of La Isla, and flying column, that reached Cordova, are to have a grant of land and sum of money, proportioned to the length of their services. We have heard of conquerors, ancient and modern, increasing their dominions at the point of the sword, and cannon's mouth: and in obedience to the law of the strongest, distributing the goods and chattels of the conquered to their Barons, Generals, &c. The transfer of states and human souls is amongst these phenomena, which, from their frequency, have ceased to excite the smallest wonder in the present day: but I believe the soldiers of San Fernando are the first who ever received a rood of ground or a single farthing for giving freedom to their country!

Since the Cortes have displayed such a profound knowledge of the mode in which an army ought to be constituted, so as to become at once the defenders of the soil and firmest support of constitutional liberty, it is hoped that when their engagements with the soldiers of La Isla are religiously fulfilled, they will be equally entitled to praise for their arrangements with regard to
inexperienced rival, are all guarantees in favour of the new code, which will carry it through every difficulty in triumph. The same praise ought to be extended to the chapter of the military constitution, which provides for each man being instructed in the rudiments of an useful and solid education. The right of intervening in the elections of the national representatives had already been settled by creating a navy; that of Spain having ceased to exist, from the same causes which brought about the ruin of every other branch of her physical force. In conjuring the Cortes of Spain never to lose sight of making citizens of her soldiers, I should be neglecting an essential point, most intimately connected with her future prosperity, were I not to remind them, that they cannot aspire to external independence without a navy. In a state of permanent, and I may add, natural hostility with the pirates of Africa, it would be idle for Spain to expect any degree of commercial importance while these monsters remain unsubdued.

Though deprived of her South American Colonies, there are still very considerable resources left to establish a respectable naval force, particularly should Cuba be retained, and it cannot be so without a navy. I need scarcely add, that the number and magnificence of its ports, and the activity of its seamen, which I have had ample opportunities of observing, point the Peninsula out as fully capable of becoming a formidable maritime power. If that national jealousy and ridiculous pride, which has already done so much injury to Spain, is not perpetuated by the new code, and this can hardly be the case, I would recommend those charged with re-creating her navy, to make themselves thoroughly acquainted with the system which raised England to the highest pitch of naval glory ever attained by any nation ancient or modern; and, above all, scrupulously to mark the period of its decay; infinitely the greatest calamity that has befallen the "land of scholars and the nurse of arms!"

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the political code. The measures taken to suppress highway robberies are not likely to produce much effect, while the priesthood and their deluded followers are seeking to renew the former despotism: they exist, however, and are not without their use in those places which happen to be uninfested by servile banditti. Innumerable obstacles oppose the establishment of civil and criminal codes in Spain, likely to answer the ends of justice: those adopted, partake too much of the defects natural to be expected in a country where excessive severity has hitherto been practised. If, however, the executive government were sufficiently energetic, to cause the new codes, such as they are, to be strictly executed, property and person would acquire a degree of security in Spain, which they have never yet had. It is reserved for a future Congress to soften down the barbarisms which Mr. Bentham has pointed out; and while the criminal code of our country is still encumbered with the horrors of the eleventh century, surely the people of Spain have no right to be over fastidious?*\\n
* Next to the horrible procedure of the Holy Office, is undoubtedly to be ranked the state of civil and criminal law in Spain: it would, in fact, require volumes to describe only a small part of the injustice and cruelty they have entailed on the nation. The author of "Pan y Toros," characterizes the legal system, generally, as a body of perverted law, engendered during the most corrupt period of the Roman Empire, to serve the purposes of a monarchy the most confused and despotic ever established. The Code of Justinian, composed from the remnants and caprices of Jurisconsults, and the compilation of Gratian, filled with false
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The peculiarly unsettled state of affairs, and embarrassment in the finances, have operated as a bar to extending the blessings of education to the decretes and apochryphal canons, bringing to light our Partidas, and opening a door to the most ridiculous cavillings of logists; our compilations and acts accorded, our mode of giving judgment, all originate in this vitiated system. The Castilian legislation was cradled in an age the most ignorant and brutalized; one in which the sword and the lance were the supreme law; when the man who had not dispatched three or four combatants, was regarded as vile and infamous; an age when bishops commanded armies, and, instead of their flocks, educated wolves and leopards; in which the folds of the shepherd were converted into cages for tygers, and in which the spark of an excommunication lighted up the voracious blaze of a sanguinary civil war; in which the system of feudal rights led the vassals along like beasts of the field, and was introducing distinct races, as amongst horses and dogs; finally, an age that knew no other right than force, no other authority but power!

Although the Constitution provides especially for the independence of the Judges, and general administration of justice, it is lamentable to be obliged to confess, that scarcely any melioration has yet been effected in this most vital branch of government. The multifarious evils arising from those parts of the old system which remain are a source of just regret to the patriots, and have been the subject of many eloquent speeches in Cortes, as well as several valuable publications. The establishment of juries, though opposed by so many obstacles, will be amongst the advantages of the new code. Mr. Jonama has published an excellent essay on that grand bulwark of English liberty and law; proving the necessity of introducing it into Spain, and suggesting the best mode of forming juries.

The efforts made by Mr. Bentham to impress on the legislators
poorer classes: it is enough to know that the Cortes are duly impressed with the vital importance of this subject, which is very properly regarded as

of 1820 the necessity of adopting a totally new system of civil and criminal law, is amongst the most conspicuous and meritorious acts of that great man's life. Feeling that I could render no greater service to Spain, than in persuading those in power to adopt principles which have been so obstinately rejected in other places, I added one to the number of attendants at the levees of Agustin Arguelles, the Minister of the Interior; not to ask for a place, or a licence to import tobacco, like some of his visitors, but to inform his Excellency that a parcel of books, containing many of the English philosopher's opinions on criminal law, prison discipline, &c., had been sent to Cadiz, and begged to know if it had been received; adding, that having understood the new government intended to consider any opinions which might be offered, calculated to improve the legal system, I hoped he would do me the favour to accept the few tracts of Mr. Bentham, which I had brought with me. Though evidently tinctured with the suspicion which makes almost every man on the continent doubt the sincerity of even his own brother, I had no reason to be dissatisfied with the reception of M. Arguelles. Whatever opinion he might have formed, I felt that an advance, made in the name of Jeremy Bentham, was conferring a very high honour on any minister of Europe, and this was a sufficient recompence. I have since heard, that, after much deliberation, M. Arguelles wrote a letter to the Philosopher of Westminster, thanking him for his present of books and other attentions. If, as I, further understood, the said letter was sent without any date, there was a degree of trickery in the contrivance, by no means unusual on the continent, but more worthy of a quibbling tradesman than a Minister of State.

The character of Mr. Bentham must have placed him beyond the suspicion of wishing to interfere in the concerns of Spain,
the great corner-stone of the new social edifice; for, without instruction, on the broadest basis, it must inevitably fall.*

except from those motives of philanthropy which have marked every action of his life; but so ignorant are the continental nations of our notions and habits, that they cannot conceive, much less believe, in the possibility of a man devoting his life and fortune to the good of human kind, as in the case of such men as the Benthams, Cartwrights, and Clarksons of the present day. Where selfish motives can be attributed to these, no wonder that an insignificant individual like myself should be pointed out as a spy in the pay of Ministers, as I have been, at Paris, by certain Liberals, and at Bayonne and Madrid, by the Marquis d'Almenara!

To return to Mr. Bentham: I rejoice to perceive that he has adopted the course which always appeared to me as most likely to realize his own grand maxim, of benefiting the greatest number, that of a work which should be of universal application. His Codification Plan, addressed to all nations, is admirably calculated to fulfil this end; the time must come when this pamphlet, in which the vigour of youth is so happily blended with the wisdom of fifty years' practical experience, cannot fail to be consulted by European legislators.

The prejudice and jealousy which have prevented some members of the Cortes from encouraging the mild and humane suggestions of Mr. Bentham, did not prevent a vote of thanks from being sent to him, through M. de Mora: this testimony, no less

* It was extremely natural for the other Reformers of Europe to feel a deep interest in what was passing south of the Pyrenees; nor is it a matter of wonder that they should have expected the adoption of those principles, which they had themselves proclaimed for so many years, before their establishment in Spain.
Whenever the legislators of Spain change their fatal and irrational system of exclusion and prohibition, adopted by the last Cortes to gratify a honourable to the receiver than to those who gave it, was drawn up, and voted, on the 21st October, 1820, and expressed the gratitude of the Cortes for the offer of the "learned Englishman, to co-operate with his well-known powers and talents, in consolidating the constitutional system."

The flattering manner in which the patriotic societies, and the leaders of the Comuneros, received the address to the Cortes, is more than a compensation for those little-minded jealousies which have opposed his principles in the Congress, rendering the new criminal code not much less barbarous, in many respects, than that of Rome and Lombardy, is altogether unworthy of men having any pretensions to patriotism. Romero Alpuceto, Morenes Guerra, Diaz Morato, Puigblanc, and a few others, with whom my friend, Mr. Bowring, communicated on the subject of adopting Mr. Bentham's principles, have acted a most praise-worthy part throughout; but as they could not stem all the torrent of old prejudices, the honour of being superior to jealousy, when the happiness of the subject many is at stake, is reserved for a future Congress.

The idea of a recurrence to first principles, and the adoption of a primitive legislation, without any regard for the existing system of Europe, was amongst those ethereal dreams, which never fail to mark the earlier stages of political regeneration in every country. M. de Mora was so impressed with this notion,

If all these wishes have not been realized, it arises from causes over which it has not been always in the power of the Cortes, or of the ministers, to possess sufficient control: the measure which I am about, shortly to notice, is, however, an exception to this rule, and may, therefore, be laid to the account of errors
few isolated manufacturers—an attempt to put the favourite theories of certain would-be political economists in practice—an immense field will be

that it formed the subject of several conversations between him and myself. However much these projects of felicity are in contradiction to the corruption of the times, they deserve to be considered with indulgence, as springing from the best motives. Should the doctrines of Mr. Bentham gain that ascendancy which there is every reason to expect, the generous wishes of my friend will be, in a great measure, realized.

Although those feelings of rivalry, which prevent the publicists and politicians of every nation forming the European Family from making any concession on the score of pre-eminence, have interfered considerably with the fame of our great countryman, in France, I have never yet met with any instance in which his immense acquirements in legislation have not been freely acknowledged. Mr. Gontard, an able lawyer, has even devoted several years of his life to analyzing the treatises on legislation, under the title of Tables Synoptiques; of which three have appeared. This may be considered as one of the most ingenious and labour'd efforts yet made to illustrate the works of Mr. Bentham. I ought not to conclude without adding, that the Philosopher is indebted to Mr. Pagès, the eloquent historian of the Constituent Assembly, for a most flattering notice in the Courier Français, and to my young friend, Felix Bodin, for a spirited biographical sketch, in La Biographie des Contemporains. It must be flattering to the feelings of Mr. Bentham, to be thus adopted by all the countries of Europe during his life-time. If the Legislator of Queen-square-place be not à Cosmopolite, where is one to be found?

with which they are likely to be charged in future as well as present times.

It has been at once a source of regret and astonishment to
opened to that enterprize and industry, which the
new commercial regulations have, almost, annihi-
lated. A volume might be written on the errors
into which the Cortes have been led, with regard
to native manufactures and foreign trade; by
which the Peninsula has ceased to be an entrepôt
for the wealth of other nations, excepting through

the friends of good government and morality, that after having
prohibited those games of chance, which are such a fertile
source of misery and crime in neighbouring countries, where a
revenue is drawn from them, as also from female prostitution,
the Lottery, the most ruinous of all, is retained. It was the
bounden duty of the Spanish Cortes to proclaim that this mode
of enriching the treasury, (if it does enrich it), at the expense
of public morals, and to entail poverty on thousands, spreading a
baneful example throughout the community, of both sexes, was
totally incompatible with freedom, which rejects every thing that
militates against morality and virtue. As to the Minister of
Finance, he ought to have spurned at the thought of adding a real
to the revenue by such means, which loses none of its iniquity
by being so long tolerated in the rest of Europe. With respect
to the Cortes, I venture to add, that there was not a single mem-
ger of that body who would not have cheerfully acquiesced in
the total abolition of this pest; and, at the same time consented
to substitute any other tax, no matter how oppressive, rather than
see such a stain continue on the new government; great blame
must, therefore, be attached to the minister, for not proposing this
measure, so essential to the reputation of the government, while it
is impossible to exonerate the leading men of Cortes for their
indifference on the subject. Those to whom I address myself,
both at Madrid and Paris, will not be surprised at the warmth
with which I now express my sentiments on a point that has
excited the animadversions of the ablest writers and most zealous
senators, both of England and France.
the ruinous and partial medium of smugglers; while her manufacturers have neither capital, industry, nor talent, sufficient to supply the market. A part of the evils arising from this fatal system has been ably exposed by Mr. Bowring, whose local knowledge on the subject enabled him to elucidate it more than any other person.* The

Mr. Keratry, a patriotic member of the French chamber of deputies, has greatly distinguished himself, by his efforts to obtain the suppression of the lottery in France, where it has long been a real scourge and incalculable source of misery to the lower classes, as every possible means are adopted to inveigle them into the sacrifice of their hard earnings, in the vain and idle hope of adding to their means, through this sink of corruption. The philanthropic efforts of Mr. H. G. Bennet, in our own country, are too well known to require illustration.

When the certain mischief, occasioned by this pernicious source of revenue, are added to the consideration that its abolition by the Cortes of Spain and Portugal would have been most probably followed in France and England, if not in other places, I am sure the Cortes of 1820, will admit that this was amongst their most important omissions.

* "Observations on the Restrictive and Prohibitory Commercial System," &c.—This able Pamphlet contains so complete an exposition of the evils arising from the measures of Cortes, relative to trade, that nothing is left for others to add; except, that the mischief has continued to increase, from the moment of hurrying the prohibitory law through all its stages, as if its inconsiderate partisans thought ruin would not arrive soon enough, up to the present hour; when, the little foreign commerce enjoyed by Spain is carried on by smugglers and custom-house officers!

The ignorance on one hand, and fatality on the other, which has marked the proceedings of the Spanish legislature on the
communications I have, myself, received respecting these important points, are as conclusive as it is possible to conceive; yet, such is the difficulty, I may say impossibility, of rooting out old prejudices subject of trade, has operated most powerfully against the constitutional system. In order to prove the extent to which smuggling is carried in the Peninsula, I need only quote a passage from the letter of a friend, received from Madrid within a few days, and which only describes one of the evils arising from the commercial system:—"I met a revenue officer to-day," says my correspondent, 'who told me he had not received his arrears of pay for some weeks." How do you live?" 'As the government does not pay us, the contrabandista does; we are therefore in his interest, and defend him against the government, for it is our duty to do so. If the ministers paid us, we should defend it against the contrabandista, as it would, in that case, be our duty: we must eat to live; can you blame us? The contrabandista never cheats us; we can depend on his honour; as to our pay, it is sure and liberal; but it is not so with the other party. If I can serve you, command me: I can give you ample security for my fidelity. Hasta la Vista! good bye." Thus ended our dialogue, and such is the state to which the prohibitory laws have reduced Spain."

It is not however to be inferred from the above facts, that many monstrous evils of the old system have not been removed by the Cortes: of these, the abolition of internal custom-houses and barriers at the entrance of every town and city of Spain, by which innumerable abuses were practised, is of itself one of the most beneficial measures of the first session. The inferior officers of the customs would not now dare to lay on duties on foreign imports according to their own caprice, as they were frequently in the habit of doing on English manufactures during the reign of terror. The removal of these sources of tyranny and extortion has placed the people of Spain a hundred years before their French neighbours, amongst whom the defective system of the Octroi is
from certain minds, that there is no calculating to what a precipice the rulers of Spain will lead their distracted and impoverished country, before they are brought into a rational mode of acting and thinking in commercial affairs.

Most willingly would I extend this voluminous postscript, by an allusion to a great variety of other matters, relative to the internal administration of affairs in the Peninsula; and, above all, to those foreign relations which place the government in a state of almost open hostility with her nearest neighbour. I can, however, stop only to offer a few remarks on the state of parties; in which some attempt will be made to account for the present disturbed state of the nation, and point out those consequences to which it will, most probably, lead on a future day. It is also in an impartial sketch of the different parties, who are either struggling for power, or only aim at the consolidation of public liberty, that those obstacles which oppose that desirable object can be best illustrated.

It has frequently occurred to me that the future legislator, who makes history a primary object of study in his system of public education, as the

still maintained, opposing the most formidable obstacles to commercial prosperity. Perhaps it would be unjust to mention this defective mode of collecting the revenues of a country without alluding to our own system of excise, as being infinitely more inquisitorial and oppressive.
only means enabling nations to avoid the shoals on which the liberties of their forefathers were wrecked, or those of their posterity destroyed, ought to insert an especial clause, rendering it indispensable for every individual of the republic to be thoroughly acquainted with the origin, and know how to distinguish between parties and factions; the line being now so indistinctly drawn, that there are constant misconceptions on the subject, no less injurious to freedom, when once established, than calculated to retard its progress in a state of comparative slavery.

It would, perhaps, be impossible to name a greater desideratum in political literature, than a history of the rise and progress of those parties, which have exercised such an influence on the destinies of mankind, from the Guelphs and Gibel-lines of Italy, down to those of the present day. There could, certainly, be no better guide for the friends of freedom; and, although it would disclose all the petty passions, as well as the most atrocious crimes of our nature, no reader, however superficial, could fail to profit by such a work.

As our crimes and follies, vices and weaknesses, have, for the most part, a common origin, that of self-love and personal ambition carried to excess, there is no doubt but that the observations made on the parties and factions which divide Spain, are equally applicable to those of every other country. I have been struck by merely one distinction: it appears to me that religious fanaticism renders
the hatred between men of different opinions much more intense in the Peninsula than anywhere else. To prove this assertion, I need only point out the relentless and vindictive hostility with which the Afrancesados have been pursued by men who are, in their turn, objects of equal aversion to the servile faction. When we reflect on the consequences of this hostility to the greatest sufferers, the unfortunate people, it must be regarded as not being amongst the least of those evils entailed on the Spanish nation, by so wide a departure from the original spirit of Christianity. But before I designate parties by their respective names, it may be proper to hazard a word or two, as to those qualities which distinguish party from faction: without recollecting Mr. Burke's definition, or that attributed to Sir James Macintosh, I should imagine that any set of men who unite for the purpose of effecting some salutary reform, or pursuing a line of policy consistent with the national dignity; men who will accept power on no other condition than being permitted to carry their plans of improvement into effect, may well be entitled to the name of party. As in matters of religious belief there will always be a diversity of opinion, so it is natural for bodies of men to adopt a different mode of obtaining the same end: those who coalesce for the benefit of the many, as well as themselves, do not therefore forfeit their claim to the dignified name of party. Faction, on the contrary, is made up of men who have no
consideration—beyond self; whose whole study it is to promote their personal interests, without any regard for honour or virtue; men who regard the grossest abuses, and most crying acts of tyranny, as blessings, so that they may attain and remain in undisturbed possession of emolument and power. Party is governed and guided by reason; faction, by every ignoble and ungenerous passion. This inadequate sketch of what constitutes faction will be easily filled up with still more hideous accessories, by all who have given due attention to the study of history, ancient or modern. It remains for me to add, that there are, according to the above definition, three parties and one faction in Spain. To begin with the followers of King Joseph—the principles of this party, and the motives of their conduct, have been already noticed: although only brought forward as a distinct party, by the enterprise of Napoleon, it would not be difficult to trace its origin to a much earlier period; the individuals who compose it are amongst the most enlightened and virtuous men of Spain, and pique themselves on having led the way in reform, without being slaves to many of the monarchical doctrines which continue to form the creed of the servile faction. The Afrancesados are decidedly aristocratical: possessed of so much learning themselves, it would be extremely difficult to persuade them that the people are sufficiently well informed to be capable of forming correct notions in matters of Government.
If this party should get into power they would most probably modify those points of the Constitution which are supposed to savour too strongly of democracy; but having fixed the basis of liberty according to their own standard, and this is very liberal, there is no party in Europe that would be more scrupulous in executing the laws with strictness and impartiality. It would not be difficult to find a class of politicians in England and France, who are distinguished by traits similar to those of the Afrancesados.

From the tendency of public opinion to espouse still more popular doctrines in government, no less than from the comparative smallness of their number, it is not very probable the Afrancesados will ever obtain the ascendancy in Spain; yet, such is the mass of talents and virtue possessed by them, that the want of such a body, to take a part, and co-operate in the administration of public affairs, has been most severely felt, and ought, therefore, to be regarded as a national calamity. Without attempting to inquire how so desirable an end is to be attained, or whether it is likely to take place, I shall pass on to their rivals.

There never was a party formed under such favourable auspices as that of the Liberales, commencing with the French Revolution, when the great majority of the European Family manifested such a decided inclination to follow the example shown by those who made the first efforts in favour of reform in France; this party may be said to
have represented the most respectable, well-informed, and numerous class of thinking men in Spain. Although their wishes were frustrated by the old aristocracy and priesthood, an opportunity of shewing themselves to full advantage was presented on the entry of Napoleon's army in 1808. The cry of national independence emanating from the people, was seconded by the Liberales, who thenceforth became the natural rulers, and allied to England, assumed the reins of Government. The fact of our having commenced and prosecuted a war to stop the progress of reform in France, and of having, while occupied in that war, been the means of bringing about a radical reform in Spain, as well as establishing that very constitution, which has since become the terror of legitimacy, is, doubtless, one of the most singular anomalies of modern history. If I did not feel more regard for the interest of truth than I do for those of party or faction, I, perhaps, might hesitate thus publicly to proclaim, that the Spanish constitution of 1812 is, in a great measure, the work of the Tory Ministry of England; for, had it not been for their support and co-operation with the Liberales who framed it, who will deny that Napoleon would not have succeeded? This is an important truth; it opens a vast field for argument, and is advanced without fear of contradiction.

In adverting to the conduct of the Liberales, both as members of the government, and as forming the national Congress, I have spoken of
them with the same candour and impartiality as of their rivals; I shall now merely add, that no men could have commenced their career with better intentions, and, except in the intolerance and cruelty they have shewn to the followers of Joseph Buonaparte, is there any of those errors laid to their charge, previous to the proscription of 1814, that will not find absolution with posterity? Possessing the esteem and confidence of the people, they endeavoured to merit both, in an eminent degree, by the manner in which reforms were effected, while the country was still a prey to the horrors of war; and, although this might have been the only sure means of securing popularity with the nation, it is not the less entitled to praise. If, as so many enlightened men have asserted, the people are always ready to recognize their real friends, it is no less true, that they have scarcely ever been guilty of ingratitude towards those who have served them with sincerity. Though unable to manifest it openly, the sympathy of all classes towards the victims of the above memorable persecution was often shewn during their exile and imprisonment; but it knew no bounds on the restoration of freedom, when the first act of the people and the heroes of San Fernando, was to give them back the power and emoluments which had been torn from their hands in 1814. With such a proof of gratitude and sympathy, surely there were obligations contracted on one side as well as on the other; the


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Liberales could not have so soon forgotten the maxims they had so uniformly advocated in the Cortes, and perpetuated in the Charter, that the people are the source of all power, and that, therefore, those who happen to be entrusted with it are merely their servants. Impressed with this important and undeniable truth, what was the line of policy and conduct dictated by those who were thus honored? Were they not bound to pay the most scrupulous attention and deference to that public opinion to which they were exclusively indebted for their release from bondage and elevation to power? What sacrifice ought, in fact, to have been too great on the part of men thus situated, rather than forfeit the esteem and confidence of the people? That change in the state of Europe, occasioned by several years of bitter experience and sedulous inquiry in matters of government, must have convinced the Liberales of 1812, that many acts which would have appeared comparatively harmless during the war of independence, when force had necessarily a large share in the executive government, were totally incompatible with popular feeling and popular knowledge in 1820. Was it in checking the generous impulse given to the nation by the patriotic societies, and at length suppressing them altogether, that the Liberales of 1812 thought to requite their debt of gratitude? Could men who dispersed the army of La Isla, without which, they might have been, to this day, shut up in the dungeons of
Ceuta and Melilla, at a time when the measure was fraught with infinite danger, expect to retain their popularity? Was it in the nature of probabilities that the people could approve the conduct of a party which laid restrictions on the press, and almost abrogated the right of petition, when there was scarcely any other means left of saving the ark from destruction? I pass over the acts of violence and injustice done to various individuals, the narrow and short-sighted policy with regard to South America, their conduct to the Afrancesados, certain jobs relative to public loans, with which certain patriots have mixed themselves up in such a way, as never to recover their lost characters; these, and various other minor faults, prove to demonstration, that the men of 1812, who were called to power and place in 1820, not only mistook the change in public opinion, but forgot the duty they owed to themselves, the people, and posterity. What has been the result of this fatal policy?—a civil war! What will be the result of it?—no man can predict! Need I add, what would have been the probable, nay, certain consequences of paying due attention to the state of public opinion, and promoting a system of union amongst all those who were divided by trifling shades in politics, but whose ultimate objects were the same? Such a policy must have given a strength and consistency to the constitutional government, a degree of energy and zeal to the people, that the enemies of liberty would not have dared to
raise their heads, though even backed by foreign armies, as they have been supported and spurred on by foreign gold and foreign fanaticism! Had such a policy been adopted, the enemies of freedom and humanity, instead of an impoverished treasury, annihilated commerce and a distracted people, would have found an united nation, and with that, the resources necessary for sustaining the social edifice against all the powers of Europe. Having thus freely canvassed the errors of the late ministry, it remains for me to state the natural and inevitable consequences of their erroneous system. The people of every civilized country may be compared to a rich mine, which only requires working to produce new treasures; neither the Liberales nor the Afriancesados embrace all the talents of Spain; on the contrary, it will be, perhaps, soon perceived that both are likely to be outstripped not only in talent, but energy, as they are already in patriotism. The immediate result of forfeiting the confidence of the people, has been the creation of a new party, hitherto unknown in Spain. I allude to the Comuneros; upon whom, as an integral part of themselves, the hopes of the Spanish people are now exclusively centered. When I distinguish the Comuneros as an entirely new party, it arises from the very opposite circumstance which has given rise to them and the followers of Padilla and Maldonado in the sixteenth century. Though the objects in both epochs may be very similar, yet it should be kept in mind that
the first assertors of Spanish liberty lived in an age when feudal institutions and religious fanaticism left no hope of successful resistance to the people; whereas, thanks to the progress of knowledge, circumstances are totally changed in the present day. Although an assimilation of these celebrated parties holds good, to a certain extent, it ought not to be carried too far, lest we should be apt to confound the comparatively trifling interests at stake in one case, with those incalculable results which depend on the other. The Comunidades, who fought under the heroes of Toledo and Villalar, were contending merely for the right to resist the payment of unjust taxes; those of 1820, are struggling for the liberties of Europe as well as those of Spain. It is no longer a contest about imposts, but a struggle between freedom and oppression; a war of principles, in which are involved the dearest interests of mankind, and the fate of countless millions yet unborn!

It is unnecessary for me to point out the immense superiority which this new party is calculated to have over every other; springing directly from the people their interests are inseparable; it is obvious that a party thus constituted, possesses the distinguishing quality of its origin; thus it is, that if the people be eternal, so will the party which they have engendered.*

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"* "Un tyran peut exister pour un jour, mais le peuple est éternel," is amongst the sayings attributed to Robespierre!"
Although the germs of the Comuneros might be traced to those secret associations which preceded the insurrection of 1820, they were so blended with the Liberales of 1812, that it required circumstances like those to which I have alluded to make them a distinct class. This party already boasts some of the most distinguished members of the late Cortes, together with all the generals of note and nearly the whole army; to these may be added the commercial classes, and most of those who fill the middling ranks of society. The rapidity with which its numbers are swelling, will soon make it irresistible, if those who undertake to lead are but true to their constituents and to themselves. Having the rocks on which their predecessors split full before them, and being equally convinced of their danger from without, the leaders of the Comuneros can have no excuse for erring; let them, therefore, only be cautious not to clash with public opinion, but follow it as the polar star of modern civilization, and their triumph will be achieved, for it is in the womb of time!

These brief remarks on the party which has superseded and occupied the place of the Liberales, naturally lead me to say a few words on the obstacles which are opposed to the consolidation of liberty in Spain generally: before I advert to them, I cannot avoid observing that the fall of the men of 1812 ought to operate as a standing lesson to the parties of every country. Should any of the latter be placed in a similar situation, and like the
Liberales of 1812, they betray their trust, is it too much to prognosticate that they will share a similar fate?

As it has frequently occurred in the preceding letters, it would require a large space to do justice to the subject, upon which I have time only to offer a few isolated remarks. Were it not that so many concurrent circumstances had combined, of late years, to produce a modification in the state of society, to which it is absurd to place limits, the obstacles that oppose freedom would be sufficient to appall the most daring; for they are to be found abundantly, on which ever side we turn, if the events of the world were not so powerful, that they must command, instead of obeying. The obstacles to be found in religion, habits, manners, government and institutions of every kind, are such, that no man would dream of aspiring to the dignity of freedom. Happily, there is a fact connected with the history of the present day, which distinguishes it from all others; instead of mankind being governed by events, which they had hitherto been, when in the power of despotism, princes, ministers, and public bodies, must henceforth obey the impulse given by opinion. It is for want of recognizing this simple truth, and in violating the law it imposes, that the organs of power continue to be at issue with, if they are not regarded as, the enemies of those over whom they are appointed to exercise authority. The truth, or fallacy of this doctrine, will be more clearly seen by shortly applying it to the state of Spain.
It will hardly be denied, even by the most slavish advocates of divine right and passive obedience, that a change became indispensable in consequence of the disorganized and impoverished state of the Peninsula in 1820. Seeing that those who had destroyed the Constitution in 1814, and seized the reins of government, had reduced the nation to such a lamentable condition, breaking all their promises and establishing an universal proscription, there was no alternative left but that which was resorted to by the army of La Isla; yet, scarcely had the wishes of the people been acceded to by their sovereign, than his servants organized a massacre at Cadiz; since which, scarcely a week has passed without the discovery of some plot to restore things to the state in which they were in 1819. Not content with lighting up the torch of civil war at home, the abettors of evil have coalesced with the enemies of freedom without, and are known to be making the most strenuous efforts at every court in Europe, to muster a crusade against the Peninsula, and re-establish the ancient despotism. After all that has been already said of the aristocracy and priesthood, it is quite unnecessary to point out who are the authors of these manifold treasons; however natural it may be for little minds to feel desirous of preserving privileges which had given them the means of tyrannizing over their fellow-creatures, I should imagine that it would have been impossible to devise a more effectual mode of destroying every
trace of christianity, than by its ministers placing themselves at the head of armed bands, which they had previously organized for the avowed purpose of pillage and assassination. If this conduct of the Spanish priesthood does not produce an effect, hitherto unknown, since the foundation of the christian system, it will be one of the greatest miracles connected with the religion of Christ.

In noticing the zeal and perseverance with which the priesthood have opposed the constitutional system in Spain, conceiving no excess a crime by which their object could be attained, and, as in every former instance, making the name of the Divinity the pretext for their conduct, I do not deny but that some of the measures of Cortes, relative to the clergy, may be taxed with precipitation. Those, however, who assert that the tythes could have been continued at their original rate, and the church property left untouched, amidst the appeals which poured in from every side, urging the necessity of an immediate determination on these two important points, are, I think, deficient in candour or lamentably ignorant of facts. If it be admitted that the reduction of tythes, appropriation of church property, and suppression of convents, might have been more gradual, it is, on the other hand, but justice to admit, that there is not a single individual of the priesthood, or monkish orders, who can say he has been left unprovided with the means of subsistence. Had the Cortes suffered their first session to close without passing the laws
relative to tythes, convents and noviciates, what would their constituents have said?—since these were amongst the chief sources of national misery and discontent which rendered the late system intolerable.*

* Of the two or three hundred pamphlets that have appeared since the re-establishment of liberty, several are devoted to an exposure of those abuses in all the departments of religion, law and government, which existed under the late system: many of these deserve a more minute analysis than I have room to offer at present.

Bernabeu, the clerical reformer, and a member of the late Cortes, has published a valuable essay on the origin of tythes and church property, entitled "España venturosa," in which the various methods adopted by the early sovereigns and priesthood of Spain, to acquire riches, as well as the scandalous use made of them in after times, are freely canvassed. It is impossible to read the statements of this writer, drawn, as they are, from authentic historical documents, without being filled with astonishment and horror; to think that religion, and, above all, such meek and unassuming doctrines as those of Christ, should have been made the vehicle and pretext for so much deceit, injustice and hypocrisy.

The object of Bernabeu was to shew that a great portion of the riches of the Spanish clergy is derived from the violence and imposture exercised in former days; and that, as they were conferred for the support of the poor, the nation had a right to reclaim this property, and diminish the tythes, whenever it thought proper. This important fact, and that the clergy are merely the depositaries of the property ceded to them, has been proved to demonstration in the pages of "España venturosa."

While the Letters of "El pobrecito Holgazan" contain an ironical critique on the old system, both of religion, politics and morals, the "Letters of Don Justo Balanza" treat them as political questions, and are amongst the most valuable proofs of sound reason-
Regarding the clergy as a body of selfish individuals, whose only ambition is to live on the industry of others, retaining wealth, to which their
title is more than equivocal, and preserving privileges that are contrary to reason and common sense; nothing is more natural than the opposition vicinity of Madrid, that a farmer, whose expenses in cultivating a farm would be 28,953 reals, and where the produce of the harvest amounted, on an average, to 33,411 reals, gains only 4458; out of which the tythes amount to 3080, leaving a balance of 1378 reals, as the fruit of his labour and that of four mules! The author further proves that 70 per cent. was the average paid by the farmers throughout Spain to the priesthood, though there were places where it did not amount to more than 40 and 50 per cent. It is to this monstrous burden, that Miñano attributes the ruin of agriculture, and consequent poverty of the people; he adds, that the abolition of the tythes would be received in Spain with as much joy by the people, as when they first heard of the expulsion of the Jesuits in the reign of Charles III.

A paragraph, relative to the general hospital of Madrid, represents the expense of management to be from 40 to 50 per cent of the whole revenue.

The author's observations on the interminable abuses in religion, particularly those relative to priests, monks and nuns, on the vow of celibacy, and the necessity of recalling those victims of false zeal, but more often, domestic tyranny, back to the bosom of society, are extremely interesting. Miñano's reasonings on the necessity of clerical reform, are, at once, so eloquent and conclusive, that no body of legislators, really interested for the welfare of Spain, would avoid profiting by such unanswerable arguments.

Some very valuable information, respecting the abuses in religion, has been published by an anonymous writer, under the signature of Canta-Claro; proving that the existence of the religious corporations was incompatible with true religion. Independently of his statement relative to the origin of the monkish orders, and their total inutility, Canta-Claro says that the Domi-
they have shown, and continue to manifest, against the new order of things. That men, actuated by such motives, should avail themselves of religion,

capuchins and franciscans, appointed to preach to the people, are those who do it least; it is, therefore, necessary to pay curates for performing this duty, while the former lead a life of mendicity or idleness. The poor labourer, or industrious artisan, after having paid his tythes, is also obliged to support the missionaries, besides the oil, wheat, eggs, fowls, &c. furnished to the neighbouring convents. The effect of this abuse, according to Canta-Claro, is, to pamper the friars, and enable the curates to lead a life of debauchery. It frequently happens, that a convent, containing upwards of thirty friars, is situated near several villages, in which there is not a single curate; yet none of the brotherhood can be found to perform mass on holidays; the village is either too far off, or the donations have not been liberal!

This writer dwells with peculiar emphasis, on the danger of confiding education to the monks or jesuits; he complains of the continued changes of masters in the parochial schools, and that the latter are often shut up for six months together; nor is there any regular plan for teaching. Children intended for the church are dressed up in the clerical habit at the age of ten and twelve and are ordained at fourteen and sixteen, ignorant of the sacrifice they make, and the impossibility of fulfilling the obligations they contract. The natural and inevitable effects of this system, says the writer, is that which we see daily: when they grow up and perceive the abyss into which they had been led, the religious profession ceases to be a paradise, as they had imagined; the effect of this moment of disentanglement from the dream of early life, is often such as to drive the victim into the excesses of irreligion as well as immorality. The facility with which bishops ordain, is justly censured; but, were it not for the number of ordinations,
be led away by such blasphemy: nay, care should be taken to proclaim, with Melchior de Macanaz, that those who pursue such a course are atheists both in principle and practice.*

* The means employed to set the Peninsula in a blaze are so notorious, as not to require any additional data in this place. Having said that there are thousands who would gladly see the holy office and all its gorgon terrors restored this assertion cannot be better proved, than in transcribing one of the innumerable proclamations with which Spain has been inundated, during the last six months; indeed, I might say two years: for the emissaries of fanaticism began while the political code was yet only proclaimed generally, without being confirmed by the oath of fidelity.

The following address was circulated through Catalonia, in the early part of May, by a monk of La Trappe, named Antonio Marañon, whose biography is shortly as follows:—Having been appointed a lieutenant of the regiment of Murcia, in 1817, he was entrusted with a sum of money which belonged to the battalion, and having lost it at play, deserted to avoid the consequences. Becoming a Trappiste soon after, he appeared to conform to all the outward austerities of the brotherhood, till its suppression by the late Cortes. Our hero then sought an asylum north of the Pyrenees; his reception there was not less cordial than that of all the bigots and knaves who had preceded him. When a plan of future operations was settled, Brother Antonio set out, supplied with the principal materiel of war—gold,—and crossing the frontier near Jaca, was seen to enter Reus in April, having two mules, well laden, in his suite. Nothing more was heard of the reverend father, until his proclamation was seized, and himself put to flight, together with his deluded followers, about two hundred peasants, by a small party of national militia. This took place at the end of June.
POSTSCRIPT.

That the Grandees and their followers, including a large portion of the legal and military professions, who have been bred up in a belief that

"Proclamation.

"Soldiers and Children in Jesus Christ!

"By the aid of the Lord, you have just gained a degree of glory equal to that which your ancestors and forefathers acquired over the impious Moors, in favour of our holy religion. The bells of the temple of the Lord have called forth your valour and love for the triumph of the faith. Ye have taken up arms, and God will protect your salutary intentions. Ye have begun these glorious feats for exterminating the troops of the line, militia, and Constitutionalists; continue, therefore, in your firm will and resolution; and you are more than a match for these perverse wretches; or rather, you will imitate your fathers, who elevated the cross on the Spanish soil, which you worthily occupy, in signs of the total destruction of the Moorish race. A new sect, still worse, is doing its utmost to conquer, on the ruins of the sacred temples, which you see either shut up or annihilated daily. If you wish to be pure, and to conquer the road to Heaven, follow my example, which will shew you that of victory; and the standard of the crucifix, that I bear in your front, shall be the fundamental base and unerring guide of all your actions.

"The Lord is pleased with sacrifices; being, as you are, Christians, and I being at your head, I depend upon you, in order to gain the end so much desired. Marínó directs you to fresh victories, like that which you have just gained; and our enemies, as well as those of religion, the spouse of Jesus Christ, will be saved only through our generous exertions. Let us, therefore, swear and declare before the Heavens, and in the presence of the image of the Lord, not to lay down our arms before they are exterminated; I mean the philosophers, troops of the line, and militia. Unanimously, and with one accord, let us cry, Long
and make a watch-word of the Divinity, for purposes that involve every crime, is surely a sacrilege of the most palpable description; so long as they persevere in this unhallowed path, let them not

the papal see would be deprived of a very profitable source of revenue!

It would appear, from other publications, that the number of monks of all colours and denominations, barefooted and bare-headed, with their attendants, at the period of Spain's recent liberation, was little less than 90,000; while the secular clergy, including the various dignitaries and attendants, exceeded 80,000; (this number is independent of 5000 nuns.) According to an estimate by Cabarrus, presented to Joseph Bonaparte in 1809, the clergy possessed a fourth of the whole capital of the kingdom, while their annual revenue amounted to 750,000,000 of reals; that is to say, as much as it costs to support the army and navy, diplomatic agents, administration of justice, and collection of the revenue! But there were various, and very considerable benefits arising from donations, legacies, and what the mendicant orders collect, which are not included in the above sum. The effect of celibacy on the population may be conceived, when it is added, that above one hundred and twenty thousand individuals of both sexes, are at this moment interdicted from marriage; and, as observed by an ingenious writer on this important subject, the fact of none being received into holy orders, who have any physical defect, tends greatly to aggravate the injury. Although it is scarcely possible to calculate with exactness the loss sustained by population, from the celibacy of the Spanish hierarchy, the attempt has been made. It results from this, that had the unnatural vow ceased in 1500, Spain would have boasted an addition to her present population of 2,300,000! The same writer, who has furnished the above data, after observing that the Peninsula does not contain more than a third of the number of
imagine that any but the poor and wretched beings, whom their doctrines have brutalized, will

inhabitants which the richness of its soil would be equal to support; and that those who labour do not produce a sufficiency of grain, as 625,000 sacks of corn are imported annually; states that the productive classes bear a proportion of only one to four of the whole population; so that 4,000 individuals live by the labour and fatigue of 1000!

A volume might be filled with a history of the senorial rights and privileges, all originating in periods of ignorance and tyranny, and which, from being discretionary on the part of the vassals, in time were converted into permanent claims and vested interests. According to these monstrous immunities, the beasts of the field were not more effectually the property of the Spanish lords than were their vassals. The infamous right of cuissage, exacted in France, until the sixteenth century, was not completely abolished in Spain till 1812; as a small town, called Verdu, in Catalonia, paid a yearly fine to be exempted from this despotic usage. The above right, and many others, equally derogatory to justice, were acknowledged to have been exacted by the nobles in a decree of Charles III. published in 1786.

The system of plunder to which Spain has been exposed from the Court of Rome, fully accounts for the efforts made to oppose the Constitution in that quarter. What with the price paid for bulls, dispensations, plenary indulgences, fines on taking orders, pensions, &c. there is no possibility of calculating the real sum drawn from the people by this crying abuse. To give a distant idea of its extent, I need only mention that one of the pensions paid annually from the fund called La Santissima Cruzada, for supporting the establishment of the Vatican, amounted to no less a sum than fifteen thousand Spanish dollars! Various other sums, not much inferior to this, were also paid from the same source, though the money thus extracted from poor Spain was levied on the most indigent classes of the people.

R R
the people were destined to be little better than the beasts of the field, should have joined the clergy, is not a matter of the smallest wonder; nor is there any doubt, but that they would have made some efforts to resist the system, even without the instigations of the hierarchy. I will, however, venture to assert, that had the clergy not organized the peasantry, and appeared at their head, neither the civil aristocracy, nor the few military men who have dishonoured themselves by joining the seditious bands, would ever have taken an active part in promoting rebellion. Were it not for the use made of their power by the classes I have noticed, it is easy to conceive what an effect their united labours must have produced; but, like a giant exhausted by excesses, the inefficacy of their efforts will tend only to make weakness and decrepitude more apparent, while the necessity of virtue, and the desire of amelioration on the part of the people, must insure a certain and lasting victory. In taking my leave of the

"Long live our Redeemer! long live our absolute King! and for the safety of these, blood and flames to every Constitutionalist!"

It will be seen, by the confident tenor of this address, that it must have been written for a different result: Brother Antonio had, in fact, reckoned without his host! Such, however, are the emissaries employed, and such the doctrine preached, by the anti-social faction of Europe.
priesthood, nobility, and other privileged orders of Spain, who are so strenuously labouring to re-establish civil and religious tyranny, I would fain say a few words, by way of proving that they are running, with hasty strides, to an abyss which is ready to receive them: experience has, however, so often proved the inutility of exhortation, that I am not weak enough to imagine any reasons I could adduce will produce the least effect, where those of Christ and his Apostles, not to mention the fathers of the primitive church, have failed.

I shall premise the observations I have to offer, relative to Ferdinand VII. and his family, by what will be regarded as an absurd paradox, by many with whom nothing can be further from my wishes than to differ in opinion. If it be a truth, borne out by the experience of ages, that man is the creature of circumstances and education, where is the justice of condemning those who, born in the midst of crime, are brought up under the tuition of persons, whose duty it is to instil false notions; men who are, in reality and fact, no more free agents than the criminal loaded with chains and waiting the hour of execution?—If the following particulars respecting His Catholic Majesty be true, I maintain it, that history will exonerate him from the charges which now weigh so heavily on the head of that unfortunate monarch. Coming in contact, as this biographical sketch does, with so many assertions of an opposite nature, thrown out, either as general hints or open charges, it will
require something more tangible before I am convinced that my informant has deceived me.

Having, during my stay at Madrid, collected all the information in my power, regarding the mode of life and general conduct of the Royal family (for it is amongst the melancholy privileges of royalty, to be the object of legitimate inquiry with the lowest subjects), I found it totally impossible to reconcile the stories circulated with actual observation; and often, when individuals, on whose judgment and impartiality I was bound to depend, made certain assertions, I could not help asking, whether it was possible, that the private life of a man could be so irreproachable, while his public acts are represented as more atrocious than any laid to the charge of Nero himself? I have often exclaimed, surely, it is not in nature for hypocrisy to be carried so far! More deeply impressed with the striking opposition between actual observation and public rumours, I determined to obtain such data as should, at least, convince me, the contrast was complete in all its parts. The statement I am about to offer is contained in a letter, transmitted to me from Madrid, by a person thoroughly acquainted with every particular of the King's life, though entirely unconnected with the palace.

After some observations on the persecuting spirit assumed by the Liberales of 1812, who formed the first constitutional ministry, and their conduct with regard to the army of La Isla, my
correspondent thus proceeds:—"I shall now pass to the promised details: they will not be very numerous, as the personage in question has never been anything more than a passive instrument in the hands of others. Born with a weak and sickly constitution, his infancy was passed in a series of maladies: many of his preceptors were men of merit; you know that Escoiquiz was his guide in ethics, moral philosophy, and history, while father Scio, the author of an excellent translation of the Bible, and a man of great learning, superintended his religious and biblical studies; he received lessons in military tactics from Colonel Maturana, an officer of artillery, and a highly meritorious character. Scarcely had he surmounted the dangers of infancy, than he began to experience the hatred vowed to him at an early period by his mother! This hatred was inspired by the Prince of Peace, who saw an insurmountable obstacle to his ambition in the heir apparent. Although his youth was passed amidst the tribulations of an implacable persecution, Ferdinand was never observed to betray the most trifling anger or resentment against his parents; he was, for several years, deprived of all communication and correspondence, except with the few imbecile courtiers who were placed to watch his person: it is a well known fact, that all those to whom he showed any particular mark of kindness were marked out and given up to persecution. He was married in 1804, to Maria Antonia de Bourbon, an Infanta
of Naples: this princess was highly accomplished, possessing an elevated mind, and great independence of character. She soon opened the eyes of her husband to the scandalous proceedings of the Court. The destruction of this amiable woman was soon decided: after a most difficult labour, and long sickness, during which they were so barbarous as to separate her from her husband; she fell a victim to a violent remedy in 1806. An apothecary of the Court shot himself some months after, leaving a written paper, in which he declared the part he had taken in the death of the princess. From that time till the famous affair of the Escorial, his life presents no event of importance. Stimulated by his own feeling, and urged on by some individuals of the Court, in 1807, the prince determined to throw himself at the feet of Charles IV, and represent the hatred of the whole people against Godoy, the disorders of the finances, and all those other evils which oppressed the nation. The paper composed by him on this occasion, and written in his own hand, was a masterpiece of reasoning, filial tenderness, eloquence and patriotism. This document is unfortunately lost. Ferdinand entreated his father to drive from his palace the man who dishonoured him; also, that he should immediately assemble the Cortes, and, though late, listen to the voice of the people. Escoiquiz and the Duke del Infantado were the principal actors in this business: they calculated on the support of France, which had been promised by Count